

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 19, 2022

A. ROLL CALL, POSTING OF AGENDA

At 4:38 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 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.

Staff members present in person were Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Stephen M. Fischer, City Attorney; Kenneth Rozell, Chief Assistant City Attorney; Jason Zaragoza, Deputy City Attorney; Jason Benites, Police Chief; Eric S. Sonstegard, Assistant Chief of Police; Michael Wolfe, Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana B. Arnaout, P.E., City Engineer; Timothy Beaman, Supervising Civil Engineer; Jan Hauser, Wastewater Division Manager; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Jeff Pengilley, Community Development Assistant Director; Tai P. Chau, PE, QSD/P, Supervising Civil Engineer; Scott Kolwitz, Planning & Environmental Services Manager; Joe Pearson II, AICP, Senior Planner; Adam Smith, Project Manager; and Terrel Harrison, Cultural & Community Services Director.

Staff members Brian Yanez, Assistant Public Works Director and Betsy George, Chief Financial Officer; participated via videoconference.

Amanda Sherard, Taylor Realty Advisors, Inc.; 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: George Carrizales v. City of Oxnard

Workers' Compensation Case Nos. ADJ9830372 and ADJ9872729

Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Government Code Section 54956.9(d)(1))

Name of case: Steven Ramirez v. City of Oxnard

Workers' Compensation Case No. ADJ13093704

Legislative Body: City Council

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4))

Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
Property: East Fifth Street and Rice Avenue (APN 216-0-160-575)

Agency Negotiator: Michael Wolfe, Public Works Director
Negotiating Party: SWEPI LP
Under Negotiation: Price and terms of payment
Legislative Body: City Council

At 4:50 p.m., the City Council recessed to a closed session. At 6:02 p.m., the City Council reconvened in open session in the Council Chambers. Stephen Fischer, City Attorney, made the following announcement: "The City Council by a unanimous vote has directed the City Attorney to initiate an action. The action, the defendants, and the other particulars shall, once unsealed, be disclosed to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

D. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of **Resolution No. 15,561** Commending Eric S. Sonstegard for 26 Years of Service to the City of Oxnard.

Mayor Zaragoza read the proclamation and presented to Eric S. Sonstegard, Assistant Police Chief, for his years of service. County Supervisor Carmen Ramirez congratulated and thanked Assistant Chief Sonstegard and also presented a resolution. The City Council, Police Chief Benites, and staff acknowledged and thanked Eric for his years of service.

*It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve **Resolution No. 15,561** as presented. VOTE: Basua, Lopez, Madrigal, Perello, Teran, MacDonald and Zaragoza voted in favor; the motion carried 7-0.*

2. SUBJECT: City Manager Commendations for Staff Work on Amazon.

City Manager Nguyen made a presentation and thanked the staff that worked on the Amazon project. He also acknowledged the Council, Planning Commission, and the Sakioka Family. He acknowledged Scott Kolwitz, Tai Chau, Clara Magana, Ken Rozell, Shawn O'Donnell, Dennis Neighbor, Bud Rizzo, Jeff Pengilley, Steve McNaughten, Burney Davidson, Rosie Ornelas, Adam Smith, Katie Casey, and Ashley Golden for their contributions. Ashley Golden, Assistant City Manager, also commended and thanked the staff for their hard work and dedication to this project.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Karla Alejandra Ramirez and Genevieve Flores-Haro (Mixteco interpretation services); Ariana Rivera Nunez (discrimination), Pat Brown (sound system quality), Diana Reyes (Art Gala).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

Alexander Nguyen, City Manager, announced the upcoming 2022 Oxnard Job Fair in partnership with Oxnard College. He also announced the upcoming "Sports Park Idea Day" and encouraged the community to participate in this event. Michael Wolfe, Public Works Director, provided an update on the drought and the current conditions of the community parks.

H. CITY COUNCIL REPORTS

Councilmember Teran thanked the Oxnard youth for providing the art work for the public areas. He attended the Drifill Elementary School Career Day and thanked the County of Ventura and the City staff for organizing this event. He also attended the Wilson Neighborhood meeting. He thanked the public works staff for being responsive to the weed abatement needed at Oxnard College Campus Park. He thanked Scott Kolwitz for his professionalism and years of service to the City of Oxnard. He also asked City Manager Nguyen to reconsider the neighborhood clean-ups.

Mayor Pro Tem MacDonald announced that there is no longer a mandate to wear a mask when using public transportation.

Councilmember Lopez announced her support of Councilmember Teran in his request to continue the neighborhood clean-up events. Attended the Airport Authority meeting and provided an update. She also plans to attend the Redwood Neighborhood Council meeting. She also made an announcement about the upcoming "Progresando Juntos" event happening at Oxnard High School.

Councilmember Madrigal also attended the art show organized by the Oxnard School District and the City of Oxnard After School Program. He thanked the Oxnard School District for the work done at the soccer fields. He plans to attend the upcoming Rose Park Neighborhood meeting being held at Rose Avenue School on May 4.

Councilmember Perello attended the art show organized by the Oxnard School District and the City of Oxnard After School Program. He also attended the Airport Authority and the Ventura Regional Sanitation District meeting. He congratulated Scott Kolwitz for his new position and wished him well. He thanked the Public Works Director for his update on the drought.

Mayor Zaragoza attended the Channel Islands Neighborhood Council meeting. He thanked the Committee Chair for inviting him to speak about the current state of the City at this meeting. He thanked Public Works staff Michael Wolfe, Steve Howlett, and Erika Cortes for attending and representing the City's Public Works Department and being available to answer questions. He also thanked Terrel Harrison and Jesse Tapia for inviting him to attend an event with Fernando Vargas at the Oxnard Boxing Center.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-8 were discussed among the Council and staff.

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

K. INFORMATION/CONSENT AGENDA

1. Cultural & Community Services Department

SUBJECT: Retired and Senior Volunteer Program (RSVP) Grant Application and Revenue Approval.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,562** authorizing the City

Manager or designee to submit an application for \$225,831 in AmeriCorps grant funds with a local match of \$96,786 over three years to be used for the Retired and Senior Volunteer Program; authorizing the City Manager or designee to execute grant agreements; authorizing the Chief Financial Officer or designee to submit financial reports, grant claims and approve special budget appropriations for the use of the grant funds; and authorizing the Cultural and Community Services Director or designee to submit non-financial reports.

2. Cultural & Community Services Department

SUBJECT: Amendment to Agreement (8503-18-LI) with Baker & Taylor, LLC. for the Purpose of Purchasing Library Materials.

RECOMMENDATION: That the City Council approve and authorize the Mayor to:

- 1) execute a First Amendment to Agreement 8503-18-LI with Baker & Taylor, LLC in the amount of \$380,000 for a total agreement value of \$950,000; and
- 2) extend the term of the Agreement to June 30, 2024, for the purpose of purchasing library materials, cataloging and processing.

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

3. Public Works Department

SUBJECT: Purchase of Heavy Equipment from Quinn Company for the Public Works Department.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a purchase order with Quinn Company in the amount of \$539,307.22 for various heavy equipment for the Public Works Department. (Public Works and Transportation Committee approved 2-0.)

4. Public Works Department

SUBJECT: Second Amendment to Agreement 8795-19-PW to Casamar Group LLC for On-Call Labor Compliance Monitoring and Reporting Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment to Agreement 8795-19-PW with Casamar Group, LLC in the amount of \$500,000 for a new not to exceed contract amount of \$1,000,000 with a three percent (3%) per year rate increase effective October 15, 2022 and to extend the term to October 14, 2025 for professional services for labor compliance monitoring. (Public Works and Transportation Committee approved 2-0.)

5. Public Works Department

SUBJECT: Agreement A-8442 with Clean Earth Environmental Solutions, Inc. for the Collection, Removal, Transport, Recycling, and Disposal of Recyclable Household Hazardous Waste.

RECOMMENDATION: That the City Council authorize the Mayor to execute Agreement A-8442 with Clean Earth Environmental Solutions, Inc. in an amount not to exceed \$750,000 for a three-year term; for the collection, removal, transport, recycling, and disposal of Recyclable Household Hazardous Waste (RHHW). (Public Works and Transportation Committee approved 2-0.)

6. Public Works Department

SUBJECT: Recognition of the Statewide Park Development and Community Revitalization Grant Award for the Durley Park Expansion and Improvement Project.

RECOMMENDATION: That the City Council recognize the grant award of \$7,092,300 from the Statewide Park Development and Community Revitalization Program for the Durley Park Expansion and Improvement Project.

7. Public Works Department

SUBJECT: Lease Agreement A-8458 with Channel Islands Logistics, Inc. for the Temporary Storage of Land/Sea Shipping Containers for up to 12 Months.

RECOMMENDATION: That the City Council approve and authorize the Mayor to:

1. Execute a 12-month Lease Agreement A-8458 with Channel Islands Logistics, Inc. for a five-acre portion of vacant property adjacent to the Del Norte Regional Recycling and Transfer Station near the northwest corner of Del Norte Blvd. and 5th Street; and
2. Authorize the City Manager to make minor non-substantive adjustments to the lease, with the City Attorney's concurrence, should such adjustments be requested by Channel Island Logistics, Inc.

8. Cultural & Community Services Department

SUBJECT: Elimination of Library Overdue Fines.

RECOMMENDATION: That the City Council approve and authorize the Mayor to:

1. Eliminate overdue fines for all library materials; and
2. Waive existing overdue fines owed by Oxnard Public Library patrons (as of March 15, 2022, \$187,212 were owed in fines); and
3. Authorize the City Manager or designee to refund all fines collected during COVID-19.

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

L. PUBLIC HEARINGS

1. Police Department

SUBJECT: Introduction of a **City Ordinance #3014** that establishes a Military Equipment Use Policy for the Police Department. (10/10/10)

RECOMMENDATION: That the City Council conduct a public hearing and introduce for first reading by title only waiving further reading of **Ordinance #3014** amending Chapter 2 Article III Division 7 of the Oxnard City Code that is entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CHAPTER 2 ARTICLE III DIVISION 7 TO THE OXNARD CITY CODE GOVERNING THE USE OF MILITARY EQUIPMENT BY THE OXNARD POLICE DEPARTMENT"

The City Clerk announced the affidavit of publication and stated that no written communications were received.

Jason Benites, Police Chief, presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Cynthia Gonzalez.

Without objection, the Council approved closing the public testimony portion of the public hearing.

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

2. Community Development Department

SUBJECT: Portofino Place: A request for a General Plan Amendment to change the 2030 General Plan land use designation of a 7.61-acre site located along the south side of Fifth Street at the intersection of Portofino Place (south of the Oxnard Airport) (APNs: 185-0-221-025, 185-0-221-265, and 185-0-223-015) from Business Research Park (BRP) to Residential Medium (RM) (PZ 20-620-02); a Zone Change from Business Research Park to Multiple-Family (R-2) (PZ 20-570-02), and a Tentative Subdivision Map (Tract No. 6064) for condominium purposes (PZ 20-300-02) to allow for the construction of 90, two-story condominium dwelling units and associated site improvements. (10/20/20)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing; and
2. Adopt **Resolution No. 15,563** adopting Addendum No. 1 to previously adopted Mitigated Negative Declaration (MND) 2004-11; and
3. Adopt **Resolution No. 15,564** approving Planning and Zoning Permit No. 20-620-02 (General Plan Amendment) to change the land use designation of the project site from Business Research Park (BRP) to Residential Medium (RM), and
4. Introduce **Ordinance No. 3015** (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-570-02 (Zone Change) to change the zoning of the project site from Business Research Park to Multiple-Family (R-2) and set the date of the second reading to occur on May 3, 2022, and
5. Adopt **Resolution No. 15,565** approving Planning and Zoning Permit No. 20-300-02 (Tentative Subdivision Map for Tract No. 6064), subject to certain findings and conditions, and
6. Approve an Affordable Housing Agreement. This item did not originate in Committee.

The City Clerk announced the affidavit of publication and stated that no written communications were received that have not already been provided to the City Council.

Joe Pearson II, AICP, Senior Planner, and Tatiana B. Arnaout, P.E., City Engineer, presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Pat Brown and Eduardo Huerta.

City Manager Nguyen made a request to the Public Works Director to review the project's list of plants required as it may be based on outdated standards and may need to be updated.

Without objection, the Council approved closing the public testimony portion of the public hearing.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Madrigal, to approve the

recommended action. VOTE: Basua, Lopez, MacDonald, Madrigal, Teran, and Zaragoza voted in favor; Perello voted against, motion passed 6-1.

5. Housing Department

SUBJECT: First Amendment to the 2021-22 Annual Action Plan and the Second Amendment to the 2020-21 Annual Action Plan for the CARES Act. (10/20/20)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing and receive public comments relating to the following documents to be submitted to the United States Department of Housing and Urban Development for the First Amendment to the 2021- 2022 Annual Action and Funding Plan to close and reallocate slow- or no-spending activities within the Community Development Block Grant program to projects moving forward between now and the close of the fiscal year, and to further define activities within the Emergency Shelter Grant – CARES Act program with specific funding awards both described in Attachment 1;
2. Approve the updated changes in activities pertinent to this Mid-Year Reallocation as described in Attachment 1, and the 2021 Amendment to the Annual Action Plan, and the 2020 Amendment to the Annual Action Plan.
3. Authorize the City Manager and his designees, to execute the required applications, certifications, and other pertinent documents for the submission of the 2021 Annual Action Plan Amendment to the United States Department of Housing and Urban Development, and the Second Amendment to the 2020 Annual Action Plan relating to the Emergency Solutions Grant – CARES Act;
4. Authorize the City Manager and his designees, to execute the appropriate agreements with Community Development Block Grant and Emergency Shelter Grant-CV partners, consultants and contractors, and the ability to adjust any future funding of the Mid-Year activities not to exceed \$50,000, if the programs require more or less funding to meet their objectives;
5. Authorize the City Manager and his designees, to incorporate any recommended changes resulting from public input to the First Amendment of the 2021 Annual Action Plan, and the Second Amendment to the 2020 Annual Action Plan, as directed by the City Council, including amending any budget appropriations approved by the City Council; and
6. Authorize the Finance Department to make the necessary revenue and expenditure changes to the fiscal year 2022 budget reflecting the amended budgets for the Community Development Block Grant and the Emergency Shelter Grant-CARES Act reallocations described in the 2020 and 2021 Mid-Year budgets.

The City Clerk announced the affidavit of publication and stated that no written communications were received.

Emilio Ramirez, Housing Director, presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. No public comments were received.

Without objection, the Council approved closing the public testimony portion of the public hearing.

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

M. REPORTS**1. Public Works Department**

SUBJECT: First Amendment to Agreement A-8332 with Separation Processes, Inc. for the Groundwater Desalter Improvement Project PW 21-44. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the Mayor to:

1. Execute a First Amendment to Agreement A-8332 with Separation Processes, Inc. (SPI) in the amount of \$263,702 for a new not to exceed contract amount of \$1,063,656 for additional design work required for the Groundwater Desalter Improvement Project PW 21-44 (Project No. 216508) and

2. Approve a budget transfer in the amount of \$263,702 from the Water Metering Operations (601-6003) to the Existing Desalter Upgrades Water Capital Project No. 216508.

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

Tatiana B. Arnaout, P.E., City Engineer and Timothy Beaman, Supervising Civil Engineer presented and answered questions. Public comments were received from Pat Brown. 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. Public Works Department

SUBJECT: Agreement A-8456 with ELS Architecture and Urban Design for South Oxnard Aquatic Center Professional Design Services. (0/15/15)

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8456 with ELS Architecture and Urban Design, in an amount of \$3,900,057 for professional design services for the South Oxnard Aquatic Center Improvement Project (Project No. 225502).

Tatiana B. Arnaout, P.E., City Engineer, presented and answered questions. Public comments were received from Pat Brown. Discussion ensued among the Council and staff.

It was moved by Councilmember Basua, 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.

3. Finance Department

SUBJECT: Revisions to Procurement **Ordinance No. 3016** Reflecting Preparation of the new Tyler Munis Enterprise Resource Planning (ERP) Financial System. (0/10/10)

RECOMMENDATION: That the City Council introduce an amendment to the City's Procurement

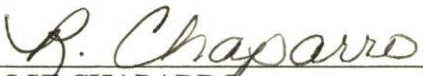
Ordinance No. 3016 in preparation for the launch of the Core Financials phase of Tyler Munis.

[REDACTED] Etsy George, Chief Financial Officer, 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.

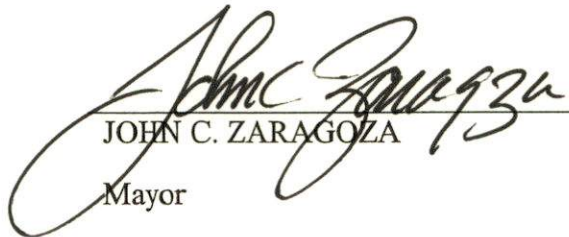
N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:56 p.m.



ROSE CHAPARRO

City Clerk



JOHN C. ZARAGOZA
Mayor