MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 29, 2022

A. ROLL CALL, POSTING OF AGENDA

At 5:00 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 6:30 p.m., Commissioner Francisco Vega was absent.

Staff members present in person were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Kenneth Rozell, Chief Assistant City Attorney; Jason Zaragoza, Deputy City Attorney; Michael Wolfe, Public Works Director; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Scott Kolwitz, Planning & Environmental Services Manager; Joe Pearson II, AICP, Senior Planner; Kathleen Mallory, Planning & Sustainability Manager; and Terrel Harrison, Cultural & Community Services Director.

Staff members Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Adam Smith, Project Manager; Betsy George, Chief Financial Officer; Alexander Hamilton, Fire Chief; Jason Benites, Police Chief; Alex Arnett, Police Commander; Marc Amon, Police Commander; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, Senior Civil Engineer; Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer; participated via videoconference.

Carolyn Merino Mullin, Executive Director, at the Oxnard Performing Arts Center (OPAC); Christian Sprunger, Assistant Vice President at NHA Advisors; Joseph Cabral and Karen Schmidt with Clean Power Alliance; 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: F G v. City of Oxnard
   Ventura County Superior Court, Case No. 56-2022-00562807-CU-OE-VTA
   Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
   Name of case: Adair; et al. v. City of Oxnard; et al.
   Ventura County Superior Court, Case No. 56-2022-00563192-CU-MC-VTA
   Legislative Body: City Council

At 5:02 p.m., the City Council recessed to a closed session. At 6:25 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 (6:30 PM)

The flag salute was followed by a moment of silence.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Fernanda Ruiz.

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 ("Director") on the COVID19 Local Emergency ("Emergency"); and

2. Ratify orders issued by the Director pertaining to the Emergency, including an order addressing freight container shipping congestion and an order rescinding or modifying previously issued orders.

Jason Zaragoza, Deputy City Attorney, presented an item ratifying two previously issued Director Orders pertaining to the ongoing COVID-19 emergency: (1) an Order addressing freight container shipping congestion; and (2) an Order rescinding or modifying previously issued Orders.

Resolution #15,550 (Director Issued Order No. 22-01)

A resolution of the City Council of the City of Oxnard Ratifying an Order Issued by the Director of Emergency Services.

Resolution #15,554 (Director Issued Order No. 22-02)

A resolution of the City Council of the City of Oxnard Ratifying an Order Issued by the Director of Emergency Services.

It was moved by Councilmember Teran, seconded by Councilmember Lopez, to approve the recommended action, ratify Director Issued Orders and approved Resolution **#15,550** and Resolution **#15,554**. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

G. CITY COUNCIL REPORTS

Councilmember Teran selected Garcia's Catering as his recommendation for a local business. He thanked the RiverPark Neighborhood Council Executive Chair Tai Hartley, residents and staff that attended their last meeting. He also thanked the residents of the Wagon Wheel Community for attending the initial meeting held by the Executive Board Chairs to talk about forming a Neighborhood Council for the Wagon Wheel Community. Reported that he made 14 reports to the 311 application for illegal dumping and these requests were handled within 24-72 hours. He thanked the 311 team for their quick response to these requests. He also thanked the City Manager for hearing the request from Ms. Ruiz about the work that the students of the Oxnard School District and the Oxnard High School

District are doing in the City. He would like to see that the students be placed on a future Council agenda prior to graduating in June.

Mayor Pro Tem MacDonald selected Hunan Garden Chinese Restaurant as his recommendation for a local business. He announced that most of the commissions that he participates in are now transitioning to normal business and holding their meetings in person. He attended the Ventura County Transportation Commission (VCTC), Gold Coast Transit, and the Railroad Authority for Amtrak. He reported on the many different items that can be recycled at the Del Norte Recycling Center. Announced that the National Latino Peace Officers Association of Ventura County is holding its Annual Scholarship Dinner and encouraged local students to apply for the $1000 grant.

Councilmember Madrigal selected The Taco Shop on Saviers Road as his recommendation for a local business. Mayor Zaragoza, Councilmember Teran, and Councilmember Madrigal participated in a clean-up event at Brekke School. Also, attended the Colonia Eastside Youth Baseball League, first pitch event. He reminded the community to use the 311 application to report potholes. He is hopeful that the City will respond to the recent complaints received about potholes. He announced that there is a resurfacing project coming soon and asked staff to provide an update on the resurfacing project in the La Colonia area.

Councilmember Lopez selected Mendez Mexican Products as her recommendation for a local business. reported she will be attending the upcoming Redwood Neighborhood Council meeting. She attended a tour of the Ormond Beach along with City staff to improve Ormond Beach. There was representation from the Nature Conservancy, the Coastal Conservancy, and Senator Monique Limon. She looks forward to the collaboration to protect Ormond Beach and the improvements being planned for that area.

She pleased to know that City staff is working with BEACON to attend and present at a future Council meeting.

Councilmember Basua selected Sky Salon as her recommendation for a local business.

Councilmember Perello selected Piñatas Fabrics and Crafts as his recommendation for a local business. He reported attending the Channel Islands Neighborhood Council event at the Peninsula Yaght Club, honoring the outgoing Executive Chair. He thanked Jack Villa for inviting him to attend the Wagon Wheel Community meeting to discuss and consider forming a Neighborhood Council. He announced that there are upcoming meetings at the East Village Neighborhood Council and the Rio Lindo Neighborhood Council. He also announced the many different upcoming events being held at the Oxnard Library. He also mentioned that their

Mayor Zaragoza selected Plaza Cinemas as his recommendation for a local business. He also thanked Jack Villa for inviting him to attend the Wagon Wheel Community meeting. He attended the Colonia Eastside Youth Baseball League with Councilmember Madrigal. He thanked the Oxnard Police Department and the City Corps for their efforts. He thanked Terrel Harrison and his staff. He thanked Brian Yanez for organizing the clean-up program. He asked that an item be added on a future Council meeting about the Public Labor Agreement for local hires.

1. <u>City Manager Department</u>

   <u>SUBJECT</u>: Appointment of Members to Serve on the City's Commission on Homelessness and Measure O Citizen Oversight Committee. (0/5/5)

RECOMMENDATION: That the Mayor, with the approval of the City Council, make the following appointments:

1. To Commission on Homelessness: Rafael Ochoa (D5); and
2. To Measure O Citizen Oversight Committee: Nathan Castillo (D5).

(This item did not originate in Committee).

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

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1 through J-5 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 March 1, 2022 regular meeting as presented.

2. Fire Department

   SUBJECT: Purchase Order with Stryker Medical for $335,137.99.

   RECOMMENDATION: That City Council authorize the Mayor to sign a Purchase Order with Stryker Medical for $335,137.99 to purchase seven (7) Lifepak 15 monitors/defibrillators and twelve (12) Lifepak 1000 defibrillators.

   (The Community Services, Public Safety, Housing & Development Committee approved 3-0 on March 8, 2022.)

3. Finance Department

   SUBJECT: Annual Accounts Receivable Write-Off Report.

   RECOMMENDATION: That the City Council receive the Annual Accounts Receivable Write-Off Report. (The Finance and Governance Committee approved 3-0 on February 22, 2022.)

4. Police Department

   SUBJECT: Second Amendment to Enterprise Lease Agreement.

   RECOMMENDATION: That City Council approve and authorize the Mayor to execute a second amendment to Agreement A-8136 with Enterprise Fleet Management, Inc. (Enterprise), for vehicle leases, increasing the value of the agreement from $4,100,000 to not exceed $6,795,000 for the term of the agreement, which expires on December 1, 2025.

   (The Public Safety Committee reviewed the item on February 22, 2022 and forwarded the item to City Council for review and approval.)

5. Housing Department
SUBJECT: Accessibility Remodel Project at Palm Vista. (0/5/5)
RECOMMENDATION: That the Board of Commissioners of the Oxnard Housing Authority approve and authorize the Chairman to execute a firm-fixed price contract in the amount of $379,560.11 with MDJ Management (Agreement number A-8426) using funds previously appropriated from the 2019 Capital Fund grant for Section 504 compliance with the Americans with Disabilities Act.
(The Community Services, Public Safety, Housing & Development Committee approved 3-0.)

Consent Items J.1 – J.4
It was moved by Councilmember Perello, 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 J.5
It was moved by Councilmember Perello, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, Zaragoza and Housing Authority Commissioner Andrade voted in favor; motion passed 8-0. Housing Authority Commissioner Vega was absent.

K. REPORTS

1. Finance Department
SUBJECT: Banc of America Master Equipment Lease/Purchase Agreement (A-7667) for 2022 Equipment Lease Reimbursement to the City for Purchase of Fire Engines. (10/5/5)
RECOMMENDATION: That the City Council adopt **Resolution #15,553** authorizing the execution and delivery of Schedules of Property to the Master Equipment Lease/Purchase Agreement not to exceed $3.3 million for the acquisition, financing, and leasing of certain equipment for the public benefit within the terms provided therein; authorizing the execution and delivery of other documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by the resolution.
(Presentation will be live at the Consultant's request.)

Betsy George, Chief Financial Officer, introduced Christian Sprunger, Assistant Vice President with NHA Advisors, 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: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

2. City Manager Department
SUBJECT: Recategorization of American Rescue Plan Act (ARPA) Projects According to Final Rule Issued by US Treasury. (0/25/10)
RECOMMENDATION: That the City Council:

1. Recategorize $15,670,000 of ARPA projects into the Replacing Lost Public Sector Revenue category according to the Final Rule issued by the U.S. Department of the Treasury;

2. Make final decisions on remaining ARPA projects tabled in 2021 and newly proposed ARPA projects; and
3. Authorize the City Manager or designee to approve budget appropriations necessary to recognize revenue and appropriate funding for all ARPA projects.

Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Jason Benites, Police Chief; Alexander Hamilton, Fire Chief; Michael Wolfe, Public Works Director; and Terrel Harrison, Cultural & Community Services Director; presented and answered questions. Public comments were received from Gary Blum and Steve Huber. Written comments were received and forwarded to Council. Discussion ensued among the Council and staff. Council provided recommendations to staff.

Item #51

It was moved by Councilmember Perello, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Basua, MacDonald, Perello, and Zaragoza voted in favor; Lopez, Madrigal, and Teran voted against; motion passed 4-3.

Item #52

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

Yellow Group:

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

Balance of the items listed under the American Rescue Plan Act (ARPA) Investments:

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

3. Community Development Department
SUBJECT: Update on the City of Oxnard's Participation in Clean Power Alliance. (0/5/5)
RECOMMENDATION: That the City Council receive and file this report.

Kathleen Mallory, Planning & Sustainability Manager introduced Joseph Cabral with Clean Power Alliance. Mr. Cabral presented and answered questions. No public comments were received. Discussion ensued among the Council and staff. This report was received and filed, no formal action required.

At 10:00 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 Basua, to approve the recommended action as presented. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

4. Community Development Department
SUBJECT: City of Oxnard 2021 General Plan Annual Progress Report. (0/5/5)
RECOMMENDATION: That the Oxnard City Council receive and file the City of Oxnard 2021 General Plan and Housing Element Annual Progress Report.
(This item did not originate in Committee.)

Joe Pearson II, AICP, Senior Planner; Vyto Adomaitis, Community Development Director; and Kenneth Rozell, Chief Assistant City Attorney presented and answered questions. No public comments were received. Discussion ensued among the Council and staff. This report was received and filed, no formal action required.

5. Housing Department
SUBJECT: Participation in the Middle-Income Housing Program for The Vines at Riverpark, 3040 Oxnard Blvd. (0/10/10)
RECOMMENDATION: That City Council adopt **Resolution #15,551** that:

1. Authorizes the Mayor to execute a joint exercise of powers agreement relating to the California Municipal Finance Authority ("CMFA") Special Finance Agency issuing bonds for the preservation and protection of middle-income rental housing ("Middle-Income Housing Program");

2. Authorizes CMFA Special Finance Agency's issuance of bonds in a not to exceed the amount of $136,000,000 for the preservation and protection of middle-income housing in the City of Oxnard pursuant to the Middle-Income Housing Program, provided that such bond funding is used solely for the Vines at RiverPark project; and

3. Authorizes the Mayor to execute a Public Benefit Agreement relating to The Vines at Riverpark, located at 3040 Oxnard Blvd, that includes annual host fee revenue that would likely offset the loss of City property tax revenues during the term of the agreement.

Emilio Ramirez, Housing Director, presented and answered questions. Public comments were received from Barbara Macri-Ortiz and Shawn Bradley with HomeFed Corporation. Discussion ensued among the Council and staff.

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

6. Housing Department
SUBJECT: Downtown Improvement Program Settlement Funds Update. (0/10/10)
RECOMMENDATION: That the City Council:

1. Receive an update on the implementation of the approved program priorities funded with the Downtown Improvement Program Settlement Funds; and

2. Appropriate $85,716 per fiscal year in FYs 22-23 and 23-24, for a total of $171,432, for homeless outreach coordinator contract services as part of the annual budget process. (Community Services, Public Safety, Housing & Development Committee approved 3-0.)

Emilio Ramirez, Housing Director, 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: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

7. Public Works Department

SUBJECT: FY 2021 American Rescue Plan Act Economic Adjustment Assistance Grant Application Resolution

RECOMMENDATION: That the City Council:

1. Adopt **Resolution #15,552** authorizing the City Manager to submit an application for an amount not to exceed $5,000,000 in FY 2021 American Rescue Plan Act Economic Adjustment Assistance grant funds for needed equipment, improvements and renovations for the Oxnard Performing Arts & Convention Center; and
2. Approve and authorize the City Manager or designee to execute grant agreements; the Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for the use of the FY 2021 American Rescue Plan Act Economic Adjustment Assistance grant funds if awarded; and the Director of Public Works or designee to submit non-financial reports.

Michael Wolfe, Public Works Director introduced Carolyn Merino Mullin, Executive Director for the Oxnard Performing Arts Center (OPAC), who presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 10:35 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C. Zaragoza
JOHN C. ZARAGOZA
Mayor