

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 18, 2023

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, 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, Councilmember Oscar Madrigal; Bert E. Perello, Gabriel (Gabe) Teran, Arthur Valenzuela, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present.

Staff members present in person were Alexander Nguyen, City Manager; Ashley Golden, Assistant City Manager; Stephen M. Fischer, City Attorney; Kenneth Rozell, Chief Assistant City Attorney; Jason Benites, Police Chief; Alexander Hamilton, Fire Chief; John Colamarino, Assistant Fire Chief; Steve McNaughten, Fire Marshal; John Cecena, Battalion Chief; Steven Reyes, Battalion Chief; Edward Cruz, Fire Plans Examiner; Michael Wolfe, Public Works Director; Joseph Marcinko, Assistant Public Works Director; Omar Castro, Water Division Manager; Timothy Beaman, Supervising Civil Engineer; Megan Schneider, Public Works Water Conservation and Outreach Supervisor; Jeff Pengilley, P.E., CDD Assistant Director & Building Official; Joe Pearson II, AICP, Planning and Environmental Services Manager; Emilio Ramirez, Housing Director; Elsa Brown, Affordable Housing Manager; Terrel Harrison, Cultural and Community Services Director; Renee Rakestraw, Community Services Manager; Adam Smith, Project Manager; Dee Lai, Assistant City Clerk and Rose Chaparro, City Clerk.

Shiri Klima, Deputy City Manager; Denise Olson, Interim Chief Financial Officer; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council

Consideration of Teleconference Participation pursuant to Assembly Bill 2449.

B. APPOINTMENT ITEMS (5:00 PM)

1. Fire Department

SUBJECT: Receive an Annual Report for Oxnard Fire Department for 2022 from the Fire Chief.

RECOMMENDATION: That the City Council receive an annual update for 2022 by the Fire Chief regarding the Oxnard Fire Department and his report of future challenges.

Fire Chief Alexander Hamilton provided the 2022 Oxnard Fire Department Update to the City Council. The department responded to 20,453 calls for service, an increase of 1,226 calls compared to 2021. There were 30,223 unit responses for all call types. This includes responding to 774 fires (218 of which were structure fires) and 13,266 medical incidents. He provided an overview of the operations as well as accomplishments over the past year. Congratulations to the Oxnard Fire Department for receiving the American Red Cross Good Neighbor Award. Fire Department staff was recognized by the Pacific Coast Chapter for their efforts in ensuring proper fire protection systems in Oxnard homes through the installation of free smoke detectors.

C. OPENING CEREMONIES (6:00 PM)

The flag salute was followed by a moment of silence.

D. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Commendation to LULAC's National Educational Service Centers, Inc. on the occasion of its 50th Anniversary.

Mayor Zaragoza read the proclamation and presented it to Andrea Samora, Director at LULAC National Educational Service Centers, Inc. (LNESEC), who said a few words. Founded in 1973, LNESEC began as a financial aid and college admissions outreach program designed to assist low-income, high school students. LNESEC is the nation's premier Hispanic nonprofit education organization, is commemorating its 50th anniversary in providing education and leadership programs for Hispanic and other students in need of financial assistance and educational counseling. LNESEC serves more than 18,000 students each year, providing educational counseling, scholarships, mentorships, leadership development, and literacy programs.

2. SUBJECT: Presentation of a Proclamation Designating April 22, 2023 as "Earth Day."

Mayor Zaragoza read the proclamation and presented it to Maripas Jacobo with the Coastal Keepers. Coastal Keepers was founded on December 31, 2020, President Rafael Ochoa decided to take on Ormond Beach as rainfall caused the waterway to overflow with debris and trash. The Ormond Beach clean-ups are focused on engaging the local community and teaming up with environmental partners to shift the health of our coastline. Coastal Keepers are dedicated to keeping the 805 coast clean and beautiful. Advocating for the betterment of our coastal environment, ecosystem, and community. Ms. Jacobo followed with a few words.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Dr. Hye Sun Lee (OPAC), Carla Gonzalez (OPAC), Denise Santa Rosa (OPAC), Carol Flores-Beck (OPAC), Anabiah Syed (OPAC), Martina Ortouste (OPAC), and Alicia Percell (City did not follow Measure M

& Sunshine Ordinance).

F. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided community updates. Community Action of Ventura County will continue its Water Utility Bill Assistance Program and will hold application assistance workshops on April 24, 2023 from 8:30 a.m. - 12:00 p.m. For information call 805-436-4000. An Ormond Beach Town Hall meeting will be held to learn more about the Ormond Beach Restoration and Public Access Project (OBRAP) on Monday, April 24, 2023 from 6:00 – 8:00 p.m. You may attend in person. The meeting will be held at the South Oxnard Center. You may also participate virtually. For questions, please contact Anne Jensen at anne.jensen@oxnard.org. As an ongoing reminder, due to the rainy winter, expect a weed super bloom. There will be a lot of overgrown landscapes throughout the city. Residents are encouraged to report weed bloom issues on the Oxnard 311 Application. City staff will do their best to chase the weed bloom.

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

Councilmember Valenzuela attended the Annual Cesar Chavez Memorial March in Oxnard.

Councilmember Perello thanked the public speakers. He visited the Oxnard Performing Arts Center (PAC) and met with staff to review the work done and the work that still needs to be done at the PAC. He attended the Ventura Regional Sanitation District (VRSD) and the Clean Power Alliance Board of Directors meetings. He met with community resident Al Velasquez to address his concerns about the dirt being stored at the corner of 2nd Street and Ventura Boulevard in the airport area.

Mayor Pro Tem MacDonald attended the Wilson Neighborhood Council meeting. The speaker was Keith Freitas, AAE, CAE, Director of Airports who presented. He made a recommendation to the CSUCI staff and students who presented during the public comments not on the agenda section of the meeting regarding their concerns about the Performing Arts Center (PAC). He recommended that in the future, they could have requested to present to Council in advance and be scheduled to present.

Councilmember Basua attended the Annual Cesar Chavez Memorial March in Oxnard with Mayor Zaragoza, Councilmember Madrigal and Councilmember Valenzuela. It was great to be out in the community. She also made a comment about the Performing Arts Center (PAC) about the study and public comments on items not on the agenda. She reminded Council to follow the rules and that there are better platforms to address this. This item could have been agenzized for discussion and also find better ways of sharing their message with the community.

Councilmember Madrigal attended the Annual Cesar Chavez Memorial March in Oxnard. He was a speaker at the Rose Park Neighborhood Council meeting. He thanked the Police Department for being available at the meeting to answer resident

questions.

Councilmember Teran thanked Councilmember Perello for assisting community resident Al Velasquez to address his concerns about the dirt being stored at the corner of 2nd Street and Ventura Boulevard. He announced the upcoming Riverpark Neighborhood Council, Southbank Neighborhood Council, Sierra Linda Neighborhood Council, and the Wagon Wheel Neighborhood Council. He thanked the Public Works Department for the weed abatement work done at Campus Park.

Mayor Zaragoza thanked Councilmember Perello for addressing the resident concerns about the dirt stored on 2nd Street and Ventura Road. He also participated in the Annual Cesar Chavez Memorial March and joined the resistance with field workers, families, and other community leaders. He thanked the Councilmembers that attended.

1. City Clerk Department

SUBJECT: Appointment of Member to Serve on the City's Parks, Recreation and Community Services Commission (CAGs).

RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint Armando Casillas to the City's Parks, Recreation and Community Services Commission representing at large.

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, Valenzuela, and Zaragoza voted in favor; motion passed 7-0.

H. REVIEW OF INFORMATION/CONSENT AGENDA

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

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

J. INFORMATION/CONSENT AGENDA

1. Finance Department

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

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

2. City Attorney Department

SUBJECT: Easement Deed For Water Facilities from the Vacca Family Trust to the City of Oxnard (APN: 157-0-010-090).

RECOMMENDATION: That the City Council approve the Easement Deed for Water Facilities from the Vacca Family Trust and authorize the Mayor to execute the

Certificate of Acceptance attached to the easement, identified at APN 157-0-010-090, located on the north side of the 101 freeway at Springville Road in the City of Camarillo.

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

3. Fire Department

SUBJECT: A Resolution acknowledging receipt of a report made by the Fire Chief of the Oxnard Fire Department regarding the inspection of certain occupancies as required pursuant to Sections 13146.2 And 13146.3 of the California Health And Safety Code.

RECOMMENDATION: The City Council adopt **Resolution No. 15,682** acknowledging receipt of a report regarding the inspection of certain occupancies as required pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

4. Public Works Department

SUBJECT: Public Project Agreement 32300334 with Oilfield Electric Company dba Oilfield Electric and Motor for Blending Station 1 Automatic Transfer Switch and Panel Replacement Project (REBID 2), Specification No. PW 22-46R2.

RECOMMENDATION: That the City Council approve and authorize the following for a total of \$481,200 in Project funds for the Blending Station 1 Automatic Transfer Switch and Panel Replacement Project (REBID 2) [Project C2229/(226504)]:

1. Execution of an Agreement with Oilfield Electric Company dba Oilfield Electric and Motor in the amount of \$401,000 for the Project;
2. A Project contingency amount of \$40,100 with Oilfield Electric Company dba Oilfield Electric and Motor for a total not to exceed \$441,100 for the Project;
3. A Project allocation amount of \$40,100 for engineering, inspection, survey and project management for the Project; and
4. Authorize a budget appropriation transfer in the amount of \$166,200 from the Water Capital Fund (602) (and the corresponding transfer in from the Water Operating Fund 601) in the Fremont North Resurfacing Project (C1501) to this Project (C2229).

(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.)

5. Cultural & Community Services Department

SUBJECT: Ventura County Area Agency on Aging Senior Nutrition Program.

RECOMMENDATION: That City Council adopt **Resolution No. 15,683** authorizing:

1. The Cultural and Community Services Director or designee to submit an application for the next Ventura County Area Agency on Aging (VCAAA) Older Senior Nutrition Program grant cycle (July 2023 to June 2024); and

2. If funding is received, authorize the City Manager or designee to execute grant agreements; the Chief Financial Officer or designee to submit financial reports and grant claims and approve or amend budget appropriations for the use of the grant funds; and the City Manager or designee to submit non-financial reports.

6. Public Works Department

SUBJECT: First Amendment to Agreement A-8396 with LSY Enterprise Inc. for On-Call Professional Engineering Services.

RECOMMENDATION: That City Council approve and authorize the execution of an Amendment to a Professional Services Agreement with LSY Enterprise Inc. in the amount of \$500,000 for a new not to exceed contract amount of \$1,500,000 for On-Call Professional Engineering Services.

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

7. Housing Department

SUBJECT: Authorize the Submission of an Application to the Homekey Program in Partnership with Cabrillo Economic Development Corporation.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,684** approving and authorizing the City Manager or Designee to submit an application to the State of California Department of Housing and Community Development (HCD) for the Homekey Program and authorizing the City Manager to accept the grant funds upon award and approval of the HCD Agreement.

It was moved by Councilmember Perello, seconded by Councilmember Basua, to approve the Information/Consent items as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 7-0.

K. PUBLIC HEARINGS

1. Community Development Department

SUBJECT: Project Name: Street Vacation; Planning and Zoning (PZ) Permit No. 21-660-03 (Street Vacation)- A Resolution to vacate an approximately 1,000-square foot undeveloped right-of-way 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.

RECOMMENDATION: That the City Council:

1. Conduct a public hearing; and
2. Find the Project to be consistent with Final Mitigated Negative Declaration

(MND) 22-03 prepared for the Ventura Road Electronic Billboard Project and therefore exempt from further environmental review pursuant to Sections 15162 through 15164 and 15183 of the CEQA Guidelines; and

3. Adopt **Resolution No. 15,685** to vacate its right, title and interest in an approximately 1,000-square foot undeveloped right-of-way 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); and
4. Authorize the Mayor to sign a Quitclaim Deed vacating the right-of-way easement to the City of Oxnard, as the underlying property owner.

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

Joe Pearson II, AICP, Planning and Environmental Services Manager was available to answer 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 Valenzuela, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Valenzuela, and Zaragoza voted in favor; Teran voted against; motion passed 6-1.

L. REPORTS

1. Public Works Department

SUBJECT: Termination of Local Emergency Due to Water Shortage Emergency Conditions.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,686** proclaiming the termination of a local emergency due to water shortage emergency conditions.

Joseph Marcinko, Assistant Public Works Director presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

2. Public Works Department

SUBJECT: Declaration of a Stage 1 Water Shortage Condition with New Mandatory Water Conservation Measures.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,687** declaring a stage one water shortage implementing water conservation measures pursuant to the City's Water Shortage Contingency Plan, and rescinding Resolution No. 15,569.

Michael Wolfe, Public Works Director and Joseph Marcinko, Assistant Public Works Director presented and answered questions. Megan Schneider, Public Works Water Conservation and Outreach Supervisor was also available to answer questions. No public comments were received. Discussion ensued among the Council and staff.

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, Valenzuela, and Zaragoza voted in favor; motion passed 7-0.

3. Public Works Department

SUBJECT: Amended Budget Appropriations for Public Works for Fiscal Year 2022-23.

RECOMMENDATION: That the City Council approve:

1. A project budget appropriation from insurance proceeds in the amount of \$272,636 within the General Fund (101) for the Durley Park Concessions Building Repairs Project (TBD);
2. Fiscal Year 2022-23 budget appropriations from the available fund balance in the amount of \$75,000 from the General Fund (101) to the Stormwater Fund (114) for stormwater related expenses; and
3. Fiscal Year 2022-23 budget appropriations from the available fund balance for an amount not to exceed \$500,000 from the Fleet Maintenance Fund (741) for any unanticipated fuel increases through June 30, 2023.

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

Michael Wolfe, Public Works Director and Brian Yanez, Assistant Public Works Director presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

4. Public Works Department

SUBJECT: Agreement 32300365 with Dial Security for Security Guard Services at Various City Locations.

RECOMMENDATION: That the City Council approve and authorize:

1. The use of the City of Ventura's City Wide Security Guard Services Agreement, which includes a piggyback provision, to establish a security guard service agreement for the City of Oxnard;
2. The Mayor to execute an Agreement with Dial Security, for an initial term starting May 1, 2023, ending June 30, 2023, with the option to extend through December 31, 2023, and for a total contract not-to-exceed amount of \$850,000 for security guard services at various City locations; and
3. The Purchasing Agent to execute an amendment to Agreement 32300365 to exercise the option to extend, through December 31, 2023, if needed.

Brian Yanez, Assistant Public Works Director presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

5. Community Development Department

SUBJECT: Second Amendment to the Off-Site Improvement Agreement associated with Del Sol High School located near the northeast corner of Rose Avenue and Camino Del Sol (APN: 214-0-020-635)

RECOMMENDATION: That the City Council:

1. Finds that the Project is not subject to additional environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21083 et. seq.) Guidelines Section 15168(c)(4)-(5) and (e); and
2. Approve the Second Amendment to the Off-Site Improvement Agreement between the City of Oxnard and the Oxnard Union High School District for Public Improvements required for the Construction of the Del Sol High School.

Jeff Pengilley, P.E., Community Development Department, Assistant Director & Building Official presented and answered questions. Public comments were received from Dr. Tom McCoy, Superintendent for the Oxnard Union High School District; Karen Sher, Oxnard Union High School District Board member; and Genevieve Flores-Haro, Oxnard Union High School District Board member.

Prior to consideration of this item, Councilmember Teran recused himself and announced

his conflict due to consulting work with the Oxnard Union High School District and left the room.

It was moved by Councilmember Basua, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Valenzuela, and Zaragoza voted in favor; motion passed 6-0-1 (recused). Councilmember Teran recused himself due to his professional working relationship with the Oxnard Union High School District.

6. City Manager Department

SUBJECT: Resolution Opposing the Taxpayer Protection and Government Accountability Act.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,688** opposing Initiative No. 21-0042A1, known as the Taxpayer Protection and Government Accountability Act, which will appear on the November 5, 2024 ballot.

Alexander Nguyen, City Manager presented and answered questions. Public comments were received from Ryan Grau, Veronica (Roni) Miranda, Ray Blattel, Aaron Starr, Alicia Percell, Maria Navarro, Douglas Partello, and Steve Nash. Written comments were received and provided to Council.

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

7. City Manager Department

SUBJECT: Consequence of Latest Aaron Starr Lawsuit Blocking the City's Bond Financing Mechanism.

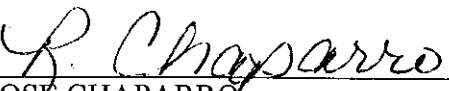
RECOMMENDATION: That the City Council receive and file an update on the budgetary impacts of the litigation filed by Aaron Starr challenging the 2022 Lease Revenue Bonds, which blocks financing of many necessary capital projects/needs to move Oxnard forward.

Alexander Nguyen, City Manager presented and answered questions. Public comments were received from Patricia Brown, Douglas Partello, Steve Nash, Alicia Percell, and Aaron Starr. Written comments were received and provided to Council. Discussion ensued among the Council and staff.

The report was received and filed, no formal action was required.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 9:36 p.m.


ROSE CHAPARRO

City Clerk


JOHN C. ZARAGOZA

Mayor