MINUTES
OXNARD CITY COUNCIL
Special Meeting
December 13, 2017

A. ROLL CALL/POSTING OF AGENDA

At 6:05 p.m., Mayor Flynn called to order the special 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 Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Arturo Casillas, Housing Director; Ingrid Hardy, Cultural and Community Services Director; Thien Ng, Interim Public Works Director; Jim Throop, Chief Financial Officer; Sandra Burkhart, Special Districts Administrator; Robert Hearne, Interim City Engineer; Terry Kirsch, Public Works Project Manager; Shiri Klima, Assistant City Attorney; Karen Moore, Assistant City Clerk; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. REVIEW OF INFORMATION/CONSENT AGENDA

Item E-2 was discussed among the Council and staff.

D. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None.)

E. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review.
   RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:
   A. MNS Engineers, Inc. (A-8022) for on-call civil engineering services for the Public Works Department ($250,000).

2. SUBJECT: 2018 Meeting Schedule for Legislative Bodies.
   RECOMMENDATION: That City Council approve the proposed meeting dates for the calendar year 2018.

Economic Development Department

3. SUBJECT: First Amendment to License Agreement for Plaza Park Farmers Market.
   RECOMMENDATION: That City Council approves the First Amendment to the License Agreement for Plaza Park Farmers Market.

Finance Department

4. SUBJECT: Award Two-And-A-Half Year Contract for Westport CFD #2 Landscape Maintenance Services.
RECOMMENDATION: That City Council approve and authorize the City Manager to execute Agreement A-8030 with Garcia's Landscape Maintenance, Inc. for $403,980 to provide landscape maintenance services to the Westport Community Facilities District.

Human Resources Department

5. SUBJECT: Budget Appropriation from Fund Balance - Public Liability Fund.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of $900,000 from the Public Liability Fund for the purpose of increasing the budget for liability claims expenses. This request is due to the increase in liability premiums and liability claims. This has no impact on the City's General Fund reserves.

Police Department

6. SUBJECT: Resolution Commending Margaret Tobin for Over Thirty-Four Years of Service.
RECOMMENDATION: That City Council adopt **Resolution No. 15,075** commending Margaret Tobin for over thirty-four years of exemplary service to the City of Oxnard.

Public Works Department

7. SUBJECT: First Amendment to Purchase Order No. 5738 with Toter, Incorporated for Supply and Delivery of Residential Waste and Recycle Containers.
RECOMMENDATION: That the City Council approves and authorizes the Mayor to execute a First Amendment to Purchase Order No. 5738 with Toter Incorporated (Toter) to increase the total amount by $65,000 from an original purchase order value of $229,325 to $294,325, and to extend the term to January 31, 2018, for the supply and delivery of residential waste and recycle containers. Funding is from the Environmental Resources Enterprise fund and grant-related funding.

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

(Assistant City Manager Osuna announced that the Halaco abatement that had been originally scheduled for December 15, 2017, will be postponed due to the delay of the Winter Warming Shelter's opening.)

F. REPORTS

Finance Department

1. SUBJECT: Budget Appropriation for Donations.
RECOMMENDATION: That the City Council approves the budget appropriation of

$106,955, as per the attached Budget Adjustment form, for the operational costs of the Senior Excursions, Tamale Festival and the Showmobile for FY2017-18. There is no General Fund impact from this recommendation; rather the funds being appropriated originated in the Fund 571 – Donations.

The Chief Financial Officer gave a report. Discussion ensued among the Council and staff.

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

2. SUBJECT: Approval of a Budget Appropriation from Waterways District to Remove/Replace Cypress Trees.
   RECOMMENDATION: That the City Council:
   1. Approve a budget appropriation in the amount of $42,000 for the emergency removal of fifty (50) dead Cypress Trees along Harbor Blvd. in the Waterways Assessment District.
   2. Approve a budget appropriation in the amount of $15,000 for irrigation repairs and the replacement of trees with a similar tree and/or plant material along Harbor Boulevard.

The Special Districts Administrator gave a report. Discussion ensued among the Council and staff. Public comments were received from Dan Pinedo. Further discussion ensued.

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

3. SUBJECT: Urgent Request for Assessment District and Other Contract Amendments.
   RECOMMENDATION: That City Council:
   1. Authorize the City Manager to immediately terminate all City agreements with Kaneko Landscaping, Inc. (Kaneko);
   2. Authorize the City Manager to award and execute an amendment to the agreement with Garcia's Landscape Maintenance (Garcia's) in order to:
      a) Add new districts/projects to Garcia's agreement;
      b) Adjust the levels of service based upon negotiated rates; and
      c) Amend the rates per district/project in accordance with, at most, Garcia's bid rates.
   3. Approve **Resolution No. 15,076**, creating a one-time exemption from Resolution No. 13,932's requirement to obtain three (3) price quotations for trade services and authorizing the City Manager to award – for the purposes of providing a) landscape maintenance services to the Waterways Assessment District and b) any other services under any other Kaneko agreement(s) in which no bidding information is available – an agreement or amendment to an existing agreement for up to six (6) months to any licensed company.
   4. Approve a budget appropriation in the amount of $13,827 for the current Fiscal Year 2017-18 from fund balance of two Landscape Maintenance Districts for landscape maintenance costs exceeding the current approved budget amount.

The Special Districts Administrator and Assistant City Attorney gave a report. Public comments were received from Jackie Tedeschi. Discussion ensued among the Council and staff.

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

Housing Department

4. SUBJECT: Authorization for Reuse of CalHome & BEGIN Program Income.
RECOMMENDATION: That the City Council:
1. Approve a budget appropriation of $272,745 from CalHome program income previously received for Cal Home Reuse 2015, of which $13,637 will be used for administration (5%), and $259,108 will be used for homeowner rehabilitation loans or for housing assistance loans for first-time homebuyers;
2. Approve budget appropriation for $295,977 from BEGIN grant program income previously received for BEGIN Reuse Program, of which $14,799 will be used for administration (5%), and $281,178 will be used for homeowner rehabilitation loans or for housing assistance loans for first-time homebuyers; and
3. Authorize future CalHome grant or BEGIN grant program income to be used for homeowner rehabilitation loans or downpayment assistance and allowable administration expenditures, and authorize the City Manager or designee to execute documents related to implementation of these grant programs.

The Housing Director gave a report. Public comments were received from Lucy Cartagena. Discussion ensued among the Council and staff.

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

Public Works Department

5. SUBJECT: Award Contract for Redwood Neighborhood Street Resurfacing and Water Improvement Project PW 16-14.
RECOMMENDATION: That City Council:
1. Award and authorize the Mayor to execute Agreement A-8031 with Granite Construction Company in the amount of $3,241,339.50 for the Redwood Neighborhood Street Resurfacing and Water Improvement Project PW 16-14; and
2. Approve an appropriation of $3,570,000 for Redwood Neighborhood Street Resurfacing and Water Project No. 183103.

The Interim City Engineer gave a report. The Assistant City Attorney clarified that the appropriation amount includes a 10% contingency on the project, which is standard for public works projects. Discussion ensued among the Council and staff.

It was moved by Counciman MacDonald, seconded by Councilmember Perello, to approve staff's recommendation as presented, including the 10% contingency. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

6. SUBJECT: Carollo Agreement A-8032 for Public Works Engineering.

RECOMMENDATION: That the City Council award and authorize the Mayor to execute Agreement No. A-8032 with Carollo Engineers, Inc. for engineering, regulatory and financial support for the Public Works Department in the amount of $831,600.

The Interim Public Works Director gave a report. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to approve staff's recommendation as presented. VOTE: Flynn, Madrigal, Perello, and Ramirez voted in favor; MacDonald abstained due to a conflict. The motion carried 4-0-1 (MacDonald abstained).

7. SUBJECT: Second Amendment to Agreement with AECOM Technical Services, Inc. (Agreement No. A-7815).
   RECOMMENDATION: That City Council:
   1. Authorize the City Manager to terminate Agreement No. A-7700;
   2. Approve and authorize the Mayor to execute the Second Amendment to the Agreement with AECOM Technical Services, Inc. (Agreement No. A-7815) for a new total agreement amount not to exceed $13,429,858 to:
      a) merge and move $4,263,693 in Water Projects from the terminated Agreement No. A-7700 to Agreement No. A-7815, also increase Agreement No. A-7815 by $8,916,165 for the Wastewater design services;
      b) add $250,000 for public works on-call engineering services to Agreement No. 7815; and; and
      c) extend the expiration date to 2020 for Agreement No 7815.
   3. Approve an additional appropriation of $1,445,000 for various projects in the Wastewater Treatment Operating Fund; and an Operating Transfer from Wastewater Collection Operating Fund to Wastewater Treatment Operating Fund for $1,295,000.

The Interim Public Works Director gave a report. Discussion ensued among the Council and staff.

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

(Assistant City Manager Osuna announced that per Council discussion at the December 12, 2017 meeting, the January 3, 2018 public hearing regarding City Council Districts will be held at the South Oxnard Community Center. She directed people to city's website for more information on future public hearings/workshops on City Council Districts.)

G. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 7:53 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn

TIM FLYNN
Mayor