MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 19, 2019

A. ROLL CALL, POSTING OF AGENDA

At 5:03 p.m., Mayor Flynn called to order the 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 Gabriela Basua, Vianey Lopez, Bryan A. MacDonald, Oscar Madrigal, Bert E. Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; Kenneth Rozell, Chief Assistant City Attorney; Jeffrey Lambert, Community Development Director; Scott Kolwitz, Planning Manager; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4)) (City Council)
   Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - (Government Code Section 54956.8) (City Council)
   Property: Portion of the property located at the southwest corner of Wooley Road and Seabridge Lane (APN 188-0-250-305)
   Agency negotiators: Jeffrey Lambert, Scott Kolwitz and Kenneth Rozell
   Negotiating parties: Oxnard School District
   Under negotiation: Price and terms of payment.

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)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case. 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; Scott Kolwitz, Planning Manager; and Kenneth Rozell, Chief Assistant City Attorney, concerning negotiations with Oxnard School District regarding Item C-2 of the meeting agenda."

At 5:05 p.m., the City Council recessed to a closed session. At 6:16 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement:

"Regarding item C-1, there was no action taken. On item C-2, real property negotiations, Council was briefed on the status of negotiations with the Oxnard School District regarding price and terms for the property located at the southwest corner of Wooley Road and Seabridge Lane. Negotiations have not concluded regarding this property."

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Emilio Ramirez, Housing Director; Tatiana Arnaout, City Engineer; Rosemarie Gaglione, Public Works Director; Mike More, Human Resources Manager; Thien Ng, Assistant Public Works Director; and Phillip Molina, City Treasurer.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Casa Pacifica on the Occasion of its 25th Anniversary.

Mayor Flynn read the commendation and presented it to Steven Elson, Casa Pacifica Chief Executive Officer, who made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ray Blattel (proposals for Performing Arts Center operator agreement), Luis Garcia (excessive speed of Amtrak trains; safety fence near railroads), Lang Martinez ("Humanizing Homelessness" documentary), Greg Runyon (kindness and unity for Thanksgiving), Pat Brown (downtown redevelopment), Lawrence Stein (GREAT water program, development impact fees), Tom Garcia (upcoming Downtown Oxnard Lions Club events), and Roberto Garcia (requesting a meeting with the City Manager).

G. REPORT OF CITY MANAGER

The Assistant City Manager gave a report on the funding sources for the Downtown Mural Project. Following the Housing Director's report, the City Manager gave an update on the status of power plant decommissions in California.

Housing Department

1. SUBJECT: Multi Service Center Mural Project at 1500 Camino Del Sol.
   RECOMMENDATION: Receive and file a report regarding the multi service center mural project.

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

H. CITY COUNCIL REPORTS

Councilmember Lopez reported on the Bryce Canyon North neighborhood council meeting, an Oxnard College presentation on autonomous vehicles, and recent meetings with commercial property owners in the Saviers Road area regarding the possibility of creating a public square in South Oxnard.

Councilmember Perello commented on the upcoming arts projects, and reported on the Veterans Day commemoration ceremony and a recent tour of Ventura County water agencies. He commented on a recent VC Star article regarding the Performing Arts Center, the use of drones for crime fighting, the Library Board, the Oxnard College presentation on autonomous vehicles, and a recent free medical event at La Colonia.

Mayor Pro Tem Ramirez reported on a recent Ocean Protection Council meeting in Sacramento regarding Ormond Beach. She acknowledged employee Heather D'Anna who recently assisted with a rescue while hiking. She requested a future agenda item on pedestrian and bicycle safety. She acknowledged the Oxnard Film Society for screening foreign films at the downtown theater. She commented on health insurance and requested an upcoming item on supporting medicare-for-all.

Councilwoman Basua reporting on attending an early childhood development lecture at Oxnard College and the Investment Policy Committee meeting.

Councilmember Madrigal commented on a recent free medical screening event at La Colonia, the Multi Service Center mural, Veterans Day ceremonies, Friends of the Library book sale, and the Pacifica and Oxnard high school football teams' winning seasons.

Mayor Flynn gave an update on the city's recent actions in dealing with the homelessness issue.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-8, K-9, and K-10 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Alicia Percell and Pat Brown. Written comments were received from Debbie Mitchell.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the October 29, 2019 special meeting as presented.

City Attorney Department

2. SUBJECT: Council Procedures Manual Update.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,279** revising the Council Procedures Manual. (Finance and Governance Committee approved 3-0)

Community Development Department

3. SUBJECT: Adoption of Ordinance No. 2968 for California Building Standards Regulations.
RECOMMENDATION: That the City Council approve for second reading (by title only and waive further reading) and adoption of **Ordinance No. 2968** repealing and reenacting Articles II through XI, XV, and XVI of Chapter 14 of the Oxnard City Code, pertaining to the California Building Code, California Residential Code, California Green Building Standards Code, International Property Maintenance Code, Uniform Code for the Abatement of Dangerous Buildings, California Historical Building Code, California Electrical Code, California Existing Buildings Code, California Mechanical Code, California Referenced Standards Code, California Plumbing Code, Fire Codes, and Fire Sprinklers.

4. SUBJECT: Notice of Pending Approval for Final Map for Tract No. 5984 (Planning and Zoning Permit No. 19-300-03) to subdivide 3.96 acres of vacant land into two residential lots and 50 condominium units for property located at the northeast corner of Harbor Boulevard and Wooley Road (commonly known as Anacapa). Filed by Planet Home Housing Pool 2, LLC.
RECOMMENDATION: That the City Council receive and file this Notice of Pending Approval for the Final Map for Tract No. 5984 (Planning and Zoning Permit No. 19-300-03).

5. SUBJECT: Notice of Pending Approval for Final Map for Tract 6004 Associated with Planning & Zoning Permit No. 17-300-08 for the subdivision of 5.76 acres of undeveloped commercially zoned property into six lots ranging in size from 0.61 to 1.18 acres and vacation of City property on a parcel located on the Southside of Town Center Drive Between Oxnard Boulevard and North Ventura Road within the RiverPark Specific Plan Area. Filed by Ann Walsh of Shea Properties.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,280** to:
1. Vacate 1,934 square feet of City property as shown in the proposed Final Map of Tract 6004; including the rights to a public right-of-way easement;
2. Authorize the Mayor to sign the owner statement on the title page of Tract 6004 Final Map;
3. Direct the City Clerk to sign the "Abandonment Certificate" for the vacation of certain properties; and
4. Receive and file a "Notice of Pending Approval" for the Final Map of Tract 6004 by the Community Development Director including signature of "City Council's Certificate" on the title sheet of the final map accepting the offers of dedications.

6. SUBJECT: Budget Appropriation for Highway 101-Rice Phase II Project.
RECOMMENDATION: That the City Council approves and authorizes a budget appropriation for the Highway 101-Rice Phase II (Project No. 163106) in the amount of $494,975. (Public Works and Transportation Committee approved 3-0)

Finance Department

7. SUBJECT: Update to Administrative Manual Debt Collection Policy (D-23) and Resolution Authorizing Charge Off of Uncollectible Accounts.
RECOMMENDATION: That the City Council:
1. Receive and file an amendment to the Administrative Manual - Debt Collection Policy (D-23), which has already been approved by the City Manager and Deputy City Manager under their authority; and
2. Adopt **Resolution No. 15,281** delegating authority to charge off uncollectible accounts less than $25,000 to the City Manager or his designee.

Human Resources Department

8. SUBJECT: Resolution Amending the City-Wide Classification and Salary Resolution and Amending the Position Control Resolution for Public Works.
RECOMMENDATION: That the City Council approve **Resolution Nos. 15,282 and 15,283** amending the City-Wide Classification and Salary Resolution and amending the Position Control Resolution for Public Works.

Public Works Department

9. SUBJECT: Award Contract A-8190 for Route 23 Bus Stop Installation Project to Toro Enterprises, Inc.
RECOMMENDATION: That the City Council:
1. Award and authorize the Mayor to execute Agreement A-8190 in the amount of $765,294.50 for the Route 23 Bus Stop Installation Project PW 19-81 with Toro Enterprises, Inc.;
2. Approve $76,529 for Project contingency for the Route 23 Bus Stop Installation Project;
3. Approve $76,529 for engineering, inspection, survey and project management for the Route 23 Bus Stop Installation Project; and
4. Approve a Budget Appropriation of $859,592 for the Route 23 Bus Stop Installation Project. This amount includes $468,963 from the Air Pollution Buy Down fund (118) and an increase in Congestion Mitigation Air Quality (CMAQ) grant revenue fund (275) in the amount of, $390,629 for project 203105.

10. SUBJECT: Pre-Disaster Mitigation Program Application Resolution.
RECOMMENDATION: That City Council adopt **Resolution No. 15,284** authorizing the City Manager to submit applications for $7,922,714 in grant funds to the California Governor's Office of Emergency Services (Cal OES) to be used for: the Mandalay Bay Seawall Retrofit, the Emergency Backup Generator at the Del Norte Regional Recycling and Transfer Station, the Emergency Backup Generator at Police Headquarters and the Emergency Backup Generator and Electrical Building Construction at the Oxnard Wastewater Treatment Plant.

11. SUBJECT: Approve the Third Amendment to Agreement No. A-7848 with Hopkins Groundwater Consultants, Inc. for Hydrogeologic Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to

execute the Third Amendment to Agreement No. A-7848 (Purchase Order 5794) with Hopkins Groundwater Consultants, Inc. ("HGC"), that:
1. Adds $500,000 for professional services for the final design and start-up of the City's Campus Park Aquifer Storage and Recovery (ASR) Well #1 project (Project);
2. Increases the professional services contract agreement from $750,000 to $1,250,000; and
3. Extends the expiration date to December 31, 2021.
(The Public Works and Transportation Committee approved 3-0)

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

The Council approved considering item L-3 ahead of L-1.

L. <u>REPORTS</u>

<u>Human Resources Department</u>

3. <u>SUBJECT</u>: Resolution Providing Salary and Benefits to Executive and Unrepresented Employees.
<u>RECOMMENDATION</u>: That the City Council adopt **Resolution No. 15,285** providing salary and benefits to Executive and Unrepresented Employees.

The Human Resources Manager gave a report. Public comments were received from Ray Blattel. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommended action, with direction to staff to return to Council with a discussion on confidential employees next month. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

<u>Housing Department</u>

1. <u>SUBJECT</u>: Oxnard Navigation Center Lease.
<u>RECOMMENDATION</u>: That the City Council approve and authorize the Mayor to sign a lease agreement with Fairgrow, LLC to occupy property located at 1258 Saviers Road, Oxnard, CA 93033 for use as a navigation center, which will provide a year-round 110 bed 24-hour homeless shelter, shower and laundry facilities, a meal program, pet service, housing navigation, and case management services to homeless individuals in the City of Oxnard. The term of the lease is for a minimum of five years and the base rent, property taxes and insurance over the five-year period will cost $1,517,077.

The Housing Director gave a report. Public comments were received from Ali Gonzalez, Richard Tucker, Tom Cady, Meredith Hart, Christy Madden, Paul Riley, Lucy Cartegena, Amy Santillan, Francisco Jaena, Yukio Okano, Gabriel Teran, Pat Brown, Sal Gonzalez, and Darlene Miller Gonzalez. Written comments were received from Gabriel Teran, Francine Castanon, and Richard Tucker. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Mayor Flynn, to approve the recommended action as presented. VOTE: Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Basua and Madrigal voted against. Tthe motion carried 5-2.

Councilman MacDonald left the meeting, and the Council approved considering item L-4 ahead of L-2.

Public Works Department

4. SUBJECT: Award Solicitation PW 20-12 for Supply of Crucial Chemicals Required for Water, Water Reclamation and Wastewater Treatment.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the following:
1. Purchase Orders for supply and delivery of crucial chemicals to the City of Oxnard Wastewater Treatment Plant (OWTP), Headworks Facility, Advanced Water Purification Facility (AWPF), Water Campus and Water Blending Station No. 3 for a three (3) year period; and
2. Award Purchase Orders to the following vendors for three (3) year totals:
a) JCI Jones Chemicals, Inc. ($398,686.02)
b) Kemira Water Solutions, Inc. ($1,449,834.75)
c) Olin Corporation ($794,890.77)
d) Univar USA, Inc. ($431,734.88); and
3. Allow the Purchasing Manager to approve annual unit cost adjustments that remain within the Not To Exceed Limit of all Purchase Orders combined.

The Assistant Public Works Director gave a report. 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, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0 (MacDonald absent).

City Treasurer Department

2. SUBJECT: City Treasurer's Quarterly Investment Report for the period ending September 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.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:21 p.m.

Michelle Ascencion
MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 12/3/19
TIM FLYNN
Mayor