MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 16, 2024

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

Councilmember Gabriela Basua joined the meeting at 5:07 p.m. Councilmember Oscar Madrigal took a break from the meeting at 6:00 p.m. and rejoined the meeting at 6:43 p.m.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council.

CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL 2449.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Barbara Macri-Ortiz (C.1) and written comments were received from Francisco Fernando Gutierrez (C.1).

C. CLOSED SESSION (5:00 PM)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code section 54956.9(d)(1)).
Name of case: In The Matter of Kona Kai Mobile Estates
Legislative Body: City Council

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code section 54956.9(d)(1)).
Name of case: City of Oxnard v. Fox Canyon Groundwater Management Agency
Los Angeles County Superior Court, Case No. 20STCP00929
Legislative Body: City Council

3. 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.

4. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION

(Government Code Section 54956.9(d)(1)).
Name of case: Moving Oxnard Forward v. Jim Throop; et al.
Ventura County Superior Court Case No. 201800514769CUWM
Legislative Body: City Council

At 5:05 p.m., the City Council recessed into a closed session. At 6:02 p.m., the City Council reconvened in an open session in the Council Chambers. Stephen Fischer, City Attorney announced the following actions which resulted from closed session:

Regarding Item C.1, by a unanimous vote the City Council approved entering into a settlement agreement with Kona Kai Mobile Home Park Associated dba Kona Kai Estates and those Homeowners who filed a Protest Petition challenging the 2022 and/or 2023 rent increases. The terms of the agreement include:

1. The Park Owner waives the right to collect the 4 percent rent increase that it imposed in 2022.
2. The parties agree to a total rent increase of 5.74 percent between April 1, 2022 and March 31, 2025.
3. The parties agree to waive any claims regarding the current rents and any claims that they have against each other.
4. The settlement becoming effective is contingent a number of factors, including:
A. the Mobile Home Park Rent Review Board approving the material terms of the agreement on or before April 26, 2024.
B. no successful challenge to the Board's approval of the material terms of the agreement or a successful challenge in court.
Copies of the settlement will be available for public review.

Regarding Item C.3, the City Council by a unanimous vote has directed the City Attorney to initiate an action. 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.

Regarding Item C.4, by a unanimous vote, the City Council has given its legal counsel approval to refrain from seeking appellate review or relief in Moving Oxnard Forward v. Jim Throop, et al., which concerns the sufficiency of City monthly reports and accounting to the Council of receipts, disbursements and fund balances pursuant to Government Code section 41004.

D. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the pledge of allegiance.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating April 22, 2024 as "Earth Day."

Mayor Zaragoza read the proclamation and presented it to members of 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. The committee members accepted the proclamation and said a few words.

2. SUBJECT: Presentation of a Proclamation Designating the Month of April 2024 as "Sexual Assault and Child Abuse Awareness Month."

Mayor Zaragoza read the proclamation and presented it to members of the Oxnard Police Department Family Protection Unit and the Ventura County District Attorney's Office Victim Advocates Division.

3. SUBJECT: Presentation of a Proclamation Designating the Month of April 2024 as "Arts, Culture and Creativity Month."

Mayor Zaragoza read the proclamation and presented it to Carolyn Merino Mullin, Executive Director of the Oxnard Performing Arts Center Corporation (OPAC) and Gary Davis, Board Chairperson.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

County of Ventura Sheriff Jim Fryhoff, Mohammed Hasan, and Steve Huber.

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

1. City Manager Department
   SUBJECT: Severe Storms Emergency Actions.
   RECOMMENDATION: That the City Council ratify Director Orders regarding the Severe Storms Local Emergency proclaimed by the Director of Emergency Services on December 27, 2023, and related actions taken pursuant to the Severe Storms Local Emergency.

No action was taken on this item.

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

The members of the Council provided brief announcements regarding their various activities.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K.1 through K.8 were reviewed and discussed among the Council and staff.

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

K. INFORMATION/CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the March 19, 2024, regular meeting as presented.

2. Fire Department
   SUBJECT: Ratification of Authorization to be a Sub-Recipient of the California Opportunity Youth Apprenticeship (COYA) Grant.
   RECOMMENDATION: That City Council ratifies the authorization of the Fire Department to be a Sub-Recipient of the California Opportunity Youth Apprenticeship (COYA) Grant.

3. Public Works Department
   SUBJECT: Public Project Agreement 32400427 with Garcia's Landscaping & Maintenance, Inc. for Seabridge Park Bench Installation Project, Specification No. SD 24-82.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with Garcia's Landscaping & Maintenance, Inc. in the amount not to exceed $12,650 for the installation of park benches at Community Facilities District No. 4.

   (Public Works and Transportation Committee approved 3-0 on March 26, 2024.)

4. Public Works Department
   SUBJECT: Public Project Agreement 32400383 with Best Contracting Services, Inc. for On-Call Roofing Maintenance and Minor Repair Services Project, Specification No. PW 23-95.
   RECOMMENDATION: That the City Council authorize the Mayor to execute an Agreement with Best Contracting Services, Inc. for a total amount not to exceed $190,000 for a maximum two-year term for on-call roofing maintenance and repair services.

   (Public Works and Transportation Committee approved 3-0 on March 26, 2024.)

5. Public Works Department
SUBJECT: Public Project Agreement 32400262 with Central Coast Engineering for On-Call Plumbing Maintenance and Minor Repairs Services, Specification No. PW 23-105.
RECOMMENDATION: That the City Council authorize the Mayor to execute an Agreement with Central Coast Engineering for a total amount not to exceed $196,000 for a one-year term for on-call plumbing maintenance and repair services.

(Public Works and Transportation Committee approved 3-0 on March 26, 2024.)

6. Public Works Department
SUBJECT: Agreement No. 32400468 with Raftelis Financial Consulting Professional Services for an Annual Water Rate and Pass Through Analysis and Financial Plan Review.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement No. 32400468, subject to approval of the final form of the agreement by the City Attorney, with Raftelis Financial Consulting (Raftelis) for a not to exceed amount of $49,730 through December 31, 2027, for professional services required for an Annual Water Rate and Pass Through Analysis and Financial Plan Review.

(This item did not originate in Committee as it is a continuation of Ordinance 3028 approved by the City Council on May 16, 2023.)

7. Police Department
SUBJECT: **Resolution No. 15,771** Commending Sergeant Daniel Shrubb for over Twenty-Six Years of Service to the City of Oxnard.
RECOMMENDATION: That the City Council adopt a resolution commending Daniel Shrubb for over twenty-six years of outstanding service to the City of Oxnard Police Department.

8. Finance Department
SUBJECT: Amendment to External Auditor Agreement for Annual Auditing Services.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Second Amendment to Agreement A-8223 with Eadie + Payne, LLP, to increase the amount by $62,700, for a total amended not-to-exceed amount over 5 years of $1,157,800 for FY 2022-23 and FY 2023-24 Annual Comprehensive Financial Reporting (ACFR)/Single-Audit/Ancillary Assistance.

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

L. REPORTS

1. Public Works Department

SUBJECT: Adoption of **Ordinance No. 3043** Establishing New Solid Waste Rates and Fees.
RECOMMENDATION: That the City Council:

1. Adopt **Ordinance No. 3043** entitled "Ordinance of the City Council of the City of Oxnard to Establish New Solid Waste Rates and Fees for Customer Use and Service from the City's Environmental Resources Division;" and

2. Find that CEQA does not apply to this ordinance pursuant to Public Resource Code sections 21080(b)(8) and 21083 in conjunction with the exemption listed in Title 14 California Code of Regulations section 15273.

(This item did not originate in Committee because it is a continuation of an item previously approved by the City Council on March 19, 2024.)

Michael Wolfe, Public Works Director was available to answer questions. No public comments were received.

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

2. Public Works Department
SUBJECT: Agreement 32500002 with JAS Landscape LLC for Landscape Maintenance Services within Community Facilities District No. 4.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with JAS Landscape, LLC in the amount not to exceed $2,721,267 for the maximum five-year term of the Agreement, with the initial agreement term ending June 30, 2025, after which the Agreement may be extended for four additional one-year terms with a fully extended final term ending on June 30, 2029, for landscape maintenance services within Community Facilities District No. 4.

(Public Works and Transportation Committee approved 3-0 on March 26, 2024.)

Steve Howlett, Assistant Public Works Director and Anthony Miller, Special Districts Manager presented and answered questions. Written comments were received from Dave Copper, Seabridge Treasurer and Arthur Bierman, Seabridge Resident.

It was moved by Councilmember Perello, seconded by Councilmember Valenzuela, to approve the recommended action. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0-1. Councilmember Basua recused from voting on this item due to a family relationship with the vendor.

3. City Manager Department
SUBJECT: ERP Annual Report and Seventh Amendment to Agreement with Kreative

Core Technologies.
RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute a Seventh Amendment to the Professional Services Agreement with Kreative Core Technologies Corp (9431-21-FN) in the amount of $5,300,000 for a new not to exceed contract amount of $10,020,000, and to extend the term for a year to December 31, 2025, for project management services related to the discovery, documentation, implementation, stabilization and ongoing IT support for all phases of the City's multi-year enterprise resource planning (ERP) implementation, as well as some additional IT non-ERP projects;

2. Approve $200,000 of new Transfer Out Appropriations in the General Fund (101) and corresponding Transfer In Revenues in the Capital Outlay Fund (301) in regard to additional ERP related costs anticipated in Fiscal Year 2023-24; and

3. Receive and file the ERP system annual report.

(The Finance and Governance Committee approved 3-0 on March 26, 2024.)

Shiri Klima, Deputy City Manager presented and answered questions. No public comments were received.

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

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 7:20 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C. Zaragoza
JOHN C. ZARAGOZA
Mayor