

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 5, 2023

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. Dee Lai, Assistant 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 Zavala, and Mayor John C. Zaragoza were present.

Mayor Pro Tem MacDonald was absent. Councilmember Oscar Madrigal arrived at 6:25 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

No public comments were received.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Name of case: F.G., an individual, et al. v. City of Oxnard, et al.
Ventura County Superior Court, Case No. 56-2022-00562807-CU-OE-VTA
Legislative Body: City Council

At 4:37 p.m., the City Council recessed into a closed session. At 5:38 p.m., the City Council reconvened in an open session in the Council Chambers. Stephen Fischer, City Attorney, announced that no reportable actions resulted from the closed session for item C.1.

D. APPOINTMENT ITEMS (5:30 PM)

1. City Manager Department
SUBJECT: Update on Current Pests and Diseases that are Impacting Agriculture in Ventura County.
RECOMMENDATION: That the City Council received an update by the Ventura County Agricultural Commissioner Korinne Bell on the Asian Citrus Psyllid, Huanglongbing, the Queensland Fruit Fly and potential impacts to farms/orchards.

Korinne Bell, Ventura County Agricultural Commissioner, provided an update on the current pests and diseases that are impacting agriculture in Ventura County.

No public comments were received.

E. OPENING CEREMONIES (6:00 PM)

Mayor Zaragoza led the pledge of allegiance followed by a moment of silence.

F. CEREMONIAL ITEMS

1. SUBJECT: Special Guest from the North Pole.

Santa joined the Council on the dais and wished everyone a Merry Christmas. Santa will be visiting the community from December 14, 2023 to December 22, 2023, from 4:30 p.m. to 7:30 p.m., according to the elves. Mayor Zaragoza thanked Santa and the elves and wished everyone a Merry Christmas and a Happy New

Year.

No public comments were received.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Karla Alejandra, Ray Blattel, Leah Dehmohsen, Sarah Noyola, Krystal Lopez, Michael Gleason, Isaac Morales, and Marino Barrios.

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

1. City Manager Department

SUBJECT: Local Government Fun Fact: Southern California's Illegal Food Vendor Problem.

RECOMMENDATION: That the Public and City Council receive a City Manager discussion about Southern California's illegal food vendor problem.

Alex Nguyen, City Manager, provided information on Southern California's illegal food vendor problem.

Public comments were received from Karla Alejandra and Kyremina Youssef.

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

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

Councilmember Valenzuela Zavala requested that the City Council consider resolution HR786 on a future agenda item on December 19, 2023.

Councilmember Perello requested that staff provide an update to the City Council on the allowable building height in the Downtown corridor as a future agenda item.

No public comments were received.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1 through L.8 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Teresa Telles, Monica Phillippe, Katrina Maldonado, Pat Brown, and Karla Alejandra.

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of November 7, 2023, regular meetings as presented.

2. Finance Department

SUBJECT: Update on the Financial Corrective Action Plan (FCAP) For Closing Past Audit

Findings.

RECOMMENDATION: That the City Council receive an update on the Financial Corrective Action Plan (FCAP) for closing past audit findings.

(The Finance and Governance Committee approved 3-0 on November 14, 2023 to approve the staff recommendation to forward the item for Council approval.)

3. Public Works Department

SUBJECT: Grant Application Resolution for CalRecycle Grant Programs. (10 minutes)

RECOMMENDATION: That the City Council adopt a **Resolution No. 15,752:**

1. Authorizing the City Manager or designee to submit a grant application resolution to the California Department of Resources Recycling and Recovery (CalRecycle) (no local match) in SB 1383 Local Assistance Grant Program funds
2. Authorizing the City Manager or designee to execute grant agreements;
3. Authorizing the Finance Director or designee to submit financial reports and grant claims and approve budget appropriations for the use of grant funds; and
4. Authorizing the Public Works Director or designee to submit non-financial reports.

(This item did not originate in Committee.)

4. Fire Department

SUBJECT: Authorize Blanket Purchase Order for Stryker Sales, LLC in a Not to Exceed (NTE) Amount of \$400,000 through June 30, 2024

RECOMMENDATION: That the City Council authorize the Mayor to execute Blanket Purchase Orders (BPO) with Stryker Sales, LLC for a total amount NTE \$400,000 for the purchase of grant-funded automatic chest compression systems and other routine operational expenses.

(The Community Services, Public Safety, Housing & Development Committee approved 2-0 on November 14, 2023 to approve the staff recommendation and to forward the item for Council approval.)

5. Fire Department

SUBJECT: Memorandum of Agreement Between the City of Oxnard (Fire Department) and Oxnard Union High School District

RECOMMENDATION: That the City Council approve and authorize the Mayor to enter into a Memorandum of Agreement between the City of Oxnard (Fire Department) and Oxnard Union High School District for an after-school program to introduce high school students to fire service.

(The Community Services, Public Safety, Housing & Development Committee approved 2-0 on November 14, 2023 to approve the staff recommendation and to forward the item for Council approval.)

6. Community Development Department

SUBJECT: Adoption of Ordinance Nos. 3034, 3035, 3036, 3037, 3038, 3039, and 3040 - Planning & Zoning (PZ) Permit No. 23-580-03 (Zoning Text Amendments) - Implementation of the City's

Adopted Amended 6th Cycle 2021-2029 Housing Element

RECOMMENDATION: That the City Council adopt the following Ordinances amending Chapter 16 of the Oxnard City Code (OCC) to implement the Adopted Amended 6th Cycle of the 2021-2029 Housing Element and find that the adoption of the Ordinances are exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the CEQA Guidelines:

1. **Ordinance No. 3034** - An Ordinance of the City Council of the City of Oxnard amending Accessory Dwelling Unit parking and impact fee requirements in Oxnard City Code (OCC) Section 16-468 & 16-622; and
2. **Ordinance No. 3035** - An Ordinance of the City Council of the City of Oxnard amending the City's Density Bonus Ordinance in OCC Section 16-410; and
3. **Ordinance No. 3036** - An Ordinance of the City Council of the City of Oxnard amending the Emergency Shelter Standards in OCC Section 16-504 and 16-622; and
4. **Ordinance No. 3037** - An Ordinance of the City Council of the City of Oxnard streamlining ordinance provisions, clarifying permitting requirements, simplifying code requirements, and amending requirements on Farmworker Housing, Supportive Housing, Low-Barrier Navigation Center, Single Room Occupancy and Residential Care facilities in OCC Section 16-10, 16-20 to 16-144, 16-148, 16-300, 16-303, 16-333, 16-441 & 16-622 ; and
5. **Ordinance No. 3038** - An Ordinance of the City Council of the City of Oxnard amending Reasonable Accommodation requirements in OCC Section 16-501.5; and
6. **Ordinance No. 3039** - An Ordinance of the City Council of the City of Oxnard streamlining, clarifying, and simplifying permit procedures for Development Design Review, Special Use Permit Expiration and Major and Minor Modification to Special Use Permit in OCC Sections 16-525, 16-553 and 16-560 amendments; and
7. **Ordinance No. 3040** - An Ordinance of the City Council of the City of Oxnard amending the Attached Dwelling Unit standards in OCC Section 16-360.

(This item originated from a Public Hearing at the November 7, 2023 City Council meeting and was previously heard by the Planning Commission, therefore this item did not originate in Committee.)

7. Public Works Department

SUBJECT: Public Project Agreement 32400255 with J.R. Filanc Construction Company, Inc for Secondary Sedimentation Tank Mechanical Equipment Replacement at the Oxnard Wastewater Treatment Plant (OWTP), Specification No. PW 23-112.

RECOMMENDATION: That the City Council approve and authorize:

1. A total of \$948,477 in project funds for Secondary Sedimentation Tank Mechanical Equipment Replacement at the OWTP, Specification No. PW 23-112;
2. The Mayor to Execute an Agreement with J.R. Filanc Construction Company, Inc (Filanc) in the amount of \$790,397 for the Project;
3. A Project contingency amount of \$79,040 (10%) with Filanc for a total not to exceed value of \$869,437 for the Project;
4. A Project allocation amount of \$79,040 (10%) for engineering, inspection, survey and project management for the Project; and
5. Budget appropriations of \$948,477 from the available fund balance in the Wastewater Operating Fund (611) and the corresponding appropriation and revenue transfer in the

Wastewater Capital Fund (612) for use of this 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.)

8. City Manager Department

SUBJECT: Appointment of Councilwoman Gabriela Basua to Regional Defense Partnership for the 21st Century (RDP-21).

RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint Councilwoman Gabriela Basua to the Regional Defense Partnership for the 21st Century (RDP-21).

(This item did not originate in Committee.)

Consent Items L.1, L.2, L.3, L.4, L.6, L.7, and L.8.

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

Consent Item L.5

It was moved by Councilmember Perello, seconded by Councilmember Valenzuela Zavala, to approve the recommended action as presented. VOTE: Basua, Madrigal, Perello, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 5-0. Mayor Pro Tem MacDonald was absent. Councilmember Teran recused himself due to a professional conflict with the Oxnard Union High School District.

M. REPORTS

1. Housing Department

SUBJECT: Acquisition of Real Property located at 131 East Seventh Street and Disposition of Real Property located at 418 West Fourth Street in Downtown Oxnard. (10 minutes)

RECOMMENDATION: That the City Council:

1. Find that the recommended actions do not constitute a "project" subject to the California Environmental Quality Act pursuant to Section 21065 of CEQA and Sections 15004(b)(4) and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required;
2. Approved the disposition of improved real property located at 418 West Fourth Street in the amount of \$400,000 for a future private use;
3. Approve the acquisition of unimproved real property located at 131 East Seventh Street in the amount of \$430,000 for the future development of affordable housing;
4. Approve and authorize a budget appropriation of \$30,000 from the Housing In Lieu Fees Fund (Fund 360-Subfund 7050) available fund balance and authorize an exchange of value for completion of the two transactions;
5. Approve and authorize a budget appropriation of \$75,000 from the Housing In Lieu Fees Fund (Fund 360-Subfund 7050) available fund balance for necessary transaction and future maintenance costs; and
6. Authorize the City Manager or his designee to execute any and all documents necessary to

facilitate these transactions.

(This item did not originate in Committee.)

Emilio Ramirez, Housing Director, was available to answer questions. Public comment was received from Pat Brown. Discussion ensued among the council and staff.

It was moved by Councilwoman Basua, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, Madrigal, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 5-1. Councilmember Perello voted no. Mayor Pro Tem MacDonald was absent.

At 8:33 p.m., the Council took a short recess. At 8:41 p.m., the Council reconvened in an open session in the Council Chambers.

2. Public Works Department

SUBJECT: Solid Waste (Refuse) Rates Discussion. (50 minutes)

RECOMMENDATION: That the City Council:

1. Provide comments and feedback on the goals, variable input, preliminary scenarios, and the process and timeline for solid waste rates; and
2. Direct staff to move forward to the next steps in the rate setting process on the basis of Scenario 4.

(Public Works and Transportation Committee approved 2-0)

Thierry Bouveri, Raftelis Vice President, presented and was available to answer questions. Michael Wolfe, Public Works Director, was also available to answer questions. No public comments were received. Discussion ensued among the council and staff.

At 9:52 p.m., City Council voted to continue the meeting past 10:00 p.m., and take action on the remainder of the items on the agenda.

It was moved by Councilmember Perello, seconded by Councilmember Teran, to continue the meeting past 10:00 p.m. VOTE: Basua, Madrigal, Perello, Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion passed 6-0. Mayor Pro Tem MacDonald was absent.

It was moved by Mayor Zaragoza, seconded by Councilmember Teran, to approve the recommended action on the basis of scenario 4. VOTE: Teran, Valenzuela Zavala, and Zaragoza voted in favor; the motion failed 3-3. Councilmembers Basua, Perello, and Madrigal voted no. Mayor Pro Tem MacDonald was absent.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the recommended action on the basis of scenario 3. VOTE: Basua, Madrigal, Perello, and Teran voted in favor; the motion passed 4-2. Mayor Zaragoza and Councilmember Valenzuela Zavala voted no. Mayor Pro Tem MacDonald was absent.

3. Public Works Department

SUBJECT: Agreement 32400156 with Roesling Nakamura Terada Architects, Inc. for Architecture and Engineering Services for the Wastewater Division New Maintenance Building Project. (10

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minutes)

RECOMMENDATION: That the City Council approve and authorize the Mayor to Execute an Agreement with Roesling Nakamura Terada Architects, Inc. in the amount of \$1,000,000 for Architectural and Engineering Services.

(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.)

Tim Beaman, Senior Civil Engineer, Michelle (Elle) McCarron, Assistant City Attorney, and Michael Wolfe, Public Works Director, were available to answer questions. No public comments were received. Discussion ensued among the council and staff.

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

4. Public Works Department

SUBJECT: Agreement 32400247 with Quest National Holdings dba Quest National Security for Security Guard Services at Various City Locations. (10 minutes)

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement with Quest National Holdings dba Quest National Security, for an initial term starting January 1, 2024, ending December 31, 2024, with the options to extend through December 31, 2028, and for a total contract not-to-exceed amount of \$6,000,000 for security guard services at various City locations.

(The Public Works and Transportation Committee outcome was unknown at the time this agenda was posted.)

Michael Wolfe, Public Works Director, was available to answer questions. No public comments were received. Discussion ensued among the council and staff.

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

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Zaragoza adjourned the meeting at 10:08 p.m.



DEE LAI
Assistant City Clerk



JOHN C. ZARAGOZA
Mayor