

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 10, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:06 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. 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; Keith Brooks, Information Technology Director; Ashley Golden, Development Services Director; Phillip Molina, City Treasurer; Thien Ng, Interim Public Works Director; Jim Throop, Chief Financial Officer; Scott Whitney, Police Chief; Kathleen Mallory, Planning Division Manager; Kenneth Rozell, Assistant City Attorney; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. APPOINTMENT ITEMS

Finance Department

1. SUBJECT: Independent Accountant's Report on Applying Agreed-Upon Procedures.
RECOMMENDATION: That the City Council receive and file the Independent Accountant's Report on Applying Agreed-Upon Procedures, presented to the Fiscal Policy Task Force on September 13, 2017.

The Chief Financial Officer gave a brief report and introduced Don Ecker, Chief Operating Officer of Eadie & Payne, LLP, who gave a report. The City Treasurer gave a report.

Public comments were received from Michael Gleason, Lawrence Stein, George Miller, and Martin Jones. Discussion ensued among the Council, Mr. Ecker, and Eden Casareno, Audit and Accounting Partner of Eadie & Payne. The report was received and filed as presented.

D. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating October 13, 2017 as "Community Safety and Anti-Violence Day."

The Police Chief made some remarks. Mayor Flynn read the proclamation and presented it to the Chief.

2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2017 as "Arts and Humanities Month."

Mayor Flynn read the proclamation and presented it to Deborah DeVries, Cultural Arts Commissioner, who introduced the other Commissioners present and made some remarks.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Lawrence Stein (City Treasurer job description, GREAT Program), George Miller (water softening systems, crime/public safety), Woodrow Thomas Sr. (status of his claims/complaints), Julie Kalbacher (proposed car wash in the Sea Air neighborhood), Dan Pinedo (praised the city's preschool program and teacher Eloise Villanueva), Nancy Cozza (Monarch Butterfly Festival), Jackie Tedeschi (signal at Ventura Road and Stone Creek Road), Pat Brown (security fencing around Seventh Street condominium neighborhood), Celeste Gamino (improvements at Southwinds Park), Greg Runyon (community safety and unity), Barbara Macri-Ortiz (recall petitions), and Jessica Kimble (Monarch Butterfly Festival).

F. REPORT OF CITY MANAGER

The City Manager commented on future Council agenda items, announced the upcoming Coastal Commission hearing regarding the proposed Fisherman's Wharf development, reported on the recent peace parade and Multicultural Festival, reported on damage to property and vehicles during recent high winds that downed several trees, commented on collaboration with Oxnard Union High School District Superintendent Dr. Cesar Morales, and lauded the Southwinds Park improvements.

G. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending the Bartolo Square South Neighborhood Council meeting, and the Multicultural Festival and peace parade. He commented on a recent pedestrian collision on Ventura Road and Gonzales Road, a recent shooting near Nyeland Acres, and the 2012 Limon shooting.

Mayor Pro Tem Ramirez commented on the 2012 Limon shooting, and reported on attending the recent Knights of Columbus Civic Night and Bartolo Square South Neighborhood Council meeting. She commented on water policy, the proposed Puente power plant, and the recent funeral services for Marty Kaplan.

Councilman MacDonald commented on Mr. Kaplan's passing and the Halaco homeless encampment. He reported on attending the peace parade and Multicultural Festival and the Knights of Columbus Civic Night. He announced the upcoming Fiscal Policy Task Force meeting, requested an update from the City Manager on the proposed homeless shelter near the County juvenile justice center, and proposed a study session/review of duties for the City Treasurer and the City Clerk.

Councilmember Perello reported on attending the Multicultural Festival and peace parade, the Knights of Columbus Civic Night, and commented on Mr. Kaplan's passing. He commented on repairs needed at Southwinds park, dead trees that have fallen in recent high winds, a discrepancy in a recent public hearing workshop notice, and the auditor's comments on item C-1. He requested a special meeting regarding the city's recent bond downgrade. He acknowledged the groups and individuals involved with the peace parade and car show.

Mayor Flynn commented on the city's efforts to apply for the Amazon "H2Q" location. The City Manager made some additional comments.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-2(A), J-2(D), J-2(E), and J-2(F) were pulled for discussion. Discussion ensued among the Council and staff.

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

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the June 27, 2017 and July 11, 2017 Regular Meetings.
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. Carahsoft (8069-17-IT) renewal of Accela agenda & minutes and CRM/Public 311 Solutions (\$53,140).
 - B. MGT of America (7147-15-FN) for State mandate cost reimbursement claims and SB90 services (\$9,400).
 - C. LAFCO (Purchase Order No. 6523) for City's share of the commission's operational costs pursuant to Government Code Section 56381(b)(1) (\$63,326).
 - D. City of Camarillo (Purchase Order No. 6524) for Regional Defense Partnership for the 21st Century (RDP-21) dues for Fiscal Year 2017-18 (\$32,000).
 - E. Flo-Systems, Inc. (Purchase Order No. 6507) to purchase a bio-tower recirculation pump (\$30,324).
 - F. Flo-Systems, Inc. (Purchase Order No. 6508) to purchase a process water replacement pump (\$31,059).

It was moved by Councilman MacDonald, 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.

Mayor Flynn announced that Item K-2 would be heard ahead of K-1.

K. PUBLIC HEARINGS

Development Services Department

2. SUBJECT: Adoption of 2013-2021 Mid-Cycle Housing Element Update.
RECOMMENDATION: That the City Council:

1. Approve Addendum No. 4 to the 2030 General Plan Program Environmental Impacts Report that documents that the proposed General Plan Amendment complies with the California Environmental Quality Act (CEQA).
2. Approve a resolution adopting and amending the 2030 General Plan Goals and Policies, Chapter 8, 2013-2021 Mid-Cycle Housing Element Update, with the change identified (PZ 16-620-02), and subsequently forward the document to the California Department of Housing and Community Development (HCD) for certification.

The City Clerk announced the affidavit of publication and stated that one written communication had been received.

The Planning Division Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Mark Pettit, Barbara Macri-Ortiz, Darlene Miller, Sal Gonzalez, and Jackie Tedeschi.

There being 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 Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to add AAHOP Site A12 to the City's AAHOP inventory. VOTE: Madrigal and Ramirez voted in favor; Flynn, MacDonald, and Perello were opposed. The motion failed 2-3.

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

1. SUBJECT: Six Amendments to the Zoning Code Related to Housing Element.
RECOMMENDATION: That the City Council:
 1. Approve for first reading six Zoning Text Amendment ordinances (PZ NO. 17-580-02 and PZ NOS. 17-580-05/-06/-07/-08/-09) relating to: 1) Attached Dwelling Unit development standards; 2) R-2 Multiple Family development standards; 3) Accessory Dwelling Units standards; 4) Reasonable Accommodation application fee and findings; 5) waiver of lot merger fees to encourage affordable housing development; and 6) farmworker housing definitions, allowed use in industrial and community reserve zones, and parking standards.
 2. Direct staff to incorporate zoning text amendments into the Municipal Code after the second reading.

The City Clerk announced the affidavit of publication and stated that one written communication had been received. The City Attorney clarified that the recommended action includes introducing the Ordinance for first reading by title only and waiving further reading.

The Planning Division Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Pat Brown, Mark Pettit, Eric Reiter, Barbara Macri-Ortiz, Jeremy Warren, and George Miller.

There being 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 Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to eliminate the replacement garage requirement for accessory dwelling units, provided that there is on-site parking available for the equivalent number of cars. 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 change the parking requirement for farmworker employee housing from one parking space for every two beds, to one space for every four beds. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

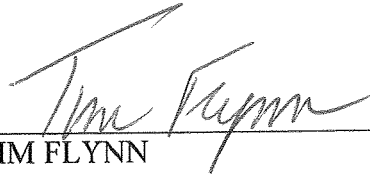
It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the remaining actions and waive further reading of the ordinance. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against, stating he felt the farming season impact was not sufficiently addressed. The motion carried 4-1.

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:14 p.m.



MICHELLE ASCENCION, CMC
City Clerk



TIM FLYNN
Mayor