

MINUTES
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meeting
July 16, 2024

A. **ROLL CALL, POSTING OF AGENDA**

At 5:01 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 Basua joined the meeting at 5:08 p.m. Councilmember Valenzuela arrived at 5:11 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** (None received.)

C. **CLOSED SESSION (5:00 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 two potential cases. Legislative Body: City Council.

2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** ((Government Code section 54956.9(d)(1)).

Name of case: Consolidated Electrical Distributors Inc. v. JTEC Corporation, et al.
Ventura County Superior Court, Case No. 2023CLBC016758
Legislative Body: City Council

3. **PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION** (Government Code section 54957)

Title: City Manager
Legislative Body: City Council

4. **PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION** (Government Code section 54957)

Title: City Attorney
Legislative Body: City Council

At 5:02 p.m., the City Council recessed into a closed session. At 6:12 p.m., the City Council reconvened in an open session in the Council Chambers. Stephen Fischer, City Attorney reported that on Item C.1 of the closed session agenda, 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.

City Attorney Fischer also noted that the Council would be reconvening in closed session following the end of the open session agenda business to conduct the public employee performance evaluation of the City Attorney. At 7:58 p.m., the City Council recessed into a second closed session. At 8:26 p.m., the City Council reconvened in an open session in the Council Chambers. City Attorney Fischer announced that no reportable actions resulted from the second closed session for item C.4. No public comments were received.

D. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the pledge of allegiance.

E. CEREMONIAL ITEMS

1. Presentation of the 2024 Ventura County Fair Poster.

Mayor Zaragoza read the proclamation and presented it to Miriam Mack, Board Member followed with a few words and announced that it is the Ventura County Fair's 150th Anniversary. 1st Place winning poster artwork created by Stephanie Garcia won the 2024 Youth Poster Contest for the Ventura County Fair.

2. Presentation of a Commendation to Climate First: Replacing Oil & Gas (CFROG) on the Occasion of their 10th Anniversary.

Mayor Zaragoza read the proclamation and presented it to Haley Ehlers, Executive Director of Climate First: Replacing Oil & Gas (CFROG), a grassroots nonprofit dedicated to the transition to a fossil fuel free future in Ventura County. Brook Balthaser, Community Organizing Manager; Abrah Cate Steward, Program Manager; and Merrill Berge, Board Chair also joined Council on the dais to accept the proclamation and followed with a few words.

3. Presentation of the Oxnard Housing Authority Education Scholarship Program.

Mayor Zaragoza introduced Emilio Ramirez, Housing Director who shared information about the Oxnard Housing Authority Education Scholarship Program requirements and who is eligible

to apply.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Gabriela Renteria, Jess Ramirez, and Esperanza Andrade (youth championship soccer team trip fundraiser); Cami Pinsak, Ventura County Coastal Association of Realtors (Quarterly Outreach Program/Housing Market Crisis); Jovanni Flores Santillan, Eiliethya Ruiz, and Alex Flores (Community Park/Recreational Area).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Alex Nguyen provided a few community updates. Police Chief Jason Benites provided a brief presentation of fireworks statistics, the dangers of fireworks and injuries, and reminded the residents that fireworks are illegal in the City of Oxnard.

1. Public Works Department

SUBJECT: Continuation of an Emergency Order for Replacement of the City's Data Center Cooling System.

RECOMMENDATION: That the City Council review and approve the continuation of the City Manager's emergency order to dispense with public bidding requirements pursuant to Public Contract Code section 22050 for the replacement of the Data Center Cooling System.

(This item did not originate in Committee because it is a continuation of an item previously approved by the City Council on June 4, 2024.)

Michael Wolfe, 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.

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. Councilmember Teran recused from voting on Item K-7 due to a professional business contract with the County of Ventura.

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 June 27, 2024 regular meeting as presented.

2. Community Development Department

SUBJECT: Planning and Zoning Permit No. 22-300-03 (Final Map for Tentative Subdivision Map No. 6062) for the Santiago Industrial Suites Subdivision.

RECOMMENDATION: That the Oxnard City Council:

1. Accept Final Map No. 6062 (Planning and Zoning Permit No. 22-300-03) for the Santiago Industrial Suites Subdivision;
2. Receive and file a "Notice of Pending Approval" for Subdivision Map No. 6062 (Planning and Zoning Permit No. 22-300-03) by the Community Development Director including signature of "City Council's Certificate" on the title sheet.

3. Public Works Department

SUBJECT: Third Amendment to Agreement A-8136 with Enterprise Fleet Management.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Third Amendment to the Agreement with Enterprise Fleet Management, Inc. increasing the current agreement value by \$8,518,000 for a total not to exceed amount of \$15,313,000 and extend the term through April 18, 2026, utilizing the Sourcewell contract 030122-EFM for Fleet Management Services that includes vehicle leasing and maintenance management.

(Public Works and Transportation Committee approved 2-0 on June 25, 2024.)

4. Public Works Department

SUBJECT: Public Project Agreement 32400551 with West Star Environmental, Inc. for Oxnard Wastewater Treatment Plant Fuel Management System Replacement Project (Rebid), Specification No. PW 23-13R2.

RECOMMENDATION: That the City Council approve and authorize:

1. A total of \$301,560 in Project funds for the Oxnard Wastewater Treatment Plant Fuel Management System Replacement Project (Rebid), Specification No. PW 23-13R2;
2. The Mayor to execute an Agreement with West Star Environmental, Inc. in the amount of \$251,300 with a Project contingency amount of \$25,130 (10%) with West Star Environmental, Inc. for a total not to exceed value of \$276,430 for the

Project;

3. A Project allocation amount of \$25,130 (10%) for engineering, inspection, and project management for the Project;
4. Adding Oxnard Wastewater Treatment Plant Fuel Management System Replacement Project to the City of Oxnard Five Year Capital Improvement Program; and
5. A new Fiscal Year 2024-25 project budget appropriation of \$301,560 from the Wastewater Operating Fund (611) available fund balance as well as the corresponding Wastewater Capital Fund (612) transfer in / appropriation in the same amount.

(Public Works and Transportation Committee approved 2-0 on June 25, 2024.)

5. Police Department

SUBJECT: Response to Grand Jury Report on Ventura County Regional Radio System.

RECOMMENDATION: That the City Council authorize the Mayor to respond, on behalf of the City Council, to the Grand Jury's "Linking First Responders Ventura County Regional Radio System" report dated May 22, 2024.

6. Police Department

SUBJECT: MOU with Ventura County for Regional Radio System.

RECOMMENDATION: That the City Council approve and authorize a Memorandum of Understanding between the City of Oxnard and the County of Ventura for Regional Radio System subscription fees for Fiscal Years 2024/2025, 2025/2026, and 2026/2027 at an annual cost of \$170,302.00.

7. Police Department

SUBJECT: MOU Agreement with Ventura County District Attorney's Office for Internet Crimes Against Children Investigations.

RECOMMENDATION: That the City Council approve and authorize the Mayor to sign a three-year agreement with the Ventura County District Attorney's Office, with a total agreement amount not to exceed \$494,544 for the collaborative partnership between the Police Department and Ventura County District Attorney's Office for the detection, investigation, and prosecution of Internet Crimes Against Children (ICAC) cases.

8. City Attorney Department

SUBJECT: Adoption of **Ordinance No. 3047** Prohibiting City Subsidy of Services Previously Funded by a Special District Under Specific Circumstances.

RECOMMENDATION: That the City Council adopt **Ordinance No. 3047** titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD ADDING ARTICLE VIII TO CHAPTER 2 OF THE OXNARD CITY CODE TO PROHIBIT THE CITY FROM SUBSIDIZING SERVICES PREVIOUSLY FUNDED BY A COMMUNITY FACILITIES DISTRICT, LANDSCAPE MAINTENANCE DISTRICT

OR WATERWAYS ASSESSMENT DISTRICT IF RESIDENTS OF THOSE SPECIAL DISTRICTS VOTE TO TERMINATE OR REDUCE SUCH FUNDING.

Consent Items K.1 – K.6 & K.8

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.

Consent Item K.7

It was moved by Councilmember Perello, seconded by Mayor Pro Tem MacDonald, to approve the recommended action as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Valenzuela, and Zaragoza voted in favor; motion passed 6-0-1. Councilmember Teran recused due to a professional business contract with the County of Ventura.

L. PUBLIC HEARINGS

1. Community Development Department

SUBJECT: Subdivision of a 3.69-acre lot into nine lots to permit the individual sale of the proposed eight buildings on separate lots within a commonly owned parcel, located at 1750 Solar Drive (APN: 213-0-070-055).

RECOMMENDATION: That the City Council:

1. Conduct a public hearing;
2. Find the project to be Categorical Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-fill Development); and,
3. Adopt **Resolution No. 15,818** approving Planning and Zoning Permit No. 22-300-02 for a Tentative Subdivision Map (Tentative Tract Map No. 6078), subject to certain findings and conditions.

(This item did not originate in Committee.)

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

Councilmembers reported the ex parte communications received on this item.

Joe Pearson II, AICP, Planning and Environmental Services Manager was available to answer questions and stated that there is a correction to the recommendation, the location is west instead of east Rice Avenue.

Mayor Zaragoza opened the public testimony portion of the public hearing. No public comments were received.

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

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

M. REPORTS

1. City Attorney Department

SUBJECT: Introduction of Omnibus City Code Update – **Ordinance No. 3049**.

RECOMMENDATION: That the City Council introduce and waive further reading of **Ordinance No. 3049** titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD
AMENDING VARIOUS SECTIONS OF THE OXNARD CITY CODE TO REGULATE
ELECTION SIGNS, MODIFY SUBDIVISION MAP ACT SIGNATURE
REQUIREMENTS, AMEND SHORT TERM RENTAL NOTICE REQUIREMENTS,
AND STRENGTHEN RENT STABILIZATION AND JUST CAUSE EVICTION
REGULATIONS

Jason Zaragoza, Deputy City Attorney was available to answer questions. No public comments were received.

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

2. Fire Department

SUBJECT: Oxnard EMS Corps Project Update and Staff Request.

RECOMMENDATION: That the City Council:

1. Receive a report on the progress of the “Oxnard EMS Corps” Workforce Development Project.
2. Approve and Adopt **Resolution No. 15,819** to Amend Resolution No. 15,800 Authorizing Full-Time Equivalent Positions Pursuant to Chapter 4 of the City Personnel Rules and Regulations to include an Administrative Services Coordinator Limited-Term Position to fill the Grant EMS Corps Educator Role and the reclassification of the Department’s Community Paramedic Position to an EMS Specialist Senior, to perform grant administration activities and EMT program education.
3. Approve and Adopt **Resolution No. 15,820** to Amend **Resolution No. 15,801** Authorizing Classification and Salary Schedules Pursuant to Chapter 4 of the City Personnel Rules and Regulations to add and establish the EMS Specialist Senior classification salary schedule, and,
4. Authorize the City Manager or designee to approve budget appropriations for the

use of State grant funding (Fund 210) upon award.

Alexander Hamilton, Fire Chief 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.

3. Public Works Department

SUBJECT: Five Year Capital Improvement Program for Fiscal Years 2025-2029.

RECOMMENDATION: That the City Council receive and file the final Capital Improvement Program document, with incorporated changes per City Council direction from the June 4, 2024 City Council meeting

(The Public Works and Transportation Committee recommended the item to be forwarded to Council for discussion and review. The City Council approved this item, with modification, on June 4, 2024.)

Morgan Kessler, City Engineer was available to answer questions. No public comments were received.

It was moved by Councilmember Basua, seconded by Councilmember Madrigal, 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: Authorization to Accept a Federal Grant of \$3.8M for the Kamala Neighborhood Water Cast Iron Replacement Capital Improvement Project.

RECOMMENDATION: That the City Council:

1. Accept a federal grant from the U.S. House Transportation and Infrastructure Committee in the amount of \$3,806,152 (with 20% local match) for the Kamala Neighborhood Water Cast Iron Replacement Capital Improvement Project C2228; and
2. Authorize the City Manager to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims and approve budget appropriations for the use of grant funds; and the Director of Public Works or designee to submit non-financial reports.

(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.)

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

It was moved by Mayor Pro Tem MacDonald, 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.

5. Human Resources Department

SUBJECT: Resolution Certifying Exception to CalPERS 180 Day Wait Period for Employment of a Retired Annuitant.

RECOMMENDATION: That City Council adopt **Resolution No. 15,821** certifying an exception to the CalPERS 180 day wait period for employment following retirement and appoint Jennie Kelly as Interim Assistant City Attorney.

(This item did not originate in Committee.)

Steve Naveau, Human Resources Director was available to answer questions. No public comments were received.

It was moved by Mayor Pro Tem MacDonald, 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.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:27 p.m.


ROSE CHAPARRO

City Clerk


JOHN C. ZARAGOZA
Mayor