MINUTES

OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
September 17, 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, 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 Valenzuela joined the meeting at 5:35 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 (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 – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2))
   Based on existing facts and circumstances, there is significant exposure to litigation against the City in two potential cases.
   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.
   Legislative Body: City Council

City Attorney Fischer read the following closed session statement:

"The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(2). Based on existing facts and circumstances, there is significant exposure to litigation against the City in two potential cases.

The first potential case against the City involves a demand to release funds withheld by the City on the Community Park East restroom remodel project pursuant to stop payment notices filed by FAMCOM, a material supplier subcontractor that provided plumbing fixtures for the project.

The second potential case against the City is related to a remediation order from the Los Angeles Regional Water Quality Control Board to the City regarding a release of chemicals at property located at 1060 Pacific Avenue.

The City Council will also recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.

Item C.1 regarding existing litigation has been pulled from the closed session agenda."

At 4:32 p.m., the City Council recessed to a closed session. At 5:06 p.m., the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement: "The City Council by a unanimous vote [6-0, with Councilmember Valenzuela absent] 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."

D. APPOINTMENT ITEMS (5:00 PM)

1. Public Works Department
   SUBJECT: Water Workshop.
   RECOMMENDATION: That the City Council hold a Water Workshop.

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

Michael Wolfe, Public Works Director presented to Council and introduced representatives from the local water agencies who provided live presentations. Arne Anselm, Agency Interim Executive Officer presented for Fox Canyon Groundwater Management Agency. Kristine McCaffrey, General Manager and Ian Prichard, Deputy General Manager presented for Calleguas Municipal Water District. John Lindquist, Water Resources Supervisor presented for United Water Conservation District. The reports were received and filed; no formal action was required.

Public comments were received from Steve Nash, Lynn Maulhardt, Larry Stein, Steve Huber, and Barbara Macri-Ortiz. Written comments were received from Steven Nash.

E. OPENING CEREMONIES (7:00 PM)

Mayor Zaragoza led the pledge of allegiance.

F. CEREMONIAL ITEMS

1. Presentation of a Proclamation Designating the Week of September 17 - 23, 2024 as "Constitution Week."

Mayor Zaragoza read the proclamation and presented it to Stephen M. Fischer, City Attorney for the City of Oxnard, who made some remarks.

2. Presentation of a Commendation to the El Rio Fastpitch 12u Gold Allstar Team for Winning the USA Softball State and National Championship.

Mayor Zaragoza read the proclamation and presented it to Ramon Tinoco, Vanessa Garcia Ramos, Dante Jackson, and Carlos Acosta, the team's coaches and members of the El Rio Fastpitch, Inc., 12u Gold All-Star team. The team was recognized for their incredible achievements. The coaches and team members accepted the proclamation and followed with a few words.

3. Presentation of a Commendation to The Arc of Ventura County on the Occasion of Their 70th Anniversary.

Mayor Zaragoza read the proclamation and presented it to Esther Anaya, Executive Director of the Arc of Ventura County, who made some remarks.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ronald Arruejo (stipend for Planning Commissioners), Steve Nash (United Water Conservation District candidate), Danny Aikon (United Water Conservation District candidate), Rachel Jones (United Water Conservation District candidate), Steve Huber (amend city code), Pat Brown (housing for homeless), Lynn Maulhardt (United Water Conservation District candidate), and Melissa Munoz (air pollution event).

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

City Manager Nguyen did not have any community updates to report.

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

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

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L-6 were reviewed and discussed among the Council and staff.

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

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department
SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the July 16, 2024 and July 30, 2024 regular meetings as presented.

2. Public Works Department
SUBJECT: First Amendment for Agreement 32400250 with NBS Government Finance Group for Special District Administrative, Professional, and Technical Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the First Amendment to an Agreement with NBS Government Finance Group in the amount of $387,718 for a new not to exceed contract amount of $1,462,952 for ongoing administrative, professional, and technical services for the Special Districts Division.

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

3. Police Department
SUBJECT: Southern California High Tech Task Force (SCHTTF) Agreement # 32500147 to provide professional services to the Police Department.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a two-year service agreement (agreement #32500147) with the County of Ventura and the Ventura County Sheriff's Office for services with the Southern California High Technology Task Force (SCHTTF) in an amount not to exceed $250,000.

4. City Manager Department
SUBJECT: Readopt **Resolution No. 15,826** to Accept a State Grant for $500,000 to Fund Special Districts Division Water Quality Remediation Projects in the Channel Islands Harbor.
RECOMMENDATION: That the City Council:

1. Readopt **Resolution No. 15,826** of the City Council of the City of Oxnard Authorizing the City of Oxnard to enter into an Agreement (4600015993) with the State

of California Department of Water Resources to receive funds for the Channel Islands Water Quality Remediation Projects and Authorizing the City Manager to Execute the Agreement on behalf of the City;
2. Accept a grant from the California State Department of Water Resources (DWR) in the amount of $500,000 for the Channel Islands Harbor water quality remediation; and
3. Reauthorize the City Manager to execute the grant agreement and the Finance Director or designee to submit the financial reports, grant claims, and approve the budget appropriations for the use of the grant funds; and the Director of Public Works or designee to submit the non-financial reports.

5. Housing Department
SUBJECT: Amendment and Extension of the Agreement with the County of Ventura and local hotel operators in support of the Encampment Resolution Funding Program.
RECOMMENDATION: That the City Council:

    1. Approve and authorize the Mayor to execute a First Amendment to Agreement No. 32400434 with the County of Ventura for partnership in delivery of encampment response outreach and case management services via the Ventura County Health Care Agency in the amount of $145,000 for a total agreement amount not to exceed $1,308,614.34, and to extend the term of the agreement to April 30, 2025;
    2. Authorize the City Manager, or designee, to negotiate and execute agreements with local hotel operators through February 28, 2025 to offer non-congregate shelter.

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

6. Finance Department
SUBJECT: City's Monthly Investment Report for the period ending July 31, 2024.
RECOMMENDATION: This is an information item for the City Council to receive and file.

This item did not originate in Committee.

Consent Items L.1, L.2, L.4, & L.6

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Madrigal, 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 Items L.3 & L.5

It was moved by Mayor Pro Tem MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent items as presented. VOTE: Basua, MacDonald, Madrigal, Perello, Valenzuela, and Zaragoza voted in favor; motion carried 6-0-1. Councilmember Teran recused due to his business contract with the County of Ventura.

M. PUBLIC HEARINGS

1. Community Development Department
SUBJECT: Request for a Zone Change to adopt the proposed Affordable Housing Discretionary (AHD) Additive Zone for the project site; and Appeal of Planning and Zoning Permit No. 22-500-04 (Special Use Permit); Property Located at 2151 Lockwood Street, APN 213-0-090-275; Project Name: Lockwood III Apartments.
RECOMMENDATION: That the City Council conduct a public hearing and:

   1. Adopt **Resolution No. 15,827**, adopting Final Initial Study/Mitigated Negative Declaration (Final IS/MND) No. 24-01 for the 2151 Lockwood Street; Lockwood III Apartments Project (Governor's Office of Planning and Research State Clearinghouse No. 2024030528);
   2. Introduce **Ordinance No. 3050** (by title only, waiving further reading) approving Planning and Zoning Permit No. 22-570-01 (Zone Change), subject to certain findings and conditions; and
   3. Adopt **Resolution No. 15,828** denying the appeal and upholding the Planning Commission's decision to grant Planning and Zoning Permit No. 22-500-04 (Special Use Permit) and Planning and Zoning Permit No. 22-535-03 (Density Bonus), subject to certain findings and conditions.

(This is a Public Hearing and was reviewed by the Planning Commission, therefore this item did not originate in Committee.)

The City Clerk announced the affidavit of publication and stated that no written communications were received. However, a written comment letter was submitted by Marjan R. Abubo, Lozeau Drury, LLP which was not received due to an IT issue. The written comment letter was then resubmitted. Once, the written comment letter was received by the City Clerk, it was forwarded to Council.

Councilmembers reported the ex parte communications received on this item.

Joe Pearson II, AICP, Planning and Environmental Services Manager and Michael E. Houlihan, AICP, Principal, were available to answer questions.

Mayor Zaragoza opened the public testimony portion of the public hearing. Public comments were received from Larry Stein. Marjan R. Abubo, Lozeau Drury, LLP; spoke on behalf of the appellant. Tom Cohen, Cohen Land Use Law, spoke on behalf of the applicant.

With no further requests to speak and without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

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

N. REPORTS

1. Finance Department
SUBJECT: Fifth Amendment to Tyler Technologies Software as an ERP Service Agreement (A-8767), Extending the Contract for Five-Year Term, Expiring October 31, 2029.
RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a Fifth Amendment with Tyler Technologies, Inc. for an Enterprise Resource Planning (ERP) Software as a Service (SaaS) Agreement for a First Renewal for a Five-Year Term for an Amount Not to Exceed $5,800,000 for a New Ten-Year Contract Total of $11,500,000.

Javier Chagoyen-Lazaro, Chief Financial Officer and Mark Sewell, Assistant Chief Financial Officer were available to answer questions. Public comments were received from Larry Stein.

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.

O. ADJOURNMENT
There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 9:02 p.m.

R. Chaparro
ROSE CHAPARRO
City Clerk

John C. Zaragoza
JOHN C. ZARAGOZA
Mayor