

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 17, 2018

A. ROLL CALL/POSTING OF AGENDA

At 4:41 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 Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Ashley Golden, Interim 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. The Workers' Compensation proceeding being discussed is Steven Funk v. City of Oxnard.

At 4:42 p.m., the City Council recessed to a closed session. At 5:10 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 Ingrid Hardy, Cultural and Community Services Director; Jim Throop, Chief Financial Officer; Chelsea Reynolds, Performing Arts and Convention Center Manager; and Karen Moore, Assistant City Clerk.

Mayor Flynn announced that Item E-2 will be considered ahead of E-1.

E. APPOINTMENT ITEMS

Cultural and Community Services Department

2. SUBJECT: Public Art Permit Process and Guidelines.
RECOMMENDATION: That the City Council approve the Public Art Permit Guidelines and Process.

The Cultural and Community Services Director gave a report. Public comments were received from Margaret Cortese, Dan Pinedo, and Abel Magana. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, 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.

1. SUBJECT: Downtown Arts Hub Proposal.

RECOMMENDATION: That the City Council:

1. Approve the Downtown Oxnard Arts Hub Five Year Plan; and
2. Appropriate \$45,000 from the Downtown Improvement Project Settlement Funds ("DIPSF") to the Downtown Arts Hub Murals Program (Project 18IN10) for the installation of three (3) iconic anchor murals within the Central Business District in support of the Downtown Vision Plan and the Arts Hub Five Year Plan; and
3. Appropriate \$45,000 from the Public Art Fund ("PAF") to the Downtown Arts Hub Murals Program (Project 18IN10) for the installation of three (3) iconic anchor murals within the Central Business District in support of the Downtown Vision Plan and the Arts Hub Five Year Plan; or

[NOT APPROVED] 4. Appropriate \$45,000 from the Public Art Fund ("PAF") to the Downtown Arts Hub Murals Program (Project 18IN10) for the installation of three (3) iconic anchor murals within the Central Business District in support of the Downtown Vision Plan and the Arts Hub Five Year Plan, with a stipulation, per the Cultural Arts Commission recommendation by a vote of 3-2, that at least 80% of the \$45,000 from the Public Art Fund shall support Ventura County artists and up to 20% may support Los Angeles and Santa Barbara County artists.

The Cultural and Community Services Director and Performing Arts and Convention Center Manager gave a report. Public comments were received from Roger Poirier, Gary Blum, Cheyne Castroni, Margaret Cortese, Peter Martinez, Abel Magana, and Kyle Zufolo. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve recommended actions #1, 2, and 3 as presented (not #4). VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

F. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Oxnard School District Superintendent Dr. Cesar Morales, honored with the 2018 Summer Matters Superhero Award by the Association of California State Administrators.

Mayor Flynn read the commendation and presented it to Dr. Morales, who made some remarks.

2. SUBJECT: Presentation of a Commendation to Oxnard High School for taking the Top Prize in Division 3 at the California Academic Decathlon.

Mayor Flynn made some remarks and the Council Members presented certificates to the Decathlon team members and coach.

Mayor Flynn presented an additional Ceremonial item – a certificate of commendation to the family of the late John R. Hatcher III, in honor of his upcoming birthday.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mayor Flynn announced that Item N-1 was being pulled from the agenda.

Public comments were received from Gabe Teran (recent Community Relations Commission youth town hall), Woodrow Thomas Sr. (social services and social security), Steve Nash (commented on the ceremonial items, campaign spending, infrastructure use fee), Len Shulman (spoke against the upcoming recall election), Anthony Delgadillo Salas (recent “Make a Difference Day” at Oxnard High School), Dan Pinedo (recent Community Relations Commission youth town hall), Mary Anne Rooney (Port of Hueneme’s environmental efforts), Kristin Decas (Port of Hueneme’s environmental efforts), Michael Villegas (Port of Hueneme’s emission reduction efforts), Pete Placencia (La Colonia Boxing Gym), Pat Brown (against recall), and Martin Jones (against recall).

H. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and special events, and provided program updates. He highlighted the Oxnard Police Department’s Youth Leadership Series in partnership with the Girl Scouts, a drop-off bin at the Police Department for expired pharmaceuticals, an update on the Housing Department’s “First & Hayes” project, and the upcoming Arbor Day celebration.

The City Clerk gave an update on the upcoming May 1, 2018 Special Election.

The Interim City Manager also announced that stale dated checks are available for claims, and stated that staff attended a recent Fox Canyon Groundwater Management Agency workshop.

I. CITY COUNCIL REPORTS

Councilmember Madrigal commented on the passing of former First Lady Barbara Bush, Dr. Morales’ award, recent street repairs on First Street, an upcoming Carnegie Museum meeting, the Earth Day event, the Rose Park Neighborhood cleanup, the recent Cesar Chavez march, and the Community Relations Commission town hall.

Mayor Pro Tem Ramirez commented the Oxnard High School decathlon team, the Cesar Chavez march, the Port of Hueneme’s environmental efforts, and recent mailers regarding the recall.

Councilman MacDonald commented on Culver City’s specially designated bike lanes and the possibility of making Oxnard’s bike lanes more prominent.

Councilmember Perello commented on the Rio Manor well permit and the fire hydrant issue, the Cesar Chavez march, the Community Relations Commission’s youth summit, and the upcoming recall election.

Mayor Flynn commented on the Earth Day event, the Port of Hueneme’s recent environmental recognition, and requested special meetings in July with the school districts, Port of Hueneme, and City of Port Hueneme.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1, L-2, L-5, and L-6 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Amanda Fagin. Discussion ensued among the Council and staff.

L. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Conflict of Interest Code Amendment.
RECOMMENDATION: That City Council adopt **Resolution No. 15,111** repealing Resolution No. 14,898 and adopting an amended Conflict of Interest Code pursuant to the Political Reform Act.

City Manager Department

2. SUBJECT: Adoption of Ordinance No. 2940 - PEG Fee Reauthorization Ordinance.
RECOMMENDATION: That City Council adopt **Ordinance No. 2940** (read by title only, waiving further reading) reauthorizing the City's Public, Educational, and Government ("PEG") Access Support Fee.

Finance Department

3. SUBJECT: Award Contract for On-Call Channel Maintenance and Repair Services for Waterways Assessment District 1 and 2 SD 18-42.
RECOMMENDATION: That City Council:
 1. Award and authorize the Mayor to execute a three year agreement with Harbor Offshores, Inc. in the amount of \$400,000 for the On-Call Channel Maintenance and Repair Services Project for Waterways Assessment Districts 1 and 2 (SD 18-42) when the agreement is finalized; and
 2. Approve \$40,000 as contingency for the On-Call Channel Maintenance and Repair Services Project for Waterways Assessment Districts 1 and 2.
4. SUBJECT: Budget Appropriation for Apportionments Within Assessment District 2000-1 (Oxnard Boulevard/Highway 101 Interchange).
RECOMMENDATION: That City Council approve a budget appropriation in the amount of \$7,000 to cover unexpected charges associated with two apportionments in Assessment District 2000-1 (Oxnard Boulevard/Highway 101 Interchange).

Public Works Department

5. SUBJECT: La Colonia Neighborhood Street Improvement Project.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of \$160,000 for additional design services, inspections, project management and public outreach for the La Colonia Resurfacing Project No. 143116 (Public Works Specification No. PW15-03).

6. SUBJECT: Fifth Amendment to the Encroachment Protection Agreement Between the Department of the Navy, the Nature Conservancy, the Trust for Public Land, and the City of Oxnard.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Fifth Amendment to the Encroachment Protection Agreement between the United States Department of the Navy, The Nature Conservancy, the Trust for Public Land and the City of Oxnard (A-7734) to add Ventura Land Trust as a partner to the Agreement.

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 voted in favor, the motion carried 5-0.

M. PUBLIC HEARINGS

Finance Department

1. SUBJECT: Establishment and Adjustment of Fees and Charges for City Clerk, Fire and Police Departments - Cost of Service Fees Adjustment.
RECOMMENDATION: That City Council adopt **Resolution No. 15,112** establishing new fees and adjusting current fees for the City Clerk, Fire and Police Departments. These fee adjustments are the result of a Cost of Service Fee study.

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

N. REPORTS

Finance Department

1. SUBJECT: Priority Based Budgeting Presentation.

(This item was removed from the agenda.)

Public Works Department

2. SUBJECT: Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) Funding and Project List.
RECOMMENDATION: That City Council adopt **Resolution No. 15,113** approving the Fiscal Year 2018-2019 project list for Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account (RMRA) funding.

The City Engineer gave a report. Public comments were received from Pat Brown. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, 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.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 8:41 p.m.


MICHELLE ASCENCION, CMC
City Clerk


TIM FLYNN
Mayor