

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 13, 2016

A. ROLL CALL/POSTING OF AGENDA

At 4:37 p.m., the regular meeting of the Oxnard City Council was called to order in the Council Chambers. The City Clerk called the roll: 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; Ruth Osuna, Assistant City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Comments were received from Steve Nash (regarding the "Moving Oxnard Forward" group).

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Mayor Flynn announced that the Council would recess to Closed Session, at the request of the City Attorney, regarding the following matter:

(Government Code section 54956.9 (d)(1))

Name of case: City of Oxnard; et al. v. Aaron Starr

Ventura County Superior Court, Case No. 56-2016-00479696-CU-MC-VTA

At 4:41 p.m., the City Council recessed to Closed Session. Open session resumed at 6:11 p.m. There was no announcement following closed session.

D. OPENING CEREMONIES

The City Clerk called the roll. The flag salute was followed by a moment of silence.

Additional staff members present were Darwin Base, Fire Chief; Keith Brooks, Information Technology Director; Arturo Casillas, Housing Director; Ashley Golden, Development Services Director; Ingrid Hardy, Cultural and Community Services Director; Steve Janice, Human Resources Director; Daniel Rydberg, Public Works Director; James Throop, Chief Financial Officer; Scott Whitney, Chief of Police; Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning Division Manager; Jeff Pengilley, Deputy Building Official; Kenneth Rozell, Assistant City Attorney; and Chris Williamson, Principal Planner.

E. CEREMONIAL CALENDAR

1. SUBJECT: A Visitor from the North Pole.

Santa Claus, Mrs. Claus, and some elves greeted the City Council and audience members, and announced the upcoming Santa float tours and other holiday events.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Daniel Chavez, Jr. (accountability); Daniel Mitchell (Sycamore Senior Village); Aaron Starr (judge's stay of Measure M); Alicia Percell (judge's stay of Measure M); Larry Stein (public records request); and Dan Pinedo (City Council dialog).

G. REPORT OF CITY MANAGER

The City Manager announced a special meeting on December 19, 2016 on Downtown Revitalization. He commented on the judge's ruling to grant a stay of Measure M, and the resulting and potential impacts on the City's financial position and wastewater facilities.

H. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Councilmember Madrigal commented on the "Dressembler" movement to raise awareness for human trafficking.

Mayor Pro Tem Ramirez reported on visiting the Winter Warming Shelter and discussed the financial need in order to keep the shelter open for the full season. She also attended retirement ceremonies for Ventura City Councilmember Carl Morehouse and Ventura County Supervisor Kathy Long.

Councilman MacDonald reported on attending the Santa to the Sea half-marathon. He announced that Christmas Tree Lane is open on "F" and "G" Streets and urged drivers to be careful.

Councilmember Perello announced upcoming meetings of the Fiscal Policy Task Force and Cultural Arts Commission. He attended a recent meeting of the Library Board. He urged anyone with information on a recent homicide on Vineyard Avenue to contact police.

Mayor Flynn announced the Citizen Advisory Groups' application period.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1 and K-2a were pulled for discussion.

Regarding K-2a: Councilmember Perello inquired about the additional hours provided by the contract amendment (the Public Works Director responded).

Regarding K-1: Mayor Flynn commented that the Ordinance brings the city's code into alignment with state code and clarified when the rules take effect (the City Attorney responded). Discussion ensued among Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Comments were received from Daniel Chavez Jr. and Harold Ceja. Discussion ensued among Council and staff.

K. INFORMATION/CONSENT AGENDA**City Attorney Department**

1. **SUBJECT:** Adoption of Marijuana Code Amendment.
RECOMMENDATION: That City Council adopt **Ordinance No. 2911** amending Section 7-282 of the City Code to provide that indoor marijuana cultivation in compliance with state law is not prohibited.

City Manager Department

2. **SUBJECT:** Agreements for City Council Review.
RECOMMENDATION: That City Council, pursuant to Ordinance 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described below:

Affiliated Communications, LLC. (dba Alert Communications) for backup support for Environmental Resources Call Center (\$70,000).

Quinn Company for the purchase of four diesel generators for Fire Stations 1, 2, 3 and 5 (\$161,027).

Development Services Department

3. **SUBJECT:** First Amendment to Jan-Pro Trade Services Agreement, and Special Budget Appropriation for Oxnard Transit Center.
RECOMMENDATION: That City Council:
 1. Approve and authorize the Mayor to execute the First Amendment to the Agreement with Jan-Pro Cleaning Systems – Central Coast, to extend the expiration date to December 15, 2017, and increase the amount of the contract to \$12,810 per month for janitorial services for the Oxnard Transit Center (OTC) at 201 East Fourth Street (Agreement No. A-7846).
 2. Approve a special budget appropriation to increase the budget for the Oxnard Transit Center operations by \$45,700 from the Transportation Development Act (Fund 213) Article 8c fund balance.

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. PUBLIC HEARING**Development Services Department**

1. **SUBJECT:** Planning and Zoning Permit No. 16-620-03 (General Plan Amendment, Citywide): Clarifying Procedures of Implementation of Urban Villages Within the City of Oxnard.

RECOMMENDATION: That the City Council adopt **Resolution No. 14,981** approving General Plan Amendment Permit No. 16-620-03 to require a specific plan to be prepared in advance of implementing an Urban Village in a specific authorized location.

The City Clerk presented the affidavit of publication and reported 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 Lorraine Effress (in favor), Diane Delaney (in favor), Rene Aiu (in favor), Judy Dugan (in favor), Steve Kinney (against), Nancy Lindholm (against), Tom Tellefsen (against), Lyn Krieger (against), Randy Short (against), Jackie Pinson (in favor), and Barbara Macri-Ortiz (in favor). Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, moved to close the public testimony portion of the public hearing; the Council approved unanimously.

Discussion ensued among Council and staff.

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

2. SUBJECT: General Plan Amendment PZ No. 15-620-04 to Adopt 2013-2021 Housing Element and Four Implementing Zone Text Amendments PZ Nos. 16-580-02/-03/-04/-05.

RECOMMENDATION: That the City Council:

Approve Addendum No. 4 to the 2030 General Plan Program Environmental Impact Report that documents that the proposed General Plan Amendment and three Zoning Code Amendments comply with the California Environmental Quality Act.

Approve **Resolution No. 14,982** adopting and amending the 2030 General Plan Goals and Policies, Chapter 8, 2013-2021 Housing Element, with the changes identified, and subsequently forward the document to the California Department of Housing and Community Development (HCD) for certification (PZ 15-620-04).

Introduce three ordinances to revise and reorganize Municipal Code, Division 7, regarding Density Bonus (PZ No. 16-580-02), and All-Affordable Housing Opportunity Program (PZ No. 16-580-03) and amend Municipal Code Section 16-465, Accessory Dwelling Units (PZ No. 16-580-05).

Direct staff to finalize with noted corrections, incorporate the 2013-2021 Housing Element into the 2030 General Plan as Chapter 8 of the Goals and Policies document, incorporate zone code text amendments into the Municipal Code after the second reading, and forward the 2013-2021 Housing Element to the Department of Housing and Community Development (HCD) for certification.

The City Clerk presented the affidavit of publication and reported that four written communications had been received.

The Planning Division Manager and Principal Planner gave a report. Discussion ensued among the Council and staff.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were

received from Barbara Macri-Ortiz (against), Eileen Tracy (against), Steve Nash, Gail Weller Brown (against), Daniel Chavez Jr., Lorenzo Castillo, Sal Gonzalez, and Pat Brown. Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, moved to close the public testimony portion of the public hearing; the Council approved unanimously.

Further 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.

(As it was nearing 10:00 p.m., the City Council voted unanimously to allow for all remaining items on the agenda to be heard.)

3. SUBJECT: General Plan Amendment 16-620-02 for SB244 Infrastructure Study of Nyeland Acres.

RECOMMENDATION: That the City Council adopt **Resolution No. 14,983** approving an amendment to the Chapter 3 (Community Development) and Chapter 9 (Implementation) of the 2030 Goals and Policies document of the 2030 General Plan.

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

The Planning Division Manager gave a presentation.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Daniel Chavez Jr. Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, moved to close the public testimony portion of the public hearing; the Council approved unanimously.

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.

4. SUBJECT: Ordinance Regarding Building Regulations.

RECOMMENDATION: That City Council approve the first reading by title only and subsequent adoption of an ordinance repealing and reenacting Articles II through XI, XV, and XVI of Chapter 14 of the Oxnard City Code, pertaining to the California Building Code, California Residential Code, California Green Building Standards Code, International Property Maintenance Code, Uniform Code for the Abatement of Dangerous Buildings, California Historical Building Code, California Electrical Code, California Existing Buildings Code, California Mechanical Code, California Referenced Standards Code, California Plumbing Code, Fire Codes, and Fire Sprinklers.

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

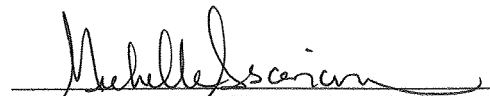
The Deputy Building Official gave a report. Mayor Flynn opened the public testimony portion of the public hearing. No members of the public requested to speak. Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, moved to close the public testimony portion of the public hearing; the Council approved unanimously.

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.

R. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:26 p.m.


MICHELLE ASCENCION, CMC
City Clerk


TIM FLYNN
Mayor