MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 20, 2018

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority) 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. Housing Commissioner Jose Andrade arrived at 5:33 p.m. Housing Commissioner Francisco Vega arrived at 6:17 p.m.

Staff members present were Jesús Nava, Assistant City Manager (serving as Acting City Manager); Stephen Fischer, City Attorney; 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 Workers' Compensation proceedings being discussed are Edward Romero v. City of Oxnard and Alberto Rivera v. City of Oxnard."

At 4:36 p.m., the City Council recessed to a closed session. At 5:30 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.

Additional staff members present at this time were Arturo Casillas, Housing Director; Kymberly Horner, Economic Development Director; Steve Navaeu, Human Resources Director; Jim Throop, Chief Financial Officer; Jeri Cooper, Special Districts Project Manager; John Hanes, City Safety Officer; Justin Link, Transportation Services Manager; Kathleen Mallory, Planning Division Manager; and Eric Sonstegard, Assistant Police Chief.

E. APPOINTMENT ITEM

Economic Development Department

1. SUBJECT: Oxnard Convention & Visitors Bureau Annual Update.
   RECOMMENDATION: That City Council receive a report on the Oxnard Convention and Visitors Bureau.

The Economic Development Director introduced Oxnard Convention & Visitors Bureau (OCVB) President Julie Mino, who gave a report. Public comments were received from Abel Magana. Discussion ensued among the Council and OCVB board members. No action was taken.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Dale Dean (City Manager recruitment), Woodrow Thomas Sr. (status of his claim against the city), Tiffany Lopez (announced upcoming community events), Steve Nash (gun control), Michael Feinstein (candidate for Secretary of State), Edward Castillo (City Manager recruitment), Daniel Chavez Jr. (public safety), Louise Vien (Laubach literacy program), Pat Brown (upcoming recall election), David Trude (code enforcement at Whalers Village), Richard Wooley (security concerns at Whalers Village), Jesus Nava (acknowledged Rose Park Neighborhood Council members), and Abel Magana (county actions to address homelessness).

G. REPORT OF CITY MANAGER

The Acting City Manager announced various upcoming meetings and special events, and provided program updates. He also mentioned recent television filming at various locations in the city and an upcoming Downtown Vision Plan meeting.

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

H. CITY COUNCIL REPORTS

Councilmember Madrigal commented on recent neighborhood cleanup events, Rose Park Neighborhood chair Rogelio Quezada, recent acts of violence in the news, the championship Hueneme High School girls basketball team, and the City Manager recruitment.

Mayor Pro Tem Ramirez commented on Mr. Quezada, the City Manager recruitment process, the upcoming Downtown Visioning event, the recent National League of Cities conference, the failed NRG power plant proposal, funding for homeless shelters, and her upcoming wedding anniversary.

Councilmember Perelio commented on the recent special election debate, literacy tutoring, an upcoming Ventura Regional Sanitation District meeting on solid and liquid waste fees, recent violence in the news, Mr. Quezada, and his public memo on the "Red Team's" efforts to seek grant funding.

Mayor Flynn commented on the impending rain storm and urged people to assist those affected by the potential natural disasters.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-3, K-4(A), K-4(D), K-5, K-6, K-7, and K-9 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Robert Chatenever. Discussion ensued among Council and staff.

K. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: First Amendment to Attorney Services Agreement with Aleshire & Wynder, LLP
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to the Attorney Services Agreement ("Agreement") with Aleshire & Wynder, LLP ("Aleshire & Wynder") (Agreement No. 7598-16-CA) for legal services relating to litigation involving condemnation issues and general legal advice for an increase of $200,000 for a total contract amount not to exceed $400,000.

City Clerk Department

2. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the January 30, 2018 Regular Meeting, February 6, 2018 Regular Meeting, and February 7, 2018 Special Meeting as presented.

3. SUBJECT: Certificate of Sufficiency of Signatures for the Initiative Petition Entitled: "Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay)."
RECOMMENDATION: No City Council action is required at this time; however a resolution to consolidate the measure with the November 6, 2018 General Election will be brought to the Council for adoption at the April 3, 2018 regular meeting.

City Manager Department

4. 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. Magellan Advisors (A-8053) to develop a Fiber Master Plan ($98,450).
B. E. P. Consulting (8083-17-CM) to serve as the City's liaison for communicating and coordinating legislative actions with the City's state and federal legislative consultants ($20,000).
C. Liebert Cassidy Whitmore (Purchase Order No. 6745) for employee relations legal services ($175,000).
D. GlaxoSmithKline, Inc. (Purchase Order No. 6734) for Hepatitis A and B vaccine ($140,000).

Cultural and Community Services Department

5. SUBJECT: Recognize Revenue and Appropriate Matching Funds for the Retired and Senior Volunteer Program (RSVP).
RECOMMENDATION: That City Council:
1. Recognize revenue in the amount of $67,777 and appropriate matching funds of $29,047, for the Retired and Senior Volunteer Program grant, and
2. Authorize the City Manager or designee to execute grant agreements; the Finance

Director or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds.

Finance Department

6. SUBJECT: Budget Appropriation for the Reimbursement of Surplus Funds for AD 96-1 Close Out.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of $723,545.43 for the reimbursement of surplus funds remaining as a result of the cancellation of the special tax lien and dissolution of Assessment District 96-1.

7. SUBJECT: Budget Appropriation for Various Landscape Maintenance Districts and a Community Facilities District.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of $90,415 for the current Fiscal Year 2017-18 from fund balance of the various Landscape Maintenance Districts and a Community Facilities District for water usage overages and special projects not included in the current budget.

Human Resources Department

8. SUBJECT: Adoption of Successor Memorandum of Understanding with the Oxnard Public Safety Managers' Association Fire Unit.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,097** approving a successor memorandum of understanding (MOU) with the Oxnard Public Safety Managers' Association Fire Unit.

Police Department

9. SUBJECT: Second Amendment to Taser Agreement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Second Amendment to Agreement A-7858 with Axon Enterprises, Inc., formerly known as TASER International, Inc., to increase the amount by $268,973.55 to a total of $1,374.390.47 over five years for the purpose of adding fifty (50) body-worn cameras.

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.

L. PUBLIC HEARINGS

(Mayor Flynn announced that item L-3 will be postponed.)

Housing Department

1. SUBJECT: Five-Year & Annual Agency Plan and Five-Year Capital Fund for Low Rent Public Housing.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard:
1. Hold a public hearing to receive comments concerning the fourth year of the Five-

Year Agency Plan and the 2018 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and

2. Adopt **Housing Resolution No. 1302**:

a. Approving the Five-Year and Annual Agency Plan for the Housing Authority;

b. Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures;

c. Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with HUD's policies and procedures regarding the Five-Year Agency Plan;

d. Approving the 2018 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and

e. Authorizing the Housing Director to accept and expend the funds as indicated in the revised 2018 Capital Fund Annual Statement and Five-Year Capital Fund Plan.

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

The Housing Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Woodrow Thomas Sr. and Dan Pinedo.

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 Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to approve staff's recommendation as presented. VOTE: Andrade, Flynn, MacDonald, Madrigal, Perello, Ramirez, and Vega voted in favor; the motion carried 7-0.

Development Services Department

2. SUBJECT: Appeal of Planning Commission Approval of Planning & Zoning Permit No. 17-540-01 (Special Use Permit) and Approval of Planning & Zoning Permit No. 17-300-01 (Tentative Parcel Map).

RECOMMENDATION: That City Council:

1. Adopt **Resolution No. 15,098** upholding the Planning Commission's approval of Planning and Zoning Permit No. 17-540-01 (Special Use Permit for a Planned Development Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-05.

2. Adopt **Resolution No. 15,099** approving Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-06.

The City Clerk announced the affidavit of publication and stated that no written communications 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 applicant Tom Davies.

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 Councilmember Perello, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

3. 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) to Construct 20 Townhome Units Inclusive of 4 Affordable Units (Low Income), and a Tentative Subdivision Map to Create 20 Condominium Units on the 0.91-Acre Parcel Located Within the Southwinds Neighborhood. 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").

(This item was removed from the agenda.)

M. REPORTS

Public Works Department

1. SUBJECT: Intelligent Transportation Systems Update.
   RECOMMENDATION: That City Council receive an update on the City's Intelligent Transportation System.

The Transportation Services Manager gave a report. Public comments were received from Pat Brown. Discussion ensued among the Council and staff. No action was taken.

2. SUBJECT: Traffic Signal Project - Rose and Gary Drive.
   RECOMMENDATION: That City Council:
   1. Authorize the City Manager or designee to recognize State grant revenue and appropriate funds in the total amount of $17,000 (grant and match) to implement the Rose Avenue and Gary Drive New Traffic Signal project.
   2. Recognize grant award of design phase in amount of $15,000 and approve a match of $2,000 to the Rose Avenue and Gary Drive New Traffic Signal Project No. 183104.

The Transportation Services Manager gave a report. Public comments were received from Michelle Ascencion. Discussion ensued among the Council and staff.

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.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 8:52 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 6/6/18

TIM FLYNN
Mayor