

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 28, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:08 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, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 5:42 p.m.). Housing Commissioner Francisco Vega arrived at 6:00 p.m.; Commissioner Jose Andrade was absent.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

(Item C-1 was removed from the agenda.)

The Mayor read the following closed session statement:

“The City Council will recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.”

At 5:10 p.m., the City Council recessed to a closed session. At 6:03 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 Darwin Base, Fire Chief; Arturo Casillas, Housing Director; Ashley Golden, Development Services Director; Thien Ng, Interim Public Works Director; Mark Alvarado, Homeless Assistance Services Coordinator; Jason Benites, Assistant Police Chief; Carri Karuhn, Media and Community Relations Manager; Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning Division Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Resolution to Margaret Tobin for Thirty-Four Years of Outstanding Service to the City of Oxnard.

(This item was postponed.)

2. SUBJECT: Presentation of a Commendation to Samuel Foster and Officer Hayley Bracken for Their Selfless Act of Heroism.

The Fire Chief gave a synopsis of the event and Mayor Flynn read the certificate of commendation and presented it to Officer Bracken (Mr. Foster was unable to attend). Officer Bracken made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Stanley Block (commissioning of the USS Tulsa), Pete Plascencia (La Colonia Boxing Gym), Ozzie Lopez (Thanksgiving homeless feeding at Casa Lopez), Kitty Merrill (joining the Los Angeles Community Choice Energy aggregate), Ron Whitehurst (Los Angeles Community Choice Energy), Karina Kaye (Los Angeles Community Choice Energy), Alice Sweetland (Senior Services Commission), Al Velasquez (renewable energy structures and blight), and Pastor Raul Arce (caring for the homeless).

G. REPORT OF CITY MANAGER

The City Manager reported on the upcoming Oxnard Christmas Parade and other holiday activities. He stated that he, the Police Chief, and Assistant Police Chief recently toured the Halaco homeless encampment and several neighborhood parks to assess the homeless issue. He announced that the first special meeting regarding City Council districts will be held on December 12, 2017. He reported that a new Downtown Revitalization Manager has been recently hired. He encouraged people to donate funds to support the winter warming shelter.

H. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending the recent Rose Park Neighborhood Council meeting and serving at the Rescue Mission for Thanksgiving. He congratulated the Rio Mesa High School and Santa Clara High School varsity football teams for making it to the CIF semifinals. He commented on the "Stay Classy Oxnard" Facebook page.

Mayor Pro Tem Ramirez requested a discussion on campaign finance reform in the wake of the Council Districts discussion. She requested a future agenda item on the Los Angeles County Community Choice Energy aggregate. She encouraged the community to donate to the winter warming shelter.

Councilman MacDonald invited the community to the upcoming Christmas Tree Lighting and Downtown Christmas Parade.

Councilmember Perello reported on helping to feed the homeless on Thanksgiving at Casa Lopez. He commended the Rio Mesa High School football team and Luna Trucking for donating its services for the Christmas Parade. He commented on the recent cleanup of the burned down property at Lantana and Gonzales Road. He requested a future agenda item on the Los Angeles County Community Choice Energy aggregate. He encouraged people to be generous to those in need this holiday season.

Mayor Flynn reported on helping to feed the homeless at the Rescue Mission for Thanksgiving. He commented on homelessness in the city, requested a formal declaration of a homeless emergency,

advocated for finding longer-term solutions beyond the winter warming shelter, and the need for a regional approach to the mental health crisis.

The Council and City Manager discussed holding a study session regarding the Los Angeles Community Choice Energy aggregate. Assistant City Manager Nava introduced the new Media and Community Relations Manager, who made some remarks.

The Council decided to hear item M-1 next.

M. REPORTS

City Manager Department

1. SUBJECT: Halaco Property.

RECOMMENDATION: That the City Council:

1. Authorize the City Manager to approve a budget appropriation of \$400,000 to abate the Halaco property site to be funded by the General Fund Undesignated Reserve Fund Balance;
2. Approve the cost of abating the Halaco property in the amount of up to \$200,000;
3. Authorize the City Manager to execute an agreement in an amount not to exceed \$100,000 with the winning bidder of the Request for Bids (RFB) process for the proposed abatement work on the Halaco site in standard city form contingent upon final review and approval of the City Attorney; and
4. Ratify the City Manager's approval of an amendment to the existing agreement with Professional Security Consultants (PSC) in an amount not to exceed \$100,000 to provide security services at the Halaco site. This amendment will increase the contract with PSC to \$315,000.

Assistant City Manager Osuna, the Development Services Director, and Assistant Police Chief gave a report.

Public comments were received from Faustino Zuniga, Raymond Mendez, Frank Mendez, Diana Larios, Peggy Larios, Guadalupe Celedon, Lucy Cartagena, Al Velasquez, Manuel Contreras, Tom Garcia, Michael Hill, J. Ruiz, Cindy Hulsey, Dan Pinedo, George Gonzalez, Albert Rivera, Michael Collazo, and Candida Mobley. Discussion ensued among the Council and staff.

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 voted against. The motion carried 4-1.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Senior Services Commission Chair Alice Sweetland gave a brief report on item K-3. Comments were received from Senior Services Commissioners Jeffrey Nevitt and Kay Brainard. Discussion ensued among the Council and staff.

Items K-2(C) and K-4 were pulled for discussion. Discussion ensued among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jackie Tedeschi.

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

1. **SUBJECT:** Minutes of the October 3, 2017, October 10, 2017, and October 17, 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. Aqua Tech Services, Inc. (8110-17-PW) for on-call backflow assemblies testing, maintenance, repair and replacement services (\$180,000).
 - B. Brownstein Hyatt Farber Schreck, LLP. (5373-11-CA) for legal services in connection with the GREAT Program, participation in Regional Water Policy meetings and other development related water issues (\$125,000).
 - C. Ephonation.com, Inc. dba Ansafone Contact Centers (7870-17-PW) for telephone answering services for the Public Works Department until a new agreement is awarded (\$35,000).
 - D. All American Asphalt (7949-14-PW) to repair and replace all unsafe sidewalks, spandrels and curb and gutters (\$40,211).
 - E. Sam Hill & Sons, Inc. (A-7721) to repair damage breaker in the main switchgear building located at the Wastewater Treatment Plant (\$38,159).
 - F. Sam Hill & Sons, Inc. (A-7721) to repair a street subsidence developed near an abandoned City sewer line on Pleasant Valley Road (\$29,835).
 - G. Summit Air Conditioning (Purchase Order No. 6587) to purchase five HVAC units for the Wastewater Treatment Plant.

Cultural and Community Services Department

3. **SUBJECT:** Senior Services Contribution Awards to Agencies.
RECOMMENDATION: That City Council:
 1. Approve the Senior Services Commission's (SSC) recommended distribution of \$44,600 from the General Fund for Senior Services Contribution Awards to eleven agencies providing services to seniors. These funds were previously appropriated in the FY2017-18 General Fund Operations budget.
 2. Direct the Recreation Supervisor to notify recipients of Senior Services Contribution Awards.
 3. Authorize the Recreation Supervisor to execute a letter of agreement for each recipient.
 4. Authorize the Chief Financial Officer to make disbursements in accordance with the letter of agreement.

Housing Department

4. SUBJECT: Award of Contract for Wall Insulation Improvement for 74 Public Housing Units.
RECOMMENDATION: That the City of Oxnard Housing Authority Board of Commissioners approve and authorize the Chairman to execute a firm-fixed price contract in the amount of \$262,100 with A. Bates G.C. Inc. (Agreement number A-8023), using funds previously appropriated from the 2016 Capital Fund grants, for the insulation improvement in the walls of 74 public housing units at Pleasant Valley Village located at Squires Drive and Trevino Terrace in Oxnard. No General Fund monies are being used for this project.
5. SUBJECT: Appropriation for Winter Warming Shelter.
RECOMMENDATION: That the City Council:
1. Approve a budget appropriation of \$56,673 from General Funds Reserve for the 2017-2018 Western Ventura County Winter Warming Shelter for the Homeless; and authorize the Housing Director to execute the necessary agreements with the City of San Buenaventura and the Downtown Ventura Organization to fund the operation of the Shelter.
 2. Authorize that 90% of these resources be made available in advance to cover start-up and operations costs at the Winter Warming Shelter.
 3. Authorize the City Manager or designee to execute any additional agreements and carry out all authorized expenditures related to implementation of the Winter Warming Shelter.

Public Works Department

6. SUBJECT: Wastewater Treatment Plant (OWTP) Flow Equalization Basin Pump Replacement (Purchase Order No. 6519).
RECOMMENDATION: That City Council:
1. Approve and authorize the City Manager to execute Purchase Order No. 6519 in the amount of \$90,309.12 to replace in the Wastewater Treatment Plant (OWTP) an existing Flow Equalization Basin (FEB) pump.
 2. Approve a Budget Appropriation in the amount of \$90,309.12 for the purchase of the FEB pump in Wastewater Operations Fund account number 621-6205-891.86-06.
7. SUBJECT: Elm Street School Sewer Connection Project.
RECOMMENDATION: That the City Council:
1. Authorizes the City Manager to execute Agreement A-8021 (at no cost to the City) with the Oxnard School District for the Elm Street School Sewer Connection Project.
 2. Approve a Budget Appropriation in the amount of \$124,525 to Project No. 18IN01 Elm Street School Sewer Connection Project. This amount to be from the Wastewater Capital Improvement Fund.
8. SUBJECT: Green Business Program Budget Appropriation.
RECOMMENDATION: That City Council authorizes the recognition and appropriation of grant award in the total amount of \$20,000 to initiate the City of Oxnard Green Business Certification Program. An in-kind match of \$22,873 is already part of the FY2017-18 budget.

9. SUBJECT: Clean Harbors Household Hazardous Waste Management Services.
RECOMMENDATION: That City Council approve the Third Amendment between the City of Oxnard, the City of Port Hueneme and Clean Harbors Environmental Services, Inc. in an amount not-to-exceed \$80,000 for a total contract amount of \$400,000 to provide permitted disposal of non-recyclable and Class II Household Hazardous Waste (HHW) program drop-off services, thereby extending the term from October 4, 2017, to June 30, 2019. Funds will be from the Environmental Resources Enterprise fund.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez, and Vega voted in favor. The motion carried 6-0 on item K-4 (Housing Authority item), and 5-0 on the remaining items (City Council items).

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 17-550-03 (Major Modification to a Special Use Permit), for Property Located at 161 West Stroube Street (Vineyard Gardens Apartments).
RECOMMENDATION: That the City Council:
1. Approve the first reading by title only and waive further reading of an amendment to Ordinance No. 2481 to delete the requirement that the existing 62 affordable housing units be converted to condominium or cooperative ownership; and
 2. Adopt **Resolution No. 15,070** modifying City Council Resolutions No. 11,490 and 11,491 to delete the requirement that the existing 62 affordable housing units be converted to condominium or cooperative ownership.

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. No one requested to speak. 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: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Housing Department

2. SUBJECT: Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Many Mansions.
RECOMMENDATION: That the City Council:
1. Hold a public hearing regarding the issuance of up to \$15,000,000 of multifamily housing revenue bonds by the California Municipal Finance Authority to finance

acquisition and construction of Vista Pacifica (also known as Ormond Beach Villas), a 40-unit multi-family rental housing project located at 5527 and 5557 S. Saviers Road, of which no General Fund monies will be used; and

2. Adopt **Resolution No. 15,071** approving the issuance of bonds.

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

The Housing Director made some remarks and introduced the Housing Compliance Services Manager, who gave a report.

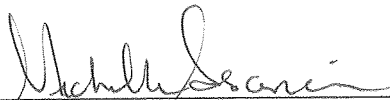
Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Pat Brown. Discussion ensued among Council, staff, and developer Alex Russell.

Without objection, the Council approved closing the public testimony portion of the public hearing. Further discussion ensued.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, 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 9:32 p.m.



MICHELLE ASCENCION, CMC
City Clerk



TIM FLYNN
Mayor