MINUTES
OXNARD CITY COUNCIL
Regular Meeting
May 22, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:06 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Community Development Successor Agency) 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; and Michelle Ascencion, City Clerk.

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

C. 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)(1), to confer with its attorneys. The titles of the litigation being discussed are Green Energy Holdings, LLC; Auto Fuels, Inc. v. City of Oxnard, et al. and William Scarpino; et al. v. City of Oxnard."

At 5:07 p.m., the City Council recessed to a closed session. At 6:13 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 Jim Throop, Chief Financial Officer; Sandra Burkhart, Special Districts Administrator; Omar Castro, Water Utility Manager; Eric Hummel, Public Works Sustainability Coordinator; Sofia Kimsey, City Librarian; and Thien Ng, Assistant Public Works Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Check to the City from the Oxnard Downtown Lions Club.

Luis Mendez, President of the Oxnard Downtown Lions Club, presented a check for $750.00 to the City Librarian to support the library's summer reading programs. The City Librarian made some remarks and thanked the Lions Club.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Howard Tents and Dale Dean (announcing Vietnam Memorial Wall coming to Ventura County), Guillermo Ceja Jr. (supporting Oxnard Downtown project), Michael Gleason (abolishing nuclear weapons, reporting misuse of city resources), Jackie Tedeschi (California Cove landscape maintenance district, California Strawberry Festival, recent earthquake presentation), Steve Nash (recent school shooting, National Rifle Association gun raffles, local gun shows), Alice Sweetland (announced changes to Medicare ID cards), KNS Rockstar (upcoming youth anti-violence/bullying event), Jack Villa (vagrancy in park adjacent to the Performing Arts Center), Pat Brown (Mayor Pro Tem Ramirez's recent appointment to the Environmental Protection Agency advisory committee), Larry Barbarine (upcoming Franklin Graham appearance in Oxnard, Memorial Day, recent recall election, proposed gas tax increase), Edward Castillo (recent HdL contract approval), J.R. Ruiz (complaints about the police department), Woodrow Thomas Sr. (complaint about city's contract claims adjuster), Alicia Percell (utility rate increases and fund reserves, financial software purchase proposal), Aaron Starr (request for monthly financial updates), and Gloria Lopez (Oxnard College EOPS students' participation with Café on A).

G. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings, special events, and provided program updates. He highlighted the City Manager recruitment, the upcoming budget presentation/adoption schedule, and the news conference earlier in the day to announce SB-1 funding for the Rice Avenue Interchange project.

H. CITY COUNCIL REPORTS

Councilmember Madrigal expressed well-wishes to former mayor Manuel Lopez, who recently suffered a stroke, commented on the mural in La Colonia commemorating Robert F. Kennedy's visit to Oxnard in 1968, recent meetings of the Carnegie Art Museum and Rose Park neighborhood, the upcoming Oxnard Downtown Improvement District meeting, Frank School art gala, Southwinds neighborhood cleanup, West Village neighborhood meeting, and Oaks Christian graduation, the recent school shooting in Santa Fe, Texas and the recent homicide in Oxnard, and the upcoming Memorial Day holiday.

Mayor Pro Tem Ramirez spoke on her recent appointment to the EPA Local Government Advisory commission, the recent Strawberry Scholarship dinner, recent gun violence and gun shows at the Ventura County Fairgrounds, the upcoming Memorial Day holiday and PACC The Arts Festival, the use of consultants/subject matter experts in city business, congratulated graduates, and expressed condolences to the family of Shawn McCarthy.

Councilman MacDonald reported on his upcoming Los Angeles/San Diego/San Luis Obispo Rail Corridor ("LOSSAN") Board meeting, and Southern California Edison's recent Wilson neighborhood grid rewiring project.

Councilmember Perello spoke on the Memorial Day holiday and the Vietnam Memorial Wall, sending a letter to the Ventura County Fair Board protesting gun shows, a recent Airport Authority meeting, .commended the police department's professionalism during a recent event, vagrancy in the park near the Performing Arts Center, wanting to make the Landscape Maintenance District audit available to the public, and postponing the proposed financial system purchase.

Mayor Flynn commented on holding joint meetings with neighboring partner agencies, and the proposed purchase of a new financial software enterprise system. Discussion ensued among Council and staff.

City Manager Department

1. SUBJECT: Request of Mayor Pro Tem Ramirez: Consideration of Opposing Concealed Carry Reciprocity Act.
RECOMMENDATION: That City Council discuss and determine whether an item related to consideration of a resolution opposing the Concealed Carry Reciprocity Act should be placed on a future City Council agenda for Council discussion.

Mayor Pro Tem Ramirez gave a report. Discussion ensued among the Council. Public comments were received from Woodrow Thomas Sr., Steve Nash, Dan Pinedo, Pat Brown, and J.R. Ruiz. The Council approved by acclamation moving forward with adopting a resolution.

Mayor Flynn announced that the Council would hear the Report items ahead of the Information/Consent Agenda.

L. REPORTS

City Attorney Department

1. SUBJECT: Anti Price Gouging Ordinance.
RECOMMENDATION: That City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 6 of the Oxnard City Code to impose a prohibition on unfair pricing following the declaration of a state of emergency, local emergency or state of war emergency; adding various definitions relating to the prohibition and making various clerical changes.

The City Attorney gave a report. Public comments were received from Woodrow Thomas Sr. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, 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.

Public Works Department

2. SUBJECT: Award Contract for City of Oxnard Parks and Recreation Master Plan.
RECOMMENDATION: That City Council award and authorize the Mayor to execute an agreement with Colorado Design Workshop, Inc. in the amount of $323,210 for the City of Oxnard Parks and Recreation Master Plan (Agreement No. 8031-17-PW).

The Public Works Sustainability Coordinator gave a report. Public comments were received from Gabriel Teran, Gerard Kapuscik, Roger Poirier, Steve Nash, and Jackie Tedeschi. 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.

Economic Development Department

3. SUBJECT: Disposition of Successor Agency Owned Property - 720 South B Street.
RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15,118** 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 $75,000 for the purchase of 720 South B Street property from the Downtown Improvement Project Settlement Fund (DIPSF); or
[NOT APPROVED] 5. Decline to submit a revised offer for 720 South B Street.

That the Successor Agency:
1. Adopt **Resolution No. 29** 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; or
[NOT APPROVED] 4. Direct staff to accept an offer from the December 1, 2017 process or to accept new offers from those that submitted on or before December 1, 2017.

The Interim Assistant City Manager gave a report. Public comments were received from Connie Korenstein, Gary Blum, Daniel Chavez Jr., Edward Castillo, Roger Poirier, and Woodrow Thomas Sr. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the recommended action, striking City Council recommendation #5 and Successor Agency recommendation #4 as presented. VOTE: Flynn, MacDonald, and Ramirez voted in favor; Madrigal and Perello voted against. The motion carried 3-2.

4. SUBJECT: Sale of Successor Agency Properties to the City of Oxnard.
RECOMMENDATION: That the City Council:
1. Consider if it wishes to make offers for the Successor Agency-owned parcels commonly referred to as the Social Security Building (425 South B Street.), and the Laundromat (318 W. Fifth Street) and Elizabeth Furniture Buildings (321 W. Sixth Street).
2. If the City Council determines to make offers on the Social Security Building and the Laundromat and Elizabeth Furniture Buildings, determine the specific amount of said offers.
3. If the City Council determines to make offers on the Social Security Building and the Laundromat and Elizabeth Furniture Buildings, adopt **Resolution Nos. 15,119 and 15,120**:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 425 SOUTH B STREET FROM THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY; and
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 318 WEST FIFTH STREET AND 321 WEST SIXTH STREET FROM THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY.

4. Authorize the City Manager (or designee) to execute any necessary agreements to effectuate the purchases along with such non-substantive changes as may be acceptable to the City Attorney and Special Counsel.
5. Authorize the City Manager (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreements, and to administer the City's obligations, responsibilities and duties thereunder.
6. Authorize a budget appropriation in the not-to-exceed amount of $770,000 from the Downtown Improvement Project Settlement Fund (DIPSF) for the purchase of the Social Security Building, and the Laundromat Building and Elizabeth Furniture Buildings.

That the Successor Agency:
1. If the City Council elects to make an offer to purchase the Successor Agency parcels commonly known as the Social Security Building, and the Laundromat and Elizabeth Furniture Buildings, determine if Successor Agency wishes to accept the offers from the City.
2. If the City Council elects to make offers on the Social Security Building and the Laundromat and Elizabeth Furniture Buildings and the Successor Agency accepts the offers, adopt **Resolution Nos. 30 and 31**:

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 SALE OF REAL PROPERTY LOCATED AT 425 SOUTH B STREET TO THE CITY OF OXNARD; and
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 SALE OF REAL PROPERTY LOCATED AT 318 WEST FIFTH STREET AND 321 WEST SIXTH STREET TO THE CITY OF OXNARD.

3. Authorize the Executive Director (or designee) to execute any necessary agreements to effectuate the purchases along with such non-substantive changes as may be acceptable to the Successor Agency General Counsel and Special Counsel.
4. Authorize the Executive Director (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreements, and to administer the Successor Agency's obligations, responsibilities and duties thereunder.

The Interim Assistant City Manager gave a report. Public comments were received from Daniel Chavez Jr., Barbara Macri-Ortiz, Frank Thompson, Edward Castillo, Woodrow Thomas Sr., Steve Nash, and Abel Magana. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Perello, and Ramirez voted in favor; Madrigal voted against. The motion carried 4-1.

As it was after 10:00 p.m., the City Council voted unanimously for the Information/Consent Agenda to be heard.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-2(A), K-2(C), K-3, K-4, K-7, and K-8 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Gabriel Teran, Dan Pinedo, Jackie Tedeschi, Michael Gleason, and Edward Castillo.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the February 13, 2018, February 20, 2018, and February 27, 2018 Regular Meetings 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. Interface Children and Family Services (8279-18-CM) for 2-1-1 services provided to Oxnard residents ($37,000).
B. OpenGov (7868-17-IT) renewal of OpenGov Intelligence software ($32,775).
C. Aqua Metric Sales Company (Purchase Order No. 6490) for the purchase of water meters ($85,000).

D. National Auto Fleet Group (purchase Order No. 6836) for the purchase of two Toyota Prius vehicles for the Transportation Division ($49,353).

Finance Department

3. SUBJECT: Approval of First Amendment to Agreement A-7950 with NBS Government Finance Group - LMD/CFD Consulting.
RECOMMENDATION: That City Council approve the first amendment to Agreement A-7950 with NBS Government Finance Group in the amount of $501,115.42 for ongoing administrative services of the Landscape Maintenance Districts as well as 1915 Act and CFD bonded Assessment Districts Administrative services.

4. SUBJECT: Amendment to External Auditor Agreement for Annual Auditing Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the Sixth Amendment to Agreement A-7819 with Eadie & Payne, LLP, to increase the amount by $419,503, for a total amended not-to-exceed amount of $1,646,563 for FY17/18 CAFR/Single-Audit/Ancillary Assistance, and to extend the term of the Agreement to December 31, 2020.

Information Technology Department

5. SUBJECT: SoftwareOne Inc. - Renewal of Microsoft EA Licenses.
RECOMMENDATION: That City Council authorize Purchase Order 6287 for the full 36-month period of the SoftwareOne/Microsoft EA agreement adopted by Council on May 16, 2017. The agreement with Microsoft expires April 30, 2020, yet the purchase order was only issued for one year. The total amount for the three year period is $278,602. The amount for the 2018/2019 and 2019/2020 fiscal years is approximately $185,700.

Public Works Department

6. SUBJECT: Award Contract for On-Call Traffic Signal Services PW 18-24.
RECOMMENDATION: That City Council award and authorize the Mayor to execute an agreement in the amount of $600,000 with Taft Electric Company for the On-Call Traffic Signal Services Project PW 18-24 when the agreement is finalized.

7. SUBJECT: Grant Application for Funding Response to Tree Mortality Event.
RECOMMENDATION: That City Council adopt **Resolution No. 15,121** authorizing the City Manager to submit an application for $182,325 in federal financial assistance under the Disaster Relief Act of 1974 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act to be used for Tree Mortality Event response.

8. SUBJECT: Approve an Appropriation for the Remediation and Demolition of 325 South K Street.
RECOMMENDATION: That City Council approve and authorize an appropriation of $37,300 for the remediation and demolition of the fire damaged building at 350 South K Street.

9. SUBJECT: Clean Water State Revolving Fund Financial Assistance Application.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute:

1. **Resolution No. 15,122** authorizing the City Manager to execute and file for a State Revolving Fund Financial Assistance Application, to provide the assurances, certifications and commitments therefor, and to carry out the City's responsibilities under the financing agreement;
2. **Resolution No. 15,123** designating the amount of project expenditures to be reimbursed by proceeds from the State Revolving Fund; and
3. **Resolution No. 15,124** dedicating and pledging revenues and funds for the repayment of the State Revolving Fund loan from the SWRCB.

10. SUBJECT: Adoption of Ordinance No. 2941 Amending Section 8-2 of Article I of Chapter 8 of the Oxnard City Code.
RECOMMENDATION: That City Council adopt **Ordinance No. 2941** (read by title only, waiving further reading) amending Section 8-2 of Article I of Chapter 8 of the Oxnard City Code, establishing declared prima facie speed limits on City streets.

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

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:53 p.m.

Michelle Ascencion
MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 6/28/18
TIM FLYNN
Mayor