

MINUTES
OXNARD CITY COUNCIL
Adjourned Regular Meeting
July 30, 2019

A. ROLL CALL/POSTING OF AGENDA

At 5:02 p.m., Mayor Pro Tem Ramirez called to order the adjourned regular meeting of the Oxnard City Council in the City Hall Council Chambers at 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, and Mayor Pro Tem Carmen Ramirez were present; Councilmembers Gabriela Basua and Vianey Lopez arrived at 5:10 p.m. and 5:43 p.m., respectively. Mayor Tim Flynn was absent.

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Kenneth Rozell, Chief Assistant City Attorney; Jennie Kelly, Assistant City Attorney; Jeffrey Lambert, Community Development Director; Steve Naveau, Human Resources Director; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9 (d)(1)) (City Council)
Name of cases: Green Energy Holdings, LLC; Auto Fuels, Inc. v. City of Oxnard, et al. Ventura County Superior Court, Case Nos. 56-2015-00470344-CU-EI-VTA; 56-2018-00512103-CU-MC-VTA.
2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6) (City Council)
Agency designated representatives: Alexander Nguyen, City Manager; Steve Naveau, Human Resources Director; and Jennie Kelly, Assistant City Attorney.
Employee organization: Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); and Oxnard Mid-Managers' Association (OMMA).
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code section 54956.8) (City Council)
Property: 231 West Sixth Street.
Agency Negotiators: Jeffrey Lambert, Development Services Director, and Ashley Golden, Assistant City Manager.
Negotiating Party: Juan Gonzalez, President, Teatro de las Americas.
Under negotiation: Price and terms of payment for lease of City-owned property.

Mayor Pro Tem Ramirez 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 titles of the litigation being discussed are Green Energy Holdings, LLC; Auto Fuels, Inc. v. City of Oxnard, et al., two cases.

“The City Council will also 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.2 of the meeting agenda.

“The City Council will also recess to a closed session, pursuant to Government Code section 54956.8, to give instructions to its real property negotiators, Jeffrey Lambert, Community Development Director, and Ashley Golden, Assistant City Manager, concerning negotiations with Juan Gonzalez, President, Teatro de las Americas regarding Item C.3 of the meeting agenda.”

At 5:06 p.m., the City Council recessed to a closed session. At 6:12 p.m. the City Council reconvened in open session in the Council Chambers. The Chief Assistant 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 Jason Benites, Assistant Police Chief; Kathleen Mallory, Planning and Sustainability Manager; Eric Sonstegard, Assistant Police Chief; and Phillip Molina, City Treasurer.

Mayor Pro Tem Ramirez announced that item L-3 was pulled from the agenda.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Dr. Luis P. Sanchez (introduction as new Oxnard College interim president), Ted Maloney (parking issues in his neighborhood), Martin Jones (complaint about Council Committee meeting schedule), Joyce Chavez (city budget, Port of Hueneme expansion), Amanda Fagan (upcoming exercises at Naval Base Ventura County - Point Mugu), Brandon Burns (gratitude for summer public policy internship with Mayor Pro Tem Ramirez), Pat Brown (homeless encampments at Ormond Beach, upcoming airshow at Camarillo Airport), Larry Barbarine (follow up by staff regarding Wagon Wheel development, Edison/Clean Power Alliance, medical exception for utility rates), Kelly Christiansen (Ormond Beach gateway), Peggy Rivera (homelessness), and JoAnn Olivares (Oxnard Harbor District EIR).

F. REPORT OF CITY MANAGER

The Deputy City Manager gave a report on an upcoming Groundwater Sustainability Plan workshop. Assistant Chief Benites gave a report on the upcoming National Night Out.

G. CITY COUNCIL REPORTS

Councilmember Lopez reported on a recent tour of the Community Action of Ventura County

facility, the Redwood neighborhood cleanup, and announced an upcoming alley/street cleanup in Southwinds neighborhood.

Councilmember Perello reported on a recent Los Angeles Regional Water Quality Board meeting and announced an upcoming Ventura County Board of Supervisors meeting on water supply issues.

Councilman MacDonald reported on the recent Sister City Ocotlan delegation welcome ceremony, and announced an upcoming meeting with EPA Region 9 representatives regarding the Halaco site. He requested that item L-1 be moved up on the agenda to accommodate the audience.

Councilmember Madrigal announced a “little library” opening at Camino del Sol community garden, reported on the grand opening of the new walking track at Thompson Park, the Sister City delegation welcome ceremony, the Dallas Cowboys training camp opening ceremony, and expressed condolences to City of Gilroy for a recent mass shooting incident.

Councilwoman Basua thanked Public Works and Code Enforcement for their recent cleanup campaigns in South Oxnard.

Mayor Pro Tem Ramirez reported on the Dallas Cowboys training camp opening ceremony, the Sister City delegation welcome ceremony, the Salsa Festival, and an upcoming public meeting/presentation on the future of Ormond Beach. She announced the council’s August break, support for Simi Valley Councilmember Ruth Luevanos, and the Cowboys’ donation of \$10,000 in grants for local non-profit organizations.

H. REVIEW OF INFORMATION/CONSENT AGENDA (No items were pulled.)

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Pat Brown and Lucy Cartagena.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the July 16, 2019 regular meeting as presented.

2. SUBJECT: Appointment of Citizen Advisory Group (“CAG”) Members.

RECOMMENDATION: That the Mayor, with the concurrence of the City Council, appoint Councilwoman Basua’s nominee to the Planning Commission, and Mayor Flynn’s nominee to the Senior Services Commission.

City Treasurer Department

3. SUBJECT: Investment Policy and Annual Delegation of Investment Authority.

RECOMMENDATION: That the City Council adopt **Resolution No. 15,253**:

1. Adopting the FY 2019-20 Investment Policy for the City of Oxnard; and
2. Delegating investment authority to the City Treasurer.

Community Development Department

4. SUBJECT: Adoption of Ordinance No. 2963 Amending Oxnard City Code Chapter 16, Division 10 with Sections of the May 19, 2019 "Downtown Code" Document Identified as Section 16-145 to 16-158B and Adoption of Ordinance No. 2964 Approving Zone Change No. 570-02 for 5,005 Parcels Within and Adjacent to the Central Business District of the City of Oxnard.

RECOMMENDATION: That the City Council:

1. Adopt **Ordinance No. 2963** (by title only, further reading waived), which amends Oxnard City Code Chapter 16, Division 10 with Sections of the May 19, 2019 "Downtown Code" document identified as Section 16-145 to 16-158B, with the modification of limiting side yard setbacks to 0' in dimension and expressing a preference for traditional architecture within the Downtown Core (DT-C) and Downtown General (DT-G) Zones; and
2. Adopt **Ordinance No. 2964** (by title only, further reading waived), which approves Zone Change No. 570-02 for 5,005 parcels within and adjacent to the Central Business District of the City of Oxnard.

Finance Department

5. SUBJECT: Appropriation for Annual Payments of Principal and Interest on Water Fund Loan to Golf Course Fund.

RECOMMENDATION: That the City Council appropriate \$159,340.06 in the Golf Course Operating Fund for each of FY 2018-19 and 2019-20 to make regular scheduled payments on the 2013 loan from the Water Fund. (Finance and Governance Committee approved 3-0)

6. SUBJECT: FY 2019-20 Appropriations for Golf Course Operating Fund Under New Operating Model.

RECOMMENDATION: That the City Council estimate \$4,940,400 of revenue, and appropriate \$4,802,210 of expenditures, for the Golf Course Operating Fund (651) in FY 2019-20. (Finance and Governance Committee approved 3-0)

It was moved by Councilman MacDonald, seconded by Councilwoman Basua, to approve the Information/Consent items as presented. VOTE: Basua, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal voted against item J-6. The motion carried 5-1 on item J-6, and 6-0 on the remaining items (Flynn absent).

The Council approved considering item L-1 next.

L. REPORTS

Community Development Department

1. SUBJECT: Lead Agency Agreement Number A-8160 Between the City of Oxnard and the Oxnard Harbor District - Port of Hueneme for the Proposed Permitting of a Temporary Outdoor Vehicle Storage Facility.

RECOMMENDATION: That the City Council approve the Lead Agency Agreement No. A-8160 between the City of Oxnard and the Oxnard Harbor District - Port of Hueneme to confirm that the City shall serve as the lead agency for the preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for the Project proposed on the southeast corner of Hueneme Road and Perkins Road.

The Community Development Director gave a report. Public comments were received from KJ May, Jonathan Alvarez/Roberto Rodriguez Hernandez, Art Chavez, Tony Skinner, Janet Ritza, Jess Ramirez, Peggy Rivera, Pat Brown, Ricardo Mojica, Armando Delgado, Lucy Cartagena, Carolina Gallardo Magana, Jess Herrera, JoAnn Olivares, Mary Anne Rivera, and Joyce Chavez. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilman MacDonald, to approve the recommended action as presented. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0 (Flynn absent).

The Council took a brief recess at 7:47 p.m.; the meeting resumed at 7:56 p.m.

K. PUBLIC HEARINGS

Community Development Department

1. SUBJECT: Social Equity in Cannabis Permitting and Establishment of Fees for Cannabis Related Land Use Permits.

RECOMMENDATION: That the City Council:

1. Provide input and comments on the conceptual Oxnard Cannabis Equity Program; and
2. Hold a public hearing on the proposed cannabis permit fees, and adopt **Resolution No. 15,254** establishing new fees for the services identified in the attachment to the resolution.

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

Mayor Pro Tem Ramirez opened the public testimony portion of the public hearing. Public comments were received from Peggy Rivera, Pat Brown, Dick Jaquez, Hugo Alaniz, Jim Patton, Rodney Medina, Jesus Torres, and Mayra Delgado.

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, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0 (Flynn absent).

L. REPORTS

City Treasurer Department

2. SUBJECT: City of Oxnard Quarterly Investment Report for the period ending June 30, 2019.
RECOMMENDATION: That the City Council receive and file the report.

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

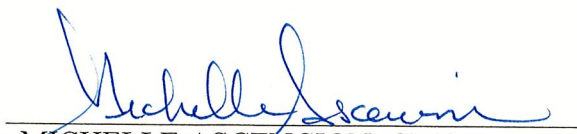
Public Works Department

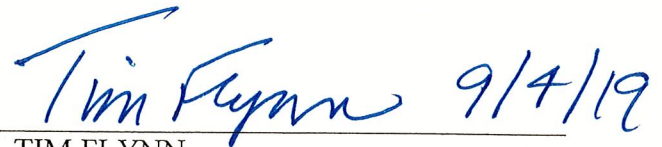
3. SUBJECT: Award Agreement for Landscape Maintenance Services at Riverpark CFD #5.

(This item was removed from the agenda.)

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Pro Tem Ramirez adjourned the meeting at 9:23 p.m.


MICHELLE ASCENCION, CMC
City Clerk

 9/4/19
TIM FLYNN
Mayor