

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 7, 2022
SPECIAL COUNCIL MEETING

A. ROLL CALL, POSTING OF AGENDA

At 5:02 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 Assistant City Clerk called the roll and announced the posting of the agenda. Councilmembers Gabriela Basua, Oscar Madrigal, Bert E. Perello, Gabriel (Gabe) Teran, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present.

Councilmembers Gabe Teran and Bert Perello participated via videoconference.

Housing Authority Commissioner Jose Andrade was present in person and Commissioner Francisco Vega participated via videoconference.

Councilmember Oscar Madrigal joined the meeting at 7:22 p.m.

Staff members present in person were Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Stephen M. Fischer, City Attorney; Ken Rozell, Chief Assistant City Attorney; John Colamarino, Assistant Fire Chief; Michael Wolfe, Public Works Director; Tatiana Arnaout, City Engineer; Terrell Harrison, Cultural and Community Services Director; Steve Naveau, Human Resources Director; Mike More, Human Resources Manager; Emilio Ramirez, Housing Director; Elsa Brown, Affordable Housing Manager; Joe Pearson, Planning and Sustainability Manager; Kathleen Mallory, Planning and Sustainability Manager; and Dee Lai, Assistant City Clerk.

Staff members Betsy George, Chief Financial Officer and Jennifer Hiraoka, Senior Manager Internal Controls participated via videoconference.

Henry Casillas, M.A., California Realty Ventures, Real Estate Broker also participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council, Community Development Commission Successor Agency, and Housing Authority.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None received.)

C. CLOSED SESSION (5:00 PM)

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)

Property: Oxnard Transportation Center, Fourth Street and Oxnard Boulevard (APNs 201021138, 201016012, 201016013, 201016011, 201016010, 201016009, 201016008, 201016007, 201021130, 201021104, 201021136, 201021122, 201021123, 201021115, 201021114, 201021113, 201021112, and 201021111)

Agency Negotiator: Emilio Ramirez, Housing Director; Ashley Golden, Assistant City Manager; Alex Nguyen, City Manager;

Negotiating Party: Hugo Martinez, WPH Holdings
Under Negotiation: Price and terms of payment
Legislative Body: City Council

CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)

Property: Plaza Park East (APNs 202010524, 202010522, 202010520, 202010512, 202010518, 202010523, 202010521, 202010519 and 202010517)
Agency Negotiator: Emilio Ramirez, Housing Director; Ashley Golden, Assistant City Manager; Alex Nguyen, City Manager;
Negotiating Party: Hugo Martinez, WPH Holdings
Under Negotiation: Price and terms of payment
Legislative Body: City Council

CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)

Property: Plaza Park North (APNs 202010121, 202010123, 202010120, 202010122, 202010143, 202010137, 202010135, 202010133, 202010131, 202010129, 202010127, 202010125, 202010136, 202010140 and 202010141)
Agency Negotiator: Emilio Ramirez, Housing Director; Ashley Golden, Assistant City Manager; Alex Nguyen, City Manager;
Negotiating Party: Vince Daly, The Daly Group
Under Negotiation: Price and terms of payment
Legislative Body: City Council

At 5:05 p.m., the City Council recessed to a closed session. At 6:03 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: Special Guest from the North Pole.
Santa Claus came to visit the City of Oxnard from the North Pole to spread some holiday cheer.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Douglas Partello (Cabrillo Neighborhood Council meeting agenda packet, City's pension debt and bond debt).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

H. CITY COUNCIL REPORTS

Councilmember Basua expressed her condolences to the Stocks family on the passing of Steven W. Stocks, former President of the Board of Trustees for the Oxnard Union High School.

Councilmember Perello thanked the residents and volunteers who donated funds and food for the 2022 Annual Channel Islands Harbor Holiday Food & Toy Drive held at the Fisherman's Wharf.

Councilmember Teran invited resident to attend their upcoming South Bank Neighborhood Council meeting. He thanked the Recreation and Community Services Department staff for organizing the 2022 Oxnard Christmas Parade and the City of Oxnard Tree Lighting Ceremony Downtown at Plaza Park. He also thanked the Public Works Department staff and contractors for the great work being done on the Doris Construction project. He congratulated the Oxnard College Men's soccer team who won the California State Championship Title.

Mayor Pro Tem MacDonald announced the upcoming Santa To The Sea Half Marathon which is a great way to celebrate festive cheer with the entire family. This point to point course starts at the historic Santa Claus, off the 101 freeway, runs through Oxnard's famous strawberry fields, then through downtown Oxnard.

Mayor Zaragoza also thanked the City staff and volunteers who organized the 2022 Oxnard Christmas Parade and the City of Oxnard Tree Lighting Ceremony Downtown at Plaza Park. He said that the events were well attended and that everyone had a great time. He wished everyone happy holidays.

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 Ray Blattel (K.2).

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the November 1, 2022 regular meetings as presented.

2. Human Resources Department

SUBJECT: Memorandum of Understanding - Oxnard Public Safety Managers Association.

RECOMMENDATION: That the City Council of the City of Oxnard adopt **Resolution No. 15,649** approving the successor Memorandum of Understanding between the City of Oxnard and the Oxnard Public Safety Managers Association and authorizing the City Manager or designee to take the necessary administrative actions to implement the agreement.

3. Housing Department

SUBJECT: Loan Agreement between the City of Oxnard and the Oxnard Housing Authority for the Acquisition of Oxnard Community Development Commission Successor Agency-owned property for the future development of affordable housing in the Meta Street area.

RECOMMENDATION: 1. That the City Council adopt **Resolution No. 15,650** approving and authorizing the City Manager or Designee to execute and take all needed actions in consultation

with the City Attorney relative to entering into a Loan Agreement with Oxnard Housing Authority for the acquisition of property designated as Assessor Parcel Numbers 201-0-213-130 and 140 and 201-0-272-020 and 030 located in the City of Oxnard and other matters pertaining thereto;

2. That the Board of Commissioners of the Housing Authority of the City of Oxnard adopt **Housing Authority Resolution No. HA 1335** approving and authorizing the Housing Director to take all needed actions in consultation with general counsel relative to entering into a Loan Agreement with the City of Oxnard for the acquisition of property designated as Assessor Parcel Numbers 201-0-213-130 and 140 and 201-0-272-020 and 030 located in the City of Oxnard and other matters pertaining thereto; and

3. The City Council approve a budget appropriation of \$212,740 from the Affordable Housing In-Lieu Fund.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on October 25, 2022.)

4. Housing Department

SUBJECT: Pleasant Valley Window Replacement Project for Public Housing Units located at Squires Drive and Trevino Terrace.

RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard:

Approve and authorize the Chairman to execute a firm-fixed price contract in the amount of \$1,017,512.98 with Newton Construction & Management (Agreement number A-8498) using funds appropriated from the 2022 Capital Fund grant to replace windows at the Pleasant Valley Village public housing site.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on October 25, 2022.)

5. Housing Department

SUBJECT: Oxnard Housing Authority's purchase of two multi-family residential properties, for one dollar, located at 2051 Mariposa Street and 1250 Azalea Street from the City of Oxnard.

RECOMMENDATION: 1. That the City Council:

- i. Adopt **Resolution No. 15,651** 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 and a Regulatory Agreement and a Declaration of Restrictive Covenants by and between the City of Oxnard and the Housing Authority of the City of Oxnard for the sale of two multi-family residential properties located at 2051 Mariposa Street and 1250 Azalea Street;
- ii. Authorize the transfer of \$183,720.32 from Fund 219 to the Housing Authority of the City of Oxnard; and
- iii. Authorize the transfer of \$116,279.68 from the Inclusionary In-Lieu Fund (Fund Number 371) to the Housing Authority of the City of Oxnard

2. That the Board of Commissioners of the Housing Authority of the City of Oxnard:

- i. Adopt **Housing Authority Resolution No. HA 1336** approving and authorizing its Executive Director or designee to execute and take all needed actions in consultation with Authority's General Counsel relative to entering into a Purchase and Sale Agreement and 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 two multi-family residential properties located at 2051 Mariposa Street and 1250 Azalea Street;
- ii. Accept the transfer of \$183,720.32 from Fund 219 from the City of Oxnard; and
- iii. Accept the transfer of \$116,279.68 from the Inclusionary In-Lieu Fund (Fund Number 371) from the City of Oxnard.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on October 25, 2022.)

6. Fire Department

SUBJECT: Appropriation of Wildland Fire Reimbursement Revenue.

RECOMMENDATION: That City Council appropriate \$303,068 to the Fire Department to restore the Department's original training budget; to improve and expand training related to mutual aid response; and to acquire equipment and supplies needed for mutual aid response to wildland fire events.

(Finance and Governance Committee approved 3-0 on October 25, 2022.)

7. Fire Department

SUBJECT: Authorization to submit grant applications to Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (Matching requirement of up to \$153,622).

RECOMMENDATION: That City Council adopt **Resolution No. 15,654:**

1. Authorizing the submission of seven (7) grant applications to the FEMA Assistance to Firefighters Grant for \$1,689,842, including a 10% local match for the purpose of procuring ten (10) LUCAS devices, a Type 3 apparatus, an air compressor, paramedic school, and USAR, HazMat and Fire Prevention training;
2. Authorizing the City Manager or designee to execute the grant agreements if grant funds are awarded to the City;
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims for the use of match and grant funds and perform all other required financial actions; and
4. Authorizing the Fire Chief or designee to submit non-financial reports.

8. Community Development Department

SUBJECT: Adoption **Resolution No. 15,652** Approving the Final Climate Action and Adaptation Plan.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,652** approving the Addendum to 2030 General Plan Certified Program Environmental Impact Report (PEIR; SCH # 2007041024) and the Final Climate Action and Adaptation Plan (CAAP).

9. Finance Department

SUBJECT: Accounting and Financial Reporting Risk Assessment Update.

RECOMMENDATION: That the City Council receive the Risk Assessment Update regarding accounting and financial reporting as part of the Internal Control Integrated Framework pursuant to City of Oxnard Finance Policy (FPOL) 1.05.

(Finance and Governance Committee approved 3-0.)

Council made a motion to vote on the Housing Authority Consent Agenda Items K.3, K.4, & K.5 separately:

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Basua, to approve the recommended action. VOTE: Basua, MacDonald, Teran, and Zaragoza voted in favor; motion passed 4-0. Councilmembers Madrigal and Perello were absent during this vote.

Housing Authority Consent Items No. K.3 - K.5:

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Basua, MacDonald, Teran, Zaragoza, Commissioners Andrade and Vega voted in favor; motion passed 6-0. Councilmembers Madrigal and Perello were absent during this vote.

Consent Items K.1 - K.2 and K.6 - K.9:

It was moved by Councilmember Basua, seconded by Mayor Pro Tem MacDonald, to approve the recommended action as presented. VOTE: Basua, MacDonald, Teran, and Zaragoza voted in favor; motion passed 4-0. Councilmembers Madrigal and Perello (internet connection issue) were absent during this vote.

L. PUBLIC HEARINGS

1. Community Development Department

SUBJECT: General Plan Amendment to the 2030 Safety & Hazards Chapter (Planning & Zoning Permit No. 22-620-01). (30 minutes)

RECOMMENDATION: That the City Council conduct a public hearing and approve **Resolution No. 15,653** (1) amending the Safety & Hazards Chapter (Chapter 6) and Implementation Chapter (Chapter 9) of the City's 2030 General Plan to make reference to the Local Hazard Mitigation Plan and (2) determining that the amendment is exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3).

(This item did not originate in Committee.)

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

Kathleen Mallory, Planning & Sustainability 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. Discussion ensued among the Council and staff.

It was moved by Councilmember Basua, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Basua, Perello, Teran, MacDonald and Zaragoza voted in favor; motion passed 5-0. Councilmember Madrigal was absent.

M. REPORTS

1. Community Development Department

SUBJECT: Project Name: Encanto Homes Affordable Housing In-Lieu Fee Request: Planning and Zoning (PZ) Permit No. 22-600-03 (Pre-Application) located at 1101 and 1111 West Second Street & 1101 West First Street. (20 minutes)

RECOMMENDATION: That the City Council allow the payment of the City's Affordable Housing In-Lieu Fee estimated at \$473,000 instead of constructing three low income affordable housing units onsite for an approved 27-unit residential project.

(This item did not originate in Committee.)

Ashley Golden, Assistant City Manager presented and answered questions. Public comments were received from Douglas Partello and Henry Alvarado. 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, Perello, Teran, and Zaragoza voted in favor; motion passed 4-0. Mayor Pro Tem MacDonald abstained due to project location. Councilmember Madrigal was absent.

2. Public Works Department

SUBJECT: Second Amendment to Professional Services Agreement A-8294 with Brown and Caldwell for Primary Clarifiers and Activated Sludge Basins Improvement Project PW 21-17. (10 minutes)

RECOMMENDATION: That the City Council approve and authorize the execution of a Second Amendment to a Professional Services Agreement with Brown and Caldwell to increase the not to exceed amount from \$1,173,413 to \$1,212,473 for additional design work required for the Primary Clarifiers & Activated Sludge Improvements.

(This item is categorically exempt from the California Environmental Quality Act pursuant to 14 C.C.R. § 15306)

(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 presented and answered questions. No public comments were received.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

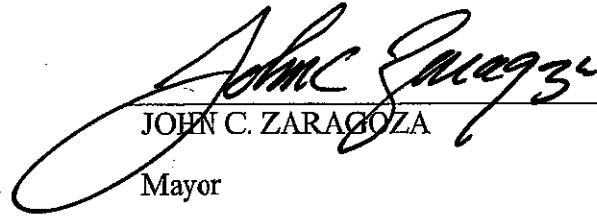
N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 7:32 p.m.



ROSE CHAPARRO

City Clerk



JOHN C. ZARAGOZA
Mayor