# MINUTES

OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meeting
May 21, 2024

A. ROLL CALL, POSTING OF AGENDA

At 5:30 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority), 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.

Housing Authority Commissioner Jose Andrade and Commissioner Francisco Vega were absent.

Councilmember Teran took a break from the meeting at 5:33 p.m. and returned at 6:48 p.m. Councilmember Basua left the meeting at 10:18 p.m.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council and Oxnard Housing Authority.

CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL 2449.

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

C. CLOSED SESSION (5:30 PM)

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
   Property: 407 West Hueneme Road, Oxnard, CA (APN 222-0-082-595 and 222-0-082-585)
   Agency Negotiator: Emilio Ramirez, Housing Director
   Negotiating Party: Camille Gurrola; MEXICA GRECO/MEXICA 1978 BYPASS
   Under Negotiation: Price and Terms of Payment
   Legislative Body: City Council

2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)
   Agency designated representatives: Ashley Golden, Assistant City Manager, and Jason Benites, Police Chief
   Employee organization: Oxnard Peace Officers Association (OPOA)

Legislative Body: City Council

At 5:33 p.m., the City Council recessed into a closed session. At 6:16 p.m., the City Council reconvened in an open session in the Council Chambers. Councilmember Basua recused from the discussion on Closed Session Item C.1 due to her current employment. Stephen Fischer, City Attorney announced that no reportable actions resulted from the closed session for items C.1 and C.2.

D. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the pledge of allegiance.

E. CEREMONIAL ITEMS

1. SUBJECT: Presentation of a Proclamation Designating the Week of May 19 - 24, 2024 as "Public Works Week."

Mayor Zaragoza read the proclamation and presented it to Michael Wolfe, Public Works Director and his team who accepted the proclamation on behalf of the Public Works Department. They followed with a few words.

2. SUBJECT: Presentation of a Proclamation Designating May 27, 2024 as "Memorial Day."

Mayor Zaragoza read the proclamation and presented it to Sal Gonzalez, First Lieutenant, U.S. Army Veteran; host and emcee of the 2024 Memorial Day Ceremony, who accepted the proclamation and said a few words. Mr. Gonzalez and Louie Morris invited the Oxnard community to attend the 2024 Memorial Day Ceremony on Monday, May 27, 2024, in Downtown Oxnard at Plaza Park, starting at 11:00 a.m.

3. SUBJECT: Presentation of a Proclamation Designating the Month of May 2024 as "Mental Health Awareness Month."

Mayor Zaragoza read the proclamation and presented it to City Manager Nguyen, who accepted the proclamation on behalf of Police Chief Benites.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Janet Pinkley (permits for emergencies), and Dexter Nunnery with Project 50 (racism in Oxnard schools).

The following public speakers expressed safety concerns about the St. John's Hospital Monitor Technicians: Jose Barrera, Ernesto Magana, Joshua Sharp, Kateryna Manu, Espie Velasco, and Gabriel Guillen.

## G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided community updates. Local Coastal Program (LCP) Virtual Community Meeting will be held on Wednesday, May 22, 2024 at 7:00 p.m.; Memorial Day Ceremony will be held on Monday, May 27, 2024 at Plaza Park, Downtown Oxnard, at 11:00 a.m.; 52nd Annual City of Oxnard Jr. High Grad Night was held on May 3, 2024, at Universal Studios Hollywood. An update regarding the City's response and recovery costs for the December 2023 Flood Recovery Recap was provided. The city thanked the Ventura County Community Foundation, Flood Recovery Relief which raised $239,000 for Oxnard community members.

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

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

1. City Attorney Department
   SUBJECT: **Resolution No. 15,776** in the Matter of Support for Senate Bill 1137 (2022), Phasing Out Oil and Gas Production in California.
   RECOMMENDATION: That the City Council consider adopting **Resolution No. 15,776** in the matter of support for phasing out oil and gas production in California. (CFROG - Climate First: Replacing Oil & Gas Resolution)

Stephen M. Fischer, City Attorney introduced the item and answered questions. Public comments were received from Abrah Stewart, Rodney Smith, Ula Leavitt, Miguel Heredia, Adrianus Vergeer, Sierra Whalen, Arianna Macias, Anahi Solis, Elise Swarts, Phu Tran, Sofia Magallon, Yesica Gonzalez, Odette Moran, Elma Del Aguila, and Gary Ulwelling.

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

## I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-7 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 April 30, 2024, regular meeting as presented.

2. <u>Finance Department</u>
SUBJECT: Monthly Report and Accounting of All Receipts, Disbursements and Fund Balances.
RECOMMENDATION: That the City Council receive and file this report and accounting of all receipts, disbursements and fund balances for the month of March 2024.

(This item did not originate in Committee)

3. <u>Community Development Department</u>
SUBJECT: Fore Property Development Agreement Amendment; Planning and Zoning (PZ) Permit No. 24-670-01; Located at 2700 and 2750 North Ventura Road (APN 132-0-100-595).
RECOMMENDATION: That the City Council adopt **Ordinance No. 3045**:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE THIRD AMENDMENT TO DEVELOPMENT AGREEMENT NO. 7113 (PLANNING AND ZONING PERMIT NO. 24-670-01) LOCATED ON THE PROPERTIES AT 2700 AND 2750 NORTH VENTURA ROAD STREET (APN 132-0-100-595). FILED BY RIVERPARK APARTMENTS OWNER, LLC 1741 VILLAGE CENTER CIRCLE, LAS VEGAS, NV 89134.

4. <u>Housing Department</u>
SUBJECT: Mobile Home Park Rent Stabilization System Annual Activity Report for 2023.
RECOMMENDATION: That the City Council receive and file the 2023 Annual Activity Report for the Mobile Home Park Rent Stabilization System, as adopted by the Mobile Home Park Rent Review Board.

(This item did not originate in Committee.)

5. <u>Police Department</u>
SUBJECT: First Amendment to Agreement with InterTalk Critical Information Systems.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the First Amendment to Agreement (contract A-8195) with InterTalk Critical Information Systems in the amount of $243,778.00 for a not to exceed contract amount of $968,192.00.

6. <u>City Attorney Department</u>
SUBJECT: Adoption of **Ordinance No. 3044** Adding Public Areas to Regulations on Camping.
RECOMMENDATION: That the City Council adopt **Ordinance 3044** titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD

AMENDING SECTION 7-319 OF THE OXNARD CITY CODE ADDING PUBLIC AREAS TO REGULATIONS ON CAMPING.

7. Housing Department
SUBJECT: United States Department of Housing Urban Development's (HUD) Choice Neighborhoods Planning Grant Application.
RECOMMENDATION: That the City Council Authorize:

1. The City of Oxnard to participate as a co-applicant in a Choice Neighborhoods Planning Grant Application with the Housing Authority of the City of Oxnard;
2. The City Manager, or his designees, to enter into a Memorandum of Understanding with the Housing Authority of the City of Oxnard;
3. The use of $250,000 from the Community Development Block Grant Fund as a match for the Choice Neighborhoods Grant Application in Fiscal Year 2024-25;
4. The City Manager, or his designees, to fund new budget appropriations from the existing Community Development Block Grant appropriation; and,
5. The City Manager, or his designees, to execute all agreements, letters and forms necessary for the submission of the grant application, so long as it does not increase the amount of funds awarded or modify the project.

That the Board of Commissioners Authorize:

1. The Executive Director, or his designee, to submit a Choice Neighborhoods Planning Grant Application;
2. The Executive Director to enter into a Memorandum of Understanding with the City of Oxnard;
3. The use of $250,000 from the Housing Authority's Central Fund as a match for the Choice Neighborhoods Planning Grant; and
4. The Executive Director, or his designees, to execute all agreements, letters and forms necessary for the submission of the grant application, so long as it does not increase the amount of funds committed or modify the project.
(This item did not originate in Committee.)

**Consent Items K.1, K.2, K.3, K.5, and K.6**
*It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello,* to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 7-0.

**Consent Item K.4**
*It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Perello,* to approve the recommended action as presented. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0-1. Councilmember Basua recused due to her position in the Housing Department with the City of Port Hueneme.

**Consent Item K.7 (City Council and Oxnard Housing Authority)**

*It was moved by Commissioner MacDonald, seconded by Commissioner Perello,* to approve the recommended action as presented. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0-1. Councilmember Basua recused due to her position in the Housing Department with the City of Port Hueneme. Housing Authority Commissioners Andrade and Vega were absent.

## L. PUBLIC HEARINGS

1. Public Works Department
   SUBJECT: Public Hearing for **Ordinance No. 3046** Granting the Renewal of the Crimson California Pipeline, L.P. Franchise Agreement to Operate and Maintain a Petroleum Pipeline.
   RECOMMENDATION: That the City Council:

   1. Conduct a public hearing regarding the uncodified ordinance to renew the franchise agreement with Crimson California Pipeline, L.P.;
   2. Consider any testimony or objections to the franchise agreement and introduce by title only and waive further reading of an uncodified ordinance titled:

      UNCODIFIED ORDINANCE OF THE CITY OF OXNARD GRANTING THE RENEWAL OF THE CRIMSON CALIFORNIA PIPELINE, L.P. FRANCHISE AGREEMENT TO OPERATE AND MAINTAIN A PIPELINE FOR THE TRANSPORTATION OF PETROLEUM PRODUCTS UNDER, ALONG AND ACROSS HARBOR BOULEVARD.

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

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

Michael Wolfe, Public Works Director and Elle McCarron, Assistant City Attorney answered questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Lanny Kippes, Crimson Pipeline and Lawrence Stein.

Without objection, the Council approved closing the public testimony portion of the public hearing.

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

## M. REPORTS

1. Public Works Department
SUBJECT: Fiscal Year 2024-25 Utility Ratepayers Assistance Program (Project Assist).
RECOMMENDATION: That the City Council:

1. Adopt **Resolution No. 15,777** for the Utility Ratepayers Assistance Program (Project Assist) for Fiscal Year 2024-25 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 2024-25; and

2. Authorize staff to fund Project Assist in Fiscal Year 2024-25 by utilizing $241,500 in late penalties from City utility customers.

(Public Works and Transportation Committee approved 3-0 on April 23, 2024.)

Brian Yanez, Assistant Public Works Director answered questions. Public comments were received from Lawrence Stein.

*It was moved by Councilmember Basua, seconded by Councilmember Teran,* 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: Amendments to Agreements A-8339, A-8340, A-8341, A-8342, and A-8483 with Mariposa Landscapes, Inc. for Landscape Maintenance Services for Citywide General Fund Parks.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the:

1. Second Amendment to Agreement A-8339 with Mariposa Landscapes, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $475,000 to $615,000 in Region 1;
2. Second Amendment to Agreement A-8340 with Mariposa Landscapes, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $430,000 to $561,000 in Region 2;
3. Third Amendment to Agreement A-8341 with Mariposa Landscapes, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $950,000 to $1,249,000 in Region 3;
4. Second Amendment to Agreement A-8342 with Mariposa Landscapes, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $550,000 to $714,000 in Region 4; and
5. Second Amendment to Agreement A-8483 with Mariposa Landscapes, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $758,919 to $1,036,880.

(Public Works and Transportation Committee approved 3-0 on April 23, 2024.)

Steve Howlett, Assistant Public Works Director answered questions. No public comments were received.

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

3. Public Works Department
SUBJECT: Amendments to Agreements A-8344 and A-8346 with Garcia's Landscaping Maintenance, Inc. and Agreement A-8345 with Mariposa Landscapes, Inc. for Landscape Maintenance Services within the City's Medians and Parkways.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the:

1. Second Amendment to Agreement A-8344 with Garcia's Landscaping Maintenance, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $2,415,000 to $3,272,000 in Region 1;

2. Third Amendment to Agreement A-8345 with Mariposa Landscapes, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $2,535,000 to 3,423,000 in Region 2; and

3. Second Amendment to Agreement A-8346 with Garcia's Landscaping Maintenance, Inc. for a one-year extension ending June 30, 2025, and increase the current not-to-exceed amount from $2,575,000 to $3,272,000 in Region 3.

(Public Works and Transportation Committee approved 3-0 on April 23, 2024.)

Steve Howlett, Assistant Public Works Director was available to answer questions. No public comments were received.

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

4. Public Works Department
SUBJECT: Trade Services Agreement 32500001 with SCA of CA, LLC for Citywide Street Sweeping Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with SCA of CA, LLC for a not to exceed amount of $10,250,000 for a one-year term ending June 30, 2025, with an option to extend for four additional one year terms for a final expiration of June 30, 2029, for citywide street sweeping services,

alleyways, parking lots, parking structures and city facilities.

(Public Works and Transportation Committee approved 3-0 on April 23, 2024.)

Brian Yanez, Assistant Public Works Director 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.

At 9:46 p.m., Council voted to continue the meeting past 10:00 p.m., and take action on the remainder of the items on the agenda. Council moved Report Item M.5 to be discussed at the end of the meeting.

*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.

Councilmember Basua left the meeting at 10:18 p.m.

5. Housing Department
SUBJECT: Declaration of three parcels in Downtown Heritage Square as Surplus Land.
RECOMMENDATION: That the City Council adopt a resolution:

1. Declaring the following as surplus property and no longer necessary for the City's use:

a. 731 South A Street (Heritage Square Hall, "Chapel");
b. 715 South A Street (Perkins Pump House, "Visitor's Center"); and
c. 720 South B Street (Maulhardt Storehouse, "Winery").

2. Finding that the adoption of the resolution does not constitute the approval of a project under the California Environmental Quality Act ("CEQA"), and it is exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060 (c), (2) (3);15061 (b) (3);15064 (d) (3); 15378 (a)).

(This item did not originate in Committee.)

Emilio Ramirez, Housing Director introduced the item and answered questions. Public comments were received from Al Barkley, Gary Blum, Abel Magana, Angela Whitecomb, Rolando Rubalcava, Brandon Burns, Lawrence Stein, Manuel Herrera, and Rex Levi, Chairman of the Landuse Committee of the Downtown Improvement Association. Written correspondence was received.

*A motion was made by Councilmember Valenzuela to approve the recommended action and build a restroom facility at the Downtown Heritage Square, the motion was seconded by Councilmember Perello.* VOTE: Madrigal, Perello, and Valenzuela voted in favor; MacDonald, Teran, and Zaragoza voted against; motion failed 3-3.

Council voted to continue this item to a future meeting and directed staff to research the posibility of building a restroom facility for the Downtown Heritage Square. This resolution was not adopted.

*It was moved by Councilmember Teran, seconded by Mayor Zaragoza,* to continue this item to a future meeting. VOTE: MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 6-0. Basua was absent during this vote.

6. City Clerk Department
SUBJECT: Certificates of Sufficiency of Signatures for Three Initiative Petitions.
RECOMMENDATION: That the City Council, acting as the legislative body of Community Facilities District No. 5 (RiverPark), receive and file the certificates of sufficiency for the following three initiatives:

    1. "Repeal of Community Facilities No. 5 (RiverPark) Special Taxes";
    2. "Limitations on Uses of Special Taxes for Community Facilities District No. 5 (RiverPark)"; and
    3. "Reduction of the Maximum Special Taxes That Can Be Imposed Within Community Facilities District No. 5 (RiverPark)".

Ken Rozell, Chief Assistant City Attorney introduced the item and answered questions.

The City Council, acting as the legislative body of Community Facilities District No. 5 (RiverPark), received and filed the certificates of sufficiency for the three initiatives, no formal action was taken.

7. City Attorney Department
SUBJECT: Consideration of Action on Certified Initiative Measures Titled:
    1. "Repeal of Community Facilities No. 5 (RiverPark) Special Taxes;"
    2. "Reduction of the Maximum Special Taxes That Can Be Imposed Within Community Facilities District No. 5 (RiverPark);" and
    3. "Limitations on Uses of Special Taxes for Community Facilities District No. 5 (RiverPark)."
RECOMMENDATION: That the City Council, acting as the legislative body of Community Facilities District No. 5 (RiverPark) of the City of Oxnard:

1. For each initiative certified to date as sufficient by the City Clerk, either:
    a) adopt the ordinance
    b) call an election, or
    **c) order a report pursuant to Elections Code Section 9212**; and

2. If calling the election, adopt resolution(s) ordering consolidation with the November 5, 2024 statewide election and requesting the County Clerk conduct the election and authorize the Board of Supervisors to canvass the returns.

Ken Rozell, Chief Assistant City Attorney introduced the item and answered questions. Public comments were received from Lawrence Stein, Manuel Herrera, and Paul Schnebelen. Written correspondence was received.

The City Council, acting as the legislative body of Community Facilities District No. 5 (RiverPark) made a motion to approve staff's recommendation option 1.c) Order a report pursuant to Elections Code Section 9212.

Council directed staff to order the 9212 Report regarding the following initiative measures: "Repeal of Community Facilities No. 5 (RiverPark) Special Taxes," "Reduction of the Maximum Special Taxes That Can Be Imposed Within Community Facilities District No. 5 (RiverPark)," and "Limitations on Uses of Special Taxes for Community Facilities District No. 5 (RiverPark)." Once the 9212 Report is received, it will be brought back to Council at its June 18, 2024 meeting.

*It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Teran,* to approve recommendation option 1.(c) order a report pursuant to Elections Code Section 9212. VOTE: Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 7-0.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 11:35 p.m.

R. Chaparro

ROSE CHAPARRO

City Clerk

John Zaragoza

JOHN C. ZARAGOZA

Mayor