

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
September 26, 2017

A. ROLL CALL/POSTING OF AGENDA

At 4:34 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 Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None)

C. CLOSED SESSION

The Mayor read the following closed session statement:

“The City Council will recess to a closed session, pursuant to Government Code section 54956.8, to give instructions to its negotiators, Ruth Osuna, Assistant City Manager, and Kymberly Horner, Economic Development Director, concerning negotiations with George and Manal Jobeh regarding the potential sale of real property located at 852 South A Street.

The Successor Agency will recess to a closed session, pursuant to Government Code section 54956.8, to give instructions to its negotiators, Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director, concerning negotiations with Michelle and Greg Kenney, and Garcia, Barajas Company, Inc., regarding the potential sale of real property located at 740 South B Street.

The Successor Agency will also recess to a closed session, pursuant to Government Code section 54956.8, to give instructions to its negotiators, Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director, concerning negotiations with Nuris Elena Dante and Juan Carlos Guerrero and Daniel Guerrero, regarding the potential sale of real property located at 720 South B Street.”

The City Attorney announced that the closed session item regarding the Sports Park property has been postponed.

At 4:37 p.m., the City Council recessed to a closed session. At 6:05 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were instructions given to the City’s negotiators and the Successor Agency’s negotiators for the listed properties, and there was no final action taken.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Arturo Casillas, Housing Director; Steve Naveau, Human Resources Director; Thien Ng, Interim Public Works Director; Kevin Baysinger, Police Commander; Sharon Giles, Acting Investigations Bureau Commander; Tammy Gutierrez, Treasury Supervisor; Karl Lawson, Housing Compliance Services Manager; and Eric Sonstegard, Assistant Police Chief.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of October 2017 as "Domestic Violence Awareness Month."

Mayor Flynn read the proclamation and presented it to the Acting Investigations Bureau Commander and Claudia Quezada of Lideres Campesinas, who made some remarks.

2. SUBJECT: Presentation of the Annual Community Relations Commission Community Recognition Awards.

The Community Relations Commissioners presented the Community Recognition awards to Ashley Limon (Outstanding Youth), Celeste Gamino (Outstanding Individual), Marvin Boos (Outstanding Senior), Ventura County Alumnae Chapter Delta Sigma Theta Sorority, Inc (Outstanding Community-Based Organization), and Schneiders & Associates, LLP (Outstanding Business).

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jackie Tedeschi (Southbank neighborhood cleanup event), Woodrow Thomas Sr. (domestic violence, public safety), Daniel Chavez Jr. (constitutional rights, council districts), Armando Vasquez (recent Latino art exhibit), Dan Pinedo (opposing the potential recall), Jack Villa (upcoming Neighborhood Council meetings), Pat Brown (parking concerns in a proposed low-income housing development), Cynthia Gonzalez (public safety and community security cameras), Lawrence Stein (high interest debt payments), Lucy Cartagena (upcoming Make a Difference Day event), Martin Jones (Council districts, city gasoline credit cards), and Kent Spurlock ("SAGE" – Safer and Greener Environment).

G. REPORT OF CITY MANAGER

The City Manager commented on the recent upgrades in the Council Chambers, the recent quarterly report submittal to the State Controller's Office, and announced that draft agendas of upcoming City Council meetings will now be posted on the city's website.

H. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending the Housing Authority's mural unveiling, the Boys & Girls Club's annual Day for Kids event, and New Life Church's 20-year anniversary service. He commented on parking issues and the need for more driveways and curb cuts to be allowed.

Mayor Pro Tem Ramirez requested a resolution objecting to the SCE rate increase, as requested by

a labor group. She encouraged everyone to get their flu shot, and commented on recent natural disasters in the U.S. and Mexico and the need to reinforce buildings for earthquake safety and promote disaster preparedness to the public.

Councilman MacDonald reported on attending the Housing Authority's mural unveiling and the recent Diversity Gala in Heritage Square. He announced that he will be attending the upcoming Mobility 21 conference, representing the Ventura County Transportation Commission. He also announced the upcoming Chamber of Commerce Military Appreciation dinner.

Councilmember Perello announced the upcoming Port of Hueneme Banana Festival, commented on the improvements at Southwinds Park, and commented on the city's whistleblower program. He restated his request for monthly General Fund reserve reports and suggested double signatures and approvals for city check payments. He commented on the Standard & Poor's downgrade of the city's General Fund.

Mayor Flynn reported on attending the Rose Park Neighborhood Council meeting and commented on parking issues and the need for more driveways and curb cuts to be allowed. He commented on the city's Standard & Poors downgrade, General Fund reserves, department vacancies, and the city's utility funds. Discussion ensued among Council and staff.

City Clerk Department

1. SUBJECT: Appointments to Fill Unexpected Vacancies on Oxnard Citizen Advisory Groups ("CAGs"), and Adoption of a Resolution Amending Commission on Homelessness Bylaws.

RECOMMENDATION: That the City Council:

1. Ratify the Mayor's appointments of three members to the Commission on Homelessness, one member to the Library Board, and one member to the Parks and Recreation and Community Services Commission, to fill unexpected vacancies that have occurred since the initial appointments; and
2. Adopt **Resolution No. 15,053** amending the bylaws of the Commission on Homelessness.

Mayor Flynn gave a brief report. Discussion ensued among Council and staff.

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

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to adopt the resolution approving the Commission on Homelessness bylaws as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-3 and K-2(A) were pulled for discussion.

Regarding K-3: Councilmember Perello and the Assistant Police Chief discussed asset forfeiture funds.

Regarding K-2(A), Mayor Flynn commended the Fire Department on using grant funds for training.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from George Miller and Pat Brown.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the June 20, 2017 Regular Meeting.
RECOMMENDATION: That the City Council approve the Minutes as presented.

City Manager Department

2. 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. MCS-CA, Inc. (8027-17-FI) for fire service leadership training (\$53,998).

Police Department

3. SUBJECT: Federal and State Asset Forfeiture Funds.
RECOMMENDATION: That City Council approve a special budget appropriation in the amount of \$323,300 for the use of Federal (\$222,000) and State (\$101,300) asset forfeiture funds allocated to the City of Oxnard Police Department. The funds will be used for training and equipment purchases not normally associated with general fund expenditures.

Public Works Department

4. SUBJECT: Federal & State Grants and Matching Funds for Seven (7) Capital Improvement Projects.
RECOMMENDATION: That City Council:
 1. Approves the receipt of federal grant revenue in the amount of \$301,794 and state grant revenue in the amount of \$77,000.
 2. Approves the appropriation of local matching funds in the amount of \$72,093 (a total appropriation of \$450,887) for the following capital improvement projects:
 - 1) Rose Avenue Sidewalk Project No. 133105,
 - 2) Ventura Boulevard Sidewalk Project No. 133107,
 - 3) Mandalay Bay Channel Bridge Project No. 133113,
 - 4) Edison Canal Channel Bridge Project No. 133114,
 - 5) Crosswalk Beacons Phase II Project No. 163105,
 - 6) Traffic Signals Various Locations Project No. 173102, and

- 7) Oxnard Boulevard Bicycle Lanes 2017 Project No. 183101.
3. To the extent not previously authorized, authorizes the City Manager to execute all relevant grant agreements and other related documents.
5. SUBJECT: Acceptance of the CAL FIRE Urban and Community Forestry Grant.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of \$276,048 from the California Department of Forestry and Fire Protection (CAL FIRE) Urban and Community Forestry Grant Program to Tree Planting Project No. 775703.
6. SUBJECT: Award Contract for On-Call Street Striping and Marking Services PW 17-03.
RECOMMENDATION: That City Council award and authorize the Mayor to execute Agreement A-8006 with Chrisp Company in the amount of \$275,000 over a three (3) year period for On-Call Street Striping and Marking Services Project PW 17-03.

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.

L. PUBLIC HEARINGS

Housing Department

1. SUBJECT: The City of Oxnard's Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2016-17.
RECOMMENDATION: That the City Council accept the City of Oxnard's CAPER for FY2016-2017.

The City Clerk announced the affidavit of publication and stated that no written communications had been received.

The Housing Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Woodrow Thomas Sr.

As there were no further speakers, the Council unanimously approved closing the public testimony portion of the public hearing. 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, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

(The Council took a brief break at 8:18 p.m.; the meeting resumed at 8:24.)

Police Department

2. SUBJECT: JAG FY 2017 Grant.
RECOMMENDATION: That City Council adopt **Resolution No. 15,054**:
1. Authorizing the City Manager to execute and submit an application for U.S.

Department of Justice (DOJ) grant funds in the amount of \$118,259 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2017 Local Solicitation.

2. Authorizing the City Manager to execute a Memorandum of Understanding (City of Oxnard Agreement A-8004) with the County of Ventura and the Cities of San Buenaventura, Simi Valley and Thousand Oaks designating the City of Oxnard as the lead agency and fiscal agent for the JAG.

3. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award.

4. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve administrative budget adjustments for the use of JAG funds upon award.

5. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

6. This resolution shall have retroactive effect to September 5, 2017.

The City Clerk announced the affidavit of publication and stated that no written communications had been received.

The Assistant Police Chief gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Woodrow Thomas Sr. and George Miller.

As there were no further speakers, the Council unanimously approved closing the public testimony portion of the public hearing. 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.

M. REPORTS

Public Works Department

1. SUBJECT: Work Study Session: Integrated Public Works Master Plan.

RECOMMENDATION: That City Council review and discuss the Revised Final Draft Public Works Integrated Master Plan Summary Report.

The Interim Public Works Director introduced Steve McDonald of Carollo Engineers, who gave a report.

(There was a brief pause in the meeting from 8:57 to 9:03 p.m., due to technical difficulties.)

Public comments were received from Pat Brown and George Miller. Discussion ensued among the Council, staff, and Mr. McDonald. No action was taken.

Police Department

2. SUBJECT: Central Business District Security Contract.

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a three (3) - year agreement (contract number A-8007) for security services in the Central Business District, the Oxnard Public Library, and the Oxnard Service Center with Professional Security Consultants ("PSC") in the amount of \$895,000.

The Police Commander gave a report. Public comments were received from Phillip Molina, Abel Magana, and Jackie Tedeschi. Discussion ensued among the Council and staff.

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

Human Resources Department

3. SUBJECT: City Attorney Employment Agreement.

RECOMMENDATION: That the City Council:

1. Approve and authorize the Mayor to execute an Amended and Restated Employment Agreement between the City of Oxnard and Stephen Fischer (Agreement No. A-7880) to extend the term of the Agreement one year to April 8, 2020, and modify salary and benefits.
2. Adopt the Salary and Classification **Resolution No. 15,055** for the City Attorney to reflect the agreed upon salary increases.

The Human Resources Director and Councilman MacDonald gave a report. Public comments were received from George Miller. Discussion ensued among the Council members.

It was moved by Councilmember Perello to approve the recommended action, removing the 3% merit increase, as this was the first full year of the City Attorney's contract. The motion died for lack of a second. Further discussion ensued.

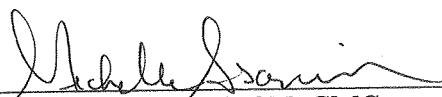
It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve staff's recommendation as presented. Further discussion ensued. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello was opposed, reiterating his previous motion. The motion to approve staff's recommendation carried 4-1.

CONTINUATION OF PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Public comments were received from Jean Joneson (trash in the alleys of Iris Street).

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:17 p.m.


MICHELLE ASCENCION, CMC
City Clerk


TIM FLYNN
Mayor