MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 12, 2018

A. ROLL CALL/POSTING OF AGENDA

At 4:34 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 Stephen Fischer, City Attorney; Jesús Nava, 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)(2), based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

The City Council will also recess to a closed session, pursuant to Government Code section 54957.6(a), to review the status of labor negotiations and to review its available funds and funding priorities for the purpose of providing instructions to the City's negotiator, Steve Naveau, Director of Human Resources, regarding the organizations specified in Item C-2 of the meeting agenda."

At 4:35 p.m., the City Council recessed to a closed session. At 5:16 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 Ashley Golden, Interim Assistant City Manager; Ingrid Hardy, Cultural and Community Services Director; Jim Throop, Chief Financial Officer; Lisa Boerner, Purchasing Manager; Roger Brooks, Code Compliance Manager; Terrel Harrison, Recreation Manager; Shiri Klima, Assistant City Attorney; Chelsea Reynolds, PACC Manager; Mike Shaffer, Geographic Information Systems Manager; and Eric Sonstegard, Assistant Police Chief.

E. PUBLIC HEARING

Development Services Department

1. SUBJECT: Recovery of Civil Citation Fines.

RECOMMENDATION: That City Council: 1) conduct a public hearing to consider objections to the cost report of property owners whose property is to be assessed for civil citation fines, 2) approve the cost report, and 3) direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.

The City Clerk announced the notification of the property owners and stated that no written communications had been received by the City Clerk's office.

The Code Compliance Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. No public comments were received. 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. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

F. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating June 16, 2018 as the "28th Annual Juneteenth Celebration."

Mayor Flynn read the proclamation and presented it to event co-chair Julia Dixon, who made some remarks.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Steve Kinney (new exhibit at Carnegie Art Museum), Becky Quinn (need for more police canines), Melissa Avila (transient problems at The Colony Mobile Home Park), Robert Franks (transient problems at The Colony Mobile Home Park, ongoing Infrastructure User Fee litigation), Jackie Tedeschi (residents' options for reporting illegal fireworks), Pat Brown (additional cars being imported into the Port of Hueneme), and Manuel Herrera (recent Oxnard Cruise Night event).

H. REPORT OF CITY MANAGER

The Assistant City Manager announced various upcoming meetings and special events, and provided program updates. He highlighted the FY 2-18-19 Budget approval schedule, the Fiber Master Plan kickoff, and upcoming Environmental Resources pass-through rates.

I. CITY COUNCIL REPORTS

Councilmember Madrigal reported on Eastside Little League players going to a Dodger Game, recent Cal Gisler and College Estates neighborhood meetings, the "Second Thursday" food truck event, an "Oxnard Plain" exhibit at the Carnegie Museum, the Curren School gardening program, an Oxnard/Pacifica Special Olympics basketball game, Oxnard Cruise Night, a Soria School fundraiser, neighborhood cleanups at Bartolo Square North and Hobson Park East, and congratulated high school graduates going off to college.

Mayor Pro Tem Ramirez congratulated recent graduates, commented on upcoming/recent meetings of SCAG, EDC-VC, APCD, and the HUD Continuum of Care review committee, and commented on Oxnard Cruise Night.

Councilman MacDonald commented on the Juneteenth celebration, the new Carnegie exhibit opening, an upcoming LOSSAN Board meeting, and congratulated the Oxnard Cruise Night organizers.

Councilmember Perello reported on the Philippine Independence Day ceremony, a recent pedestrian fatality on Channel Islands Boulevard, repairing street lights, fireworks fines, public records requests, the recent credit card breach, and police canines. He thanked departing employees Ingrid Hardy, Ralph Alamillo, and Tammy Gutierrez for their service.

Mayor Flynn commented on the Oxnard Cruise Night event, the Heritage Square summer concerts, and the City Manager recruitment. The City Attorney gave a brief report on the City Manager recruitment process and announced that the City Council is negotiating with Alexander Nguyen for the position. Discussion ensued among Council and staff.

<u>City Attorney Department</u>

1. <u>SUBJECT</u>: Appointment of Interim City Manager.
   <u>RECOMMENDATION</u>: That City Council adopt **Resolution No. 15,135** appointing Jesús Nava to serve as Interim City Manager, effective close of business June 22, 2018, for a temporary period until a new City Manager appointed by the City Council commences City service, and during which period Mr. Nava shall receive a 10% temporary pay upgrade.

The City Attorney gave a report. Discussion ensued among the Council and staff. Public comments were received from Pat Brown, Roger Poirier, Jackie Tedeschi, Woodrow Thomas Sr., and J.R. Ruiz.

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.

<u>City Manager Department</u>

2. <u>SUBJECT</u>: Establish an Ad Hoc Committee Related to Education, Water, Wastewater and Port of Hueneme.
   <u>RECOMMENDATION</u>: That City Council:
   1. Consider formation of an ad hoc committee of two Councilmembers to identify agenda topics for joint meetings with outside elected bodies, including:
      a. Oxnard School District,
      b. Oxnard Union High School District,
      c. Oxnard Harbor District,
      d. City of Port Hueneme, and
      e. United Water Conservation District; and
   2. If such committee is formed, that the Mayor, with the approval of City Council, appoint two Councilmembers to constitute the committee.

Mayor Flynn gave a report. Discussion ensued among the Council and staff. Public comments were received from Daniel Chavez Jr. and Jackie Tedeschi. Further discussion ensued.

It was moved by Mayor Flynn, seconded by Mayor Pro Tem Ramirez, to form an ad hoc committee but remain sensitive/mindful of the timing of potential meetings. Further discussion ensued and the motions were withdrawn.

It was moved by Councilmember Perello, seconded by Mayor Flynn, to table the item to a future date uncertain. VOTE: Flynn, Madrigal, and Perello voted in favor; MacDonald and Ramirez voted against; the motion carried 3-2.

3. SUBJECT: Rating Agency Conference Call.
RECOMMENDATION: That City Council discuss an upcoming Standard & Poor's conference call scheduled for June 13, 2018, and determine whether individual Councilmembers should attend.

Mayor Flynn gave a report. Discussion ensued among the Council and staff. Public comments were received from Alicia Percell, Aaron Starr, Daniel Chavez Jr., and Jackie Tedeschi. Further discussion ensued. No action was taken.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Mayor Flynn announced that item L-7 is removed from the agenda. Items L-1 and L-6 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Alicia Percell and Roger Poirier.

L. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the April 3, 2018 and April 10, 2018 Regular Meetings as presented.

2. SUBJECT: Resolutions to Call November 6, 2018 Municipal Election, and Calling of Election for Initiative Measures for CFD No. 3 and CFD No. 4 (Seabridge at Mandalay Bay).
RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15,136** calling and giving notice of a municipal general election to be held on November 6, 2018, for the election of certain officers; consenting to and requesting election consolidation with the County of Ventura; requesting the County Clerk to render services and supplies; and authorizing the Board of Supervisors to canvass the returns;
2. Adopt **Resolution No. 15,137** establishing rules to govern submission by candidates of Candidate Statements;
3. Acting as the legislative body of City of Oxnard Community Facilities District Nos. 3 and 4 (Seabridge at Mandalay Bay), adopt **Resolution Nos. 15,138 and 15,139** ordering an election for ballot measures to consider adoption of Ordinances to reduce the amount of special taxes used to pay for overhead charges for CFD-3, and to reduce the portion of

the special tax utilized for Harbor Patrol costs in CFD-4; and requesting the County Clerk to conduct the election and authorizing the Board of Supervisors to canvass the returns.

City Manager Department

3. 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. LexisNexis Risk Solutions (8233-18-PO) for analytical software license for the Oxnard Police Department to implement the Intelligence-led Policing ($109,782).
B. Safety-Kleen Systems, Inc. (A-7988) for transportation and recycling of household hazardous waste material ($100,000).

City Treasurer Department

4. SUBJECT: First Amendment to Agreement for Utility Bill and Business Tax Form Printing, Inserting and Mailing Services.
RECOMMENDATION: That City Council:
1. Adopt **Resolution No. 15,140** permitting extension of Agreement No. A-7828 beyond three years.
2. Approve and authorize the Mayor to execute an amendment to the agreement with InfoSend, Inc. for printing, inserting and mailing services (Agreement No. A-7828) to increase the amount by $597,000, resulting in a total contract amount of $1,523,923, extend the expiration date to June 30, 2020, and allow for change in the equipment used to produce utility bills and business tax renewals.

Cultural and Community Services Department

5. SUBJECT: Acceptance of Senior Nutrition Grant Funds from the Ventura County Area Agency on Aging (VCAAA).
RECOMMENDATION: That the City Council:
1. Authorize the City Manager or designee to execute Ventura County Area Agency on Aging Grant Contract No. for the Provision of Services (Senior Nutrition Program) ("Senior Nutrition Program Grant Agreement") and any other document or instrument necessary to carry out the purposes of Senior Nutrition grant; the Chief Financial Officer or designee to submit financial reports, grant claims and approve budget adjustments for the use of Senior Nutrition grant funds; and
2. Approve a budget appropriation to recognize the Senior Nutrition grant award in the amount of $103,550 and program donations in the amount of $15,000 for the FY 2018-2019 Senior Nutrition Program.

6. SUBJECT: Performing Arts Center Agreement Extension.
RECOMMENDATION: That City Council approves and authorizes the Mayor to execute an extension of the Agreement between the City and the Oxnard Performing Arts Center Corporation (A-5904) for the operation, maintenance and management of the Performing Arts and Convention Center through June 30, 2019.

Public Works Department

7. SUBJECT: Second Amendment to Agreement No. 6552-14-PW with the Groundskeeper, Inc. for Landscape Maintenance Services to Public Works Facilities.

(This item was removed from the agenda.)

8. SUBJECT: Fourth Amendment to Agreement No. 7592-16-PW with Kelly Cleaning & Supplies, Inc.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Fourth Amendment to the Kelly Cleaning & Supplies, Inc. Agreement No. 7592-16-PW for Janitorial Services at Public Works Facilities, extending the contract termination date to November 26, 2018 and increasing the contract by $95,000 for a new total not to exceed of $339,400.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the Information/Consent items as presented [without item L-7, which was removed from the agenda]. VOTE: Flynn, MacDonald, and Ramirez voted in favor; Madrigal abstained on item L-1; Perello voted against item L-6. The motion carried 4-0-1 on item L-1; 4-1 on item L-6; and 5-0 on the remaining items.

M. REPORTS

Cultural and Community Services Department

1. SUBJECT: Hueneme Elementary and Oxnard School District After School Education and Safety Grant.
RECOMMENDATION: That City Council:
1. Approve and authorize the Mayor to execute the Memorandum of Understanding (A-8068) and Partnership Agreement (A-8069) with the Hueneme Elementary School District (HESD) for the City of Oxnard to receive the total amount of $2,526,870 to provide services under the California After School Education and Safety (ASES) program at ten (10) HESD schools during FY 18-19, FY 19-20 and FY 20-21; and
2. That the City Council approve and authorize the Mayor to execute an agreement with the Oxnard School District (OSD) (A-8071) for the City to receive an amount not to exceed $2,425,000. Primary Services shall not exceed $2,120,000 and "Additional Services" for summer school not to exceed $105,000, and Intercession not to exceed $200,000.

The Recreation Manager gave a report. Public comments were received from Ray Tejada, Daniel Chavez Jr., Gabriel Teran, Leonor Fernandez, and J.R. Ruiz. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, 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.

Finance Department

2. SUBJECT: Purchasing Ordinance Amendment.

RECOMMENDATION: That the City Council:
1. Approve the introduction and first reading by title only and waive further reading of an ordinance amending Chapter 4 of the City Code regarding the performance of public projects, the purchase of supplies and equipment, contracting for services, and the leasing of real property;
2. Adopt **Resolution No. 15,141** repealing former purchasing and procurement resolutions; and
3. Repeal the City's current Purchasing Manual.

The Purchasing Manager and Assistant City Attorney gave a report. Discussion ensued among the Council and staff. No public comments were received.

It was moved by Councilman MacDonald, 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.

Information Technology Department

3. SUBJECT: Oxnard 311 - Second Anniversary Performance Update.
RECOMMENDATION: That City Council receive an update on the second year performance of the Oxnard 311 App.

The Geographic Information Systems Manager gave a report. Public comments were received from Jackie Tedeschi and Dan Pinedo. Discussion ensued among the Council and staff. No action was taken.

CONTINUATION OF PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Public comments were received from Richard Kristofferson.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:17 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Carmen Ramirez for TF

TIM FLYNN
Mayor