

MINUTES  
OXNARD CITY COUNCIL  
Regular Meeting  
April 18, 2017

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., the regular meeting of the Oxnard City Council was called to order by Mayor Flynn in the Council Chambers. The City Clerk called the roll and announced the posting of the agenda on April 14, 2017. 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; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None)

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 on two cases. The title and case numbers of the litigation being discussed are:

1. Scott Carroll v. City of Oxnard, Workers' Compensation Case No. ADJ10489361; and
2. Estate of Meagan Hockaday; et al. v. City of Oxnard; et al., United States District Court, Case No. 2:16-cv-02145-JAK-GJS."

At 4:36 p.m. the City Council recessed to a closed session. At 6:08 p.m. the City Council reconvened in open session in the Council Chambers. There was no announcement following closed session.

D. OPENING CEREMONIES

The flag salute, led by Councilman MacDonald, was followed by a moment of silence in honor of Oxnard residents Tom Ragan and Francine Reyes, who recently passed away.

Additional staff members present at this time were Darwin Base, Fire Chief; Keith Brooks, IT Director; Steve Janice, Human Resources Director; Phillip Molina, City Treasurer; Daniel Rydberg, Public Works Director; James Throop, Chief Financial Officer; Scott Whitney, Chief of Police; Omar Castro, Water Division Manager; Jay Duncan, Customer Services Manager; Eric Hummel, Sustainability Coordinator; Shiri Klima, Assistant City Attorney; Licette Maldonado, Utilities Finance Officer; Kathleen Mallory, Planning Division Manager; Todd Vasquez-Housley, Environmental Resources Manager; and Diego Zuniga, Computer Network Engineer I.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation Declaring Oxnard Guerreros FC as Oxnard's Official Professional Soccer Team.

Mayor Flynn presented a proclamation to Oxnard Guerreros founder/owner Ty Otto, and the team players and staff members all introduced themselves.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Sandra McLaughlin (Channel Islands Harbor proposed development), Jackie Pinson (Channel Islands Harbor proposed development), Raul Lopez (safe city resolution/petition), Jack Villa (Channel Islands Harbor proposed development), Pete Placencia (senior health fair), Pat Brown (Camarillo Airport and Heritage Square events), Woodrow Thomas Sr. (status of claim), Daniel Chavez Jr. (infrastructure use fee litigation), and Greg Runyon (racial unity).

G. REPORT OF CITY MANAGER

The City Manager announced that the Community Relations Commission is researching the sanctuary city issue. He announced the Mayor's upcoming State of the City presentation to the Chamber of Commerce. He stated that an interim solution to the Patterson Road damage is in process, with funding for the full repairs expected to be available next year. Upcoming Council agenda items will include a Safe Homes Safe Families rental inspection program item and an update on the Council's strategic priorities. He commented on the swearing in of new police officers. The Sustainability Coordinator announced an Earth Day event in La Colonia on Saturday.

H. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending the recent La Colonia Neighborhood Council meeting and the city's Earth Day event. He commended the kindergarten student who won the Strawberry Festival youth poster contest. He commented on the victim of a recent homicide, Andres Rocha, who was his former student.

Mayor Pro Tem Ramirez requested a report on a recently passed transportation bill and how the funds will benefit the city. She acknowledged Mr. Placencia's efforts to support seniors and congratulated the new Police Department recruits. She requested a discussion on joining litigation against the federal government regarding the threat of removing funding from cities that defy federal immigration policies. She commented on youth violence in the city and thanked Mr. Runyon for his comments.

Councilman MacDonald reported on attending the police recruits' swearing in ceremony and announced the upcoming State of the City, AWA Symposium, and PAL Auction Dinner.

Councilmember Perello commented on the recent Utility Task Force meeting, the passing of Tom Ragan, and the need for better lighting in alleyways. He inquired about Ordinance No. 2907 and commented that the local airports will host approximately 700 private aircraft this weekend. He expressed concern about Oxnard being potentially retaliated against by the federal government for joining in litigation.

Mayor Flynn restated the State of the City announcement, and said there will be a more extensive presentation to the Inter Neighborhood Council Organization in the fall. He commented on the recent homicides and violence in the city and encouraged the police and faith community to engage

gang members, staff to re-examine the gang injunction, and the creation of a community safety committee to end violence in the city.

I. REVIEW OF INFORMATION/CONSENT AGENDA (None)

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Emilio Castaneda and Daniel Chavez Jr.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the April 4, 2017 Regular Meeting.  
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 agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list:
  - A. Sintra Group for psychological exams for prospective firefighters (\$60,000).
  - B. Zumar Industries, Inc. for purchase of traffic and roadway signs (\$200,000).

Police Department

3. SUBJECT: Donation of Used, Unserviceable City Vehicle to Drag Racing Against Gangs and Graffiti (DRAGG) Program.  
RECOMMENDATION: That City Council adopt **Resolution No. 15,005** 1) authorizing the donation of one unserviceable vehicle to the nonprofit DRAGG Program and 2) approving the related donation agreement.

Public Works Department

4. SUBJECT: CAL FIRE Urban and Community Forestry Program Grant Application.  
RECOMMENDATION: That City Council adopt **Resolution No. 15,006 and Resolution No. 15,007** authorizing the City Manager to submit an application for \$274,740 in the California Department of Fire Urban and Community Forestry California Climate Investments grant program, with grant funds to be used for the planting of trees in designated "disadvantaged communities" of Oxnard.

*It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the Information/Consent Agenda as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.*

## L. REPORTS

### Public Works Department

1. SUBJECT: Proposed Water Rate Increase.

RECOMMENDATION: That the City Council:

1. Approve the City water rate structure for a 16-month period (September 1, 2017 through December 2018);
2. Authorize staff to proceed with the Proposition 218 public notification process to establish water rates through December 31, 2018; and
3. Set a public hearing on the water rate increase for July 11, 2017 with a proposed effective date of September 1, 2017 when new rates would take effect.

Assistant City Manager Osuna and Alex Bugbee, Corollo Engineers Analyst, gave a report.

Public comments were received from Pat Brown, Aaron Starr, Alicia Percell, Woodrow Thomas Sr., and Steve Nash.

Discussion ensued among Council and staff.

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

### Finance Department

2. SUBJECT: External Auditor Contract Amendment.

RECOMMENDATION: That the City Council approves and authorizes the Mayor to execute:

1. Fifth Amendment of the Agreement for Accounting Services with Eadie & Payne, LLP in the amount of \$305,725 for a total not to exceed \$1,286,240 for the external audit services contract.
2. Engagement letters with Eadie & Payne, LLP
3. An appropriation of \$38,860 from Measure O Fund and \$99,257 from General Fund to cover fiscal year 2016/17 costs.

The Chief Financial Officer gave a report, including noting that the staff recommendation should be corrected as follows:

1. Fifth Amendment of the Agreement for Accounting Services with Eadie & Payne, LLP in the amount of ~~\$305,725~~ **\$246,545** for a total not to exceed ~~\$1,286,240~~ **\$1,227,060** for the external audit services contract.
2. Engagement letters with Eadie & Payne, LLP.
3. An appropriation of ~~\$38,860 from Measure O Fund~~ and \$99,257 from General Fund to cover fiscal year 2016/17 costs.

Public comments were received from Daniel Chavez Jr.

Discussion ensued among Council and staff.

*It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the staff recommendation as amended. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.*

Public Works Department

3. SUBJECT: Utility Rate Assistance Program Implementation Plan.

(Due to time, this item was postponed to a future meeting.)

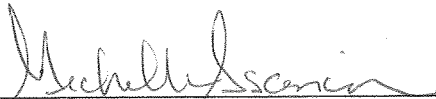
4. SUBJECT: Status Report on the Public Works Department Environmental Resources Division.

(Due to time, this item was postponed to a future meeting.)

- M. PUBLIC COMMENTS ON REPORTS (None)

- N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:04 p.m.

  
MICHELLE ASCENCION, CMC  
City Clerk

  
TIM FLYNN  
Mayor