

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
February 5, 2019

A. ROLL CALL/POSTING OF AGENDA

At 4:35 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 Gabriela Basua, Vianey Lopez, Bryan A. MacDonald, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 4:37 p.m.).

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy 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 54957.6, to review the status of labor negotiations and to review its available funds and funding priorities for the purpose of providing instructions to the City’s negotiators regarding the organizations specified in Item C.1 of the meeting agenda. The City Council will also recess to a closed session, pursuant to Government Code section 54957, evaluation of public employee, City Attorney.”

At 4:36 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 Elizabeth Rubalcava, Assistant City Clerk; Kathleen Mallory, Planning and Environmental Services Manager; Jeffrey Lambert, Development Services Director; Terrel Harrison, Interim Cultural and Community Services Director; Jeri Cooper, Special Districts Project Manager; Erik Garwick, Parks Manager; Rosemarie Gaglione, Public Works Director; Hoon Han, City Engineer; Thien Ng, Assistant Public Works Director; and Phillip Molina, City Treasurer.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of February 2019 as “Black History Month.”

Mayor Flynn read the proclamation and presented it to Dr. Irene Pinkard and representatives from Alpha Kappa Alpha Sorority, Delta Sigma Theta Sorority, Alpha Phi Alpha Fraternity, Omega Psi Phi Fraternity, and Kappa Alpha Psi Fraternity, who made some remarks.

2. SUBJECT: Presentation of a Commendation to VIDA Newspaper on the Occasion of Their 35th Anniversary.

Mayor Flynn read the commendation and presented it to Manuel Munoz, publisher of VIDA Newspaper, who made some remarks. The Inlakech Youth Mariachi Group played two songs of celebration.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mayor Flynn announced that item L-4 is pulled from the agenda.

Public comments were received from Ray Blattel (truck damage on roads), Steve Huber (St. John's Regional Medical Center community grant awards), Javier Gomez and Jazmin (thanked Council for its support for the arts, presented Council with calendars of the Inlakech Mariachi group), Monica (the proposed hospitality tax and increased tourism), Gabriela Garcia (overcrowding at local high schools and the proposed new high school), Amanda Fagan (ongoing military exercises at Naval Base Ventura County), James Hensley (congratulated VIDA Newspaper on its 35th anniversary), Pete Plascencia (congratulated VIDA Newspaper), Sharman Kanter (homelessness and vagrancy), Norman [saved comments for later], Ron Beamon (upcoming Native American Peoples Intertribal Powwow event), Debbie Mitchell (the proposed One-Harbor concept and Harbor Patrol funding), Carol Taylor (the proposed One-Harbor concept), Gabriel Del Villar (rent increases and poor building conditions in the area of Charles Street), Carolina Magana (housing conditions, parking problems, and trash cleanup in the Southwinds neighborhood; flyers for upcoming Southwinds Neighborhood Council meeting), Pat Brown (truck traffic on Oxnard Boulevard), and Timothy Gingrass (maintenance problems and damage in Rio Lindo Park).

G. PUBLIC HEARINGS

Economic Development Department

1. SUBJECT: Public Meeting to Establish the Oxnard Tourism Marketing District.
RECOMMENDATION: That City Council conduct the first Public Meeting to allow the public to provide comments on the formation of the Oxnard Tourism Marketing District (OTMD).

The City Clerk announced the legal noticing procedures for the hearing and stated that no written communications had been received.

The Assistant City Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Sharman Kanter, Rene Aiu, Norman, James Hensley, Pat Brown, and Patricia Younis.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff. No Council action was required.

Development Services Department

2. SUBJECT: Planning and Zoning Permit No. 18-630-01 (Specific Plan Amendment) - Request for a Text Amendment to the RiverPark Specific Plan Sign Standards to Allow the Future Construction of Two Monument Signs in Planning Districts B and C. Filed by Ann Walsh of Shea Properties, 2751 Park View Court, Suite 261 Oxnard, CA 93036.
RECOMMENDATION: That the City Council approve the first reading by title only and waive further reading of an ordinance amending the RiverPark Specific Plan as a result of PZ No. 18-630-01 (Specific Plan Amendment).

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

The Planning and Environmental Services Manager gave a report, followed by a report from applicant Ms. Walsh.

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 Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

H. REPORT OF CITY MANAGER

The City Manager wished everyone a happy Vietnamese New Year. The City Clerk announced the availability of Citizen Advisory Group applications. The City Manager announced the recent appointment of the Deputy City Manager, who made some remarks. The Assistant City Manager introduced the new Development Services Director, who made some remarks. The Interim Cultural and Community Services Director gave a brief report on the availability of the College Park soccer fields.

City Manager Department

1. SUBJECT: List of City Manager Approved Contracts - Informational Only.
RECOMMENDATION: That City Council receive and file the list of City Manager approved contracts for the period July 9, 2018 through December 31, 2018.

The City Manager gave a report. No public comments were received. No Council action was required.

I. CITY COUNCIL REPORTS

Councilmember Lopez reported on attending the recent Martin Luther King Jr. March, the Channel Islands Harbor Community meeting, and the New Councilmembers Academy.

Councilmember Perello commended the City Manager for posting the list of approved contract, and spoke of upcoming budget challenges.

Councilman MacDonald announced an upcoming Gold Coast Transit Board meeting and commented on the recent LOSSAN meeting.

Mayor Pro Tem Ramirez commented on the Lunar New Year, budget challenges, and recent and upcoming SCAG meetings and activities. She acknowledged the Housing Department for opening the winter homeless shelter, welcomed the new Assistant City Clerk, and commented on the recent passing of Barbara Elizabeth Flitt.

Councilwoman Basua reported on attending the New Councilmembers Academy and a recent meeting of the Harbor and Beach Community Alliance, and welcomed new city staff.

Councilmember Madrigal acknowledged city staff working in rain, and commented on youth sports, the Parks Master Plan meetings, Rose Park neighborhood council meeting, his family members' recent birthdays, upcoming meetings of the Cal Gisler and Rio Lindo neighborhood councils, and high school sports.

Mayor Flynn commented on the new city council/committee meeting format, and announced that an upcoming Finance and Governance Committee meeting will feature a presentation from the city's financial consultants on pension issues.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-5 and L-7 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Debbie Mitchell, Bill Clark, Abel Magana, Carol Taylor, and Pat Younis.

L. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Taxicab Ordinance Adoption.
RECOMMENDATION: That City Council adopt **Ordinance No. 2954** amending Article XI to Chapter 11 of the City Code establishing taxicab licensing and operating regulations.

City Clerk Department

2. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the January 8, 2019 and January 15, 2019 Regular Meetings as presented.

Cultural and Community Services Department

3. SUBJECT: Library Code of Conduct Ordinance Adoption
RECOMMENDATION: That City Council adopt **Ordinance No. 2955** amending Article XV to Chapter 7 of the Oxnard City Code relating to public library rules of conduct.

Public Works Department

4. SUBJECT: Award Household Hazardous Waste Removal Agreement to Stericycle Environmental Solutions, Inc.
(This item was removed from the agenda.)
5. SUBJECT: Approval of a Budget Appropriation for Landscape Maintenance District Tree Maintenance.
RECOMMENDATION: That City Council approve:
 1. A budget appropriation in the amount of \$13,480 from fund balance of Landscape Maintenance District 33 El Paseo "LMD 33" for the maintenance of trees within the district; and
 2. A budget appropriation in the amount of \$32,950 from fund balance of Landscape Maintenance District 34 Sunrise Pointe/Sunset Cove "LMD 34" for the maintenance of trees within the district.
6. SUBJECT: Award Third Amendment to Agreement 6552-14-PW with the Groundskeeper, Inc. for Landscape Maintenance.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Third Amendment to the agreement with The Groundskeeper, Inc. (Agreement No. 6552-14-PW) to increase the agreement total by \$50,000 for a total contract value of \$397,295, and to extend the term for nine months through September 30, 2019.
7. SUBJECT: Approval of a Budget Appropriation for Mandalay Bay Seawall Repair.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of \$163,431 from the fund balance of the Waterways Assessment District (Fund 121) to establish a budget for engineering services for seawall repair.
8. SUBJECT: Award Contract A-8115 for Roll Up Door Maintenance/Repairs to County Overhead Door.
RECOMMENDATION: That City Council Award and authorize the Mayor to execute Agreement A-8115 in the amount of \$725,000 for the Roll Up Door Maintenance and On-Call Repair Services Project PW 19-07 with Ventura County Overhead Door.
9. SUBJECT: Approval of Agreement 8445-18-PW with J.T.Z., Inc. for Recycled Glass Hauling.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute Agreement 8445-18-PW with J.T.Z., Inc. for a three (3) year term in an amount not to exceed \$460,000 for hauling of recycled glass materials from the Del Norte Recycling and Transfer Station (Del Norte) to Strategic Materials, Inc. in Vernon, California.
10. SUBJECT: Award Agreement A-8122 to Unlimited Engineering Contracting for Durley Park Improvement Project.
RECOMMENDATION: That City Council:
 1. Award and authorize the Mayor to execute Agreement No. A-8122 in the amount of \$433,484 with Unlimited Engineering Contracting, Inc. for the Durley Park Improvement Project PW 19-41;
 2. Approve \$43,440 for Project contingency for the Durley Park Improvement Project; and

3. Approve \$14,000 for technical engineering support, inspection, survey and project management (City staff) for the Durley Park Improvement Project.
11. SUBJECT: Approve Revised Purchase Order with Consolidated Fabricators Corporation.
RECOMMENDATION: That City Council:
1. Approve and authorize the Mayor to execute revised Purchase Order No. 7116 with Consolidated Fabricators Corporation for an additional \$700,000 for a new not-to-exceed amount of \$875,000 for the supply and delivery of commercial waste and recycle containers;
 2. Approve the appropriation of funds in the amount of \$700,000 from Environmental Resources Operating Fund Balance to the Environmental Resources Operating Budget for Commercial Collection to provide for the purchase of the containers.
12. SUBJECT: Approve a Budget Appropriation for Transformer Repairs at Oxnard Wastewater Treatment Plant.
RECOMMENDATION: That City Council approve a budget appropriation request to fund the replacement of a transformer at the Oxnard Wastewater Treatment Plant (OWTP) in the amount of \$237,237 and other miscellaneous capital outlay items.

It was moved by Councilman MacDonald, seconded by Mayor Pro tem Ramirez, to approve the Information/Consent items as presented, with the stated amendment (removal of item L-4). VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

M. REPORTS

Public Works Department

1. SUBJECT: Appropriation of Funds for Wastewater Treatment Plant Reliability Projects.
RECOMMENDATION: That the City Council approve an appropriation in the amount of \$2,640,532 from the Wastewater Treatment Fund 621 in the amount of \$2,515,483 and Wastewater Security Contamination Fund 628 in the amount of \$125,049 to fund Agreement A-7815 with AECOM Engineering for design of improvements to the projects of the Oxnard Wastewater Treatment Plant.

The City Engineer gave a report. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

2. SUBJECT: Award Contract A-8117 with GSE Construction Company for the OWTP Emergency Repairs Project.
RECOMMENDATION: That City Council:
1. Award and authorize the Mayor to execute Agreement A-8117 in the amount of \$4,842,300 with GSE Construction Company, Inc., for the Oxnard Wastewater Treatment Plant Emergency Repairs Project PW 18-04;
 2. Approve \$726,345 for project contingency for the Oxnard Wastewater Treatment

Plant Emergency Repairs Project;

3. Approve \$484,230 for project management, inspection, and construction management for the Oxnard Wastewater Treatment Plant Emergency Repairs Project; and
4. Approve an appropriation of \$6,052,875 to new Capital Improvement Project "Oxnard Wastewater Treatment Plant Emergency Repairs" (Project No. 196602) and an Operating Transfer from Wastewater Collection Operating Fund 611 to Wastewater Treatment Operating Fund 621 in the amount of \$6,000,000.

The Assistant Public Works Director gave a report. Public comments were received from Anthony Mireles and Armando Delgado. Discussion ensued among the Council and staff.

It was moved by Councilmember Madrigal, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

3. SUBJECT: Approve Second Amendment to Add Time to the Wastewater Transportation and Treatment Agreement with Channel Islands Beach Community Services District.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Second Amendment, for a time extension to December 31, 2020, to an Agreement with Channel Islands Beach Community Services to provide transportation and treatment of wastewater (Agreement No. A-7864).

The Assistant Public Works Director gave a report. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

City Treasurer Department

4. SUBJECT: Urgency Waiver Resolution.
RECOMMENDATION: That the City Council adopt a resolution authorizing the City Manager to allow customers to make late payments on debts owed to the City without penalty in certain urgent circumstances.

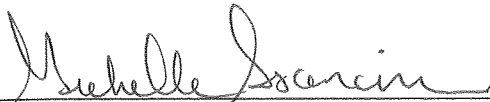
The City Treasurer gave a report. Public comments were received from Steve Huber. Discussion ensued among the Council and staff. Without objection, the Council approved tabling the item to conduct further research.

5. SUBJECT: Second Quarter Investment Report for Fiscal Year 18/19.
RECOMMENDATION: The City Council receive and file the report.

The City Treasurer gave a report. No public comments were received. Discussion ensued among the Council and staff. No Council action was required.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:54 p.m.


MICHELLE ASCENCION, CMC
City Clerk


TIM FLYNN
Mayor