MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 21, 2023

A. ROLL CALL, POSTING OF AGENDA

At 4:32 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, Oscar Madrigal, Bert E. Perello, Gabriel (Gabe) Teran, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present.

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; Ken Rozell, Chief Assistant City Attorney; Jason Zaragoza, Deputy 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; Jose Arreola, Fleet Services Manager; Joe Pearson II, AICP, Planning and Environmental Services Manager; Kathleen Mallory, Planning & Sustainability Manager; Helen Miller, Chief Information Officer; Emilio Ramirez, Housing Director; Albert Ramirez, Assistant Housing Director; Brenda Lopez, Housing Programs Manager; Denise Olson, Interim Chief Financial Officer; Mark Sewell, Assistant Chief Financial Officer; Victor Zambrano, Budget Manager; Dee Lai, Assistant City Clerk and Rose Chaparro, City Clerk.

Andy Bhatnagar, ERP Consultants; Lars Skugstad, Foster Interstate Media, Inc.; Alex Belenson, Manager of Business Development at Foster Interstate Media, Inc.; Katie Metz, Director of Real Estate at Outfront Media; Daryl Koutnik, Ph.D., Biological & Environmental Compliance Principal at Environmental Science Associates (ESA); and Michael Houlihan, AICP, Principal Associate at Environmental Science Associates (ESA) also participated via videoconference.

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

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

C. CLOSED SESSION (4:30 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: BV Oxnard, LLC
Under Negotiation: Price and terms of payment
Legislative Body: City Council

At 4:35 p.m., the City Council recessed to a closed session. At 5:12 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that the City's negotiators have negotiated a Purchase and Sales Agreement and the City is conducting its due diligence on the Property. The Agreement will be brought to a future open session for Council discussion and approval.

D. APPOINTMENT ITEMS (5:00 PM)

1. City Manager Department
SUBJECT: Presentation by Kai Luoma, Executive Officer for the Ventura Local Agency Formation Commission (LAFCo).
RECOMMENDATION: That the City Council receive and file a presentation by Kai Luoma, Executive Officer for the Ventura Local Agency Formation Commission (LAFCo), providing an introduction to and overview of LAFCo.

Kai Luoma, AICP, Executive Officer for the Ventura Local Agency Formation Commission (LAFCo) presented to City Council and answered questions.

E. OPENING CEREMONIES (6:00 PM)
The flag salute was followed by a moment of silence.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating March 31, 2023 as "Cesar E. Chavez Day."

Javier Gomez, Artistic Director & Founder of Inlakech Cultural Arts Center, as a cultural arts educator accepted the proclamation and said a few words. Since, 1973 to the present, Director Gomez has served as the artistic director; creating, promoting, instructing and supervising the educational, cultural arts programming.

2. SUBJECT: Presentation of a Commendation to the Oxnard Performing Arts & Convention Center on the occasion of their 55th Anniversary.

Gary Blum, Board President of the Oxnard Performing Arts and Convention Center and the Board of Directors accepted the Commendation and said a few words.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (No comments received.)

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided community updates. He announced that SoCalGas will set aside $10 million in support for low income families, seniors, and small restaurant owners impacted by unprecedented regional gas market prices. For more information on this program, please call: English: 877-238-0092, Spanish: 800-342-4545. Community Action of Ventura County will continue its utility bill assistance program and will hold an application assistance workshop on March 27, 2023. For information call 805-436-4000. Congratulations to the Oxnard Fire Department for being awarded the 2023 American Red Cross Good Neighbor Award. The Oxnard Fire Department is offering installation of free smoke detectors for high risk residents to ensure proper fire protection systems and working alarms while supplies last. To schedule an appointment contact the Fire Department at 805-982-7282.

1. City Attorney Department
   SUBJECT: Termination of Local Emergency Due to COVID-19.
   RECOMMENDATION: That the City Council adopt **Resolution #15,666** proclaiming the termination of a local emergency due to COVID-19.

Stephen M. Fischer, City Attorney presented the item. Jason Zaragoza, Deputy City Attorney answered questions. No public comments were received. 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, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

2. City Attorney Department
   SUBJECT: Termination of Local Emergency Due to Severe Storms.
   RECOMMENDATION: That the City Council adopt **Resolution #15,667** proclaiming the termination of a local emergency due to severe storms.

Stephen M. Fischer, City Attorney presented the item. Jason Zaragoza, Deputy City Attorney; Alexander Hamilton, Fire Chief; and Michael Wolfe, Public Works Director answered questions. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilmember Teran, 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.

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

Councilmember Perello attended an event hosted by the Central Coast Labor Council, a commemoration of the 1903 betabeleros in which Japanese-Mexican laborers joined together. The Oxnard Strike of 1903, broke barriers of racial representation in the labor force and represented a historical moment in the American labor movement because it was the first time in American history that members of different racial heritages allied together to form a cohesive labor union. He also attended the Oxnard Youth Baseball, 2023 Opening Ceremonies, PONY League. He participated in the "Read Across America" at Harrington Elementary School and Rose Avenue Elementary School.

Mayor Pro Tem MacDonald is the Board Vice Chair for the Southern California Regional Rail Authority (Amtrak Pacific Surf liner). This agency provides rail transportation in Southern California from San Diego to San Luis Obispo. He provided an update on the progress of the work being done at the Amtrak Pacific Surfliner train tracks and should be back on track by mid-April.

Councilmember Basua participated in the "Read Across America" at Harrington School. She attended the Tierra Vista Neighborhood Council meeting and thanked the Police Department for their efforts in this neighborhood.

Councilmember Madrigal announced that he has a new baby nephew, Mateo. He reminded residents to stay safe in this rainy weather.

Councilmember Teran also participated at the Central Coast Labor Council event and the "Read Across America" at Kamala School. He presented at the Rio High School avid classes where he spoke about his role in the City Council and his family's history. He attended the Carriage Square Neighborhood Council meeting. He will also attend the upcoming District 2 Town Hall meeting at Rio Vista Middle School scheduled for March 22, 2023. The meeting will be focusing on the City Manager's presentation on disparity around job opportunities, advancement for career, and education for residents of Oxnard. He encouraged residents to view the videos for the public meetings held concerning the water studies and rates. A request was made for future items on the meeting agendas. He asked for information on the project labor agreements and community workforce agreements and also a comprehensive update on the services being provided by the City to address the unhoused population.

Mayor Zaragoza participated in the "Read Across America" at Christa McAuliffe Elementary School. Tony League on opening day. He attended the Oxnard Youth Baseball, 2023 Opening Ceremonies, PONY League. He also attended the Sunset Little League Baseball of Oxnard event. A ceremony was held in honor of renaming the baseball field the "Helen Lopez Field." Ms. Lopez volunteered to be the President of Sunset Little League for 38 years.

1. City Manager Department
   SUBJECT: Appointment of Member to Serve on the City's Parks, Recreation, and Community Services Commission. (5 minutes)
   RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint Oscar Hernandez to serve on the Parks, Recreation, and Community Services Commission representing District 5.

Shiri Klima, Deputy City Manager presented and was available to answer questions. No public comments were received.

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

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L.12 were discussed among the Council and staff. Consent agenda item L.3 was pulled from the agenda.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (No comments received.)

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the February 7, 2023, February 11, 2023, and February 21, 2023 regular meetings as presented.

2. Police Department
   SUBJECT: Agreement for Police School Resource Officer Services.
   RECOMMENDATION: That the City Council approve and authorize the City Manager to enter into a cost-sharing agreement between the City of Oxnard (City), and the Oxnard School District (OSD or District), from July 1, 2023, to June 30, 2026, for Police School Resource Officer (SRO) Services.

   (The Community Services, Public Safety, Housing, and Development Committee approved 3-0 on February 14, 2023, to approve the staff recommendation and to forward the item for Council approval.)

3. Public Works Department
   SUBJECT: Public Project Construction Agreement 32300238 with 101 Roofing & Construction, Inc. for the Performing Arts Community Center Roof Replacement Project, Specification No. PW 23-34.
   RECOMMENDATION: That the City Council approve and authorize the following for a total of $807,021.69 in Project funds for the Performing Arts Community Center Roof Replacement Project (Project No. C2248):

   1. Execute an Agreement with 101 Roofing & Construction, Inc. in the amount of $620,785.92 for the Project;
   2. Authorize a Project contingency amount of $124,157.18 with 101 Roofing & Contracting, Inc. for a total not to exceed value of $744,943.10 for the Project; and
   3. A Project allocation amount of $62,078.59 for engineering, inspection, survey and project management for the Project.

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

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

4. Public Works Department
SUBJECT: Grant Resolution for FY 2022 Consolidated Appropriations Act Community Project Funding Grant Application for $500,000.
RECOMMENDATION: That the City Council adopt **Resolution #15,668** authorizing the City Manager or designee to submit a grant application to the U.S. Environmental Protection Agency for $500,000 in Community Grants funds for the City of Oxnard Water Transmission Line Project and execute grant agreements, if awarded; authorizing the Finance Director or designee to submit financial reports and grant claims and approve budget appropriations for the use of the grant funds; and authorizing the Public Works Director or designee to submit non-financial reports.

(This item did not originate in Committee.)

5. Public Works Department
SUBJECT: Professional Services Agreement 32300336 with Bureau Veritas Technical Assessments, LLC for Facilities Condition Assessment Report and Asset Management Program, Specification No. PW 22-127.
RECOMMENDATION: That the City Council approve and authorize a Professional Services Agreement with Bureau Veritas Technical Assessments, LLC in the amount not to exceed $340,000 for a three-year term for Facilities Condition Assessment Report and Asset Management Program.

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

6. Housing Department
SUBJECT: Kitchen Rehabilitation Project at Public Housing Sites.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard:

Approve and authorize the execution of a firm-fixed-price Agreement number A-8519 in the amount of $757,900 with MDJ Management, LLC to rehabilitate eighty-four kitchens at the "31-7 scattered public housing sites" using funds appropriated from the 2020 Capital Fund grant.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on February 28, 2023 to approve the staff recommendation and to forward the item for Council approval.)

7. City Attorney Department
SUBJECT: Campaign Contribution and Loan Limit Adjustment.
RECOMMENDATION: That the City Council adopt **Resolution #15,669** titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADJUSTING CAMPAIGN CONTRIBUTION LIMITS AND LOAN LIMITS SET FORTH IN SECTIONS 2-443 AND 2-444 OF THE OXNARD CITY CODE.

8. Public Works Department
SUBJECT: Public Project Agreement 32300257 with Blackpointe Group Construction & Management Inc. for On-Call Fencing Repair Services Project (Rebid), Specification No. SD 23-53R.
RECOMMENDATION: That the City Council approve and authorize an agreement with Blackpointe Group Construction & Management Inc. for a total amount not to exceed $400,000 for a three-year term for On-Call Fencing Repair Services.

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

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

9. Public Works Department
SUBJECT: Agreement 32300154 with Auto Body International, Inc. for Light and Medium Duty Paint and Body.
RECOMMENDATION: That the City Council approve and authorize an Agreement with Auto Body International, Inc. for a one-year term with the option to extend for two consecutive one year periods for a maximum contract term of three years, and a total contract not-to-exceed amount over the entire possible contract term of $375,000 for light and medium duty paint and body work.

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

10. Fire Department
SUBJECT: Blanket Purchase Orders No. 32300265 Increase Request for All Star Fire Equipment.
RECOMMENDATION: That the City Council authorize the Mayor to execute an amendment to Blanket Purchase Order No. 32300265 with All Star Fire Equipment to increase the Purchase Order by $200,000 for a total amount not to exceed $400,000 for the purchase of structural firefighting Personal Protective Equipment (PPE) or turn outs and fire hose.

(The Community Development, Public Safety and Housing Committee approved 3-0 on 28 February, 2023 to forward the item for Council approval.)

11. Fire Department

SUBJECT: Purchase Order with Motorola for $277,438.89 for 25 Radios.
RECOMMENDATION: That the City Council authorize the Mayor to sign a Purchase Order with Motorola Solutions in the amount of $277,438.89 for the purchase of twenty-five (25) APX 8000 all-band portable radios with spare batteries and remote speaker microphones.

(The Community Development, Public Safety and Housing Committee approved 3-0 on February 28, 2023 to forward the item for Council approval.)

12. City Manager Department
SUBJECT: Update on Status and Accomplishments of Current Measure O Projects.
RECOMMENDATION: That the City Council receive and file this report.

(The Measure O Citizen Oversight Committee heard this update at its January 26, 2023, meeting and recommended the item be forwarded to the City Council.)

Consent Items L.1, L.4, L.5, L.7 – L.12:
It was moved by Mayor Pro Tem MacDonald, 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.

Consent Item L.2:
It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, and Zaragoza voted in favor; motion passed 5-0-1. Councilmember Teran abstained.

Consent Item L.3: This item was pulled from the agenda.

Housing Authority Consent Item L.6:
It was moved by Mayor Pro Tem MacDonald, 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. Housing Authority Commissioner Andrade and Commissioner Vega were absent.

M. PUBLIC HEARINGS

1. Housing Department
SUBJECT: TEFRA Hearing - Casa Aliento Apartments. (15 minutes)
RECOMMENDATION: That the City Council:

1. Conduct a Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing regarding the issuance of tax-exempt bond financing not to exceed $22,000,000 by the California Statewide Communities Development Authority (CSCDA) for the benefit of Casa Aliento, LP, to provide financing for the acquisition, construction, improvement, and equipping of a 70-unit multifamily rental housing project located at 1245 North Oxnard Boulevard, known as Casa

Aliento Apartments (Bonds).

2. Adopt **Resolution #15,670** approving the issuance of the Bonds by the CSCDA.

(This item did not originate in Committee.)

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. 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, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

2. Housing Department
SUBJECT: TEFRA Hearing - Vintage at Lockwood Apartments. (15 minutes)
RECOMMENDATION: That the City Council:

1. Conduct a Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing regarding the issuance of tax-exempt bond financing not to exceed $75,000,000 by the California Statewide Communities Development Authority (CSCDA) for the benefit of Vintage at Lockwood, LP, to provide financing for the acquisition, construction, improvement, and equipping of a 341-unit multifamily rental housing project located at Outlet Center Drive & Lockwood Street known as Vintage at Lockwood Apartments (Bonds).

2. Adopt **Resolution #15,671** approving the issuance of the Bonds by the CSCDA.

(This item did not originate in Committee.)

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.

Discussion ensued among the Council and staff.

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: 5-Year Public Housing Agency(PHA) Plan, Annual Agency Plan and Capital Fund Program Five-Year Action Plan for Low Rent Public Housing. (10 minutes)
RECOMMENDATION: That the Board of Commissioners for the Housing Authority of the City of Oxnard:

1. Conduct a public hearing to receive comments concerning the fourth year of the 5-Year PHA Plan, the 2023 Capital Fund Budget, and the Capital Fund Five-Year Action Plan; and

2. Adopt **Resolution #H.A. 1337**:

a. Approving the 2023 Annual Agency Plan, 5-Year PHA Plan for the Housing Authority;

b. Authorizing and directing the Chairman to execute the Department of Housing and Urban Development Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures;

c. Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with policies and procedures of the Department of Housing and Urban Development regarding the Annual Agency Plan and the 5-Year PHA Plan;

d. Approving the 2023 Capital Fund Budget and Capital Fund Five-Year Action Plan; and

e. Authorizing the Housing Director to accept and expend the funds as indicated in the 2023 Capital Fund Budget and Capital Fund Five-Year Action Plan.

(The Community Services, Public Safety, Housing & Development Committee approved 3-0 on February 14, 2023 to approve the staff recommendation and to forward the item for Council approval.)

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. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, 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. Housing Authority Commissioner Andrade and Commissioner Vega were absent.

4. Housing Department
SUBJECT: Third Amendment to the 2021-2022 Annual Action Plan to Incorporate Supplemental HOME American Rescue Plan (ARP) funding. (20 minutes)
RECOMMENDATION: That City Council:

1. Conduct a public hearing and receive public comments relating to the HOME ARP Allocation Plan;

2. Approve the HOME ARP Allocation Plan, as a Third Amendment to the 2021-2022 Annual Action Plan;

3. Authorize the City Manager, and his designees, to submit the Third Amendment to the 2021-2022 Annual Action Plan to the U.S. Department of Housing and Urban Development, including the required applications, certifications and other pertinent documents to complete the submitted items for federal approval;

4. Authorize the City Manager, and his designees, to approve the appropriations for the HOME American Rescue Plan funding for staff operations, approved projects and related consulting contracts, not to exceed $2,772,021; and

5. Authorize the City Manager and his designees to execute the appropriate agreements with the HOME American Rescue Plan partners, consultants, and contractors, allow the use in the administration of funds, and allow the adjustments to any future funding needs not to exceed ten percent of the award if the programs require more or less funding to meet their objectives.

(This item is routine in nature and therefore, this item did not originate in the Committee.)

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. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, 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.

5. Community Development Department
   SUBJECT: Project Name: Freeway Adjacent Digital Display Billboards **Ordinance #3023**: The project location is the U.S. Highway 101 adjacent property within the City of Oxnard City limit. (20 minutes)
   RECOMMENDATION: That the City Council:

   1. Conduct a public hearing, and

   Take the actions identified under one of the two following options:

   Option 1 – Staff's Recommended Action – Allowing up to four Freeway Adjacent Digital Display Billboards at least 100 feet away from residentially zoned parcels and at least 2,000 feet away from other Freeway Adjacent Digital Display Billboards:

   a. Approve **Resolution #15,672** Adopting a Mitigated Negative Declaration (MND) 22-01; and
   b. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-580-06 (Zoning Text Amendment) allowing for Freeway Adjacent Digital Display Billboards within the City of Oxnard by amending specific provisions of Article IX of Chapter 16 of the Oxnard City Code, subject to certain findings.

   Option 2 – Planning Commission Recommendation – Allowing up to three Freeway Adjacent Digital Display Billboards at least 250 feet away from residentially zoned parcels and at least 2,500 feet away from Freeway Adjacent Digital Display Billboards:

   a. Approve a Resolution Adopting a Mitigated Negative Declaration (MND) 22-01; and
   b. Introduce an Ordinance (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-580-06 (Zoning Text Amendment) allowing for Freeway Adjacent Digital Display Billboards within the City of Oxnard by amending specific provisions of Article IX of Chapter 16 of the Oxnard City Code, subject to certain findings.

The City Clerk announced the affidavit of publication and stated that written communications were received and forwarded to Council.

The City Council members disclosed and reported on the ex parte communications that they received. Each councilmember provided a summary of the ex parte communications received.

Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager presented and answered questions. Joe Pearson II, AICP, Planning and Environmental Services Manager was also available to answer questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Nancy Lindholm, Hugh McManigal, Mark Spellman, Pat Brown, Spencer Noren and Steve Nash.

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 (**OPTION 1**) as presented. VOTE: Basua, MacDonald, Madrigal, Perello, and Zaragoza voted in favor; Teran voted against; motion passed 5-1.

6. Community Development Department
SUBJECT: Project Name: RiverPark Boulevard Electronic Billboard Project; Located on an approximately 0.25-acre undeveloped site located between the U.S. 101 and RiverPark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard (APN: 132-0-311-075) and along the Ventura Freeway (Highway 101) in the RiverPark Specific Plan area. (30 minutes)
RECOMMENDATION: That the City Council:

   1. Conduct a public hearing, and

Take the actions identified under one of the two following options:

Option 1 – Applicants' Original Request/Staff's Recommended Action – Allowing the development of a Freeway Adjacent Digital Display Billboard:

   a. Approve **Resolution #15,673** Adopting a Mitigated Negative Declaration (MND) 22-02; and
   b. Introduce **Ordinance #3024** (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-630-02 (Specific Plan Amendment No. 8 to the RiverPark Specific Plan) for text amendments to the RiverPark Specific Plan, subject to certain findings; and
   c. Introduce **Ordinance #3025** (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-670-06 (Development Agreement No. A-8515), subject to certain findings; and
   d. Adopt **Resolution #15,674** Approving Planning and Zoning Permit No. 20-500-07

(Special Use Permit) and overturn the Planning Commission's Denial, subject to certain conditions and findings.

Option 2 – Planning Commission Recommendation – Denying the development of a Freeway Adjacent Digital Display Billboard:

a. Provide direction to City staff to return at a date certain meeting with the appropriate resolutions of denial for Planning and Zoning Permit Nos. 20-630-02 (Specific Plan Amendment No. 8 to the RiverPark Specific Plan), Planning and Zoning Permit No. 20-670-06 (Development Agreement No. A-8515), and Planning and Zoning Permit No. 20-500-07 (Special Use Permit).

The City Clerk announced the affidavit of publication and stated that written communications were received and forwarded to Council.

The City Council members disclosed and reported on the ex parte communications that they received. Each councilmember provided a summary of the ex parte communications received.

A presentation was made by Lars Skugstad from Outfront Foster Interstate Media, Inc., the applicant representative.

Ashley Golden, Assistant City Manager and Joe Pearson II, AICP, Planning and Environmental Services Manager presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Spencer Noren.

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 Mayor Zaragoza, to approve the recommended action (**OPTION 1**) as amended by Chief Assistant City Attorney, Kenneth Rozell. VOTE: Basua, MacDonald, Madrigal, Perello, and Zaragoza voted in favor; Teran voted against; motion passed 5-1.

7. Community Development Department

SUBJECT: Project Name: Ventura Road Electronic Billboard Project; Located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. APN: N/A and along the Ventura Freeway (Highway 101) in The RiverPark Specific Plan area. (30 minutes)

RECOMMENDATION: That the City Council:

1. Conduct a public hearing, and

Take the actions identified under one of the two following options:

<u>**Option 1 – Applicants' Original Request/Staff's Recommended Action** – Allowing the development of a Freeway Adjacent Digital Display Billboard:</u>

a. Approve **Resolution #15,675** Adopting a Mitigated Negative Declaration (MND) 22-02; and
b. Approve Resolution **#15,676** Adopting a Mitigated Negative Declaration (MND) 22-03; and
c. Introduce **Ordinance #3026** (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-630-02 (Specific Plan Amendment No. 8 to the RiverPark Specific Plan) for text amendments to the RiverPark Specific Plan, subject to certain findings; and
d. Introduce **Ordinance #3027** (by title only, waiving further reading) approving Planning and Zoning Permit No. 20-670-05 (Development Agreement No. A-8516), subject to certain findings; and
e. Adopt **Resolution #15,677** Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit) and overturning the Planning Commission's Denial, subject to certain conditions and findings.
f. Adopt **Resolution #15,678** declaring its intention to vacate its right, title and interest in an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard an direct the City Clerk to schedule a public hearing in accordance with the vacation procedures contained in California Streets and Highway Code Section 8300 et seq to be held on Tuesday April 18, 2023 at 6:00 p.m. at the at the City Council Chambers of the City of Oxnard located at 305 West Third Street in Oxnard, California.

<u>**Option 2 – Planning Commission Recommendation** – Denying the development of a Freeway Adjacent Digital Display Billboard</u>:

a. Provide direction to City staff to return at a date certain meeting with the appropriate resolutions of denial for Planning and Zoning Permit Nos. 20-630-02 (Specific Plan Amendment No. 8 to the RiverPark Specific Plan), Planning and Zoning Permit No. 20-670-05 (Development Agreement No. A-8516), Planning and Zoning Permit No. 20-500-06 (Special Use Permit), and Planning and Zoning Permit No. 21-660-03 (Street Vacation).

The City Clerk announced the affidavit of publication and stated that written communications were received and forwarded to Council.

The City Council members disclosed and reported on the ex parte communications that they received. Each councilmember provided a summary of the ex parte communications received.

A presentation was made by Lars Skugstad from Outfront Foster Interstate Media, Inc., the applicant representative.

Ashley Golden, Assistant City Manager and Joe Pearson II, AICP, Planning and Environmental Services Manager presented and answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Spencer Noren.

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 Perello, seconded by Mayor Zaragoza, to approve the recommended action **(OPTION 1)** as amended by Chief Assistant City Attorney, Kenneth Rozell. VOTE: Basua, MacDonald, Madrigal, Perello, and Zaragoza voted in favor; Teran voted against; motion passed 5-1.

N. REPORTS

1. Community Development Department
SUBJECT: City of Oxnard 2022 General Plan Annual Progress Report. (10 minutes)
RECOMMENDATION: That the Oxnard City Council receive and file the City of Oxnard 2022 General Plan and Housing Element Annual Progress Report.

(This item did not originate in Committee.)

Ashley Golden, Assistant City Manager presented the item. Joe Pearson II, AICP, Planning and Environmental and Kathleen Mallory, Planning & Sustainability Manager answered questions. Public comments were received from Ray Blattel. The report was received and filed, no formal action was required.

2. Finance Department
SUBJECT: FY 2022-23 Budget Mid-Year Review. (20 minutes)
RECOMMENDATION: That the City Council:

1. Receive an update on the FY 2022-23 revenue and expenditure projections for major funds,
2. Recommend the City Council approve a budget appropriation request in the amount of $430,000 to General Fund (101) for the Fire Department and $533,218 to Golf Course Fund (651) for a total appropriation of $963,218; and
3. Adopt **Resolution #15,679** approving amendments to the Position Control Resolution.

(This item did not originate in a committee.)

Denise Olson, Interim Chief Financial Officer and Steve Howlett, Assistant Public Works Director presented and answered questions. Public comments were received from Ray Blattel. 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, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

3. Fire Department
SUBJECT: Authorization to Submit a Grant Application to Federal Emergency Management Agency (FEMA) Fire Prevention and Safety (FP&S) Grant not to exceed $350,000 for the Purchase and Installation of Smoke and Carbon Monoxide Detectors. (20 minutes)
RECOMMENDATION: That the City Council adopt **Resolution #15,680** authorizing:

1. The submission of a grant application to the Federal Emergency Management Agency (FEMA) Fire Prevention and Safety (FP&S) not to exceed $350,000 for the purchase and installation of smoke and carbon monoxide detectors with a 5% local match;
2. The City Manager or designee to execute the grant agreements if grant funds are awarded to the City;
3. The Chief Financial Officer or designee to submit financial reports and grant claims, approve budget appropriations during FY2023-2024 for the use of grant funds and perform all other required financial actions; and
4. The Fire Chief or designee to submit non-financial reports.

Alexander Hamilton, Fire Chief 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, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

4. City Manager Department
SUBJECT: Risk to the ERP Project related to Aaron Starr Lawsuit preventing City from Obtaining Council-Approved Bonds; Fifth Amendment to Project Management Contract; and Annual Report. (10 minutes)
RECOMMENDATION: That the City Council:

1. Approve using up to $2,500,000 from Fiscal Year 2022-23 General Fund to cash fund the portion of all FY 2022-23 Enterprise Resource Planning (ERP) project expenditures in excess of the initial bond proceeds received in prior fiscal years (with additional FY 2023-24 General Fund as listed in budget to cash fund the FY 2023-24 ERP project expenditures if litigation remains pending that prevents City from

issuing bonds); and

2. Approve and authorize the Mayor to execute a Fifth Amendment to the Professional Services Agreement with Kreative Core Technologies Corp (9431-21-FN) in the amount of $2,120,000 for a new not to exceed contract amount of $4,720,000 and to extend the term from December 31, 2023, to December 31, 2024, for Project Management Services related to the Human Capital Management (HCM), Energov, Enterprise Asset Management (EAM), and Utility Billing phases of the City's multi-year Enterprise Resource Planning (ERP) implementation; and
3. Receive and file the ERP system annual report.

Mark Sewell, Assistant Chief Financial Officer 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 Teran, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, and Zaragoza voted in favor; motion passed 6-0.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 9:56 p.m.

R. Chaparro

ROSE CHAPARRO

City Clerk

John Zaragoza

JOHN C. ZARAGOZA

Mayor