MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 18, 2023

A. ROLL CALL, POSTING OF AGENDA

At 5:00 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 5:40 p.m.

Councilmember Teran attended this meeting remotely from the Comfort Suites (Business Center), 210 E. Acequia Avenue, Visalia, CA 93291. Due to emergency circumstances, Mayor Pro Tem MacDonald participated remotely.

Staff members present in person were Alexander Nguyen, City Manager; Shiri Klima, Deputy City Manager; Stephen M. Fischer, City Attorney; Kenneth Rozell, Chief Assistant City Attorney; Jason Benites, Police Chief; Michael Wolfe, Public Works Director; Joseph Marcinko, Steve Howlett, Assistant Public Works Director; Javier Chagoyen-Lazaro, Interim Chief Financial Officer; Denise Morehouse, Assistant Police Chief; Philip Schwieder, Streets Division Manager; John Colamarino, Assistant Fire Chief; Michelle McCarron, Assistant City Attorney; Tim Beaman, Senior Civil Engineer; Luis McArthur, Police Commander; Dee Lai, Assistant City Clerk; and Rose Chaparro, City Clerk.

Staff members present virtually were Nikolas Boas, Supervising Civil Engineer; Brian Yanez, Assistant Public Works Director; and Taylor Gambino, Civil Engineer;

The following legislative bodies are meeting: City Council
CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL 2449:

It was moved by Councilmember Perello, seconded by Councilmember Valenzuela Zavala, to approve the remote participation. VOTE: Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 5-0-1-1. Councilmember Basua was absent. Mayor Pro Tem MacDonald abstained. He disclosed that it was due to medical reason for his request to participate remotely and that no other individuals were present in the room from which he was attending.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

No public comments were received.

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2))
   Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case regarding the claim filed by Blois Construction Corporation regarding a contract dispute for the Hueneme Road Recycled Water Pipeline Project.
   Legislative Body: City Council

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
   Property: Southwest corner of Pleasant Valley Road and Saviers Road (APN 222-0-102-010)
   Agency Negotiator: Michael L. Wolfe, Public Works Director and Hamner, Jewel & Associates
   Negotiating Party: Jose Garay
   Under Negotiation: Price and terms of payment
   Legislative Body: City Council

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
   Property: Northeast corner of Thomas Avenue and Saviers Road (APN 219-0-031-065)
   Agency Negotiator: Michael L. Wolfe, Public Works Director and Hamner, Jewel & Associates
   Negotiating Party: Yong Duk Lee & Soo Jung Lee
   Under Negotiation: Price and terms of payment
   Legislative Body: City Council

At 5:06 p.m., the City Council recessed into a closed session. At 5:56 p.m., the City Council reconvened in an open session in the Council Chambers. The City Attorney announced that no reportable actions came out of the closed session.

D. OPENING CEREMONIES

Councilmember Basua led the pledge of allegiance.

E. 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 Trials Program.

Mayor Zaragoza read the Commendations and delivered them to Ella Ochoa and Monica Adrian. Ella Ochoa and Monica Adrian joined the Council on the dais to accept the Commendations, thanked the Council, and spoke briefly.

Public comment was received from Barbara Macri-Ortiz.

2. SUBJECT: Presentation of a **Resolution No. 15,727** Commending Maria Herrera for thirty-eight years of exemplary service to the City of Oxnard.

Mayor Zaragoza read the Resolution and delivered it to Maria Herrera. Maria Herrera joined the Council on the dais to accept the Resolution, thanked the Council, and spoke briefly.

No public comments were received.

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

3. SUBJECT: Update by Oxnard-Ocotlan Sister Cities Committee Visitation.

Dorina Padilla, Priscilla Herrera, Carol Beck, and Bruce Beck joined the Council at the dais and gave an update on the Oxnard-Ocotlan Sister Cities Committee Visitation. The 59th visitation will take place from August 2, 2023, to August 8, 2023, as announced by Dorina Padilla. The opening ceremony will take place on August 3, 2023, at 10:00 a.m. in Plaza Park, and she sent an invitation to the council members, city officials, the Oxnard community, and the larger Ventura County community. Mayor Zaragoza, Mayor Pro Tem MacDonald, Lorraine MacDonald, Amazon, Channel Islands Boating Center, Oxnard City Council, the City Manager's office, Oxnard City Corp, Oxnard Visitors Conventions Bureau, Oxnard Fire, Oxnard Police, and Gary Blum from Oxnard Downtowners were among the individuals she thanked for their support.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Roberto Salazar (unpermitted vendors), and Theresa Clemen (Public restrooms at College Park).

G. 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.

The National Night Out event will be held on August 1, 2023, according to City Manager Alex Nguyen. He added that six neighborhoods are organizing events that will begin at various times. He stated that Community Action of Ventura County will continue to assist with utility bill payments. Alex presented a breakdown of Oxnard citizens' educational attainment under local government fun facts.

No public comments were received.

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

Mayor Pro Tem MacDonald announced that a tentative labor agreement on labor problems has been reached between the Local Teamsters Union and Gold Coast Transit. He stated that he anticipates a special meeting to assess the contract status and settle the issue.

Councilmember Teran expressed his appreciation for being able to participate in the meeting remotely while traveling for his full-time day job.

Despite the fact that it is not as hot in Oxnard, Councilmember Madrigal advised everyone to be safe and hydrated.

Councilmember Basua stated that she has no updates to report.

Councilmember Perello stated that the Golden Future 50+ Senior Expo will be held on July 27, 2023, from 9:00 a.m. to 1:30 p.m., at the Oxnard Performing Arts & Convention Center, 800 Hobson Way. Adults aged 50 and up are admitted free. He thanked the speaker, Roberto Salazar, who spoke about Oxnard's unlicensed food vendors. He requested that city employees follow up with Roberto with information.

Mayor Zaragoza stated that he has no updates to report.

Councilmember Perello and Mayor Zaragoza spoke about the positive performance evaluations given to the City Manager and City Attorney during the 7/5 Council meeting.

. 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 and K.5), and Teresa Clemen (K.7).

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department
SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the June 20, 2023 regular meeting as presented.

2. Public Works Department
SUBJECT: Public Project Construction Agreement No. 32400023 with Pacific Builders & Roofing, Inc., dba WSP Roofing, for the Performing Arts Community Center Roof Replacement Project (REBID), Specification No. PW 23-34R.
RECOMMENDATION: That the City Council approve and authorize:

1. $975,377.63 in Project funds for the Performing Arts Community Center Roof Replacement Project (Project No. C2248);
2. The Mayor to execute an Agreement with Pacific Builders & Roofing, Inc., dba WSP Roofing in the amount of $750,290.48 for the Project;
3. A contingency amount of $150,058.10 with Pacific Builders & Roofing, Inc., dba WSP Roofing for a total not to exceed value of $900,348.58 for the Project; and
3. A Project allocation amount of $75,029.05 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 City's Capital Improvement Program budget, which was previously approved by the City Council.)

3. Public Works Department
SUBJECT: Public Project Agreement 32400022 with Blackpointe Group Construction and Management, Inc. for Community Center Park East Playground Improvement Project (Rebid #3), Specification No. PW 22-117R3.
RECOMMENDATION: That the City Council approve and authorize:

1. A total of $295,024.01 in Project funds for the Community Center Park East Playground Improvement Project (Rebid #3), Specification No. PW 22-117R3;
2. The Mayor to Execute an Agreement with Blackpointe Group Construction and Management, Inc. in the amount of $245,854.01 for the Project;

2. A Project contingency amount of $24,585.00 (10%) with Blackpointe Group Construction and Management, Inc. for a total not to exceed value of $270,439.01 for the Project; and
3. A Project allocation amount of $24,585.00 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 City's Capital Improvement Program budget, which was previously approved by the City Council.)

4. Public Works Department
SUBJECT: Grant Application Resolution for FY 2023 Consolidated Appropriations Act Community Project Funding Application.
RECOMMENDATION: That the City Council adopt a **Resolution No. 15,728**:

    1. Authorizing the City Manager or designee to submit a grant application to the U.S. Environmental Protection Agency for $2,846,400 (no local match) in Community Project Funding for the City of Oxnard Water Pipeline Replacement Project;
    2. Authorizing the City Manager or designee to execute grant agreements;
    3. 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
    4. Authorizing the Public Works Director or designee to submit non-financial reports.

(This item did not originate in Committee.)

5. Public Works Department
SUBJECT: Third Amendment to Lease Agreement A-5300 with Cingular Wireless.
RECOMMENDATION: That the City Council approve the Third Amendment to the "Roof Top" Revenue Lease Agreement A-5300, for a five year term with one option term, with Cingular Wireless, for a cell tower located at 300 W. 3rd Street in Oxnard.

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

6. Police Department
SUBJECT: Agreement for School Resource Officer (SRO) Services to the Oxnard Union High School District (OUHSD).
RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a cost-sharing agreement between the City of Oxnard and the Oxnard Union High School District, for a three-year period, in the amount of $778,309 for Police School Resource Officer (SRO) Services.

7. City Manager Department
SUBJECT: Second Amendment to Agreement No. 9675-22-CM with Aten Design Group, Inc. for Website Redesign Services.
RECOMMENDATION: That City Council approve and authorize the execution of a Second Amendment to an Agreement with Aten Design Group, Inc. to increase Website Redesign Services for an additional $116,140, resulting in a not-to-exceed total cost of $316,140.

(Finance and Governance Committee approved 3-0 on June 27, 2023.)

8. Finance Department
SUBJECT: Adopt Resolution Declaring the Intent of the City to be Reimbursed from Potential Bond Proceeds for Expenditures Made Towards Street and Alleyway Improvements.
RECOMMENDATION: That the City Council approve and authorize a **Resolution No. 15,729** declaring the intent of the City to be reimbursed for certain capital expenditures from the proceeds of indebtedness.

Consent Items K.1, K.2, K.3, K.4, K.5, K.7, K.8
It was moved by Councilmember Basua, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 7-0.

Consent Item K.6
It was moved by Councilmember Basua, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 5-1-1. Councilmember Teran recused himself because of a professional conflict with the Oxnard Union High School District. Councilmember Perello voted no.

L. PUBLIC HEARINGS

1. City Manager Department
SUBJECT: Public Meeting and Introduction of an Ordinance to Renew the Oxnard Tourism Marketing District. (10 minutes)
RECOMMENDATION: That the City Council:

   1. Conduct the first Public Meeting to allow members of the public to provide comments on the renewal of the Oxnard Tourism Marketing District (OTMD); and
   2. Approve the first reading by title only and waive further reading of an **Ordinance No. 3030** adding Sections 13-3 through 13-13 to Article 1.5 of Chapter 13 of the Oxnard City Code regarding the Oxnard Tourism Marketing District.

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

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comment was received from Pat Brown.

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

M. REPORTS

1. Public Works Department
SUBJECT: Grant Application Resolution for the Clean California Local Grant Program Cycle 2. (10 minutes)
RECOMMENDATION: That the City Council adopt a **Resolution No. 15,730**:

1. Ratifying the submittal of a grant application to the California Department of Transportation (Caltrans) for $3,534,000 (12.5% local match of $442,000 from the Urban Greening Grant Fund) in Clean California Local Grant Program funds for the Campus Park Enhancement Project;
2. Authorizing the City Manager or designee to execute grant agreements;
3. 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
4. Authorizing the Public Works Director or designee to submit non-financial reports.

(This item did not originate in Committee.)

Michael Wolfe, 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 Teran, to approve the recommended action as presented. VOTE: Basua, Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 6-0-1. Mayor Pro Tem MacDonald recused himself due to a conflict with his residence being located 1 block from the Campus Park project.

2. Public Works Department

SUBJECT: Grant Applications Resolution for the Inflation Reduction Act – Urban and Community Forestry Grant Program. (10 minutes)

RECOMMENDATION: That the City Council adopt a **Resolution No. 15,731**:

1. Ratifying the submittal of a grant application to the United States Department of Agriculture Forest Service for $333,502.50 (1:1 local match of $333,502.50) in Inflation Reduction Act – Urban and Community Forestry grant funds for the Oxnard Area ND Urban Forestry Project;
2. Ratifying the submittal of a grant application to the United States Department of Agriculture Forest Service for $651,423 in Inflation Reduction Act – Urban and Community Forestry grant funds for the Oxnard Area D Urban Forestry Project;
3. Authorizing the City Manager or designee to execute the grant agreements, if awarded
4. 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
5. Authorizing the Public Works Director or designee to submit non-financial reports.

(This item did not originate in Committee.)

Michael Wolfe, Public Works Director, Steve Howlett, Assistant Public Works Director, and Eric Humel, Grants Coordinator 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, Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 6-0-1. Mayor Pro Tem MacDonald was absent for the vote.

3. Public Works Department

SUBJECT: Public Project Agreement 32400005 with Chrisp Company for On-Call Street Striping and Marking Services, Specification No. PW 23-91. (10 minutes)
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with Chrisp Company in the amount not to exceed $1,000,000 for a five-year term for On-Call Street Striping and Marking Services.

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

Brian Yanez, Assistant Public Works Director, and Philip Schwieder, Streets Division Manager, 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, Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 6-0-1. Mayor Pro Tem MacDonald was absent for the vote.

4. Finance Department
SUBJECT: Professional Services Agreement 32400016 with MuniServices, LLC for Sales Tax and Transaction Tax Audit Services. (10 minutes)
RECOMMENDATION: That the City Council:

1. Award Agreement No. 32400016 to MuniServices, LLC for a five-year term in the amount not to exceed $600,000 for quarterly Sales Tax Audit Services and Measures O and E transaction tax audit services; and
2. Adopt a **Resolution No. 15,732** Authorizing Examination of Sales, Transactions and Use Tax Records to MuniServices, LLC.

Javier Chagoyen-Lazaro, Interim Chief Financial Officer 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, Madrigal, Perello, Teran, Valenzuela Zavala, MacDonald and Zaragoza voted in favor; the motion passed 7-0.

5. Finance Department
SUBJECT: Agreement with ProcureAmerica to Provide Cost Reduction Services. (10 minutes)
RECOMMENDATION: That the City Council approve and authorize the Mayor to enter into an agreement with ProcureAmerica, Inc. to provide cost-reduction consulting services expiring December 31, 2028.

Javier Chagoyen-Lazaro, Interim Chief Financial Officer presented and answered questions. No public comments were received. Discussion ensued among the Council and staff.

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

N. ADJOURNMENT
There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 7:52 p.m.

DEE LAI
Interim City Clerk

JOHN C. ZARAGOZA
Mayor