

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.



AMENDED AGENDA

Item C.1 Closed Session - Added

Item N.1 - updated committee outcome

AGENDA

OXNARD CITY COUNCIL

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

OXNARD FINANCING AUTHORITY

OXNARD HOUSING AUTHORITY

Meeting Location: Council Chambers, 305 West Third Street

October 3, 2023

Closed Session - 4:30 PM

Appointment Items - 5:00 PM

Regular Meeting - 6:00 PM

Zoom details to call-in for public comment during a meeting:

1. Dial Phone Number: (888) 475-4499
2. Enter Meeting ID: 830 3868 3814
3. Passcode: 317540

If you wish to speak during public comments or a particular item on the agenda, please sign-on by following the zoom call-in steps listed above. Once the presiding officer calls for public speakers, press *9 to raise your hand to inform the City Clerk you would like to speak during the public speaking section for that particular item on the agenda, while in the zoom waiting room. Press *6 when asked to unmute. Listen to the instructions provided virtually on the phone while on hold in the zoom waiting room. Please note that there is a slight time delay when viewing the meeting via television.

IN ACCORDANCE WITH ASSEMBLY BILL 2449, MEMBERS OF THE LEGISLATIVE BODY MAY MEET IN-PERSON OR REMOTELY. TO PARTICIPATE REMOTELY VISIT WWW.OXNARD.ORG.

To find out how you may provide public comment, please refer to the instructions below or at [www.https://www.oxnard.org/city-meetings/](https://www.oxnard.org/city-meetings/).

The public may view the meeting from home on Spectrum channel 10, Frontier channel 35, or YouTube at [Youtube.com/oxnardnews](https://www.youtube.com/oxnardnews). Video recordings of the meeting are typically available online following the meeting at the City's website at www.oxnard.org/city-meetings.

*Please see the link for the Measure M pre-recorded presentation video for each item listed on this agenda.

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. ATTEND THE MEETING AT THE LOCATION LISTED ABOVE: Submit a speaker card to the City Clerk.
2. EMAIL COMMENTS OR SIGN UP TO SPEAK REMOTELY BEFORE THE MEETING
 - a. Submit a request to speak remotely by 3 p.m. on the day of the meeting by using the form available at www.oxnard.org/citymeetings.
 - b. Submit an email to cityclerk@oxnard.org by 3 p.m. on the day of the meeting (indicate the agenda item number in the subject line). All email correspondence will be forwarded to the legislative body prior to the start of the meeting and made part of the legislative record.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item Time Estimates include: (Minutes for Presentation + Council Discussion + Public Comment)

- c. Contact the City Clerk's Office at (805) 385-7803 to submit your request.

3. PROVIDE PUBLIC COMMENT REMOTELY DURING THE MEETING

- a. Follow Zoom details listed above.
- b. Public comments on agenda items will be taken following the announcement of the item. After the item is announced, members of the public may register or otherwise be recognized for the purpose of providing public comment.

Please review the Zoom instructions on the registration page to help ensure there are no technical difficulties during your comments and help you understand public comment procedures using Zoom. Detailed participation instructions can be found at www.oxnard.org/city-meetings.

In the event of a disruption which prevents a legislative body of the City of Oxnard from broadcasting a meeting using a call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comment using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on a meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. However, if any of the broadcast options are disrupted, but any of the other broadcast options is still available to the public, the legislative body may take further action on items appearing on a meeting agenda without waiting for the disrupted broadcast option(s) to be restored.

A. ROLL CALL, POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council
CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL
2449

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: City of Oxnard v. Aaron Starr
Court of Appeal, Second Appellate District, Division Six Case No. B314601 (Superior Court Case No. 56-2020-00539039-CU-MC-VTA)
Legislative Body: City Council

D. APPOINTMENT ITEMS (5:00 PM)

1. City Manager Department
SUBJECT: Oxnard Convention & Visitors Bureau (OCVB) Annual Report.
RECOMMENDATION: That the City Council receive the OCVB Fiscal Year 22-23 Annual Report.

(Live presentation by Oxnard Convention & Visitors Bureau President & CEO, Julie Mino Buffo.)
Legislative Body: City Council
Contact: Ashley Golden, (805) 385-7478
2. City Manager Department
SUBJECT: Community Relations Commission Annual Report
RECOMMENDATION: That the City Council receive the Community Relations Commission annual report.
Legislative Body: City Council

Contact: Martha Guillen, (805) 385-7434

E. OPENING CEREMONIES (6:00 PM)

Pledge of allegiance to the flag of the United States.

F. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2023 as "Multicultural Month."
2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2023 as "Breast Cancer Awareness Month."
3. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2023 as "Fire Prevention Month."
4. SUBJECT: Presentation of a Proclamation Designating October 9, 2023 as "Indigenous People's Day."

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker requests shall be submitted as set forth on the first page of this agenda. Speakers are limited to three minutes. After 30 minutes, if all speakers have not had the opportunity to speak, the remaining speakers will be given an opportunity to speak prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

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.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

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

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

J. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of September 5, 2023, regular meetings as presented.

Legislative Body: City Council

Contact: Dee Lai, (805) 385-8200

2. Police Department

SUBJECT: ABC-OTS Local Law Enforcement Grant FY 23-24

RECOMMENDATION: That the City Council adopt a resolution authorizing:

1. The City Manager to apply for \$40,000 in grant funds from the Department of Alcoholic Beverage Control and the Office of Traffic Safety to be used for overtime to conduct four (4) Minor Decoy Operations, four (4) Shoulder Tap Operations, four (4) IMPACT Inspections and 5 Holiday Enforcements;
2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of the grant award;
3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for the use of ABC-OTS Grant funds; and
4. The Chief of Police or designee to submit all program-related progress or status reports.

(This item did not originate in Committee.)

Legislative Body: City Council

Contact: Jason Benites, (805) 385-7624

3. Police Department

SUBJECT: Resolution Commending Timothy Kelley for over Twenty-Seven Years of Service to the City of Oxnard

RECOMMENDATION: That the City Council adopt a resolution commending Timothy Kelley for over twenty-seven years of service to the City of Oxnard Police Department.

(This item did not originate in Committee.)

Legislative Body: City Council

Contact: Jason Benites, (805) 385-7624

4. Police Department

SUBJECT: Edward Byrne Memorial Justice Assistance Grant Program FY2023 Local JAG

RECOMMENDATION: That City Council adopt a resolution:

1. Ratifying the prior execution and submission of an application for U.S. Department of Justice (DOJ) grant funds in the amount of \$107,288 from the Edward Byrne Memorial Justice Assistance

Grant (JAG) Program FY2023 Local Solicitation with no matching fund requirement:

2. Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura and the City of San Buenaventura designating the City of Oxnard as the lead agency and fiscal agent for the JAG;
3. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of the grant award;
4. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve administrative budget appropriation for the use of JAG funds upon award; and
5. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

(This item did not originate in Committee.)

Legislative Body: City Council

Contact: Jason Benites, (805) 385-7624

5. Public Works Department

SUBJECT: Second Amendment to Agreement A-8141 with Dokken Engineering for Mandalay Bay Bridge and Edison Canal Bridge, Specification No. PW 18-61.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment with Dokken Engineering in the amount of \$50,118 for a new not to exceed contract value of \$343,612 to continue to provide Professional Engineering Services associated with the Mandalay Bay Bridge and Edison Canal Bridge, Project Nos. C1306 and C1307.

(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.)

Legislative Body: City Council

Contact: Michael Wolfe, (805) 385-8055

6. Public Works Department

SUBJECT: Harbour Island Homeowners Association Donation Agreement A-8531 to Waterway Maintenance District - Zone 2 (Harbour Island).

RECOMMENDATION: That the City Council, acting as the legislative body of the Waterway Maintenance District, approve and authorize:

1. An Agreement from the Harbour Island Homeowners Association for the donation of \$15,446 for landscape maintenance and on-call services; and
2. Recognize the acceptance of the \$15,446 donation from the Harbour Island Homeowners Association, and therefrom appropriate \$15,446 to the Waterway Zone 2 Harbour Island District (Fund 40203801).

(Public Works Transportation Committee approved 2-0)

Legislative Body: City Council

Contact: Michael Wolfe, (805) 385-8055

7. Police Department

SUBJECT: Fifth Amendment with Speak Write, LLC. for Transcription Services

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Fifth Amendment to the Trade Services Agreement for Speak Write, LLC. increasing the not to exceed value from \$200,000 to \$275,000 and extending the contract to June 30, 2025.

(Community Services, Public Safety, Housing & Development Committee approved 3-0)

Legislative Body: City Council

Contact: Jason Benites, (805) 385-7624

M. PUBLIC HEARINGS1. Community Development Department

SUBJECT: Appeal of the Planning Commission's Decision to Approve the construction and conversion of 1,419 square feet of existing ground floor tenant space into a donut/coffee shop (Dunkin Donuts) and the conversion of one existing drive-through lane, including the reduction of on-site required parking, located at 2151 East Gonzales Road (60 minutes).

RECOMMENDATION: That the City Council conduct a public hearing and:

- a. Adopt an Addendum to Mitigated Negative Declaration No. 01-09; and
- b. Adopt a Resolution denying the appeal and upholding the Planning Commission's approval of Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject to certain findings and conditions.

(This item is a public hearing and was heard by the Planning Commission; therefore, this item did not originate in Committee.)

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/WEO75OPtuF8>

Legislative Body: City Council

Contact: Jeff Pengilley, (805) 385-8208

2. Community Development Department

SUBJECT: Continuance of Noticed Public Hearing from September 19, 2023 City Council meeting. Planning & Zoning (PZ) Permit No. 23-580-02: Zoning Text Amendments (ZTA) to the existing regulation of commercial cannabis manufacturing, distribution, testing, and retail dispensaries and creation of indoor commercial cannabis cultivation regulations (20 minutes).

RECOMMENDATION: That the City Council:

- a. Conduct a public hearing to introduce an ordinance amending Chapters 11 and 16 of the Oxnard City Code;
- b. Determine if the City Council wishes to include the Trabajo Dr. area, and Camino Real Business Park Specific Plan area for indoor cannabis cultivation, as originally depicted in the 2018 cannabis cultivation map presented to the City Council;
- c. If the City Council does not wish to include the Trabajo Dr. area, and Camino Real Business Park Specific Plan area for indoor cannabis cultivation, approve the introduction and first reading by title only and waive further reading of an ordinance titled:

An ordinance of the City Council of the City of Oxnard amending the Oxnard City Code (OCC) Chapters 11 and 16 pertaining commercial cannabis activity (Zoning Text Amendment; PZ No. 23-580-02); and incorporate commercial cannabis cultivation (Section 16-163 and an amendment to OCC Chapters 11 and 16 to allow up to five (5) indoor commercial cannabis cultivators in six (6) identified areas of the City.

d. Alternatively, if the City Council does wish to include Trabajo Dr. area, and Camino Real Business Park Specific Plan area for indoor cultivation, approve the introduction and first reading by title only and waive further reading of the following ordinance with the direction that the Trabajo Dr. area, and Camino Real Business Park Specific Plan area be included within the areas in which cultivation is allowed:

An ordinance of the City Council of the City of Oxnard amending the Oxnard City Code (OCC) Chapters 11 and 16 pertaining commercial cannabis activity (Zoning Text Amendment; PZ No. 23-580-02); and incorporate commercial cannabis cultivation (Section 16-163 and an amendment to OCC Chapters 11 and 16 to allow up to five (5) indoor commercial cannabis cultivators in eight (8) identified areas of the City.

(Council and Council Committee provided feedback in 2020 and 2023 respectively. That feedback was incorporated into a draft indoor cultivation ordinance and presented to the Planning Commission for the subject item before the City Council)

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/nkfNfNv0XoM>

Legislative Body: City Council

Contact: Jeff Pengilley, (805) 385-8208

N. REPORTS

1. Finance Department

SUBJECT: Recommendation to Acquire and Implement Budget Software. (10 minutes)

RECOMMENDATION: That the City Council:

1. Approve and authorize the City Manager to execute a five-year agreement with OpenGov, Inc. for OpenGov Budgeting & Planning software as well as OpenGov Reporting & Transparency software for a not to exceed amount of \$771,493; and
2. Approve a budget appropriation of \$60,110 in the Fiscal Year 2023-24 Information Technology Fund, from the available fund balance.

(The Finance & Governance Committee approved 3-0 on September 26, 2023)

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/PLkICeWv76U>

Legislative Body: City Council

Contact: Javier Chagoyen-Lazaro, 805-385-5400

2. Public Works Department

SUBJECT: Public Project Agreement 32400153 with Toro Enterprises, Inc. for Arterial Street Resurfacing - Hueneme Road Improvement Project, Specification No. PW 23-111. (10 minutes)

RECOMMENDATION: That the City Council approve and authorize:

1. A total of \$2,745,575.80 in Project funds for the Arterial Street Resurfacing Hueneme Road Street Improvement Project, Specification No. PW 23-111;
2. The Mayor to Execute an Agreement with Toro Enterprises, Inc., in the amount of \$2,287,979.80 for the Project;
3. A Project contingency amount of \$228,798 (10%) with Toro Enterprises, Inc. for a total not to exceed value of \$228,798 for the Project;
4. A Project allocation amount of \$228,798 (10%) for engineering, inspection, survey and project management (EISPM) for the Project; and
5. A project budget appropriation transfer in the amount of \$975,066 from Ormond Beach Neighborhood Street Resurfacing Project C2109 to Arterial Street Resurfacing Project C2205 within the TAB HERO Fund (315).

(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.)

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/jy7RhnGWSDI>

Legislative Body: City Council

Contact: Michael Wolfe, (805) 385-8055

3. Public Works Department

SUBJECT: Public Project Agreement 32400207 with C.A. Rasmussen, Inc. for Arterial Street Resurfacing East and West Gonzales Road and Oxnard Boulevard Street Improvement Project, Specification No. PW 23-100. (10 minutes)

RECOMMENDATION: That the City Council approve and authorize:

1. A total of \$11,636,763.05 in Project funds for the Arterial Street Resurfacing East and West Gonzales Road and Oxnard Boulevard Street Improvement Project, Specification No. PW 23-100;
2. The Mayor to Execute an Agreement with C.A. Rasmussen, Inc. in the amount of \$9,697,303.05 for the Project;
3. A Project contingency amount of \$969,730 (10%) with C.A. Rasmussen, Inc. for a total not to exceed value of \$969,730 for the Project;
4. A Project allocation amount of \$969,730 (10%) for engineering, inspection, survey and project management for the Project; and
5. A project budget appropriation transfer in the amount of \$3,328,400 from Neighborhood Street Resurfacing Project C2209 to Arterial Street Resurfacing Project C2205 within the Measure O Fund (104).

(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.)

Please click the following link to view the required Measure M pre-recorded presentation video:

https://youtu.be/Cn2zulCT_v8

Legislative Body: City Council

Contact: Michael Wolfe, (805) 385-8055

O. ADJOURNMENT