

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 3, 2023

A. ROLL CALL, POSTING OF AGENDA

At 5:31 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 Bert E. Perello, Gabriel (Gabe) Teran, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present.

Councilmember Gabriela Basua joined the meeting at 5:58 p.m.

Councilmember Oscar Madrigal joined the meeting at 7:39 p.m.

Staff members present in person were Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Stephen M. Fischer, City Attorney; Ken Rozell, Chief Assistant City Attorney; Chelsey Ballot, Deputy City Attorney; Christopher Williams, Assistant Chief of Police; Alexander Hamilton, Fire Chief; Michael Wolfe, Public Works Director; Joseph Marcinko, Assistant Public Works Director; Tatiana Arnaout, City Engineer; Helen Miller, Chief Information Officer; Jeff Pengilley, P.E., CDD Assistant Director & Building Official; Joe Pearson II, AICP, Planning & Sustainability Manager; Betsy George, Chief Financial Officer; Emilio Ramirez, Housing Director; and Rose Chaparro, City Clerk.

Staff members Jason Benites, Police Chief and Jennifer Hiraoka, Senior Manager Internal Controls participated via videoconference.

Consultants Connie Huynh Fife, Project Manager, Municipal & District Finance from Harris & Associates; Faye Yuan, CBO, Building and Safety Department with Interwest Consultants; as well as Nick Pergakes, Interwest Planning Department participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council

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

C. CLOSED SESSION (5:30 PM)

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
Property: 2900 Saviers Road (APN 219-0-018-035)
Agency Negotiator: Emilio Ramirez, Housing Director; Ashley Golden, Assistant City Manager; Alex Nguyen, City Manager

Negotiating Party: Cadence Capital Investments
Under Negotiation: Price and terms of payment
Legislative Body: City Council

At 5:34 p.m., the City Council recessed to a closed session. At 6:14 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that the Council provided instructions to its real estate negotiators regarding the listed property and other than that there are no reports 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 Proclamation Designating January 16, 2023 as "Dr. Martin Luther King, Jr. Day."

Mayor Zaragoza read the proclamation and presented it to members of the Martin Luther King Jr. Committee: LaRita Montgomery, Chairwoman; Dr. Ira Jeffries, Tracy Harris, Marvin Graves, Hidey Payton, Peggy Gayton, , Vince Stewart, Chair at Ventura County Civil Service Commission and Renee Steward. The Committee accepted the proclamation and invited the community to attend the Martin Luther King, Jr. Celebration program on January 16, 2023 at the Oxnard Performing Arts Center. The Council said a few remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Lang Martinez (homeless concerns).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided a Covid-19 pandemic local impacts update regarding hospitals availability and ambulance response. California's Covid-19 State of Emergency is ending on February 28, 2023. The City of Oxnard is hosting meetings for the community to learn more about local water supplies, the cost of water, the rate adjustment process and long-term reliability needs. A meeting schedule was provided and members of the public are invited to attend one of the upcoming meetings in person or via Zoom.

1. Public Works Department

SUBJECT: Reconsideration of Local Emergency Due to Ongoing Drought Conditions.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,658** confirming the need to continue the local emergency declared on May 17, 2022, due to drought conditions and lack of adequate water supply.

(This item is not subject to the California Environmental Quality Act pursuant to Public Resources Code section 21080(b)(4))

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

2. City Manager Department

SUBJECT: COVID-19 Update from Director of Emergency Services.

RECOMMENDATION: That the City Council re-authorize remote teleconference meetings of the legislative bodies of the City of Oxnard in accordance with Assembly Bill 361 based on the following findings: (i) the current COVID-19 situation, particularly with its variants, is causing, and will continue to cause, imminent risks to the health and safety of persons within the City, including City Council members, City staff, appointed officials, and members of the public; (ii) state and local officials continue to impose or recommend measures to promote social distancing; and (iii) the Governor's COVID-19 State of Emergency is still in effect; and (iv) numerous public agencies throughout Ventura County are still operating in accordance with Assembly 361, for the reasons stated herein.

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

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

Councilmember Perello expressed that there is a need to identify a location to install additional public restrooms in the Downtown area. He also expressed his concerns regarding the homeless fatalities.

Councilmember Basua shared that she received inquiries from residents at District 6 asking for resources. She mentioned that to the residents at properties located at Saviers Road, Samuel Avenue, Yucca, and Bryce Canyon, she assured the residents that Mayor Pro Tem MacDonald and the other Councilmembers are currently working on obtaining resources and that resources will be coming. She wished all residents a very happy new year.

Councilmember Teran announced the Riverpark Neighborhood Council and the Carriage Square Neighborhood Council meetings in District 2 which are coming up. He also wished everyone a very happy new year. He is looking forward to a great 2023.

Mayor Zaragoza said that it has been an honor to work with all the different departments at the City of Oxnard in 2022. He appreciates the work that the Directors and City staff are doing to continue to serve the community of Oxnard. He also thanked the City Manager for all his help, leadership, and for continuing to provide the services to our residents, and helping the employees. He thanked the City Manager and the City Attorney for the great job they are doing and for working with the City Council. He

thanked the Councilmembers. He also stated that this is the best City Council he has ever worked with. We are going to have a great 2023.

1. City Manager Department

SUBJECT: Appointment of Members to Serve on the City's CAGs and Boards. (5 minutes)

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

1. To Senior Services Commission: Jeffrey Nevitt (at large) and LaRita Montgomery (D5);
2. To Community Relations Commission: Khalilah Durias (D5);
3. To Planning Commission: Daniel Chavez, Jr. (D5); and
4. To Mobilehome Park Rent Review Board: Efrain Jimenez II (at large).

Councilmember Teran made a separate motion; there was no second to this motion. Councilmember Teran then made a statement/comment to his vote.

It was moved by Councilmember Perello, seconded by Councilmember Basua, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, and Zaragoza voted in favor; Teran voted against; motion passed 5-1.

2. City Attorney Department

SUBJECT: Resolution Supporting the LGBTQ+ Community.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,659** declaring the City of Oxnard's solidarity and support for the lesbian, gay, bisexual, transgender, and queer (LGBTQ+) community and opposing discrimination based on sexual orientation and gender identity or expression.

Councilmember Teran introduced this item.

Public comments were received from Victoria and Dafnie, Bryan Rodriguez, Danielle Blum, Robert O'Riley, Steven Auclair, Luis Andrade, Michaela Perez, Joseph Summers, Marianne Parra, Arthur Valenzuela, Jr., Odette Ramirez, Steve Nash, and Manuel Herrera. Written comments were received and provided to Council. Discussion ensued among the Council and staff.

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

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-7 were discussed among the Council and staff.

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

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the December 6, 2022 regular meeting and December 7, 2022 special meeting as presented.

2. Information Technology Department

SUBJECT: City of Oxnard Website and Email Update (change from .org to .gov).

RECOMMENDATION: That the City Council approve and authorize the Mayor to sign the required federal government authorization letter(s) requesting and maintaining the City of Oxnard's registration of the City's chosen .gov domain name(s) used for City website and online services, including City email.

(Finance and Governance Committee approved 3-0)

3. Public Works Department

SUBJECT: Acquisition of Easement Located at 2382 Etting Road, Oxnard, California, Ocean View School District.

RECOMMENDATION: That the City Council approve and authorize the:

1. Execution of a Right of Way Agreement with Ocean View School District (A-8502) to purchase a Permanent Roadway Easement and Temporary Construction Easement located at 2382 Etting Road, Oxnard, (the "Property");

2. Execution of an Easement Deed for APN 232-0-010, -100;

3. Public Works Director or City Engineer to take any additional necessary actions to facilitate any necessary extension of the temporary construction easement, including authorizing additional payment not to exceed \$10,000; and

4. City Manager to take any additional necessary actions to facilitate the acquisition of the property consistent with the terms of the transaction approved by the City Council.

(This item is categorically exempt from the California Environmental Quality Act pursuant to title 14 of the California Code of Regulations section 15061(b)(3).)

(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. City Manager Department

SUBJECT: Appropriation of Bond Proceeds.

RECOMMENDATION: That the City Council:

1. Approve the proposed list of redevelopment bond proceeds projects;
2. Authorize the re-allocation of all remaining 2006 Ormond Beach Tax Allocation Bond (TAB) Proceeds for the purpose of completing the Hueneme Road work related to the Ormond Beach Neighborhood Street Resurfacing project;
3. Authorize a budget appropriation of \$30,655 from the General Fund (101) and corresponding Capital Outlay Fund (301) for the Roof Replacement: South Oxnard Center project (# C2010);
4. Authorize the re-allocation of all remaining 2006 HERO TAB Proceeds for the purpose of completing the Roof Replacement: South Oxnard Center project and for paving more alleyways; and
5. Authorize the re-allocation of all remaining 2006 Southwinds TAB Proceeds for the purpose of adding park benches and trash enclosures at Southwinds Park.

(Pursuant to Sections 15061(b)(3) and 15378 of the California Environmental Quality Act (CEQA) Guidelines, this item is not a "project" subject to CEQA.)

(Finance and Governance Committee approved 3-0.)

5. Public Works Department

SUBJECT: Agreement 32300058 with Taft Electric Company for On-Call Traffic Signals Repairs and Maintenance Services, Specification No. PW 23-40.

RECOMMENDATION: That the City Council approve and authorize the City to execute an Agreement with Taft Electric Company in the amount not to exceed \$300,000 for a three-year term for On-Call Traffic Signals Repairs and Maintenance Services.

(This item is categorically exempt from the California Environmental Quality Act pursuant to title 14 of the California Code of Regulations section 15301(c))

(Public Works and Transportation Committee approved 2-0.)

6. Finance Department

SUBJECT: Update on the Corrective Action Plan (CAP) for Closing Past Audit Findings.

RECOMMENDATION: That the City Council receive an update on the City's Corrective Action Plan (CAP) for closing past audit findings.

(Finance and Governance Committee approved 3-0)

7. Finance Department

SUBJECT: Fiscal Year 2021-22 Annual Report on Development Impact Fees (AB1600).

RECOMMENDATION: That the City Council receive and file the annual development impact fee report (AB1600) for the fiscal year ended June 30, 2022.

The report can be accessed on the City's website at <https://www.oxnard.org/city-department/finance/annual-reports-on-development-impact-fees/>

(Finance and Governance Committee recommend 3-0.)

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

L. REPORTS1. Community Development Department

SUBJECT: Ordinance No. 3022 to Regulate Expanded Polystyrene.

RECOMMENDATION: That the City Council introduce the first reading by title only and waive further reading of an ordinance adding Article XXV to Chapter 7 of the Oxnard City Code prohibiting the use, manufacturing, distribution, and sale of designated polystyrene products, and find that the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines.

(Community Services, Public Safety, Housing & Development Committee approved 3-0.)

Kathleen Mallory, Planning & Sustainability Manager presented and answered questions. No public comments were received.

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

2. Community Development Department

SUBJECT: On-Call Consulting Services for Community Development.

RECOMMENDATION: That the City Council:

1. Approve and authorize the execution of a First Amendment to the Agreement with Rincon Consultants, Inc. for on-call contract planning services, increasing the agreement amount by \$500,000 for a total agreement amount of \$1,250,000;
2. Award agreement to Interwest Consulting Group, Inc. for on-call

- planning as well as on-call development plan check services in the amount of \$1,100,000; and
3. Approve a budget appropriation in the amount of \$350,000 for development plan check services.

(Community Services, Public Safety, Housing & Development Committee approved 3-0.)

Jeff Pengilley, P.E., CDD Assistant Director & Building Official and Joe Pearson II, AICP, Planning & Sustainability Manager presented and answered questions. No public comments were received.

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

3. Housing Department

SUBJECT: Approval of the Downtown Oxnard Improvement Association Annual Work Plan and Budget for Fiscal Year 2022-23. (10 minutes)

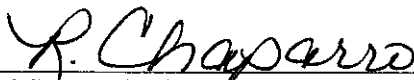
RECOMMENDATION: That the City Council approve the Downtown Oxnard Improvement Association annual work plan and budget for fiscal year 2022-23. (This item did not originate in Committee.)

Emilio Ramirez, Housing Director presented and Lorenzo Castillo, Secretary and Abel Ramirez Magana, Executive Director with the Downtown Oxnard Improvement Association (DOIA) answered questions. No public comments were received.

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

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:23 p.m.


ROSE CHAPARRO

City Clerk


JOHN C. ZARAGOZA

Mayor