MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 15, 2022

A. ROLL CALL, POSTING OF AGENDA

At 4:33 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority), 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. Councilmembers Gabriela Basua, Vianey Lopez, Oscar Madrigal, Bert E. Perello, Gabriel (Gabe) Teran, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present.

Housing Authority Commissioner Jose Andrade arrived at 6:00 p.m., Commissioner Francisco Vega was absent.

Staff members present in person were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Ashley Golden, Assistant City Manager; Jennie Kelly, Assistant City Attorney; Steve Naveau, Director of Human Resources; Jason Benites, Police Chief; Kenneth Rozell; Jason Zaragoza, Deputy City Attorney; Joe Pearson II, AICP, Senior Planner; Scott Kolwitz, Planning & Environmental Services Manager; and Simone Seydoux, Assistant City Clerk.

Staff members Alexander Hamilton, Fire Chief; Betsy George, Chief Financial Officer; Brian Yanez, Assistant Public Works; Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer; Emilio Ramirez, Housing Director; Eric L. Storrie, Special Districts Manager; Helen Miller, Chief Information Officer; Jason Benites, Police Chief; Jeff Miller, Wastewater Infrastructure Manager; Jeff Pengilley, Community Development Assistant Director; Kumar Neppalli, Traffic Operations Engineer; Luis Ortega, Wastewater Management Analyst II; Michael Wolfe, Public Works Director; Shiri Klima, Deputy City Manager; Steve Howlett, Assistant Public Works Director; Tai P. Chau, PE, QSD/P, Supervising Civil Engineer; Tatiana Arnaout, City Engineer; Timothy Beaman, Supervising Civil Engineer; Vyto Adomaitis, Community Development Director; and Denise Shadinger, Assistant Chief of Police participated via videoconference.

Erik Nasarenko, Ventura County District Attorney; Michael Jump, Ventura County Chief Deputy District Attorney; Javier Gomez, Inlakech Cultural Arts Center; Ann Walsh, Shea Properties; Jonathan Cornelius, Fore Properties; Mark Di Cecco, RiverPark Town; Sean Mohn, Gibson Transportation; Tony Locacciato, Meridian Consultants; Tony Talamante, Talamante Project; Anthony Valdez, Starbucks; Hollee King Winegar, MPA, AICP; and Christian Sprunger, Assistant VP also participated via videoconference.

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

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Ray Blattel (cumulative cost of health benefit contributions from the City).

C. CLOSED SESSION (4:30 PM)

1. 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

The City Attorney read the following closed session statement:

"The City Council will recess after the Public Comment period is closed to a closed session, pursuant to Government Code section 54957.6 to review the status of labor negotiations and to review its available funds and funding priorities for the purpose of providing instructions to the City's negotiators regarding the organizations and the unrepresented positions specified in Item C.1 of the meeting agenda."

At 4:38 p.m., the City Council recessed to a closed session. At 5:02 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced the City Council met with its labor negotiators and provided instructions.

D. <u>APPOINTMENT ITEMS (5:00 PM)</u>

1. SUBJECT: Update by District Attorney Erik Nasarenko on the Family Justice Center in Oxnard.

   District Attorney Erik Nasarenko and Chief Deputy District Attorney Michael Jump gave a PowerPoint presentation to the City Council on the Family Justice Center in Oxnard.

E. <u>OPENING CEREMONIES (6:00 PM)</u>

The flag salute was followed by a moment of silence for the people of Ukraine.

F. <u>CEREMONIAL ITEMS</u>

1. SUBJECT: Presentation of a Proclamation Designating March 31, 2022 as "Cesar E. Chavez Day."

   Mayor Zaragoza read the proclamation and presented it to Mr. Javier Gomez, Inlakech Cultural Arts Center. Mr. Gomez accepted the Proclamation on behalf of the community and announced a virtual celebration recognizing Cesar E. Chavez Day.

G. <u>PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA</u>

Tom Barber (Sunset Little League 50th Anniversary), Deirdre Frank (Efforts in Ukraine and the Ukrainian Orthodox Church in Oxnard, Cannabis application in Oxnard Shores, cost of litigation and the Council), Douglas Partello (contract service with Mariposa Landscaping and work done at the Cabrillo neighborhood.

[redacted]I. 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 ("Director") on the COVID-19 Local Emergency ("Emergency"); and
   2. Ratify orders issued by the Director pertaining to the Emergency, potentially including an order addressing freight container shipping congestion and orders rescinding or modifying previously issued orders.

City Manager Nguyen announced an update on COVID-19, rental assistance, microbusiness relief grants, bulky item drop-off days and upcoming sports park idea day.

City Attorney Fischer announced there was no director order action to take tonight and that it would take place at the next Council meeting.

I. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

Councilmember Lopez made comments on how happy she was being back in Chambers and highlighted the local business Absolute Plumbing and Routing.

Councilmember Teran featured locally-owned Hair Supplies and Great Cuts and gave an update on volunteering with Councilmember Perello on March 5 at the bulky item collection at the Police Activities League parking lot.

Mayor Pro Tem MacDonald picked Dolce Vita in the Transportation Center as his business. Mayor Pro Tem announced that the LOSSAN Rail Corridor Agency Board he serves on which manages the Amtrak Pacific Surfliner is trying to return to a normal schedule of commuter transportation. Also, the Oxnard Convention & Visitors Bureau Board he serves on is putting together a program for temporary banners and murals for the OTC to encourage visitors.

Councilmember Basua recommends the Vineyard Cafe.

Councilmember Perello discussed neighborhood clean-ups. He highlighted this is a way of addressing illegal dumping. Attended opening of the Little Leagues at East Side Park and at the Durley Park. Durley Park Sunset Little League had seven members of the 1972 World Champion Senior League runner ups attending, with a plaque donated in their honor. Councilmember Perello also attended a low rider car show at Oxnard High School, the beginning of the Cabrillo Neighborhood Council and the Airport Authority. Thanked the Neighborhood Pride and Casa de Vida volunteers for their clean up and featured Henry's Cafe as his business.

Councilmember Madrigal recommended local family business American Drive-In Cleaners. He also announced that he had the pleasure of participating Read Across America through Zoom.

Mayor Zaragoza attended opening day for the youth program at the Northside Little League along with Councilmember Perello, Chief Benites and Assistant Chief Sonstegard. The Mayor also attended the Neighborhood Clean-up Program, the Bulky Item Drop-Off Days at Region two and thanked all the departments involved. The Mayor shared photos from the Sunset Little League 50th Anniversary Celebration at Durley Park and commended Tom Barber and his committee for planning the celebration.

The Mayor called on Chief Benites who spoke on the microgrants they give to community organizations and this year they presented a check for $4,000 to the Sunset Little League. The Mayor recommended Kabuki at the Collections.

1. City Manager Department
   SUBJECT: Appointment of Voting Delegate and Alternate for Southern California Association of Governments General Assembly.
   RECOMMENDATION: That the City Council appoint Councilmember Gabriela Basua as the City's voting delegate to attend the 2022 Southern California Association of Governments (SCAG) General Assembly scheduled for May 5 - 6, 2022 in Palm Desert, California and appoint an alternate delegate.

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

J. REVIEW OF INFORMATION/CONSENT AGENDA
Items L-1 through L-12 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA
Chuck Carter, Channel Islands Neighborhood Council Volunteer (K.8 Measuring of Water Quality).

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the February 9, 2022 special meeting, the February 15, 2022 regular meeting, and the February 16, 2022 special meeting as presented.

2. City Attorney Department
   SUBJECT: Adoption of **Ordinance 3008** Amending Oxnard City Code Section 2-2.5.Regarding the Boundaries and Identifying Number of Each City Council District.
   RECOMMENDATION: That the City Council adopt **Ordinance 3008** that amends Oxnard City Code Section 2-2.5 regarding the boundaries and identifying number of each City Council district.

3. Finance Department
   SUBJECT: **Resolution 15,546** Declaring the Intent of the City to be Reimbursed for Certain Capital Expenditures from the Proceeds of Indebtedness.

RECOMMENDATION: That the City Council adopt **Resolution 15,546** declaring the intent of the City to be reimbursed for certain capital expenditures from the proceeds of indebtedness. (Finance and Governance Committee approved 3-0.)

4. Public Works Department
   SUBJECT: Third Amendment to Agreement A-8243 with Northern Digital, Inc. for Water System SCADA Design Project PW 20-97
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Third Amendment to Agreement A-8243 with Northern Digital, Inc. in the amount of $78,500 for a new not to exceed contract amount of $344,700 for additional design work required for the Water System Supervisory Control and Data Acquisition Design Project PW 20-97 (Project No. 206509).

   (This item did not originate in Committee as this is a capital improvement project specifically listed in the Capital Improvement Program budget, which was previously approved by the City Council.)

5. Fire Department
   SUBJECT: Purchase Order Western Extrication Specialist Inc., in the amount of $316,748.40.
   RECOMMENDATION: That City Council authorize the Mayor to sign a Purchase Order with Western Extrication Specialists Inc. for $316,748.40 to purchase battery-operated extrication equipment.
   (Community Services, Public Safety, Housing & Development Committee approved 3-0.)

6. Public Works Department
   SUBJECT: **Resolution 15,547** for a Grant from California Water and Wastewater Arrearage Payment Program.
   RECOMMENDATION: That the City Council adopt **Resolution 15,547** authorizing the City Manager or designee to:

   1. Accept a grant from the California Water and Wastewater Arrearage Payment Program in the amount of $1,258,764.85 for delinquent water charges related to COVID-19;
   2. Apply for a grant from the California Water and Wastewater Arrearage Payment Program in the amount of $848,092.67 for delinquent wastewater charges related to COVID-19; and
   3. Execute grant agreements; the Finance Director or designee to submit financial reports and grant claims and approve budget appropriations for the use of grant funds; the Director of Public Works or designee to submit non-financial reports.
   (This item did not originate in Committee.)

7. Community Development Department
   SUBJECT: Approving the Appeal and overturning the Planning Commission's Denial of Planning and Zoning Permit No. 21-550-01 (Major Modification to U-916 (Special Use Permit) for the proposed Starbucks at 2551 North Vineyard Avenue (APN: 132-0-043-215).
   RECOMMENDATION: That the City Council:

   1. Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
   2. Adopt **Resolution 15,548** Approving the Appeal and overturning the Planning

Commission's Denial of Planning and Zoning Permit No. 21-550-01 (Major Modification to U-916 (Special Use Permit)), subject to certain conditions and findings.

(This item did not originate in Committee.)

8. Public Works Department
SUBJECT: Channel Islands Water Quality and Quality Assurance Project Plan (QAPP) Report.
RECOMMENDATION: That the City Council receive and file a report on water quality monitoring efforts in the Channel Islands Harbor.
(Public Works and Transportation Committee approved 3-0.)

9. Public Works Department
SUBJECT: Agreement A-8431 with Executive Facilities Services, Inc. for Custodial Services at Various City Locations.
RECOMMENDATION: That the City Council approve and authorize the:

1. Mayor to execute Agreement A-8431 with Executive Facilities Services, Inc., for a term of one year with the option to extend for two consecutive periods of one year each upon the written agreement of both parties for a maximum possible contract term of three (3) years, and for a total contract not-to-exceed amount over the entire possible contract term of $735,000 to provide custodial services for the Water Campus, Blending Stations 3, 4 and 5, Wastewater Treatment Plant, Advanced Water Purification Facility (AWPF) and Del Norte Regional Recycling and Transfer Station (Del Norte); and

2. Purchasing Agent to execute amendments to extend the term of Agreement A-8431 up to a total maximum term of three (3) years.

(Public Works and Transportation Committee approved 3-0.)

10. Public Works Department
SUBJECT: Agreement A-8440 with South Coast Industrial Door, Inc. for Roll-Up Door Maintenance and On-Call Repair Services Specification No. PW 22-71.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8440 with South Coast Industrial Door, Inc. in the amount of $750,000 for a three year term for the Roll-Up Door Maintenance and On-Call Repair Services Specification No. PW 22-71.
(Public Works and Transportation Committee approved 3-0)

11. Public Works Department
SUBJECT: Agreement A-8438 with Garcia's Landscaping Maintenance Inc. for On-Call Landscape Vegetation and Irrigation Systems Repair and Maintenance Services Specification No. PW 22-73.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8438 with Garcia's Landscaping Maintenance Inc. in the amount of $1,000,000 for a three year term for On-Call Landscape Vegetation and Irrigation Systems Repair and Maintenance Services Specification No. PW 22-73.
(Public Works and Transportation Committee approved 3-0.)

12. Housing Department

SUBJECT: Purchase and Sale Agreement between the City of Oxnard and the Oxnard Housing Authority for the sale, in the amount of $1, of a single-family home located at 3139 J Street.

RECOMMENDATION:

1. That the City Council adopt **Resolution 15,549** authorizing the City Manager or designee to execute and take all needed actions in consultation with the City Attorney relative to entering into a purchase and sale agreement, a regulatory agreement, and a declaration of restrictive covenants by and between the City of Oxnard and the Oxnard Housing Authority for the sale of residential real property located at 3139 J Street.

2. That the Board of Commissioners of the Oxnard Housing Authority adopt **Housing Resolution 1328** approving and authorizing its Executive Director or designee to execute and take all needed actions in consultation with the Authority's General Counsel relative to entering into a purchase and sale agreement, a regulatory agreement, and a declaration of restrictive covenants by and between the City of Oxnard and the Oxnard Housing Authority for the purchase of residential real properties located at 3139 J Street.

Consent Item L.2

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

Consent Item L.7

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

Consent Items L.1, L.3 - L.6, and L.8 - L.11

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

Consent Item L.12

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

M. PUBLIC HEARINGS

1. Housing Department

SUBJECT: 5-Year PHA Plan, Annual Agency Plan and Capital Fund Program Five-Year Action Plan for Low Rent Public Housing. (0/10/5)

RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard (OHA):

1. Hold a public hearing to receive comments concerning the third year of the 5-Year PHA Plan,

the 2022 Capital Fund Budget, and the Capital Fund Five-Year Action Plan; and

2. Adopt **Housing Resolution 1329**;

a. Approving the 2022 Annual Agency Plan, 5-Year PHA Plan for the Housing Authority;

b. Authorizing and directing the Chairman to execute the Department of Housing and Urban Development Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures;

c. Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with policies and procedures of the Department of Housing and Urban Development regarding the Annual Agency Plan and the 5-Year PHA Plan;

d. Approving the 2022 Capital Fund Budget and Capital Fund Five-Year Action Plan; and

e. Authorizing the Housing Director to accept and expend the funds as indicated in the 2022 Capital Fund Budget and Capital Fund Five-Year Action Plan.

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. There were no public speakers.

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 Madrigal, to approve the recommended action. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza and Housing Authority Commissioner Andrade voted in favor; motion passed 8-0. Housing Authority Commissioner Vega was absent.

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 continuing the meeting past 10:00 p.m. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; the motion carried 7-0.

2. <u>Community Development Department</u>

<u>SUBJECT</u>: RiverPark Specific Plan Amendment & RiverPark and Fore Property Development Agreement Amendments; Located in The RiverPark Specific Plan area generally located North of the Ventura Freeway (Highway 101), west of East Vineyard Avenue, east of the Santa Clara River, and south of Central Avenue (RiverPark) and 2700 and 2750 North Ventura Road (APN 132-0-100-095 & 132-0-100-085) (Fore Property). (10/20/30)

<u>RECOMMENDATION</u>:

That the City Council:

1. Conduct a public hearing, and

Take the actions identified under one of the three following options:

<u>Option 1 – Applicants' Original Request/Staff's Recommended Action</u> – <u>Allowing</u>

residential development in Districts B, C, and D of the RiverPark Specific Plan totaling a maximum of 1,025 additional units. No Project Labor Agreement would be required by the City for future residential development in these Districts:

a. Certify an Addendum to FEIR No. 00-03; and

b. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-630-01 (Specific Plan Amendment No. 7 to The RiverPark Specific Plan) for map and text amendments to The RiverPark Specific Plan , subject to certain findings; and

c. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-670-04 (Sixth Amendment to Development Agreement No. A-6128) for The RiverPark Property, subject to certain findings; and

d. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-670-03 (Second Amendment to Development Agreement No. A-7113) for the Fore Property, subject to certain findings.

Option 2 – Reduced Specific Plan Amendment Alternative – Allowing residential development in Districts B and C of the RiverPark Specific Plan totaling a maximum of 613 additional units. No Project Labor Agreement would be required by the City for future residential development in these Districts:

a. Certify an Addendum to FEIR No. 00-03; and

b. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-630-01 (Specific Plan Amendment No. 7 to The RiverPark Specific Plan) for map and text amendments to The RiverPark Specific Plan, subject to certain findings; and

c. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-670-04 (Sixth Amendment to Development Agreement No. A-6128) for The RiverPark Property, subject to certain findings; and

d. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-670-03 (Second Amendment to Development Agreement No. A-7113) for the Fore Property, subject to certain findings.

Option 3 – Planning Commission Recommendation – Allowing residential development in Districts B and C of the RiverPark Specific Plan totaling a maximum of 613 additional units, subject to the Applicants first entering into Project Labor Agreements:

a. Provide direction to City staff to negotiate new language in both the Fore Property Development Agreement Planning and Zoning Permit No. 20-670-03 (Second Amendment to Development Agreement No. A-7113) and the RiverPark Development Agreement Amendment Planning and Zoning Permit No. 20-670-04 (Sixth Amendment to Development Agreement No. A-6128) that requires the

Applicants to enter into Project Labor Agreements for their respective properties prior to the issuance of building permits within District B and District C, and continue the item to a date uncertain for consideration of the Development Agreement Amendments, Specific Plan Amendment, and certify an environmental document.

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.

Vyto Adomaitis, Community Development Director, made introductory remarks. Scott Kolwitz, Planning & Environmental Services Manager and Joe Pearson II, AICP, Senior Planner; gave a report and answered questions. A presentation was made by Ann Walsh, Shea Properties and Jonathan Cornelius, Fore Properties.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Austin Meyer (parking issue looks resolved); Gene Ramirez (business owners in favor); Michael Schanafelt (Resident and business owner in favor); Alex Perez (local union carpenter in favor of PLA); Manley McNinch (member carpenter union in favor of PLA) ; Anthony Ventura (carpenter union in favor of PLA); Anthony Mireles (Original partner with Shea in favor of PLA); Daniel Mora (Central Coast Labor Council in favor of PLA); Jonathan Duran (carpenter and union representative and in favor of PLA); Max Ghenis (in favor of more housing); Tai Hartley (oppose all options presented); Barbara Macri-Ortiz (disappointed in affordability of units); Rich Niday (local hire and apprenticeship opportunities); Jeff Bode (Apprenticeship programs thanks to PLAs), Joshua Medrano (PLA covers all workers); Deirdre Frank (this is a zoning issue); Douglas Partello (affordable housing needed, build in the south); Dan Smith (outreach to the youth and military with local employment); Alex Mireles (preserve the PLA); Andrew Fogg (represent Shea Properties, addressing EIR questions); Katherine Lazier (resident wants balance).

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

Councilmember Perello made a motion for a hybrid of Option 1 with the addition of a PLA. Motion was seconded by Councilmember Lopez. Deputy City Attorney Zaragoza clarified the motion as being Option 3 with the inclusion of District D.

Mayor Pro Tem MacDonald amended the motion on the floor to go back to Option 1. Mayor Zaragoza seconded the motion.

Councilmember Basua moved to amend the amended motion on the floor by adding a 35% local hire amendment to Option 1. Motion was seconded by Councilmember Madrigal.

Deputy City Attorney clarified Councilmember Basua's motion for the record that this was a motion to amend the amendment recommending approval of Option 1 with the following language added to the development agreements:

The 6th Amendment to Development Agreement regarding Riverpark would read as follows:

<u>Section 6</u>

Selection of Local Sub-Contractors.
In order to promote and maximize the employment of City of Oxnard and Ventura County residents on the project, Owner, to the extent allowed by law, commits to make a good faith effort to achieve a goal of at least 35% of sub-contractors performing project work be primarily located in Ventura County.

The 2nd Amendment to Development Agreement for the Fore Property would read as follows:

Section 7
Selection of Local Sub-Contractors.
In order to promote and maximize the employment of City of Oxnard and Ventura County residents on the project, Owner, to the extent allowed by law, commits to make a good faith effort to achieve a goal of at least 35% of sub-contractors performing project work be primarily located in Ventura County.

Vote was taken on motion by Councilmember Basua, seconded by Councilmember Madrigal to amend the amended motion of Mayor Pro Tem MacDonald by adding the above language regarding 35% local hire. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; the motion carried 7-0.

Vote was taken on the now amended motion by Mayor Pro Tem MacDonald, seconded by Mayor Zaragoza which amended the motion on the floor by removing the Project Labor Agreement. VOTE: Basua, Lopez, MacDonald, Madrigal, and Zaragoza voted in favor; Perello and Teran voted against; motion carried 5-2.

Vote was taken on the now twice amended motion by Councilmember Perello, seconded by Councilmember Lopez which now reads as choosing Option 1 with a 35% local hire amendment to the development agreements. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, and Zaragoza voted in favor; Teran voted against; motion carried 6-1.

With Option 1 passing, **Ordinance 3009, 3010 and 3011** were introduced with a first reading and will be brought back to a subsequent City Council meeting for adoption.

N. ADJOURNMENT
There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 10:40 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C. Zaragoza
JOHN C. ZARAGOZA
Mayor