

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 17, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:01 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present.

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Shirley Godwin and Jackie Tedeschi.

C. CLOSED SESSION

Mayor Flynn read the following closed session statement:

"The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title of the litigation being discussed is City of Oxnard; et al. v. Aaron Starr.

The City Council will also recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title of the litigation being discussed is Aaron Starr and Nancy Pedersen v. City of Oxnard."

At 5:07 p.m., the City Council recessed to a closed session. At 6:08 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Roger Brooks, Code Compliance Manager; Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning Division Manager; Thien Ng, Assistant Public Works Director; Eric Sonstegard, Assistant Police Chief; Jason Zaragoza, Deputy City Attorney;

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Future Leaders of America and Oxnard Union High School District for Aligning Graduation Courses with College Entrance Requirements.

Mayor Flynn and OUHSD Trustees Dr. Gary Davis and Karen Sher made some remarks. The Council presented certificates to the Future Leaders of America members.

2. SUBJECT: Presentation of a Commendation to the Public Works Employees who Repaired the 48-Inch Pipeline Bypass.

The Assistant Public Works Director gave a short presentation with a video. The Council presented certificates to the Public Works employees responsible for making the repair.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jerry Lucero (recommends dog park at Rio Lindo Park), Woodrow Thomas Sr. (status of his claims against the City), Jim Carr (weeds and debris in the medians), Jackie Tedeschi (recap of recent INCO general meeting, water conservation), Christopher Moore (Public Utilities Commission Ventura County Liaison, energy efficiency and conservation), Jeff Burum (financial accounting and reporting), Yolanda Galvez (recommends a parking permit program in her neighborhood), Angel Garcia (youth intervention), Paul Lemos (family's celebration of 50 years of residency in Oxnard), and Pat Brown (traffic problems on Wooley Road near Anterra, upcoming Wings Over Camarillo air show).

G. REPORT OF CITY MANAGER

The City Manager announced that standing community meetings are available on the city's website and a City Council special meeting will be held July 18, 2018 to tour various Public Works infrastructure facilities.

H. CITY COUNCIL REPORTS

Councilmember Madrigal announced upcoming meetings of the Carnegie Museum board and the Downtown Improvement task force, and that nominations are open for the November election. He commented on a recent article about the cost of living in Oxnard and other cities, and that he prefers curb cuts over permit parking programs.

Mayor Pro Tem Ramirez commented on speed bumps, upcoming PACC Board and LAFCO meetings, concern over the Anterra application for a 30-year permit extension, clean water, recruitment for the Clean Power Alliance's Community Advisory Group, the upcoming Oxnard Salsa Festival, and children who have not yet been reunited with their families after being separated at the U.S./Mexico border.

Councilman MacDonald reported on attending a recent LOSSAN meeting in San Luis Obispo.

Councilmember Perello commented on the Anterra permit extension, a recent apprenticeship training for the local electrical workers union, water conservation, get-well wishes for Officer Mike Johnson, a recent Channel Islands Harbor Task Force meeting, an upcoming meeting with the County CEO, and a recent Utilities Task Force meeting.

Mayor Flynn announced he will be absent for the next City Council meeting and that future meeting agendas should be made available earlier, and recommended the use of Council committees to streamline future meetings.

- I. REVIEW OF INFORMATION/CONSENT AGENDA (None.)
- J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None received.)
- K. INFORMATION/CONSENT AGENDA

City Clerk Department

- 1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the June 12, 2018 Regular Meeting and June 13, 2018 Special Meeting as presented.

City Manager Department

- 2. SUBJECT: Resolution of the City Council of the City of Oxnard Amending Resolution No. 15,152 (Authorization of Full-Time Equivalent Positions).
RECOMMENDATION: That City Council adopt **Resolution No. 15,159** amending the Position Control Resolution for the City of Oxnard related to the Special Districts Division moving from the Finance Department to the Public Works Department.

Human Resources Department

- 3. SUBJECT: Second Amendment - York Insurance Services.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Second Amendment to Agreement No. 7494-16-FN with York Insurance Services Group, Inc. in the amount of \$195,000, to a total value of \$585,000 for liability claims administration and adjustment services.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

L. PUBLIC HEARINGS

Development Services Department

- 1. SUBJECT: Planning and Zoning Permit No. 17-500-17 (Special Use Permit) for the Property Located at 633 Ventura Boulevard (Dioji Dog Daycare).
RECOMMENDATION: That the City Council adopt **Resolution No. 15,160** approving Planning and Zoning Permit Number 17-500-17 (Special Use Permit), subject to certain findings and conditions.

The City Clerk announced the affidavit of publication and stated that two written communications had been received.

The Planning Division Manager gave a report. Applicant Stephen Heinze also gave a report.

Mayor Flynn 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. Discussion ensued among the Council, staff, and Mr. Heinze.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Housing Department

2. **SUBJECT:** TEFRA Hearing - Garden City Special Needs Housing.

RECOMMENDATION: That the City Council:

1. Hold a public hearing regarding the issuance of up to \$5,250,000 of multifamily housing revenue bonds by the California Municipal Finance Authority to finance the development and construction of the Garden City Special Needs Housing Project, a 30-unit special needs rental housing project to be built at 5600/5690 Cypress Road, Oxnard CA; and
2. Adopt **Resolution No. 15,161** approving the issuance of bonds.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Housing Compliance Services Manager gave a report.

Mayor Flynn 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. Discussion ensued among the Council, staff, Ben Barker of the California Municipal Finance Authority, and attorney Barbara Macri-Ortiz, on behalf of applicant Lorenzo Castillo.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

M. REPORTS

City Attorney Department

1. **SUBJECT:** Response to Grand Jury Report - Campaign Signs.

RECOMMENDATION: That City Council authorizes the Mayor, the City Clerk, and the City Attorney to respond, on behalf of the City Council, to the Grand Jury report titled "Campaign Signs" dated April 5, 2018, in the form included as Attachment A.

The City Attorney gave a report. Public comments were received from Barbara Macri-Ortiz. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

(The Council considered Item M-3 next.)

Development Services Department

3. SUBJECT: Safe Homes Safe Families Program Ordinances and Resolution.

RECOMMENDATION: That City Council:

1. Approve the first reading by title only and waive further reading of an ordinance adding Article XXVII to Chapter 14 of the Oxnard City Code to establish a Safe Homes Safe Families, Repeat Offender Program;
2. Approve the first reading by title only and waive further reading of an ordinance repealing uncodified Ordinance No. 2726, and adding Article XXVI to Chapter 14 of the Oxnard City Code to establish Tenant Relocation Assistance;
3. Approve the first reading by title only and waive further reading of an ordinance adding Article XXVIII to Chapter 14 of the Oxnard City Code related to substandard and improper occupancies; and
4. Adopt **Resolution No. 15,162** amending the fee schedule for civil fines to include fines for properties registered in the Safe Homes Safe Families Program, and substandard conditions and improper occupancy fines.

The Interim Assistant City Manager gave a report. Public comments were received from Barbara Macri-Ortiz, Dan Pinedo, Pat Brown, Woodrow Thomas Sr., and Jackie Tedeschi. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to approve the recommended action as presented. Councilman MacDonald made a friendly amendment to Recommendation #3 to add to the end of Section 14-110 "...or as defined in California Civil Code 1941 et seq." which was accepted by the motion maker and seconder. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

2. SUBJECT: Alcohol Possession and Consumption Ordinance.

RECOMMENDATION: That City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 7, Article VIII, Section 7-125 of the Oxnard City Code regulating alcohol possession and consumption in public places.

The Deputy City Attorney gave a report. Public comments were received from Dana Aten. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Police Department

4. SUBJECT: Gang Membership Determination Ordinance.

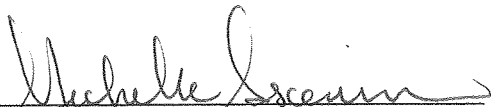
RECOMMENDATION: That City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 7 of the Oxnard City Code to establish a hearing process to determine whether individuals are active gang members of a criminal street gang subject to a lawful gang injunction.

The Assistant Police Chief and Ventura County Chief Assistant District Attorney Michael Schwartz gave reports. Public comments were received from Sean Garcia-Leys, Francisco Romero, Armando Vasquez, Barbara Macri-Ortiz, Pat Brown, Dana Aten, and Julie Medina.

Discussion ensued among the Council and staff. Further public comments were received from Woodrow Thomas Sr. The Council agreed to postpone the item to allow for more community conversations about the gang ordinance. No action was taken.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:44 p.m.


MICHELLE ASCENCION, CMC
City Clerk


TIM FLYNN
Mayor