MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 23, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:04 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, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 6:04 p.m.).

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; 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 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case."

At 5:05 p.m., the City Council recessed to a closed session. At 6:06 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 Rosemarie Gaglione, Public Works Director; Kymberly Horner, Economic Development Director; Steve Naveau, Human Resources Director; Jim Throop, Chief Financial Officer; Sandra Burkhart, Special Districts Administrator; Thien Ng, Assistant Public Works Director; and Kenneth Rozell, Assistant City Attorney.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jackie Tedeschi (INCO meetings and safe sharps disposal), Daniel Chavez Jr. (street maintenance and road conditions, city council districts), Martin Jones (city council districts), Bruce Boyer (candidate for Ventura County Sheriff), Robert Franks (city council districts), Petra Montes (facing eviction, needs housing assistance), Christopher Camacho (criminal activity near his business), Pat Brown (recall election, city council districts, wastewater litigation, homelessness), and Samuel Thompson (affordable housing solutions).

F. REPORT OF CITY MANAGER

The Interim City Manager reported on upcoming city meetings and public hearings on City Council districts, the deadline for claiming unclaimed funds from the City Treasurer, Restaurant Week in Oxnard, upcoming/in progress street projects in La Colonia, the utility rate assistance program, and the progress of the Halaco homeless encampment cleanup. He also announced the appointment of the Development Services Director as Interim Assistant City Manager, and introduced the newly appointed Assistant Public Works Director and Public Works Director, who both made remarks.

G. CITY COUNCIL REPORTS

Councilmember Madrigal announced the upcoming Oxnard Downtown Improvement District meeting and an upcoming book presentation at the Performing Arts Center, and wished his father a happy birthday.

Mayor Pro Tem Ramirez commended staff for the cleanup of the Halaco site and emphasized the need for affordable housing. She congratulated the Police Department for peacefully resolving a recent barricade situation. She asked the Police Chief to comment about recent service of warrants by the Sheriff's Department, that some members of the public mistook for ICE (immigration) raids.

Councilman MacDonald announced that he will miss Monday's special meeting due to a previously scheduled LOSSAN meeting, and he commended on various transportation agencies' efforts to assist the public during the recent mudslides that closed the 101 Freeway.

Councilmember Perello thanked Assistant Chief Sonstegard for providing special assistance to a resident. He recommended the use of reflective paint on the medians. He reported on attending a recent community workshop on City Council districts. He commented on the sheriff's raid and overcrowding in some residences. He cautioned people against spreading falsehoods and attacks on social media. He urged witnesses to a recent hit and run on Ventura Road to talk to police. He commended John Canley, an Oxnard resident who will be receiving the Medal of Honor for his service in the Vietnam War.

Mayor Flynn announced that it is also his father's birthday. He reported on visiting the homeless encampment at Halaco where the people shared stories of mental health issues and personal tragedies. He announced that he will be meeting with San Diego Mayor Kevin Faulkner to discuss homelessness solutions. He commented on the City Council districts and overcrowding in rentals, and announced that a safe housing program will be introduced in spring

Mayor Flynn announced that the Council will hear item L-1 next.

L. REPORTS

Finance Department

1. SUBJECT: Comprehensive Annual Financial Report.
   RECOMMENDATION: That City Council:
   1. Receive and file the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2017, as recommended by the Fiscal Policy Task Force; and

2. Ratify and approve budgeted payrolls and demands paid by warrants or checks for the fiscal year ended June 30, 2017, as provided in Government Code section 37208.

The Chief Financial Officer gave a report and introduced Eden Casareno of Eadie & Payne, who also gave a report.

Public comments were received from Lawrence Stein, Aaron Starr, and Alicia Percell. 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.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-3 and J-4 were discussed among the Council and staff.

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

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Appointment of Members to Serve on the Mobile Home Park Rent Review Board Citizen Advisory Group.
   RECOMMENDATION: That the City Council appoint Cynthia Daniels, Felipe Flores, and Martin Lee Remmen to the Mobile Home Park Rent Review Board to serve a three year term ending November 30, 2020.

City Manager Department

2. SUBJECT: Termination of the Emergency Bidding Resolution.
   RECOMMENDATION: That City Council adopt **Resolution No. 15,080** terminating the emergency action due to the Thomas Fire throughout Ventura County, making findings therefor, and ordering that the remainder of the emergency action at the City's facilities be completed by bidding.

Human Resources Department

3. SUBJECT: Oxnard Police Officers Association Classification and Salary Schedules and Side Letter Agreement.
   RECOMMENDATION: That the City Council adopt **Resolution No. 15,081** approving the attached Classification and Salary Schedules and Side Letter Agreement with the Oxnard Police Officers Association.

Public Works Department

4. SUBJECT: Award Contract for Pump Repair and Well Maintenance Project Wells Nos 29 and 34 PW 17-38.

RECOMMENDATION: That City Council:
1. Award Agreement to General Pump Company, Inc. in the amount of $603,600.40 for the Pump Repair and Well Maintenance Project Wells Nos. 29 and 34 PW 17-38 and authorize the Mayor to execute Agreement A-8041 when it is ready for signature; and
2. Approve $120,721 for contingency and overhead for the Pump Repair and Well Maintenance Project Wells No. 29 and 34 PW 17-38.

5. SUBJECT: Second Amendment to Agreement No. 7167-15-CM.
RECOMMENDATION: That City Council:
1. Authorize the Mayor to execute the Second Amendment to Agreement No. 7167-15-CM with the Ventura Regional Sanitation District to extend the term of the Agreement until June 30, 2018 and to add $188,771.91 for a cumulative not to exceed compensation amount of $318,228.91; and
2. Approve the transfer of $52,000 from the General Fund (101) to the Golf Course Operating Fund (651).

It was moved by Mayor Pro Tem Ramirez, 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.

K. PUBLIC HEARINGS

Housing Department

1. SUBJECT: Extremely Low & Low-Income Needs Assessment FY 2018-19 Annual AAP & FY 2018-23 Consolidated Plan.
RECOMMENDATION: Open the Public Hearing and Continue the Public Hearing to January 30, 2018.

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

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

Development Services Department

2. SUBJECT: Planning and Zoning Permit Nos. 16-500-06 (Special Use Permit); 16-535-01 (Density Bonus); and 16-300-06 (Tentative Subdivision Map No. 5995). Property Located at 5489 Saviers Road (APN: 222-0-011-29). Filed by Designated Agent Henry Casillas, 451 West Fifth Street, Oxnard, California, 93030, on Behalf of the Property Owner (The "Applicant").
RECOMMENDATION: Open Public Hearing and Continue the Public Hearing to February 20, 2018.

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

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.

L. REPORTS

Economic Development Department

2. SUBJECT: Disposition of Successor Agency Owned Property Located at 720 South B Street.
RECOMMENDATION: That the City Council:

1. Adopt **Resolution No. 15,082** entitled "A Resolution of the City Council of the City of Oxnard approving, the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Non-Residential), by and between the Successor Agency, as Seller, and the City of Oxnard, as Buyer, with regard to real property located at 720 South B Street"; and

2. Authorize the City Manager (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the City Attorney and City Special Counsel; and

3. Authorize the City Manager (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the City's obligations, responsibilities and duties thereunder; and

4. Authorize a budget appropriation in the amount of $50,000 for the purchase of 720 South B Street property from General Fund, $25,000 for repairs to 720 South B Street property, and $1,122 ($187.00 per month) for 6 (six) months of Heritage Square Property Owners Association ("HSPOA") assessment for a total budget appropriation of $76,122 from General Fund.

That the Successor Agency:

1. Adopt **Resolution No. 26** entitled "A Resolution of the Board of Directors of the Oxnard Community Development Commission Successor Agency, approving, and recommending to its Oversight Board approval of, the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Non-Residential), by and between the Successor Agency, as Seller, and the City of Oxnard, as Buyer, with regard to real property located at 720 South B Street"; and

2. Authorize the Executive Director (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the Successor Agency General Counsel and Successor Agency Special Counsel; and

3. Authorize the Executive Director (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the Successor Agency's obligations, responsibilities and duties thereunder.

4. Approve option 2 under redevelopment dissolution law whereby net proceeds from the sale of Property be transferred to the Ventura County Auditor-Controller for distribution to the other taxing entities (the City's share of which would be an estimated 19.6% of any sales proceeds).

The Economic Development Director gave a report. Public comments were received from Daniel Chavez Jr. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, and Ramirez voted in favor; Madrigal and Perello voted against. The motion carried 3-2.

3. SUBJECT: Recognized Obligation Payment Schedule 2018-2019.
RECOMMENDATION: That the Community Development Commission Successor Agency ("Successor Agency") adopt **Resolution No. 27** approving the Annual Recognized Obligation Payment Schedule ("ROPS") 18-19 covering the period of July 1, 2018 - June 30, 2019.

The Economic Development Director gave a report. No public comments were received. 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.

City Clerk Department

4. SUBJECT: Resolutions Ordering Recall Election.
RECOMMENDATION: That the City Council:
1. Select a date for the special election and adopt **Resolution No. 15,083** calling and giving notice of a Special Municipal Election for the recall and election of candidates to fill vacancies should the recall prevail; and
2. Adopt **Resolution No. 15,084** establishing regulations for Candidate Statements to be printed in the Voter Information Guide.

The City Clerk gave a report. Public comments were received from Edward Sierra, Lawrence Stein, Alicia Percell, Aaron Starr, Peggy Rivera, Pat Brown, Soledad Trevino, and Jeff Burum. 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, setting May 1, 2018 as the date to hold the Special Election, with an amendment by Councilmember Perello that the City Clerk provides a weekly update to the Council on any changes or additional information. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Finance Department

5. SUBJECT: Award of a 29 Month Contract for Riverpark Landscape Maintenance.
RECOMMENDATION: That City Council:
1. Approve and authorize the Mayor to execute Agreement A-8037 with BrightView Landscape Services, Inc. to provide landscape maintenance services to Riverpark CFD #5 in the total amount of $1,054,005; and
2. Approve a 10 percent contingency amount of $105,400 for Agreement A-8037 for maintenance services with BrightView Landscape Services, Inc.

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

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. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:00 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn

TIM FLYNN
Mayor