

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 7, 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 (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.

Councilmember Basua arrived at 4:35 p.m., and Councilmember Lopez joined the meeting at 4:55 p.m.

Housing Authority Commissioner Jose Andrade and Commissioner Francisco Vega were absent.

Staff members present in person were Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Samantha Shapiro, Project Manager; Stephen M. Fischer, City Attorney; Jason Benites, Police Chief; Alexander Hamilton, Fire Chief; Michael Wolfe, Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Joseph Marcinko, Assistant Public Works Director; Tatiana B. Arnaout, P.E., City Engineer; Eric L. Storrie, Special Districts Manager; Vyto Adomaitis, Community Development Director; Joe Pearson II, AICP, Senior Planner; Steve Naveau, Human Resources Director; Betsy George, Chief Financial Officer; Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer; and Terrel Harrison, Cultural & Community Services Director.

Staff members Brenda Lopez, Housing Programs Manager; Rhonda Hodge, Housing Financial Officer; Jennifer Yates, Purchasing Manager; and Kevin Thompson, Parks Manager participated via videoconference.

Amanda Welker, Financial Analyst, NBS Local Government Consultants; also participated via videoconference.

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

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: Aaron Starr v. Rose Chaparro; et al.
Court of Appeal of the State of California, Second Appellate District, Case No. B307585 (Super. Ct. No. 56-2020-00541757-CU-WM-VTA)
Legislative Body: City Council
2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: Tai Hartley; et al. v. City of Oxnard; et al.
Ventura County Superior Court, Case No. 56-2022-00565918-CU-WM-VTA

Legislative Body: City Council

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

Name of case: City of Oxnard v. County of Ventura

Court of Appeal of the State of California, Second Appellate District, Case No. B312348 (Super. Ct. No. 56-2021-00552428-CU-WM-VTA)

Legislative Body: City Council

At 4:33 p.m., the City Council recessed to a closed session. At 6:04 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

D. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Commendation to Jaime Villa for his Superior Performance during COVID.

Mayor Zaragoza read the proclamation and presented it to Jaime Villa, EMS Coordinator. Fire Chief Alexander Hamilton commended and thanked Mr. Villa for his commitment and service to the City staff and community during the Covid-19 pandemic. Councilmembers followed with remarks.

2. SUBJECT: Presentation of a Proclamation Designating the Month of June, 2022 as "Pride Month in the City of Oxnard."

Mayor Zaragoza read the proclamation and presented it to Luis Andrade, Diversity Collective Ventura County Pride Director and A.J. Holmes, Board Member. They followed with remarks.

3. SUBJECT: Presentation of a Proclamation Designating the Month of June, 2022 as "Elder and Disability Abuse Awareness Month."

Mayor Zaragoza read the proclamation and presented it to Police Chief Benites, Sergeant Scott Aaron; and other Police Department staff. Chief Benites commended and thanked the Police Department team for their dedication and level of service that they provide to the community. Councilmembers followed with remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Lang Martinez (homeless advocate, homeless concerns), Jim Carr (Assessment District #4 and overgrown landscape at Mandalay Beach), Kevin White (Increased taxes and dangerous sidewalks), Pat Brown (Hotline to report the roads in bad condition), Alicia Percell (Ballot Measures Court Ruling), and Douglas Partello (public funds).

G. REPORT OF CITY MANAGER

Alexander Nguyen, City Manager, provided a Covid-19 update and announcements. He also provided an overview of the activities during the 2022 Oxnard Insect Festival. He thanked the Recreational Department staff for their efforts in coordinating the successful event. The festival was held at the Plaza Park on Saturday, June 4, 2022.

H. CITY COUNCIL REPORTS

Mayor Zaragoza attended an event at the Rio Vista Middle School to rename the school gymnasium to the John V. McGarry Gymnasium. He also attended the 2022 Sergeant Ron Helus "Ride for the Blue" memorial motorcycle event. He also attended the 2022 Oxnard Insect Festival. Mayor Zaragoza requested an item regarding gun violence regulations be considered for a future agenda.

Mayor Pro Tem MacDonald supported Mayor Zaragoza's request for a future agenda item regarding gun violence regulations. He announced that dogs will be allowed on train rides. He also announced that Gold Coast Transit District will be purchasing hydrogen vehicles for future transportation.

Councilmember Teran also supported the request for a future agenda item regarding gun violence regulations. He attended the Riverpark Neighborhood Council, the Freemont North Neighborhood Council, and the Sierra Linda Neighborhood Council meetings.

Councilmember Madrigal announced that he also attended the 2022 Oxnard Insect Festival.

Councilmember Basua participated in a tour of the Boys and Girls Club and can see all the great benefits it offers to the community. She also supported the request for a future agenda item regarding gun violence regulations.

Councilmember Perello attended the 2022 SCCa Policy Summit – Smart Coast California, a summit on sea level rise planning. Kathleen Mallory, Planning & Sustainability Manager, also attended the summit. He attended the Clean Power Alliance meeting. He also attended the 2022 Oxnard Insect Festival.

Councilmember Lopez attended the Airport Authority meeting. She announced two upcoming community meetings about the South Oxnard Aquatics Center on June 29 and August 1 at the South Oxnard Center to preview potential design ideas. She encouraged the public to participate and provide feedback.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-9 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Kevin White (K-4) and Pat Brown (K-4 and K-5).

K. INFORMATION/CONSENT AGENDA**1. City Clerk Department**

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the April 19, 2022 regular meeting as presented.

2. Finance Department

SUBJECT: Annual Delegation of Investment Authority

RECOMMENDATION: That the City Council adopt **Resolution #15,576** delegating investment authority to the City Treasurer for FY 2022-23.

3. Public Works Department

SUBJECT: Agreement A-8466 with MNS Engineers, Inc. for Professional Services for the Safe Routes to School Safety and Enhancements Project PW 22-87.

RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute Agreement A-8466 with MNS Engineers, Inc. in the amount of \$511,652 for Plans, Specifications and Estimates and Non-Infrastructure Plans for the Safe Routes to School Safety and Enhancements Project 223109; and
2. Approve a budget appropriation in the amount of \$61,402 from the available fund balance in Transportation Development Act (TDA) Article 3 Fund 214 to Safe Routes to School Safety and Enhancements Project 223109.

(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.)

4. Public Works Department

SUBJECT: Senate Bill 1 (SB1) Local Streets and Road Maintenance and Rehabilitation Account (RMRA) Project List for Fiscal Year 2022-23.

RECOMMENDATION: That the City Council adopt **Resolution #15,577** to:

1. Adopt the Fiscal Year 2022-23 project list of Senate Bill 1 (SB1) proposed projects that will be funded in part or solely with Road Maintenance and Rehabilitation Account revenues; and
2. Authorize the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of the resolution.

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

5. Community Development Department

SUBJECT: Deferred Development Impact Fee Agreement for Central Terrace Project, located at 217-235 East Sixth Street.

RECOMMENDATION: That the Oxnard City Council approve, and authorize the Mayor to execute Agreement No. A-8473 with Many Mansions Central Terrace LP deferring development impact fees to the time of final inspection or the date the certificate of occupancy is issued, whichever comes first, in the amount of \$825,683.16 for the Central Terrace Project (PZ 20-200-06).

6. Finance Department

SUBJECT: Increase of \$100,000 to the Not to Exceed (NTE) Amount for Amazon Business.

RECOMMENDATION: That the City Council ratify the City's not to exceed limit for Amazon Business by adding \$100,000 (for a new total of \$300,000) for the continued purchase of products through June 30, 2022.

(Finance and Governance Committee approved 2-0)

7. City Attorney Department

SUBJECT: Adoption of a **City Ordinance #3014** that establishes a Military Equipment Use Policy for the Police Department.

RECOMMENDATION: That the City Council adopt **Ordinance #3014** amending Chapter 2 Article III Division 7 of the Oxnard City Code that is titled:

"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"

8. City Manager Department

SUBJECT: Sixth Amendment to Exclusive Negotiation Agreements between the City of Oxnard and Clear Channel Outdoor, LLC and between the City of Oxnard and Outfront Foster Interstate, LLC, both regarding potential digital billboard sites along U.S. Highway 101.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Sixth Amendment to Exclusive Negotiation Agreement:

1.) Between the City of Oxnard and Clear Channel Outdoor, LLC (A-8152) regarding potential digital billboard sites on the north side of U.S. Highway 101 between Rose Avenue and Del Norte Boulevard and the south side of U.S. Highway 101 between Vineyard Avenue and Rice Avenue to allow additional time and amend the area covered by the ENA; and

2.) Between the City of Oxnard and Outfront Foster Interstate, LLC (A-8153) regarding potential digital billboard sites adjacent to RiverPark Boulevard near Vineyard Avenue (APN 132-003-301) and City-owned property and right-of-way on the north side of U.S. Highway 101 between Vineyard Avenue and Rose Avenue to allow additional time.

(This item was not heard in Committee as it was authorized by the City Council on November 17, 2020).

9. Housing Department

SUBJECT: Acquisition of Property Located at 625 North A Street for the Proposed Family Justice Center.

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to sign a purchase and sale agreement with J & L Properties – Oxnard LLC (A-8478) with a purchase price of \$2,050,000 to acquire improved real property located at 625 North A Street in Oxnard (the "Property");

2. Authorize the payment of a brokerage fee to CBRE in the amount of \$60,000 plus transaction costs up to \$25,000; and

3. Authorize the City Manager to take additional necessary actions to facilitate the acquisition of the Property consistent with the terms of the transaction approved by the City Council.

It was moved by Councilmember Lopez, seconded by Mayor Pro Tem MacDonald, 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. REPORTS

1. City Manager Department

SUBJECT: Approval of Proposed Special Event Support Program and Budget for FY 22-23 (0/10/10)

RECOMMENDATION: That the City Council:

1. Approve the City's new proposed Special Event Support Program; and
2. Allocate \$115,000.00 toward the Special Event Support Program in the FY 22-23 Budget.

Alexander Nguyen, City Manager presented and introduced Samantha Shapiro, Project Manager, who was available to answer questions. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Mayor Zaragoza, 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.

2. Public Works Department

SUBJECT: Utility Ratepayers Assistance Program (Project Assist) Update. (0/10/5)

RECOMMENDATION: That the City Council:

1. Adopt **Resolution #15,578** for the Utility Ratepayers Assistance Program (Project Assist) for Fiscal Year 2022-23 to assist eligible Oxnard residents and authorize staff to grant financial relief equal to a monthly \$15.00 maximum credit per utility bill charged to customers who meet the eligibility requirements discussed in this staff report up to the amount funded for Fiscal Year 2022-23; and
2. Authorize staff to direct up to \$145,000 from penalties charged to City utility customers who pay their bills late to fund Project Assist in Fiscal Year 2022-23.
(Finance and Governance Committee approved 3-0.)

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

3. Public Works Department

SUBJECT: Agreement A-8463 with Kiewit Infrastructure West Co. for Oxnard Wastewater Treatment Plant Reliability Improvements Project (Rebid) PW 20-27R. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the following for a total of \$64,960,800 in Project funds for the Oxnard Wastewater Treatment Plant Reliability Improvements Project (Rebid), Specification No. PW 20-27R (No. 226606):

1. The Mayor to execute Agreement A-8463 with Kiewit Infrastructure West Co. in the amount of \$54,134,000 for the Project;
2. A Project contingency amount of \$5,413,400 for the Project;
3. A Project allocation amount of \$5,413,400 for engineering, inspection, survey and project management for the Project; and
4. Authorize the Finance Director or designee to approve administrative budget appropriation transfers of available balances for the use of this Project in the total amount not to exceed \$44,130,652.

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.

Michael Wolfe, Public Works Director introduced Tatiana B. Arnaout, P.E., City Engineer, who presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

4. Finance Department

SUBJECT: FY 2022-23 Public Safety Property Tax Assessment. (0/10/10)

RECOMMENDATION: That the City Council adopt **Resolution #15,579** establishing the FY 2022-23 tax rates on property in the City of Oxnard for the payment of voter-approved obligations related to public safety personnel pension expenses.

(Item did not originate in Committee.)

Betsy 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.

5. City Manager Department

SUBJECT: Schedule for Weaning Off Measure O (0/10/10)

RECOMMENDATION: That the City Council adopt a schedule of budget adjustments to programs funded through Measure O in anticipation of the coming 2029 sunset of the Measure O half cent-sales tax.

Shiri Klima, Deputy City Manager, 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 Lopez, to approve the recommended action as presented. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

6. Public Works Department

SUBJECT: Fiscal Year 2022-23 Special Tax Levy for Community Facility Districts No. 1, 2, 3, 4, 5 and 2000-3. (0/5/5)

RECOMMENDATION: That the City Council acting as the legislative body for Community Facilities Districts (CFD) No. 1, 2, 3, 4, 5 and 2000-3:

1. Adopt **Resolution #15,580** setting a special tax rate within CFD No. 1 (Westport at Mandalay Bay) for Fiscal Year 2022-23;
2. Adopt **Resolution #15,581** setting a special tax rate within CFD No. 2 (Westport at Mandalay Bay) for Fiscal Year 2022-23;
3. Adopt **Resolution #15,582** setting a special tax rate within CFD No. 3 (Seabridge at Mandalay Bay) for Fiscal Year 2022-23;
4. Adopt **Resolution #15,583** setting a special tax rate within CFD No. 4 (Seabridge at Mandalay Bay) for Fiscal Year 2022-23;
5. Adopt **Resolution #15,584** setting a special tax rate within CFD No. 5 (Riverpark) for Fiscal Year 2022-23;
6. Adopt **Resolution #15,585** setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2022-23; and
7. Authorize the Public Works Director, or designee, to execute an agreement for Billing of Direct Assessments with the Ventura County Auditor-Controller to provide the service of placement of direct assessments on the Ventura County Secured Tax Roll.

Eric L. Storrie, Special Districts Manager introduced Amanda Welker, Financial Analyst, NBS Local Government Consultants; who presented and answered questions. Public comments were received from Tai Hartley and Douglas Partello. Discussion ensued among the Council and staff.

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.

M. PUBLIC HEARINGS

1. Public Works Department

SUBJECT: Adoption **Resolution #15,586** Approving the Amended Engineer's Report and Ordering the Levy and Collection of Assessments for Fiscal Year 2022-23 within the City's Landscape

Maintenance Districts. (0/5/5)

RECOMMENDATION: That the City Council, acting as the legislative body for the City of Oxnard's (City) Landscape Maintenance Districts (LMDs):

1. Hold a public hearing to receive public testimony regarding the proposed Fiscal Year 2022-23 assessments in the City's LMDs; and
2. Adopt a resolution approving the Fiscal Year 2022-23 Amended Consolidated Engineer's Report and ordering the levy and collection of assessments for Fiscal Year 2022-23 within the City's LMDs pursuant to the Landscaping and Lighting Act of 1972.
(Finance & Governance Committee approved 3-0.)

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

Eric L. Storrie, Special Districts Manager, 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 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 abstained; motion passed 6-0-1. Councilmember Perello abstained due to the location.

2. Public Works Department

SUBJECT: Adoption **Resolution #15,587** for the FY 2022-23 Levy Assessments in Waterways Maintenance District. (0/5/5)

RECOMMENDATION: That the City Council, acting as the legislative body for the Waterways Maintenance Assessment District:

1. Hold a public hearing regarding proposed assessments for the Waterways Maintenance District for Fiscal Year 2022-23, and
2. Adopt a resolution to levy the special assessments within the Waterways Maintenance District for Fiscal Year 2022-23.

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

Eric L. Storrie, Special Districts Manager, 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 Lopez, seconded by Councilmember Teran, to approve the recommended

action. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

3. Public Works Department

SUBJECT: Adoption **Resolution #15,588** for the FY 2022-23 Levy Assessments in Mandalay Beach Maintenance District. (0/5/5)

RECOMMENDATION: That the City Council, acting as the legislative body for the Mandalay Beach Maintenance District:

1. Hold a public hearing to receive public testimony regarding the proposed Fiscal Year 2022-23 assessments for the Mandalay Beach Maintenance District; and
2. Adopt a resolution to levy the special tax assessment for Fiscal Year 2022-23 within the Mandalay Beach Maintenance District for Fiscal Year 2022-23.

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

Eric L. Storrie, Special Districts Manager, 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 Lopez, seconded by Councilmember Teran, to approve the recommended action. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 7-0.

4. Finance Department

SUBJECT: FY 2022-23 Operating Budget Public Hearing. (0/15/15)

RECOMMENDATION: That the City Council and Housing Authority Board conduct a public hearing on the Fiscal Year (FY) 2022-23 proposed budgets for the City of Oxnard and Oxnard Housing Authority and provide staff direction regarding any adjustments to the proposed budget, in preparation for final budget adoption on June 21, 2022.
(Finance and Governance Committee approved 3-0.)

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

Alexander Nguyen, City Manager and Betsy George, Chief Financial Officer presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Hugo Arellano.

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

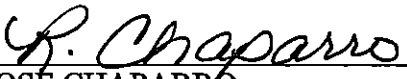
Council requested that two (2) Civilian Fire Inspectors for the Fire Department and a crossing guard program

for the (K-12) schools throughout the City be added to the budget.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, to approve the recommended action as amended. 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 8:14 p.m.



ROSE CHAPARRO
City Clerk



JOHN C. ZARAGOZA
Mayor