

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 5, 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 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 was absent.

Housing Authority Commissioner Jose Andrade was present and joined the meeting at 6:00 p.m. Housing Authority Commissioner Vega was absent.

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; Michelle (Elle) McCarron, Assistant City Attorney; Jason Benites, Police Chief; Michael Wolfe, Public Works Director; Emilio Ramirez, Housing Director; Terrel Harrison, Cultural, and Community Services Director; Alex Hamilton, Fire Chief; Steve Howlett, Assistant Public Works Director; Pam Morrison, Community Services Manager; Brenda Lopez, Housing Programs Manager; Eric Zetz, Environmental Resources Manager; Tim Beaman, Senior Civil Engineer; Kathleen Mallory, Planning and Sustainability Manager; Robert Ruben, Interim Chief Information Officer; Tai Chau, Supervising Civil engineer; Dee Lai, Assistant City Clerk and Rose Chaparro, City Clerk.

Brian Yanez, Assistant Public Works Director, participated via videoconference.

The following legislative bodies are meeting: the City Council and the Oxnard Housing Authority.

Consideration of Teleconference Participation pursuant to Assembly Bill 2449

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

No public comments were received.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4))
Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.
2. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION (Government Code section 54957)
Title: City Attorney
Legislative Body: City Council
3. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION (Government Code section 54957)

Title: City Manager
Legislative Body: City Council

At 4:32 p.m., the City Council recessed into a closed session. At 6:18 p.m., the City Council reconvened in an open session in the Council Chambers. Stephen Fischer, City Attorney announced that the annual performance reviews of the City Attorney and the City Manager were conducted by the Council. Mr. Fischer also reported that the City Council by a vote of 5-1-1, with Madrigal, Perello, Valenzuela Zavala, MacDonald, and Zaragoza voting in favor, Basua absent and Teran recusing himself due to a potential conflict of interest involving the party to the litigation, directed the City Attorney to initiate an action and that the action, the defendants, and the other particulars shall, once unsealed, be disclosed to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

D. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the pledge of allegiance.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Month of July, 2023 as "Parks and Recreation Month."

Mayor Zaragoza read the proclamation and delivered it to Danaly Perez, Olympia Hugo, and Esteban Melchor, Recreation Supervisors, as well as their teams. Parks and Recreation Department staff joined the Council on the lais to accept the proclamation, thanked the Council, and spoke briefly.

Sam Morrison, Manager of Cultural and Community Services; Terrel Harrison, Director of Cultural and Community Services; Steve Howlett, Assistant Public Works Director; and Council members recognized and commended the Parks and Recreation staff for their hard work, devotion, and accomplishments.

No public comments were received.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Bob Lopez Jr. (City Resolution on abortion), Charles Teachout (City Resolution on abortion), Mary McQuattre (City Resolution on abortion), Nancy Bemis (Sycamore Senior Village apartment), Kurt Meyer (Sycamore Senior Village apartment), Art Santellance (Sycamore Senior Village apartment), Briana Cespedes (abortion), Ricardo Santana Velazquez (new Consulate of Mexico and appreciation to City Council).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

1. City Manager Department

SUBJECT: Local Government Fun Fact: Comparative Cities Statistics.

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

The City Manager, Alex Nguyen, provided statistics from the California Department of Education on the Best Schools in Ventura County and the Ventura County School District Performance to offer a comparison of how public school systems in the community surrounding the City of Oxnard are doing. According to Councilmember Madrigal, calculating exam scores and rating schools is a complex task. Councilmembers expressed appreciation to the city manager and Councilmember Madrigal for sharing the information.

No public comments were received.

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

Mayor Zaragoza asked for an update on the fireworks. He added that he received an email from a veteran who suffers from PTSD and is bothered by the noise of the fireworks. He also mentioned that some people were concerned for their pets and dogs.

Police Chief Jason Benites stated that the fireworks issue is not unique to Oxnard and that other cities in California are experiencing the same problem. He estimated that roughly 20,000 people attended the July 4th Fireworks by the Sea at Channel Islands Harbor. From Memorial Day until July 4th, he said, police officers go out and do fireworks enforcement based on information provided by the community, issuing citations to those who are either in possession of fireworks or organizing fireworks activities at their houses. He stated that there is a considerable decrease in calls for service to the dispatch center this year compared to the prior year.

According to Alex Hamilton, Fire Chief, the success they have had in recent years is due to the collaboration of the Police Department, the Fire Department, and the Code Enforcement Department. According to him, the fire service saw a 35% spike in call volume leading up to the weekend. He stated that there was a vehicle fire caused by fireworks, as well as a small fire in the north part of Oxnard that resulted in two minor injuries. He also indicated that there were just about a dozen calls about fireworks.

Councilmember Teran expressed thanks to the Wagon Wheel Neighborhood Council and the River Park Neighborhood Council for their recent meetings, and welcomed the new and returning executive boards. He announced that the Fremont South Neighborhood Council will meet on July 6, 2023, at 6:30 p.m., across the street from the fire station on the corner of 5th and K Street.

Councilmember Madrigal stated that he has no updates to report.

Mayor Pro Tem MacDonald stated that his neighborhood was quiet on July 4th. He reported that the Gold Coast Transit Authority had a meeting earlier today. He commented that there were people holding posters in front of their Auto Center Drive site expressing their dissatisfaction with the wage hours and working conditions. He stated that Gold Coast staff are working to resolve the matter.

Councilmember Perello commended the Fire Department and the Police Department for their efforts throughout the Fourth of July weekend. He stated that the Seaview Neighborhood Council will meet at Sea View Park on Friday, July 28th, at 6:00 p.m. He said it was going to be an election meeting.

Councilmember Valenzuela stated that he has no updates to report.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K.10 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Pat Brown (K.2, K.3, and K.6), and Teresa Clemen (K.3).

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the May 16, 2023 and June 6, 2023 regular meetings as presented.

2. Community Development Department

SUBJECT: Grant Application for the Southern California Association of Governments, Regional Early Action Planning Grant to Promote Housing Infill on Public and Private Lands.

RECOMMENDATION: That the City Council adopt a **Resolution No. 15,725:**

1. Authorizing the City Manager to apply for the Southern California Association of Governments, Regional Early Action Planning Grant to Promote Housing Infill on Public and Private Lands, to be used for the development of a Transit Oriented Development/High Quality Transit Corridor Program;
2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon confirmation of the grant award;
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for the use of the grant funds; and
4. Authorizing the City Manager or designee to submit all program-related progress or status reports.

3. Community Development Department

SUBJECT: Adoption of Ordinance No. 3029 - Approving Compliance Fees for Firearms, Alcohol, Cannabis, and Tobacco Businesses.

RECOMMENDATION: That the City Council:

1. Adopt **Ordinance No. 3029** titled "Ordinance of the City of Oxnard, California adding Sections 13-1 and 13-2 to Article 1 of Chapter 13 of the Oxnard City Code Reflecting the City Council Approved Compliance Fees for Firearms, Alcohol, Cannabis, and Tobacco Businesses"; and
2. Find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

4. Housing Department

SUBJECT: First Amendment to Agreement A-8512 for Plaza Vista Apartments Drain Line Project.

RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard approve and authorize the execution of a First Amendment to Agreement A-8512 with Oscalibur Plumbing, Inc. in the amount of \$204,559.63 for a total agreement value of \$472,032.55 using funds appropriated from the 2020 Capital Fund grant.

(This item did not originate in Committee. This amendment is necessary for the completion of the project underway to replace the drain line system at the Plaza Vista public housing site. The funding is included for the agreement and the amendment in the adopted Capital Fund Program 5 Year Action Plan. The terms of the original agreement were considered by the Community Services, Public Safety, Housing & Development Committee on January 24, 2023.)

5. Public Works Department

SUBJECT: First Amendment to Agreement 9721-22-FN with Salado Enterprises for the Citywide Vehicle Mobile Washing and Detailing Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to Agreement with Salado Enterprises in the amount of \$175,000 for a new total not to exceed \$375,000 for an additional period of 12 months for the Citywide Vehicle Mobile Washing and Detailing Services.

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

6. Public Works Department

SUBJECT: Purchase Order with Safety Network Traffic Signs, Inc. for Finished Street Signs.

RECOMMENDATION: That the City Council approve and authorize the Purchasing Manager to execute a Purchase Order with Safety Network Traffic Signs, Inc. for finished street signs in the amount not to exceed \$750,000 for a five-year term ending on June 30, 2028.

(Public Works and Transportation Committee approved 3-0)

7. Public Works Department

SUBJECT: Audit Services with Eadie & Payne, LLP for the City's Golf Operations Audit.

RECOMMENDATION: That the City Council approve an amount not to exceed \$20,000 for Eadie & Payne, LLP to perform an audit of the City's golf operations.

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

8. Public Works Department

SUBJECT: Public Project Agreement 32400021 with Best Drilling and Pump, Inc. for Well 20 Rehabilitation Project, Specification No. PW 23-98.

RECOMMENDATION: That the City Council approve and authorize the following for a total of \$648,648 in Project funds for the Well 20 Rehabilitation Project, (No. C2401):

1. Execute an Agreement with Best Drilling and Pump, Inc. in the amount of \$540,540 for the Project;
2. Authorize a Project contingency amount of \$54,054 (10%) with Best Drilling and Pump, Inc. for a total not to exceed value of \$594,594 for the Project;
3. A Project allocation amount of \$54,054 for engineering, inspection, survey and project management for the Project; and
4. Approve appropriations of \$650,000 in fiscal year 2023-24 from the available fund balance in the Water Operating Fund (601) (and the corresponding appropriation and transfer in revenue in the Water Capital Fund 602) for the use of 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.

Consent Items K.1, K.2, K.3, K.5, K.6, K.7, and K.8:

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald, and Zaragoza voted in favor; the motion passed 6-0-1. Councilmember Basua was absent.

Housing Authority Consent Item K.4:

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald, Zaragoza and Housing Authority Commissioner Andrade voted in favor; the motion passed 7-0-2. Councilmember Basua and Housing Authority Commissioner Vega were absent.

L. REPORTS**1. Housing Department**

SUBJECT: Proposal for Foul Weather Sheltering from the Commission on Homelessness. (10 minutes)

RECOMMENDATION: That City Council determine:

1. If it wishes to create a Foul Weather Shelter Pilot Program; and
2. If the City Council elects to create a Foul Weather Shelter Pilot Program, determine if the funding source will be General Fund or Community Development Block Grant funds.

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

Emilio Ramirez, Housing Director, presented and answered the Council's questions. Public comments were received from Leona Rollins, Theresa Clemen, and Yukio Okano. Discussion ensued among the Council and staff.

It was moved by Councilmember Teran, seconded by Mayor Pro Tem MacDonald, to approve the Foul Weather Shelter Pilot Program using the General Fund, with staff directed to look into extending the operating period. VOTE: Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald, and Zaragoza voted in favor; the motion passed 6-0-1. Councilmember Basua was absent.

2. Public Works Department

SUBJECT: Sixth Amendment to Agreement A-8094 with WKE, Inc., Union Pacific Railroad Public Highway Overpass Agreement A-8257, and Resolution for Section 190 Grade Separation Program funding for Rice Avenue at Fifth Street/State Route 34 Grade Separation. (10 minutes)

RECOMMENDATION: That the City Council:

1. Approve and authorize the execution of a Sixth Amendment with WKE, Inc. in the amount of \$376,898.07, for a new not to exceed contract value of \$9,877,855.25 to complete the Plans, Specifications and Estimates for the Rice Avenue at Fifth Street/State Route 34 Grade Separation, Project No. C1301/133101;
2. Approve and authorize the Mayor to execute the Union Pacific Railroad Public Highway Overpass State Agreement No. 07R292, upon receipt from Caltrans; and
3. Adopt a **Resolution No. 15,726** authorizing the City Manager to file an application request to the Department of Transportation for Section 190 Grade Separation Program funds.

(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 the Council's questions. Public comments were received from Pat Brown and Theresa Clemen. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Valenzuela Zavala, to approve the recommended action as presented. VOTE: Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald, and Zaragoza voted in favor; the motion passed 6-0-1. Councilmember Basua was absent.

3. Public Works Department

SUBJECT: Third Amendment to Professional Services Agreement A-8294 with Brown and Caldwell for Primary Clarifiers and Activated Sludge Basins Improvement Project PW 21-17. (10 minutes)

RECOMMENDATION: That the City Council approve and authorize the execution of a Third Amendment to a Professional Services Agreement with Brown and Caldwell to increase the not to exceed amount from \$1,212,473 to \$1,349,868 for additional design work required for the Primary Clarifiers & Activated Sludge Improvements.

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 the Council's questions. No public comments were received. 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: Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald, and Zaragoza voted in favor; the motion passed 6-0-1. Councilmember Basua was absent.

4. Public Works Department

SUBJECT: First Amendment to Professional Services Agreement A-8415 with AECOM Technical Services, Inc. for On-Call Utility Engineering Services. (10 minutes)

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to an Agreement with AECOM Technical Services, Inc. (AECOM) to increase the not to exceed amount from \$500,000 to \$1,500,000 and extend the term to February 28, 2026 for On-Call Utility Engineering Services.

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

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

It was moved by Mayor Zaragoza, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald, and Zaragoza voted in favor; the motion passed 6-0-1. Councilmember Basua was absent.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:17 p.m.



DEE LAI

Interim City Clerk


JOHN C. ZARAGOZA
Mayor