

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 29, 2023

A. ROLL CALL, POSTING OF AGENDA

At 4:30 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 Zavala, Mayor Pro Tem Bryan A. MacDonald, and Mayor John C. Zaragoza were present.

Councilmember Basua arrived at 4:48 p.m.

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; Denise Morehouse, Assistant Chief of Police; Timothy Kelley, Special Operations Commander; Michael Wolfe, Public Works Director; Brian Yanez, Assistant Public Works Director; Joseph Marcinko, Assistant Public Works Director; Emilio Ramirez, Housing Director; Joe Pearson II, AICP, Planning and Environmental Services Manager; Tai P. Chau, PE, QSD/P, Supervising Civil Engineer; Javier Chagoyen-Lazaro, Chief Financial Officer; Lisa Baker, Assistant Human Resources Director; Dee Lai, Assistant City Clerk and Rose Chaparro, City Clerk.

Rachel Om, AICP, Senior Transportation Planner at Fehr & Peers; Chelsea Richer, AICP, Senior Associate at Fehr & Peers; and Will Sholy, MBA, PMP - Project Manager at People's Self-Help Housing participated via videoconference.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council.

CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT
TO ASSEMBLY BILL 2449.

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

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING
LITIGATION (Government Code section 54956.9(d)(1))

Name of case: James Nelson v. City of Oxnard
Workers' Compensation Case No. ADJ14308129
Legislative Body: City Council

At 4:32 p.m., the City Council recessed to a closed session. At 5:01 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

D. APPOINTMENT ITEMS (5:00 PM)

1. Fire Department

SUBJECT: Emergency Management Training for Elected Officials.

RECOMMENDATION: To receive a presentation on the fundamentals of Emergency Management and the infrastructure designed to support inter-agency emergency response.

Scott Brewer, Emergency Services Manager introduced Tony Coletta, MPA, CEM, MPM - Senior Advisor with Jacob Green & Associates who provided a training session presentation to Council and staff about emergency management.

E. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the Pledge of Allegiance.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of Commendations to Ella Ochoa for Winning the 2023 National High School Mock Trial Championship as the best courtroom artist and to Monica Adrian for her years of dedication to the Mock Trial Program.

This item was pulled from the agenda and will be brought back to Council at a later date.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (None received.)

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

1. City Manager Department

SUBJECT: Local Government Fun Fact: Comparative Cities Demographics.

RECOMMENDATION: That the Public and City Council receive a City Manager discussion about Oxnard's statistics as compared with other cities in the region.

City Manager Nguyen reminded residents that all fireworks are illegal in the City of Oxnard. To report fireworks, call the fireworks hotline at 805-394-5884.

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

Councilmember Valenzuela Zavala participated in the Oxnard LGBTQ+ Pride 2023 at Plaza Park Downtown Oxnard. He attended the Southwinds Neighborhood Access Resource Fair. He also attended the Mixteco/Indigena Community Organizing Project (MICOP) Annual Oxnard Guelaguetza Festival at Downtown Plaza Park.

Councilmember Perello wished everyone in the community a safe Independence Day. He attended the Ventura Regional Sanitation District (VRSD) meeting. He served and represented the City of Oxnard at the Fox Canyon Groundwater Management Agency meeting. He acknowledged the staff working on this project.

Mayor Pro Tem MacDonald attended the Gold Coast Transit District ribbon cutting ceremony for the new GO Now Microbus transit services at the Oxnard Transit Center. He provided an update on the Moorpark derailment. Amtrak says the Coast Starlight train was carrying 198 passengers and 13 member crew when it rammed into a public works truck on a raised gravel crossing.

Councilmember Basua wished everyone a safe 4th of July.

Councilmember Madrigal attended a meet and greet event with Steven D. Powell President and Chief Executive Officer of Southern California Edison at California State University Channel Islands (CSUCI). He also attended the Southwinds Neighborhood Access Resource Fair at Southwinds Park. He wished everyone in the community a safe Independence Day.

Councilmember Teran attended the Riverpark Neighborhood Council meeting who held their annual election. He congratulated the elected executive board. He also attended the Wagon Wheel Neighborhood Council meeting. He reminded the residents about being safe and the implications of fireworks during the 4th of July holiday. He also participated in the Oxnard LGBTQ+ Pride 2023 at Plaza Park Downtown Oxnard.

Mayor Zaragoza also attended the Gold Coast Transit District ribbon cutting ceremony for the new GO Now Microbus transit services at the Oxnard Transit Center. He also reminded the residents to stay safe during the 4th of July holiday.

1. City Clerk Department

SUBJECT: Appointment of Member to Serve on the City's Cultural Arts Commission (CAGs).

RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint Paloma Concordia to the Cultural Arts Commission representing District 2.

It was moved by Councilmember Teran, seconded by Mayor Pro Tem MacDonald, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran,

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

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L.1 through L.6 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Patricia Brown (L.1 & L.4)

L. INFORMATION/CONSENT AGENDA

1. Public Works Department

SUBJECT: Second Amendment to Agreement 8791-19-PW with Kimley-Horn and Associates, Inc. for Professional Services for the Oxnard Saviers Traffic Signal Improvements Project (5 Signals).

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment with Kimley-Horn and Associates, Inc. in the amount of \$19,936 for a new not to exceed contract value of \$214,883 to continue to provide Professional Engineering Services associated with the Oxnard Saviers Traffic Signal Improvements Project (5 Signals), Project No. C1703, PW19-97.

(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.)

2. Public Works Department

SUBJECT: Fiscal Year 2022-23 Budget Appropriation Transfer for Mandalay Seawall Project.

RECOMMENDATION: That the City Council approve and authorize a budget appropriation transfer in the amount of \$179,500 from the FY 2022-23 General Fund Public Works Engineering division to the Mandalay Bay Seawalls Capital Improvement Project (No. C1901).

(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.)

3. Human Resources Department

SUBJECT: Third Amendment to Agreement for Recruitment Services with Gallagher Benefit Services, Inc.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Third Amendment to Agreement No. 9338-21-HR with Gallagher Benefit Services, Inc. for recruitment services to extend the term to September 30, 2025, and increase the total amount by \$155,000 to \$355,000.

4. City Manager Department
SUBJECT: **Resolution #15,722** of Intention to Renew the Oxnard Tourism Marketing District.
RECOMMENDATION: That the City Council adopt **Resolution #15,722** of Intent initiating the process to renew the Oxnard Tourism Marketing District (OTMD).

5. Community Development Department
SUBJECT: Hemlock Street Partial Public Waterline Easement Vacation; Planning and Zoning (PZ) Permit No. 23-660-01.
RECOMMENDATION: That the City Council:
 1. Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3); and
 2. Adopt **Resolution #15,723** to vacate its right, title and interest in the public waterline easement, on the two lots located at 4201 and 4211 West Hemlock Street; and
 3. Authorize the Mayor to sign the partial Quitclaim Deeds releasing City authority and/or rights to the waterline easement.

6. Community Development Department
SUBJECT: Deferred Development Impact Fee Agreement for Cypress Place at Garden City Project, Phase I.
RECOMMENDATION: That the Oxnard City Council approve and authorize the Mayor to execute an agreement with Cypress Place at Garden City, L.P. deferring development impact fees, until the time of final inspection or the date the certificate of occupancy is issued, whichever comes first, in the amount of \$880,466.10 for the Cypress Place at Garden City, Phase I, Project (PZ 20-200-14 & 20-535-02).

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

M. REPORTS

1. Public Works Department
SUBJECT: Fiscal Year 2023-24 Utility Ratepayers Assistance Program (Project Assist) Update.
RECOMMENDATION: That the City Council:
 1. Adopt **Resolution #15,724** for the Utility Ratepayers Assistance Program (Project

Assist) for Fiscal Year 2023-24 to assist eligible Oxnard residents and authorize staff to grant financial relief equal to a monthly \$25.00 maximum credit per utility bill charged to residential customers who meet the eligibility requirements discussed in this staff report up to the amount funded for Fiscal Year 2023-24; and

2. Authorize staff to fund Project Assist in Fiscal Year 2023-24 by utilizing \$241,500 that has been paid to the City for late penalties charged to City utility customers.

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

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

2. Public Works Department

SUBJECT: Sustainable Transportation Plan.

RECOMMENDATION: That the City Council:

1. Provide comments on the Sustainable Transportation Plan; and
2. Adopt the Sustainable Transportation Plan.

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

Michael Wolfe, Public Works Director introduced Rachel Om, AICP, Senior Transportation Planner at Fehr & Peers who presented and answered questions. Chelsea Richer, AICP, Senior Associate at Fehr & Peers was also available to answer questions. Public comments were received from Patricia Brown, Bryan Rodriguez, and Daniela Aguirre. Discussion ensued among the Council and staff.

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

3. Public Works Department

SUBJECT: First Amendment to Agreement A-8368 with Toter, LLC for the Purchase of Residential Curbside Collection Containers and Parts.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to Agreement No. A-8368 with Toter, LLC in the amount of \$775,000 for a new total not to exceed \$1,525,000 for an additional two-year term ending May 28, 2025, for the replenishment of curbside containers and parts.

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

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

4. Public Works Department

SUBJECT: Project Appropriation Transfers of Tax Allocation Bond (TAB) Proceeds.

RECOMMENDATION: That the City Council approve and authorize project appropriation transfers in the total amount of \$422,698 in the 2006 HERO Tax Allocation Bond (TAB) Proceeds from the Alleyways Project (#C2111) to the Council Chambers Project (#C2101) for \$171,500, Saviers Road Street Resurfacing Project (#C2002) for \$223,023 and Beck Park Basketball Court Upgrades Project (#C2106) for \$28,175 for the purpose of closing out completed projects.

(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.)

Michael Wolfe, Public Works Director presented and answered questions. Public comments were received from Patricia Brown. 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, Valenzuela Zavala, and Zaragoza voted in favor; motion passed 7-0.

5. Information Technology Department

SUBJECT: Third Amendment to Agreement A-8011 with Superior LLC, a CentralSquare Company, for Information Technology Software and Services.

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Third Amendment to Software License Agreement A-8011 with Superior LLC, a CentralSquare Company, in the amount of \$612,476 for FY23-24 with a new not-to-exceed total agreement amount of \$2,070,981 for information technology software and services.

(The Finance & Governance Committee approved 3-0 on June 13, 2023.)

Robert Ruben, Interim Chief Information Officer was available to answer questions. No public comments were received.

It was moved by Mayor Zaragoza, seconded by Councilmember Madrigal, to approve the

recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; motion passed 7-0.

6. Public Works Department

SUBJECT: Trade Services Agreement 32400008 with Aquatic Bioassay and Consulting Laboratories, Inc. (ABC Labs) for Ocean Monitoring Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an agreement with Aquatic Bioassay and Consulting Laboratories, Inc. (ABC Labs) for an amount not to exceed \$1,850,000 for a five-year term ending December 31, 2028 for ocean outfall monitoring services.

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

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

7. Housing Department

SUBJECT: First Amendment to Lease with Teatro de Las Americas.

RECOMMENDATION: That the City Council:

1. Approve a First Amendment to Lease with Teatro de las Americas for the use of property owned by the City of Oxnard and located at 321 West Sixth Street; and
2. Authorize the City Manager to execute the First Amendment to Lease with Teatro de las Americas.

(The Community Services, Public Safety, Housing & Development Committee heard the item, and although they agreed 3-0 to forward the item to the City Council, they did not forward the item with a recommendation.)

Emilio Ramirez, Housing Director answered questions. No public comments were received.

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

8. Police Department

SUBJECT: Police Department 2022 Military Equipment Use Report.

RECOMMENDATION: That the City Council receive and file this annual report of the Police Department's military equipment inventory and use.

Timothy Kelley, Special Operations Commander presented and answered questions. Police Chief Benites was also available to answer questions. Public comments were received from Bryan Rodriguez. Discussion ensued among the Council and staff. The report was received and filed. No formal action was required.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:09 p.m.



ROSE CHAPARRO

City Clerk



JOHN C. ZARAGOZA

Mayor