MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 26, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:02 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority) 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, and Mayor Tim Flynn were present; Mayor Pro Tem Carmen Ramirez was absent (arrived at 5:07 p.m.). Housing Commissioner Jose Andrade arrived at 5:50 p.m.; Commissioner Francisco Vega was absent.

Staff members present were Jesús Nava, Interim City Manager; Stephen Fischer, City Attorney; Ashley Golden, Interim Assistant City Manager; Arturo Casillas, Housing Director; Phillip Molina, City Treasurer; Steve Naveau, Human Resources Director; Jim Throop, Chief Financial Officer; Scott Whitney, Police Chief; Geri Cooper, Special Districts Project Manager; Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning Division Manager; Thien Ng, Assistant Public Works Director; Kenneth Rozell, Assistant City Attorney; Karen Moore, Assistant City Clerk; and Michelle Ascencion, City Clerk.

B. APPOINTMENT ITEM

Development Services Department

1. SUBJECT: Cannabis Study Session.
   RECOMMENDATION: That City Council:
   1. Receive the report from HdL Companies on their Feasibility Study and Fiscal Analysis of the potential cannabis industry in the City of Oxnard; and
   2. Provide direction to staff regarding the permitting and regulation of various types of cannabis businesses in the City of Oxnard.

The Planning Division Manager gave a report. Public comments were received from Gabriel Teran, Jesse Calvillo, Dick Jacquez, and Joe Kyle. Discussion ensued among the Council and staff. Councilmembers stated their individual preferences for the proposed options.

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to direct staff to return to Council with further recommendations and information on all of the options listed in the staff report. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

C. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

D. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating June 21, 2018 as "Pastor Edward and Barbara Williams' 50th Wedding Anniversary Celebration Day."

Mayor Flynn read the proclamation and presented it to Pastor and Mrs. Williams, who made some remarks and thanked the Council.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mayor Flynn announced that Items J-6 and J-7 are removed from the agenda.

Public comments were received from Woodrow Thomas Sr. (complaint about overpaid bus fares), Gabriel Teran (newly elected Chair of Fremont South Neighborhood), Felix Bobritski (recommendations for cannabis establishments), Florencia Ramirez (organic landscaping and weed abatement), Patricia Cortez Washington (concern about weed abatement near schools), Audrey Keller (discolored water in Channel Islands Harbor), Rocco Belmonte (discolored water in Channel Islands Harbor), Patricia Younis (discolored water in Channel Islands Harbor), Angel Garcia (unsecured mailboxes in the East Village neighborhood), Pat Brown (proposed new hotels near freeway), Chuck Carter (discolored water in Mandalay Bay), Larry Ehrhardt (discolored water in Channel Islands Harbor), Adam Vega (discolored water in Channel Islands Harbor), and Richard Kristofferson (complaints about animal control). The City Attorney made some comments on the Brown Act.

F. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings, special events, and provided program updates. He highlighted the reconditioned former Landscape Maintenance Districts that were recently dissolved and the upcoming educational sessions for potential candidates conducted by the City Clerk.

G. CITY COUNCIL REPORTS

Councilmember Madrigal commented on the upcoming annual Downtown meeting, La Colonia neighborhood meeting, the recent APCD air quality community meeting, the Downtown improvement task force, Blackstock South neighborhood meeting, and fireworks.

Mayor Pro Tem Ramirez thanked Mr. Nava for stepping up as Interim City Manager, the water quality in Channel Islands Harbor, issues in each City Council District, and expressed concern about family separation at the border with Mexico.

Councilman MacDonald commended active senior volunteers in the community.

Councilmember Perello commented on a letter to the Board of Supervisors regarding the Channel Islands Harbor water quality, Vietnam Memorial Wall, VRSD Board meeting, Via Marina neighborhood meeting, and the recent educational session held by the City Clerk.

Mayor Flynn commended Pastor and Mrs. Williams for their service to the community, commented on the Channel Islands Harbor water quality issue, and the Vietnam Memorial Wall.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-2(C), J-2(H), J-3, J-5, and J-6(removed) were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Julie Mino.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the May 22, 2018 Regular Meeting, May 29, 2018 Special Meeting, June 1, 2018 Special Meeting, and June 5, 2018 Regular Meeting 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. BrightView Landscape, Inc. (A-8073) for maintenance of Waterways Zone 1 Mandalay Bay and Zone 2 Harbour Island ($180,226).
   B. E. P. Consulting (8083-17-CM) for legislative services ($50,000).
   C. Final Details (7114-15-FN) for citywide vehicle mobile washing ($25,000).
   D. Ebix, Inc. (7778-17-HR) to provide continuing certificate of insurance data management ($25,000).
   E. Oxnard Housing Authority (A-7727) for use of property at 1500 Camino Del Sol ($72,000).
   F. Iteris, Inc. (6422-13-DS) for on-call operation and maintenance for the City's transportation maintenance center and intelligent transportation system ($100,000).
   G. Solid Waste Solutions, Inc. (8180-18-PW) for compliance with CalRecycle program reporting ($80,000).
   H. Vida Newspaper (Purchase Order No. 6901) for legal publication of stale dated checks and unclaimed funds ($25,830).

Economic Development Department

3. SUBJECT: 2018-2019 Oxnard Convention & Visitors Bureau Agreement.
RECOMMENDATION: That City Council approve a new contract between the City of Oxnard and the Oxnard Convention and Visitors Bureau.

4. SUBJECT: Oxnard Downtown Improvement District Annual Update.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,147** ordering the levy and collection of assessments within the Oxnard Downtown Improvement District ("ODID") for Fiscal Year ("FY") 2018-19.

Finance Department

5. SUBJECT: Approval of Agreement A-8067 Landscape Maintenance Contract for Seabridge CFD 4.
RECOMMENDATION: That City Council:
1. Approve and authorize the City Manager to execute Agreement A-8067 with Landscape Development, Inc. to provide landscape maintenance services to Seabridge Community Facilities District (CFD 4) in the total amount of $755,640;
2. Approve a 10 percent contingency amount of $75,564 for Agreement A-8067; and
3. Authorize the Special Districts Manager or designee to change service levels within the contract based upon available funding in the assessment district without returning to Council.

6. SUBJECT: City of Oxnard General Fund Loan to LMD 31 Rancho De La Rosa.

(This item was removed from the agenda.)

7. SUBJECT: Approval of Agreement No. A-8073 for Landscape Maintenance in Waterways Districts Zone 1 Mandalay Bay and Zone 2 Harbour Island.

(This item was removed from the agenda.)

Public Works Department

8. SUBJECT: Second Amendment to Agreement No. 6552-14-PW with the Groundskeeper, Inc. for Landscape Maintenance Services to Public Works Facilities.
RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute the Second Amendment to the agreement with the Groundskeeper, Inc. for the period of April 13, 2018, through December 31, 2018 and increase the amount by $43,960 for an amount not-to-exceed $347,295; and
2. Adopt **Resolution No. 15,148** creating a one-time exemption from Resolution Number 13,932's requirement to not extend the expiration date of a contract for trade services for more than three years.

9. SUBJECT: Approve Trade Services Agreement No. 8284-18-PW with Mac Valley Oil Company for Additional Funds and Time.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an Agreement No. 8284-18-PW with MacValley Oil and to amend the terms of Blanket Purchase Order No. 5640, adding an additional $200,000 and extending the expiration date by six months to December 31, 2018.

10. SUBJECT: Federal, State and Regional Grants and Matching Funds for Six (6) Capital Improvement Projects.
RECOMMENDATION: That City Council:
1. Adopt **Resolution No. 15,149** ratifying the submittal of grant applications for: $3,260,000 in Ventura County Transportation Commission (VCTC)/California Department of Transportation (Caltrans) grant funds, to be used for the Rice Avenue Fifth Street grade separation; $1,523,000 in Federal Railroad Administration (FRA) grant funds, to be used for the Rice Avenue Fifth Street grade separation; $5,000,000 in Public Utilities Commission

(PUC) grant funds, to be used for the Rice Avenue Fifth Street grade separation; $68,606,000 in California Transportation Commission (CTC) grant funds, to be used for the Rice Avenue Fifth Street grade separation; $434,000 in VCTC/Caltrans grant funds, to be used for the Rose Avenue sidewalk project; $914,000 in VCTC/Caltrans grant funds, to be used for the Ventura Boulevard sidewalk project; and $1,445,100 in Caltrans grant funds, to be used for the citywide signal modification project; and

2. Appropriate local matching funds in the amount of $193,537 for six capital improvement projects—the Rice Avenue at Fifth Street grade separation, the Rose Avenue sidewalk, the Ventura Boulevard sidewalk, citywide signal modification, Oxnard Transit Center maintenance, and bicycle and pedestrian improvements and maintenance—as described in the attached budget appropriation.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the Information/Consent items as presented [items J-6 and J-7 removed]. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against item J-3. The motion carried 4-1 on item J-3, and 5-0 on the remaining items.

K. REPORTS

Housing Department

1. SUBJECT: Section 8 Housing Choice Voucher Program Budget for Fiscal Year 2019.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard (1) adopt **Resolution No. 1304** approving and adopting the recommended $20,739,184 operating budget for the Section 8 Housing Choice Voucher Program ("Section 8") for fiscal year 2019 and (2) approve and authorize the use of $277,256 of unrestricted cash/investments to fund the projected deficit.

2. SUBJECT: Low Rent Public Housing Budget for Fiscal Year 2019.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard (1) adopt **Resolution No. 1305** approving and adopting the recommended $7,291,752 operating budget for the Low Rent Public Housing program ("LRPH") for fiscal year 2019, as presented for each project area and (2) approve and authorize the use of $428,224 of unrestricted cash/investments to fund the projected deficit.

The Housing Director reported concurrently on the two Housing budget items. Discussion ensued among the Council and staff. Public comments were received from Woodrow Thomas Sr.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended actions on both items as presented. VOTE: Andrade, Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0 (Commissioner Vega absent).

City Manager Department

3. SUBJECT: Adoption of Fiscal Year 2018-19 Operating Budget.
RECOMMENDATION: That the City Council:
1. Adopt the following resolutions:
    a. **Resolution No. 15,150** of the City Council of the City of Oxnard Approving the City Operating Budget for the Fiscal Year 2018-19;

   b. **Resolution No. 15,151** of the City Council of the City of Oxnard Establishing an Appropriation Limit for the Fiscal Year 2018-19;
   c. **Resolution No. 15,152** of the City Council of the City of Oxnard Authorizing Full-Time Equivalent Positions in the City Service Effective July 1, 2018 in accordance with the Operating Budget for the Fiscal Year 2018-19;
   d. **Resolution No. 15,153** of the City Council of the City of Oxnard Authorizing Classification and Salary Schedules Resolution and Approving the attached Classification and Salary Schedule; and
   e. **Resolution No. 15,154** of the City Council of the City of Oxnard Establishing Financial Management Policies.
2. Authorize the City Manager to transfer and make adjustment of inter-fund transfers on June 30, 2018 to eliminate any cash deficits in funds when necessary including: Capital Improvement Funds, Utilities, Impact Fee Funds, Assessment District Funds, Grant Funds, Debt Service Funds, and all other funds that may need such adjustments.

That the Housing Commissioners:
1. Adopt **Resolution No. 1306** approving the Housing Authority's Fiscal Year 2018-19 Operating and Capital Budget.

The Interim City Manager gave a report. Public comments were received from Yukio Okano, Jackie Tedeschi, and Woodrow Thomas Sr. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the recommended action as presented. Councilmember Perello requested an amendment that a Councilmember be included in labor negotiations with the bargaining units; with no second the amendment failed. VOTE: Andrade, Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0 (Commissioner Vega absent).

4. SUBJECT: Public Safety Tax Assessment FY2018-19.
   RECOMMENDATION: That City Council adopts **Resolution No. 15,155** establishing the FY 18-19 tax rates on property in the City of Oxnard for the payment of voter approved obligations.

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

It was moved by Mayor Pro Tem Ramirez, 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.

L. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None received.)

M. 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)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case."

At 9:02 p.m., the City Council recessed to a closed session. At 9:58 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 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."

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:59 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Carmen Ramirez for Tim Flynn

TIM FLYNN
Mayor