

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 10, 2018

A. ROLL CALL/POSTING OF AGENDA

At 6:06 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 Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Darwin Base, Fire Chief; Arturo Casillas, Housing Director; Omar Castro, Water Division Manager; Trish Honigsburg, Public Works Outreach/Education Specialist; Karl Lawson, Housing Compliance Services Manager; Eric Sonstegard, Assistant Police Chief; Jason Zaragoza, Deputy 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. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of April, 2018 as "Donate Life Month."

Mayor Flynn read the proclamation and presented it to Donate Life Legacy Ambassador Bob Thompson, who thanked the Council and made some remarks.

2. SUBJECT: Presentation of a Proclamation Designating April 14, 2018 as "Earth Day."

Mayor Flynn read the proclamation and presented it to the Public Works Outreach/Education Specialist, who thanked the Council and made some remarks.

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Woodrow Thomas Sr. (complaints about city insurance adjuster, recent property losses), Gloria Roman (upcoming recall election), Bill Terry (upcoming recall election), Kurt Garrison (upcoming recall election), George Miller (upcoming recall election), Pete Plascencia (upcoming recall election), Steve Nash (gun control, recent League of Women Voters forum, upcoming recall election), Karl Lawson (Oxnard Mid-Managers Association complaint regarding Public Works safety equipment), Pat Brown (upcoming recall election), Martin Jones (recall election), and Daniel Chavez Jr. (city council meetings, homelessness solutions).

E. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and special events, and provided program updates. He highlighted the Housing Authority's recent "High Performer" ranking from HUD, the recent Police Academy graduation, and the Information Technology Department's 2018 internship program.

The City Clerk gave an update on the upcoming May 1, 2018 Special Election.

Public comments were received from Jackie Tedeschi and Woodrow Thomas Sr.

F. CITY COUNCIL REPORTS

Councilmember Madrigal reported on his recent mission trip to Mexico, the El Concilio awards dinner, the Knights of Columbus Public Safety Night, and the upcoming Cesar Chavez march.

Mayor Pro Tem Ramirez reported on the El Concilio awards, the Knights of Columbus Public Safety Night, the Cesar Chavez march, and recent meetings of the Air Pollution Control District, SCAG, and Clean Power Alliance, the upcoming "Night of Funk" concert at the PACC, and urged voters to be informed regarding the upcoming recall election.

Councilmember Perello commented on upcoming neighborhood council meetings, requested a levee presentation, commented on providing safety equipment for employees, the El Concilio awards dinner, unclaimed checks, the Knights of Columbus Public Safety Night, the upcoming recall election, and organ donation.

Mayor Flynn reported on attending the Knights of Columbus Public Safety Night and commented the importance of public safety in the community.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Items I-1 and I-3 were discussed among the Council and staff.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jeff Kroll.

I. INFORMATION/CONSENT AGENDA**City Attorney Department**

1. **SUBJECT:** Adoption of **Ordinance No. 2937** Regarding Medical Cannabis Delivery.
RECOMMENDATION: That the City Council adopt Ordinance No. 2937 (read by title only, waiving further reading) approving amendments to Article XVI of Chapter 7 of the Oxnard City Code regarding prohibited cannabis activities, repealing uncodified Ordinance No. 2756 regarding medical marijuana, and adding Article XV to Chapter 11 of the Oxnard City Code regarding medical cannabis deliveries.
2. **SUBJECT:** Adoption of **Ordinance No. 2938** - Host Liability Fireworks Ordinance.

RECOMMENDATION: That City Council adopt Ordinance No. 2938 (read by title only, waiving further reading) amending Section 7-147.1 of Article XIII of Chapter 7 of the Oxnard City Code, establishing host liability for fireworks violations

3. SUBJECT: Tickets and Passes Distribution Policy.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,106** establishing a tickets and passes distribution policy consistent with FPPC regulation.

Information Technology Department

4. SUBJECT: Fifth Amendment to Tyler Technologies License Agreement.

RECOMMENDATION: That City Council adopt the Fifth Amendment to the Standard Software License and Services Agreement with Tyler Technologies for the Public Safety 911 system to expand the eCitation module and extend the expiration date of the Agreement by an additional three years.

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

J. PUBLIC HEARINGS

Public Works Department

1. SUBJECT: Request for Well Permit - Rio Manor Mutual Water Company.

RECOMMENDATION: That the City Council:

1. Hold a public hearing to consider the application from the Rio Manor Mutual Water Company for a well permit;
2. Find that, in accordance with Section 15303, Class 3 of the State California Environmental Quality Act (CEQA) Guidelines, there is no substantial evidence that the drilling and operation of the new well will have a significant effect on the environment, and thus this new well is exempt from further CEQA review; and
3. If satisfied that the drilling of the well and the operation thereof will not deplete or contaminate the City's water supply, adopt **Resolution No. 15,107** granting Well Permit No. 16-4881 to the Rio Manor Mutual Water Company, including the reasonable conditions to prevent depletion and contamination of the City's water supply and to protect the public health, safety and general welfare.

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

The Water Division Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Robert Eranio (applicant), Joe Roque, Dan Pinedo, and Steve Nash.

Without objection, the Council 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 Mayor Pro Tem Ramirez, to approve the recommended action as presented, with the addition of the Fire Chief's proposed additional conditions, and amended with additional wording provided by the City Attorney for Condition 31 of the resolution (adding to the end of the sentence: "...with phased compliance within a reasonable time frame as determined by City staff in compliance with applicable regulations."). VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Housing Department

2. **SUBJECT:** Public Hearing for Issuance of Multifamily Housing Revenue Bonds for Channel Island Park Apartments.

RECOMMENDATION: That the City Council:

1. Hold a public hearing regarding the issuance of up to \$45,000,000 of multifamily housing revenue bonds by the California Statewide Communities Development Authority to finance the acquisition, rehabilitation and development of a 152-unit multi-family rental housing projected located at 910-1030 East Channel Islands Boulevard; 910-1045 Bismark Way; 2911-2941 Concord Drive; and 2920-2940 Albany Drive, Oxnard, California (also known collectively as Channel Island Park Apartments); and
2. Adopt **Resolution No. 15,108** 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. Public comments were received from Woodrow Thomas Sr. and Jackie Tedeschi.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council, staff, and applicant John McGee.

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.

K. REPORTS

City Manager Department

1. **SUBJECT:** City Council Positions on June and November 2018 Statewide Ballot Initiatives.

RECOMMENDATION: That the City Council: 1) Receive the report; 2) adopt **Resolution No. 15,109** supporting State Propositions 68 and 69 in the June 2018 State General Election and Senate Bill 3 in the November 2018 General Election; and 3) take such additional, related action as may be desired.

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

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.

2. **SUBJECT:** Ordinances Reauthorizing "PEG" Fees on State Video Service Franchises.

RECOMMENDATION: That the City Council:

1. Introduce an Ordinance (read by title only, waiving further reading) of the City Council of the City Of Oxnard reauthorizing the City's Public, Educational, And Governmental ("PEG") access support fee; and
2. Adopt **Urgency Ordinance No. 2939** (read by title only, waiving further reading) of the City Council of the City of Oxnard reauthorizing the City's Public, Educational, and Governmental ("PEG") access support fee.

The Assistant City Manager gave a report. Discussion ensued among the Council and staff. Public comments were received from Dan Pinedo and Steve Nash. Additional discussion ensued.

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.

Police Department

3. **SUBJECT:** Keep California Safe Resolution.

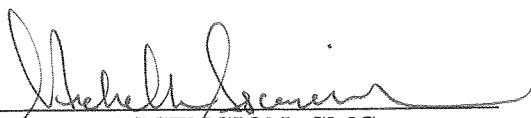
RECOMMENDATION: That City Council adopt **Resolution No. 15,110** supporting the statewide ballot initiative titled *Reducing Crime and Keeping California Safe Act of 2018*.

The Interim City Manager/Police Chief gave a brief report and the Assistant Police Chief gave a report. Public comments were received from Daniel Chavez Jr. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, 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.

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:54 p.m.


MICHELLE ASCENCION, CMC
City Clerk

 6/13/18
TIM FLYNN
Mayor