MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 18, 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 and the Oxnard Financing 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, 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 5:34 p.m. and was absent during Closed Session.

Housing Authority Commissioners Jose Andrade and Francisco Vega were absent.

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; Kenneth Rozell, Chief Assistant City Attorney; Denise Shadinger, Assistant Chief of Police; Jose Diaz, Police Commander; John Colamarino, Assistant Fire Chief; Michael Wolfe, Public Works Director; Brian Yanez, Assistant Public Works Director; Joseph Marcinko, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana B. Arnaout, P.E., City Engineer; Timothy Beaman, Supervising Civil Engineer; Eric L. Storrie, CPRP - Special Districts Manager; Kumar Neppalli, Traffic Operations Engineer; Jeff Pengilley, P.E., CDD Assistant Director & Building Official; Emilio Ramirez, Housing Director; Elsa Brown, Affordable Housing Manager; Rose Chaparro, City Clerk and Dee Lai, Assistant City Clerk.

Staff members Alexander Hamilton, Fire Chief and Jose Arreola, Fleet Services Manager participated via videoconference.

Dan Drugan with Calleguas Municipal Water Districted (participated in person); Christian Sprunger, Assistant Vice President at NHA Advisors; Danny Kim, Partner at Nixon Peabody LLP; Jeff Caton, P.E., LEED AP Sustainable Communities Director at Environmental Science Associates (ESA); Shannon Wages, Principal Associate at Environmental Science Associates (ESA); William M. Rhodes, Division Director at the Department of Housing and Urban Development (HUD) (participated in person); Meena S Bavan, HUD Director of Office of Public Housing; and Rudy Rodriguez, HUD Portfolio Management Specialist participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council, Housing Authority, and Oxnard Financing Authority.

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

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2))
   Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case pertaining to groundwater allocation that may impact the City's water supply, in *OPV Coalition; et al. v. Fox Canyon Groundwater Management Agency; et al.* (SBSC

Case No. VENCI00555357)
Legislative Body: City Council

At 4:35 p.m., the City Council recessed to a closed session. At 5:16 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that Council provided direction to staff to intervene in the OPV Coalition groundwater allocation case.

D. APPOINTMENT ITEMS (5:00 PM)

1. Housing Department
SUBJECT: The Role of the Public Housing Authorities in Homelessness. (0/15/15)
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard:
1. Receive a Report on the United States Department of Housing and Urban Development's Housing Choice Voucher Programs progression over time to respond to changing housing needs; and
2. Direct staff to prepare and present to the Oxnard Housing Authority Board of Commissioners a comprehensive proposal for adoption of a homeless services program including the continued solicitation of special purpose vouchers, future voucher project-based commitments and adoption of a local preference in support of homeless individuals.

Meena S Bavan, Director of Office of Public Housing at Department of Housing and Urban Development (HUD provided a presentation to the Housing Authority Commissioners and answered questions. Emilio Ramirez, Housing Director was also available to answer questions. Council provided direction to staff and asked that staff provide a report with the utilization rate, success rate, and prepares the local preference at a future meeting. Public comments were received from Douglas Partello.

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

2. Housing Department
SUBJECT: Public Housing Agency (PHA) Governance and Financial Management Training. (10/15/5)
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard receive a presentation by William M. Rhodes, Portfolio Management Specialist/UPCS/UPCS-V SME, for the United States Department of Housing and Urban Development on governance training, "Lead the Way" and "Whistleblower Protection". (This item did not originate in Committee.)

William M. Rhodes, Division Director; Meena S Bavan, Director of Office of Public Housing, and Rudy Rodriguez, Portfolio Management Specialist Director at the Department of Housing and Urban Development (HUD) provided a presentation to the Housing Authority Commissioners on the Roles and Responsibilities of the Board and answered questions. Public comments were received from Douglas Partello.

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

E. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Douglas Partello, Al Velasquez (City Treasurer's Duties and Salary), Lang Martinez (Homeless Advocate, Manuel Herrera's Social Media Account Postings), Diana L. Velzy (Neighborhood Clean-ups and Activation), Steve Nash (Calleguas Water District Candidate for Office) and Manuel Herrera, Citizens for a Better Oxnard (Court Ruling on Landscape Maintenance Districts– Aaron Starr's Lawsuit), and Deirdre Frank (Lang Martinez comment about Manuel Herrera, City Treasurer).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided an update regarding the water shortage emergency. Michael Wolfe, Public Works Director introduced Dan Drugan with the Calleguas Municipal Water Districted who provided Council a presentation about the current water restrictions and mandatory water conservation measures which will continue until June 2023. City Manager Nguyen presented a video about the City's Housing First Program to build housing and provide services for the homeless community in the City of Thousand Oaks.

1. Public Works Department

   SUBJECT: Ratification of Director Orders regarding the water shortage emergency and mandatory water conservation measures.

   RECOMMENDATION: That the City Council adopt a resolution ratifying orders issued by the Director in response to the previously proclaimed water shortage emergency and mandatory water conservation measures.

There were no orders to ratify the Director Orders; no formal action was taken on this item.

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

Councilmember Teran provided updates on the neighborhood council meetings within his District. He thanked Diana Velzy with the Inter Neighborhood Council Organization (INCO) for sponsoring the Candidate Forum on October 14th so that the public could hear from the candidates directly. He also thanked the Ms. Velzy who gave an update about the INCO. He thanked everyone involved in the neighborhood clean-ups. He also thanked City staff for the organization and coordination efforts to hold these events. He congratulated Supervisor Vianey Lopez for her efforts in reactivating the neighborhood clean-up efforts.

Councilmember Madrigal met with constituents in his district about concerns about East Village, the new Del Sol High School, and the new Rose Avenue School. He was invited to visit the new Grace Light Church on Camino del Sol and Rose Avenue. He gave a special thanks to staff for the new stop sign installed at Marquita and First Street. Reminded the community to go out and vote.

Councilmember Basua wished her niece a happy birthday.

Councilmember Perello thanked Diana Velzy with the Inter Neighborhood Council Organization (INCO) for sponsoring the Candidate Forum on October 14th and for distributing flyers to reactivate neighborhood clean-up events within the City.

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

Public comments were received from Douglas Partello (K.2), Alicia Percell (K.3), and Ray Blattel (K.3).

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the September 6, 2022 regular meeting as presented.

2. Public Works Department
   SUBJECT: First Amendment to Professional Services Agreement A-8303 with Kennedy Jenks Consultants for the Central Trunk Sewer Main Replacement Project PW 21-27.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to Professional Services Agreement A-8303 with Kennedy Jenks Consultants in the amount of $317,104 for a new not to exceed contract amount of $676,998 for additional design work required for the Central Trunk Sewer Main Replacement Project PW 21-27 (Project No. 206602).

   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.

3. Public Works Department
   SUBJECT: Agreement A-8493 with BPR, Inc. for On-Call Sidewalk, Curb and Gutter, and Spandrel Grinding Services Project, Specification No. PW 22-130.
   RECOMMENDATION: That the City Council approve and authorize Agreement A-8493 with BPR, Inc. for a total amount not to exceed $800,000 for a three year term for the On-call Sidewalk, Curb and Gutter and Spandrel Grinding Services Project, Specification No. PW 22-130 (Project No. MO3102).

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

4. Public Works Department
   SUBJECT: Memorandum of Understanding and Caltrans Cooperative Agreements for the Village Specific Plan (Wagon Wheel) Berm/Flood Protection and U.S.101 Ventura Road Off-Ramp Projects.
   RECOMMENDATION: That the City Council approve and authorize the following:

1. The Mayor to execute a Memorandum of Understanding with Oxnard CRFL Partners, LLC, for Caltrans Right of Way Improvements (Agreement No. A-8497);
2. The Mayor to execute Caltrans Cooperative Agreement 07-5237 for Berm Construction (Agreement No. A-8348); and
3. Adopt **Resolution #15,637** Authorizing the Mayor to Execute forthcoming Caltrans Cooperative Agreement 07-5238 for U.S. 101 Exit 63A Off-Ramp Construction (Agreement No. A-8349).

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

5. Public Works Department
SUBJECT: Amend Department-Wide Blanket Purchase Orders that have Not to Exceed (NTE) Amounts Greater than $200,000 Each.
RECOMMENDATION: That the City Council approve and authorize the Purchasing Agent to amend the following:

1. Purchase Order #8797 with Consolidated Electrical Distributors for an additional $100,000 for a new not to exceed amount of $300,000 through June 30, 2023;
2. Purchase Order #8831 with Napa dba Ventura County Auto Supply for an additional $200,000 for a new not to exceed amount of $400,000 through June 30, 2023;
3. Purchase Order #8841 with Ferguson Enterprise, LLC for an additional $150,000 for a new not to exceed amount of $350,000 through June 30, 2023;
4. Purchase Order #8842 with Famcon Pipe & Supply Inc. for an additional $400,000 for a new not to exceed amount of $600,000 through June 30, 2023; and
5. Purchase Order #8859 with O'Reilly Auto Parts for an additional $100,000 for a new not to exceed amount of $300,000 through June 30, 2023.

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

6. Community Development Department
SUBJECT: M6 Contract Amendment.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to Agreement Number A-8418 with M6 Consulting, Inc for on-call development plan check services, increasing the agreement amount by $1,500,000.00 for a total agreement amount of $2,000,000.00 through February 1, 2025.

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

7. Police Department
SUBJECT: Southern California High Technology Task Force Service Agreement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a two-year service agreement (Agreement #A-8490) with the County of Ventura and the Ventura County Sheriff's Office for services with the Southern California High Technology Task Force (SCHTTF) in an amount not to exceed $250,000.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on

September 27, 2022.)

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

L. PUBLIC HEARINGS

1. Finance Department

SUBJECT: Approval of 2022 Lease Revenue Bonds, Series A and B. (0/15/15)

RECOMMENDATION: 1) That the City Council conduct a public hearing and approve **Resolution #15,638** approving the issuance by the City of Oxnard Financing Authority of (I) not to exceed $36,000,000 of City of Oxnard Public Financing Authority Lease Revenue Bonds, Series 2022A (Tax Exempt), and (II) not to exceed $9,000,000 of City of Oxnard Financing Authority Lease Revenue Bonds, Series 2022B (Federally Taxable); approving the execution and delivery of various related documents in connection with the offering and sale of such bonds; and other matters related thereto.

2) That the City of Oxnard Financing Authority's Board of Directors approve **Resolution #FA 56** authorizing the issuance of (I) not to exceed $36,000,000 of City of Oxnard Public Financing Authority Lease Revenue Bonds, Series 2022A (Tax Exempt), and (II) not to exceed $9,000,000 of City of Oxnard Financing Authority Lease Revenue Bonds, Series 2022B (Federally Taxable); approving the execution and delivery of various related documents in connection with the offering and sale of such bonds; and other matters related thereto.

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

Betsy George, Chief Financial Officer; Christian Sprunger, Assistant Vice President at NHA Advisors; and Danny Kim, Partner at Nixon Peabody LLP presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Alicia Percell and Aaron Starr.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

Staff amended the item during the meeting to reflect that the refunding of the 2012 Lease will not be included in the transaction. Primarily, the reason for this is that the refunding no longer has economic benefit to the City due to an increase in interest rates. As a result, the pool of leased assets for the 2022 Lease Revenue Bonds will no longer include City Hall/Council Chambers complex, but will include the Downtown Parking Garage. The South Oxnard Branch Library and South Oxnard Center will also remain in the pool of leased assets for the 2022 Lease Revenue Bonds, as discussed in the staff report.

CITY COUNCIL ACTION:

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

FINANCING AUTHORITY ACTION:

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

M. REPORTS

1. Community Development Department

   SUBJECT: Climate Action and Adaptation Plan and an Addendum to the 2030 General Plan Program Environmental Impact Report (PEIR; SCH # 2007041024). (15/10/10)

   RECOMMENDATION: That the City Council:

   1. Approve the associated Addendum to the PEIR;
   2. Approve the Draft CAAP with recommended edits and any further Council edits; and
   3. Direct staff to produce the Final CAAP.

   (Community Services, Public Safety, Housing & Development Committee and Public Works & Transportation Committee both received a presentation and provided feedback on the City's Draft CAAP. No formal vote taken.)

Kathleen Mallory, Planning & Sustainability Manager introduced Jeff Caton, P.E., LEED AP, Sustainable Communities Director and Shannon Wages, Principal Planner with Environmental Science Associates (ESA), who presented and answered questions.

Public comments were received from Alexis Rizo. Written comments were received and provided to Council. 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, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

2. City Attorney Department

   SUBJECT: Options to Fill Council Vacancy. (10/15/20)

   RECOMMENDATION: That the City Council receive a report regarding the vacancy in the District 6 City Council seat and take one of the following actions to fill the vacancy:

   1. Call a special election for March 7, 2023 to fill the remainder of the District 6 City Council term (which runs until November 2024) by adopting the following resolutions:

      a. A **Resolution #15,639** calling and giving notice of a special election on March 7, 2023 to fill the remainder of the District 6 City Council term;
      b. A **Resolution #15,640** requesting the Ventura County Board of Supervisors authorize the Ventura County Elections Division to render specified services to conduct the March 7, 2023 special election; and
      c. A **Resolution #15,641** adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at the special election to be held on March 7, 2023.

   OR

2. Direct staff to: a) commence the process to appoint the District 6 Councilmember on or before November 29, 2022, with a term to run until November 7, 2023; and b) on or before November 29, 2022 return to the City Council for the appointment of the District 6 Councilmember and the adoption of a resolution calling and giving notice of holding a special election on November 7, 2023, to fill the remainder of the District 6 term, which runs until November 2024. (Any potential appointee or candidate must be a resident of District 6, at least 18 years of age, and a registered voter.)

Stephen M. Fischer, City Attorney presented and answered questions.

Public comments were received from Anthony Mireles, Alex Mireles, Jonathan Duran, Anthony Ventura, Joshua Medrano, Ronald Arruejo, Kelly Christiansen, Al Velasquez, Scott Zimmerman (Carpenters Local 805), Douglas Partello, Manuel Herrera, and Sofia Vega. Written comments were received and provided to Council. Discussion ensued among the Council and staff.

A motion was made by Council to select and approve option 1 (a-c):

It was moved by Mayor Zaragoza, seconded by Councilmember Basua, to approve the recommended action (Approved Option 1) as presented. VOTE: Basua, MacDonald, Perello, and Zaragoza voted in favor; Madrigal and Teran voted against, motion passed 4-2.

3. Public Works Department
SUBJECT: Proposed Speed Hump Program. (0/15/15)
RECOMMENDATION: That the City Council:

1. Approve the proposed speed hump program as outlined in this staff report; and

2. Direct the City Manager or his designee to implement procedures to effectuate the Program as outlined in the staff report.

(Public Works and Transportation Committee approved 3-0 at a Special Meeting on September 17, 2022)

Michael Wolfe, Public Works Director and Jose Diaz, Police Commander presented and answered questions. Public comments were received from Ray Blattel. Written comments were received and provided to Council. 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, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

4. Public Works Department
SUBJECT: Consideration of Naming a Sports Field at Durley Park the "Helen Lopez Field". (0/10/10)
RECOMMENDATION: That the City Council:

1. Review and consider the request from the Sunset Little League, along with the recommendation from the Parks, Recreation, and Community Services Commission, to name a

sports field at Durley Park the "Helen Lopez Field"; and

2. Direct staff to install appropriate signage to effectuate the naming, should it be approved, taking into consideration upcoming park improvements.

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

Steve Howlett, Assistant Public Works Director introduced Andrew Arreola with Sunset Little League who presented and thanked everyone involved in assisting to approve this project. Public comments were received from Andrew Arreola. Written comments were received and provided to Council. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, 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.

5. Public Works Department

SUBJECT: Professional Services Agreement A-8500 with Tetra Tech, Inc. for Oxnard Conduit Replacement and Rehabilitation Project PW 22-105. (0/5/5)

RECOMMENDATION: That the City Council approve and authorize the following for a total of $2,497,312 in Project funds for the Oxnard Conduit Replacement and Rehabilitation Project, Specification No. PW 22-105 (Project No. 226501):

1. The Mayor to execute Professional Services Agreement A-8500 with Tetra Tech, Inc. in the amount of $2,270,284 for the Project;

2. A Project contingency amount of $227,028 for the Project; and

3. Authorize the Finance Director or designee to approve a budget appropriation in the amount of $1,027,312 from the available fund balance from the Water Operating Fund (601) for use in this Project.

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 was available to answer questions. No public comments were received.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello, 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 9:50 p.m.

R. Chaparro

ROSE CHAPARRO

City Clerk

John C. Zaragoza

JOHN C. ZARAGOZA

Mayor