

MINUTES
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meeting
September 3, 2024

A. ROLL CALL, POSTING OF AGENDA

At 4:30 p.m., Mayor John C. Zaragoza called to order the regular meeting of the Oxnard City Council (concurrently with Community Development Commission Successor Agency, Financing Authority, and 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.

Councilmember Basua joined the meeting at 4:42 p.m.

Housing Authority Commissioner Jose Andrade attended in person and joined the meeting at 6:00 p.m. Commissioner Francisco Vega was absent.

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council, Community Development Commission Successor Agency, Financing Authority, and Housing Authority Board.

CONSIDERATION OF TELECONFERENCE PARTICIPATION PURSUANT TO ASSEMBLY BILL 2449.

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

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: *Molina v. Nguyen; et al.*
Court of Appeal, Second Appellate District, Division Six Case No. B327286 (Superior Court Case No. 56-2020-00541689-CU-PT-VTA)
Legislative Body: City Council
2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: *Martin; et al. v. Chiquita Brands, LLC; et al.*
Ventura County Superior Court, Case No. 56-2020-00545547-CU-PA-VTA
Legislative Body: City Council

3. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: Baltazar; et al. v. City of Oxnard; et al.
United States District Court, Central District, Case No. 2:24-cv-01814
Legislative Body: City Council

At 4:33 p.m., the City Council recessed to a closed session. At 5:13 p.m., the City Council reconvened in open session in the Council Chambers. City Attorney Fischer announced that by an unanimous vote, the City Council has given its legal counsel approval to seek review by the California Supreme Court in the action titled Molina v. Nguyen, et al., which concerns the duties and compensation of an elected city treasurer.

At 5:44 p.m., the City Council recessed to a second closed session. At 6:15 p.m., the City Council reconvened in open session in the Council Chambers. City Attorney Fischer announced that there were no additional reports.

D. APPOINTMENT ITEMS (5:00 PM)

1. Police Department

SUBJECT: Police Department Update.

RECOMMENDATION: That the City Council receive and file an update report from the Chief of Police, concerning information related to the Police Department and public safety.

Jason Benites, Police Chief presented to Council and provided an update on the Oxnard Police Department's crime reporting data, traffic safety, DUI and driver's license checkpoints, DUI enforcement patrols, alcohol compliance inspections, achievements, and activities. The report was received and filed; no formal action was required.

E. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the pledge of allegiance.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Karen Meyer (election data compliance), Sheila Johnson (election compliance), Jenny Hansen (election compliance), Steve Totten (election compliance), Ronald Meyer (election compliance), Ronald J. Arruejo (East Village Neighborhood Meeting), Steve Nash (United Water Conservation District Candidate), Gaylaird Christopher (short-term rentals), and Abel Magana (Downtown Oxnard Mural Dedication, September 7, 2024).

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen provided community updates: RiverPark Information Town Hall Meeting regarding the RiverPark CFD 5 Measures on the November 5, 2024 election ballot, Community

Connection Series at East Park, Oxnard Fire Department September 11th Remembrance Ceremony, and a special event “Mini Murals” with Robb Armstrong, creator of the Peanuts character Franklin. This event was held at the Oxnard Public Library.

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

The members of the Council provided brief announcements regarding their various activities. Councilmember Perello asked that an item be considered to be placed in a future meeting agenda to implement a policy for city artwork.

1. Human Resources Department

SUBJECT: Amendments to City Manager and City Attorney Employment Agreements.

RECOMMENDATION: That the City Council:

1. Adopt **Resolution No. 15,824** approving and authorizing the Mayor to execute a third amendment to the employment agreement (No. A-8087) between the City and City Manager Alexander Nguyen to provide a salary increase of 10% (\$31,920).

2. Adopt **Resolution No. 15,825** approving and authorizing the Mayor to execute a fourth amendment to the employment agreement (No. A-7880) between the City and City Attorney Stephen Fischer to 1) provide a salary increase of 10% (\$27,337), and 2) to extend the term of the contract by 2 years to July 8, 2029.

Steve Naveau, Human Resources Director presented and answered questions. Public comments were received from Debbie Mitchell, Steve Nash, Chuck Hookstra, Onorty Hirata, Barbara Macri-Ortiz, Mary Nash, and Manuel Herrera. Written comments were also received.

It was moved by Mayor Zaragoza, 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.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 through K-9 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 June 27,

2024, and July 2, 2024, regular meetings as presented.

2. Finance Department

SUBJECT: Monthly Report and Accounting of All Receipts, Disbursements and Fund Balances for the Month of June 2024.

RECOMMENDATION: Staff recommends that the City Council receive and file this report and accounting of all receipts, disbursements and fund balances for the month of June 2024.

(This item did not originate in Committee.)

3. City Manager Department

SUBJECT: 2025 Regular Meeting Schedule for Legislative Bodies.

RECOMMENDATION: That the City Council, Community Development Commission Successor Agency, Financing Authority, and Housing Authority adopt the proposed regular meeting dates for the calendar year 2025.

(This item did not originate in Committee.)

4. Public Works Department

SUBJECT: Public Project Agreement 32500030 with ADA General Eng. Inc. for On-Call Sidewalk, Curb and Gutter and Spandrel Grinding Services (Rebid), Specification No. SD 24-101R.

RECOMMENDATION: That the City Council approve and authorize an Agreement with ADA General Eng. Inc. for a total amount not to exceed \$500,000 for a three-year term for On-call Sidewalk, Curb and Gutter, and Spandrel Grinding Services (Rebid), Specification No. SD 24-101R.

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

5. Public Works Department

SUBJECT: Annual Purchase Orders with Famcon Pipe & Supply, Inc and Ferguson Enterprise, LLC For Water Infrastructure Parts and Supplies.

RECOMMENDATION: That the City Council approve and authorize the Purchasing Agent to execute annual purchase orders for the supply of water infrastructure parts and supplies for the following:

1. Famcon Pipe & Supply, Inc. for a total not to exceed value of \$3,000,000 through June 30, 2027; and
2. Ferguson Enterprise, LLC for a total not to exceed value of \$3,000,000 through June 30, 2027.

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

6. Public Works Department

SUBJECT: Annual Purchase Orders with WEX Bank for the Fleet Fuel Card Program.

RECOMMENDATION: That the City Council approve and authorize the Purchasing Agent to execute annual purchase orders with WEX for a total not to exceed amount of \$3,665,000 from September 8, 2024 through September 7, 2025, utilizing the Sourcewell contract 080620-WEX for the Fleet Fuel Card Program.

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

7. Public Works Department

SUBJECT: Agreement 32500049 with Final Details, LLC for Citywide Vehicle Mobile Washing and Detailing Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with Final Details, LLC in the amount not to exceed \$1,930,000 for an initial term of 14 months from September 1, 2024 to October 31, 2025, with the option for four consecutive one-year period extensions that shall not exceed a total of five years for a final term ending October 31, 2029 for citywide vehicle mobile washing.

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

8. Public Works Department

SUBJECT: Public Project Agreement 32500079 with Eco Energy Solutions, Inc. dba High Volt Electric for the Main Police Station Emergency Backup Generator Project, Specification No. PD 22-66.

RECOMMENDATION: That the City Council approve and authorize:

1. A total of \$584,440 in Project funds for the Main Police Station Emergency Backup Generator Project, Specification No. PD 22-66;
2. The Mayor to Execute an Agreement with Eco Energy Solutions, Inc. dba High Volt Electric in the amount of \$467,552 and a Project contingency amount of \$70,133 (15%) for a total not to exceed value of \$537,685 for the Project;
3. A Project allocation amount of \$46,755 (10%) for engineering, inspection, survey, and project management for the Project; and
4. The acceptance and appropriation of additional FEMA Hazard Mitigation Grant funding in the amount of \$290,955 to the Police Station Emergency Backup Generator Project (C2036) in the Federal Grant Fund (200) and corresponding Capital Outlay Fund (301).

(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.)

9. Public Works Department

SUBJECT: Seventh Amendment to Agreement 8231-18-PW with m6 Consulting Inc. for

On-Call Professional Engineering Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Seventh Amendment to Agreement 8231-18-PW with m6 Consulting Inc. in the amount of \$95,000 for a new, not to exceed contract amount of \$995,000 for On-Call Professional Engineering Services and extend the term date from December 31, 2024 to December 31, 2025.

(This item did not originate in committee because it is a continuation of an item previously approved by the City Council.)

Consent Items K.1, K.2, K.4 – K.9

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

Consent Item K.3 (Oxnard Housing Authority)

It was moved by Commissioner Valenzuela, seconded by Commissioner MacDonald, to approve the recommended action as presented. VOTE: Andrade, Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela, and Zaragoza voted in favor; motion passed 8-0. Housing Authority Commissioner Vega was absent.

L. REPORTS

1. Public Works Department

SUBJECT: Public Project Agreement 32500089 with Taft Electric Company for the Water Resource Recovery Facility Headworks Variable Frequency Drive Replacement Project, Specification No. PW 22-47.

RECOMMENDATION: That the City Council approve and authorize:

1. A total of \$2,299,044 in project funds for the Water Resource Recovery Facility Headworks Variable Frequency Drive Replacement Project, Specification No. PW 22-47;
2. The Mayor to Execute an Agreement with Taft Electric Company in the amount of \$1,915,870 and a Project contingency amount of \$191,587 (10%) with Taft Electric Company for a total not to exceed value of \$2,107,457 for the Project; and
3. A Project allocation amount of \$191,587 (10%) 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.)

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

It was moved by Mayor Pro Tem MacDonald, 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.

2. Finance Department

SUBJECT: Implementation of the City's Fiscal Year 2024-2025 \$20 million payment for Long Term Debt Reduction for Pension and OPEB.

RECOMMENDATION: That the City Council:

1. Direct staff to make an Additional Discretionary Payment (ADP) to CalPERS in the amount of \$15 million toward the City's Unfunded Actuarial Liability (UAL).
2. Direct staff to create one Internal Revenue Service (IRS) Code Section 115 Trust for Pension and one for Other Post-Employment Benefits (OPEB).
3. Direct staff to fund the Pension 115 Trust with the initial amount of \$2.5 million and to fund the OPEB 115 Trust with an initial contribution of \$2.5 million.

Javier Chagoyen-Lazaro, Chief Financial Officer was available to answer questions. No public comments were received.

It was moved by Mayor Zaragoza, 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.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 8:15 p.m.


ROSE CHAPARRO

City Clerk


JOHN C. ZARAGOZA
Mayor