MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 18, 2019

A. ROLL CALL/POSTING OF AGENDA

At 5:06 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority and Oxnard Parking Authority) 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, Bryan A. MacDonald, Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Vianey Lopez was absent (arrived at 5:13 p.m.). Housing Commissioner Jose Andrade arrived at 5:53 p.m.; Commissioner Francisco Vega was absent.

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Jeri Cooper, Interim Special Districts Manager; Kevin Riper, Chief Financial Officer; Jeffrey Lambert, Community Development Director; Rosemarie Gaglione, Public Works Director; Elizabeth Rubalcava, Assistant City Clerk; and Michelle Ascencion, City Clerk.

Mayor Flynn announced an amended recommendation on item H-2, that item H-6 is pulled from the agenda, and a minor correction on a resolution for item J-1.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Keith Allen Valdez (toxins emitted from cell phones) and Larry Barbarine (budget public hearing, freedom of speech, speeding in the Sierra Linda neighborhood, and Wagon Wheel development fees).

D. REPORT OF CITY MANAGER (No report.)

E. CITY COUNCIL REPORTS

Councilmember Lopez reported on taking a recent tour of the women's and children's shelter, Gabriel's House.

Councilmember Perello commented on the Vineyard Avenue resurfacing project, the recent passing of Dr. Charles Hair, the Wagon Wheel development, and the budget adoption process.

Mayor Pro Tem Ramirez reported on attending the recent Juneteenth celebration and a recent Carnegie Art Museum event.

Councilmember Madrigal reported on the recent East Village neighborhood meeting, the Juneteenth celebration, a Carnegie Art Museum event, services for Sarah Luna, the Knights of Columbus Public Safety Night, the Recreation Department's Funfest event, upcoming Relay for Life events and a Downtown meeting, and recent high school graduations.

Mayor Flynn announced an upcoming fundraiser for the Vietnam Veterans of Ventura County.

Councilman MacDonald announced the Oxnard Peace Officers Association's upcoming "Tip a Cop" fundraiser for Special Olympics.

F. REVIEW OF INFORMATION/CONSENT AGENDA

Item H-2 was briefly discussed. The Mayor announced there was an amendment to the recommendation for item H-2, and that item H-6 is removed from the agenda.

G. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None received.)

H. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the June 4, 2019 regular meeting and the June 5, 2019 special meeting as presented.

City Clerk Department

2. SUBJECT: Appointment of Citizen Advisory Group ("CAG") Member.
   RECOMMENDATION: **[AMENDED]** That the Mayor, with the concurrence of the City Council, appoint Mayor Pro Tem Ramirez's nominee to the Commission on Homelessness and Mayor Flynn's nominee to the Community Relations Commission.

Community Development Department

3. SUBJECT: Planning and Zoning Permit No. 18-680-02 (Mills Act Agreement-Henry T. Oxnard-Landmark No. 161), Barbara A. Grant House at 225 South F Street. Filed by Barbara Anne Grant, Trustee on behalf of 225 S. F St Revocable Trust.
   RECOMMENDATION: That the City Council approve a recommendation by the City of Oxnard Cultural Heritage Board and the Housing and Economic Development Committee to authorize the Mayor to execute a Mills Act Contract (Agreement No. A-8139) with Barbara Anne Grant, Trustee on behalf of Property Owner (225 S. F St Revocable Trust) to maintain and preserve a historic property located at 225 S. F Street (Oxnard-Landmark No. 161). (Housing and Economic Development Committee approved 2-0)

4. SUBJECT: Award of Trade Services Agreement for New Custodial Services for Oxnard Transit Center (OTC).

RECOMMENDATION: That the City Council:
1. Award of a trade services agreement to Joranda Marketing Inc. doing business as (dba) Jan-Pro Central Coast in the amount of $375,000 for three years of custodial services at the Oxnard Transit Center at 201 E. Fourth Street (Agreement No. 8646-19-CD); and
2. Approve the appropriation of $9,790 from TDA Transportation Fund 213 to fund the trade services agreement for the balance of the fiscal year 2018-2019.
(Public Works and Transportation Committee approved 3-0)

5. SUBJECT: Planning & Zoning Permit No. 19-580-03 (Zoning Text Amendment - ZTA) – Amendments to Chapters 11 and 16, of the Oxnard City Code (OCC) Pertaining to Manufacturing, Testing, and Distribution of Cannabis.
RECOMMENDATION: That the City Council approve the second reading by title only and adoption of **Ordinance No. 2960** of the City Council of the City of Oxnard adding Article XVI to Chapter 11 and amending Chapter 16 of the Oxnard City Code to permit cannabis manufacturing, testing, and distribution.

Human Resources Department

6. SUBJECT: Memorandum of Understanding for Property Insurance Coverage with CSAC-EIA. (This item was pulled from the agenda.)

Police Department

7. SUBJECT: Enterprise Fleet Management Agreement.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a three-year agreement with Enterprise Fleet Management, Inc. (Contract number A-8136) along with the Master Equity Lease Agreement for vehicle leasing with Enterprise FM Trust for detective and support staff vehicles in an amount not to exceed $675,000. (Public Safety Committee approved 3-0)

Public Works Department

8. SUBJECT: Agreement for Consulting Services at the Santa Clara Landfill Located at River Ridge Golf Course.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the Fourth Amendment to Agreement No. 7167-15-CM with Ventura Regional Sanitation District extending the term to June 30, 2020, and increasing the amount by $102,568.00 for a total of $520,783.91 for monitoring and reporting for the closed Santa Clara Landfill.

9. SUBJECT: Notice of Completion - Police Station Roof Replacement Project.
RECOMMENDATION: That the City Council receive an update following a Notice of Completion for the Police Station Roof Replacement Project recorded on April 22, 2019.

10. SUBJECT: Notice of Completion - Storm Drain Catch Basin Excluders Project.
RECOMMENDATION: That the City Council receive an update following a Notice of Completion for the Storm Drain Catch Basin Excluders Project recorded on April 22, 2019.

11. SUBJECT: Budget Appropriation to Leverage Grant Funding for Dead Tree Removal. RECOMMENDATION: That the City Council approve a budget appropriation in the total amount of $376,250, including $87,500 from Measure O funds to be used to leverage $288,750 from grant funds for dead tree removal (called the "Tree Mortality Event Response"). (Public Works and Transportation Committee approved 3-0)

12. SUBJECT: Hazard Mitigation Grant Program Application Resolutions. RECOMMENDATION: That City Council adopt **Resolution No. 15,235 and Resolution No. 15,236** authorizing the City Manager to submit applications for $15,750,000 in grant funds to the California Governor's Office of Emergency Services (Cal OES).

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to approve the Information/Consent items as presented, with the stated amendments (item H-2 amended recommendation, item H-6 removed). VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, and Ramirez voted in favor; Perello abstained on item H-8, due to his appointment to the Ventura Regional Sanitation District Board. The motion carried 6-0-1 on item H-8, and 7-0 on the remaining items (excluding item H-6).

J. REPORTS

City Manager Department

2. SUBJECT: Exclusive Negotiation Agreements between the City of Oxnard and Clear Channel Outdoor, LLC and between the City of Oxnard and Outfront Foster Interstate, LLC, both regarding potential digital billboard sites on City-owned property and rights-of-way along U.S. Highway 101.
RECOMMENDATION: That the City Council authorize the Mayor to:
1. Execute the Exclusive Negotiation Agreement between the City of Oxnard and Clear Channel Outdoor, LLC regarding potential digital billboard sites on City-owned property and rights-of-way on the north side of U.S. Highway 101 between Rose Avenue and Del Norte Boulevard and the south side of U.S. Highway 101 between Vineyard Avenue and Rice Avenue; and
2. Execute the Exclusive Negotiation Agreement between the City of Oxnard and Outfront Foster Interstate, LLC regarding potential digital billboard sites adjacent to RiverPark Boulevard near Vineyard Avenue (APNs 132-003-301; 132-031-106; and 132-031-107) and City-owned property and right-of-way on the north side of U.S. Highway 101 the Santa Clara River and Rose Avenue.

The Assistant City Manager gave a report. Written comments were received from Irene Rauschenberger. Discussion ensued among the Council and staff. Public comments were received from Tom Garcia, Gabriel Teran, and Pat Brown.

It was moved by Councilman MacDonald, 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.

The Council took a brief recess at 5:56 p.m.; the meeting resumed at 6:07 p.m.

I. PUBLIC HEARINGS

Public Works Department

1. SUBJECT: Adoption of Resolution to Levy the Fiscal Year 2019-20 Assessments in Mandalay Beach Maintenance District (MAD 4).
RECOMMENDATION: That the City Council acting as the legislative body for the Mandalay Beach Maintenance District (MAD 4):
1. Hold a public hearing to receive public testimony regarding the proposed Fiscal Year 2019-2020 assessments for the Mandalay Beach Maintenance District; and
2. Adopt **Resolution No. 15,237** fixing the special assessments in the Mandalay Beach Maintenance District for Fiscal Year 2019-2020.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Interim Special Districts Manager 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 Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, 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: Adoption of Resolution Approving Engineer's Report and Ordering the Levy and Collection of Assessments for the Fiscal Year 2019-2020 Within the City's Landscape Maintenance Districts.
RECOMMENDATION: That the City Council acting as the legislative body for the City's Landscape Maintenance Districts;
1. Hold a public hearing to receive public testimony regarding the proposed Fiscal Year 2019-2020 assessments in the City's Landscape Maintenance Districts, and
2. Adopt **Resolution No. 15,238** approving the Fiscal Year 2019-2020 Consolidated Engineer's Report and ordering the levy and collection of assessments (Attachment 1) for Fiscal Year 2019-2020 within the City's Landscape Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Interim Special Districts Manager gave a report. Councilmember Perello announced that he will recuse himself from voting on Landscape Maintenance District #13.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Michael Gleason.

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 Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, and Ramirez voted in favor; Perello abstained from voting on Landscape Maintenance District #13 due to a real property conflict of interest. Councilmember Perello and Mayor Flynn commented on the Landscape Maintenance District audit. The motion carried 7-0.

3. SUBJECT: Adoption of Resolution to Levy Waterways Maintenance District Assessments for Fiscal Year 2019-20.
   RECOMMENDATION: That the City Council, acting as the legislative body for the Waterways Maintenance Assessment District:
   1. Hold a public hearing regarding proposed assessments for the Waterways Maintenance District for Fiscal Year 2019-2020, and
   2. Adopt **Resolution No. 15,239** for Fiscal Year 2019-2020 fixing assessments for the Waterways Maintenance District.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Interim Special Districts Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Debbie Mitchell.

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 Mayor Pro Tem Ramirez, 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.

J. REPORTS

Finance Department

1. SUBJECT: Adoption of Fiscal Year 2019-20 Operating and Capital Improvement Budget.
   RECOMMENDATION: 1. That the City Council adopt the following resolutions:
   a. **Resolution No. 15,240** of the City Council of the City of Oxnard Approving the City Operating and Capital Improvement Budget for the Fiscal Year 2019-20;
   b. **Resolution No. 15,241** of the City Council of the City of Oxnard Amending Resolution Nos. 15205 and 15207, Authorizing Full-Time Equivalent Positions in the City Service Effective July 1, 2019 in Accordance with the Operating and Capital Budget for the 2019-20 Fiscal Year;
   c. **Resolution No. 15,242** of the City Council of the City of Oxnard Amending Resolution Nos. 15,204 and 15,206 and Approving the Attached Classification and Salary Schedule Pursuant to Chapter 4 of the City Personnel Rules and Regulations;
   d. **Resolution No. 15,243** of the City Council of the City of Oxnard Establishing Financial Management Policies; and
   e. **Resolution No. 15,244** of the City Council of the City of Oxnard Establishing an Appropriation Limit for the Fiscal Year 2019-2020; and
   2. That the Housing Board of Commissioners adopt **Resolution No. 1314** of the Housing Authority of the City of Oxnard Approving the Housing Authority's Operating Budget for Fiscal Year 2019-2020.

The City Manager gave a report. Discussion ensued among the Council and staff.

Public comments were received from Larry Barbarine, Lisa Cody, Danny Carrillo, Juan Martinez, Dan Pinedo, Luis Guereca, Nidia Bello, M. Hinton, Lauraine Effress, Peggy Rivera, Lucy Cartagena, Marisela Hancock, Adam Vega, Diana Zuniga, Lawrence Stein, Ray Blattel, Angel Garcia, and Pat Brown. Further discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Andrade, Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal voted against. The motion carried 6-1 (Council resolutions) and 7-1 (Housing resolution).

The Council took a brief recess at 8:52 p.m.; the meeting resumed at 9:02 p.m.

Cultural and Community Services Department

3. SUBJECT: Performing Arts Center Agreement Extension.
RECOMMENDATION: That City Council approves and authorizes the Mayor to execute a fourth amendment of the Agreement (A-5904) between the City and the non-profit Oxnard Performing Arts Center Corporation in an amount not to exceed $410,000 for the operation, maintenance, and management of the Performing Arts and Convention Center, which includes deposits received for events scheduled through December 31, 2019.

The Assistant City Manager gave a report. Public comments were received from Pat Brown, Zachary Collins, Lawrence Stein, and Gary Blum. Discussion ensued among the Council and staff.

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

Community Development Department

4. SUBJECT: Exclusive Negotiation Agreement between the City of Oxnard, the Parking Authority of the City of Oxnard and Madison Park Financial Corporation regarding the Social Security Building (425 South B Street), the 538 South B Street parking lot, and associated parcels in downtown Oxnard.
RECOMMENDATION: That the City Council and the Board of the Parking Authority of the City of Oxnard authorize the Mayor and Chair, respectively, to execute the Exclusive Negotiation Agreement with Madison Park Financial Corporation regarding the Social Security Building (425 South B Street), the 538 South B Street parking lot; and associated parcels in downtown Oxnard (202-010-121, 202-010-122, 202-010-125, 202-010-127, 202-010-129, 202-010-131, 202-010-133, 202-010-135, 202-010-141, 202-010-143, 201-010-510, 201-010-512, 201-010-517, 201-010-519, 201-010-520, 201-010-521, 201-010-522, 201-010-523, 201-010-524 and 201-010-526).

The City Manager announced that he had a conflict of interest for this item and left the room. The Community Development Director gave a report.

Public comments were received from Pat Brown and Lawrence Stein. 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: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

Public Works Department

5. SUBJECT: Award Agreement with American Golf Corporation to Operate the River Ridge Golf Course.
   RECOMMENDATION: That City Council:
   1. Approve the fee-for-service management agreement between American Golf Corporation (AGC) and the City of Oxnard (City) for the management, operation and maintenance of River Ridge Golf Club (RRGC) with no General Fund subsidy for a three-year term with options to renew for two additional one-year terms, exercised at the sole discretion of the City, and
   2. Exempt the golf course from the City's Living Wage Policy.
   (Note: This staff report has been revised from the June 11th Committee staff report to address concerns raised by the public and the Committee.)

(The City Manager previously announced that he had a conflict of interest for this item and remained out of the room.) The Public Works Director, Gene Krekorian of Pro Forma Advisors LLC, the City Attorney, and Tom Frost of American Golf Corporation gave reports.

Public comments were received from Ray Blattel, Teresa Schwelzer, Linda Calderon, Anita Smith, Lawrence Stein, Dan Pinedo, Angel Garcia, Susan Sipes, Lucy Cartagena, Alicia Percell, Aaron Starr, and Tom Garcia. Written comments were received from Lawrence Stein, Lilianna Oustinovskaya, Bruce Shinden, Fred White, and Dave Brooks. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve Recommendation #1 as presented, but rejecting Recommendation #2, thereby not exempting the golf course from the City's Living Wage Policy. VOTE: Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal voted against. The motion carried 6-1.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 11:18 p.m.

Michelle Ascencion
MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 7/2/19
TIM FLYNN
Mayor