MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 21, 2020

A. ROLL CALL, POSTING OF AGENDA

At 5:32 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority) 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, Bert E. Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 6:43 p.m.). Housing Commissioner Jose Andrade arrived at 6:00 p.m.; Commissioner Francisco Vega was absent.

Staff members present were Alexander Nguyen, City Manager; Stephen M. 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 received.)

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
   Name of case: In the Matter of: Order Instituting Rulemaking to Develop an Electricity Integrated Resource Planning Framework and to Coordinate and Refine Long-Term Procurement Planning Requirements Public Utilities Commission Proceeding No. R.16-02-007.

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 title of the legislation being discussed is the California Public Utilities Commission Proceeding to Develop an Electricity Integrated Resource Planning Framework and to Coordinate and Refine Long-Term Procurement Planning Requirements."

At 5:33 p.m., the City Council recessed to a closed session. At 6:06 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 Brian Yanez, Assistant Public Works Director; Emilio Ramirez, Housing Director; Kevin Riper, Chief Financial Officer; Keith Brooks, Chief Information Officer; Mike Shaffer, Information Technology Manager; Roger Brooks, Code

Compliance Manager; and Denise Shadinger, Police Commander.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Gabriel Pimental (5G towers), Ray Blattel (mayor's comments during previous meeting), Chris Frost (Tri-County Sentry newspaper); Greg Runyon (the importance of unity and kindness), Pat Brown (recent Planning Commission meeting and Community Meeting), Aaron Starr (citizen initiative process), and Larry Barbarine (homeless assistance, opportunity zones, Christmas tree pickup, computer security, and city investments).

F. REPORT OF CITY MANAGER

The City Manager introduced Dr. Gabino Aguierre, Region 5 Coordinator for the upcoming 2020 Census, who gave an update on the Complete Count Committee's education and awareness efforts. The City Manager also announced the upcoming annual homeless point-in-time count.

City Manager Department

1. SUBJECT: Agreement for Demolition and Remediation of the Ormond Beach Generating Station.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement No. A-8207 with GenOn California South, GP (GenOn) setting forth a timeline for, and GenOn's funding of, demolition and remediation of the Ormond Beach Generating Station (OBGS), and regulatory objectives to support extending operation of OBGS through 2023 to fund demolition and remediation to be completed by 2027.

The City Manager gave a report. Public comments were received from Pat Brown, Lauraine Effress, and Alicia Percell. 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.

G. CITY COUNCIL REPORTS

Mayor Pro Tem Ramirez reported on the recent "Oxnard Together" event. She later reported on the Martin Luther King Day march, an O'My Theater children's performance, and the Jackson Wheeler poetry event at the library.

Councilmember Madrigal commented on the Martin Luther King Day march, showing compassion for the homeless, and improving the city's reputation and quality of life.

Councilman MacDonald reported on the Martin Luther King Day march and announced an upcoming SCE Government Advisory Council meeting.

Councilmember Lopez announced upcoming trainings for the homeless point-in-time count, reported on the recent Southwinds neighborhood meeting, and announced the upcoming Cal-Gisler neighborhood meeting.

Councilmember Perello reported on the Martin Luther King Day march, announced upcoming neighborhood council meetings, commented on the Tierra Rejada landfill, a recent Planning Commission meeting, opportunity zones, 5G, and public walkways in the Oxnard Shores neighborhood.

Councilwoman Basua reported on attending recent cleanup events at Ormond Beach and announced she was spearheading the initiation of monthly beach cleanup events.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Councilman MacDonald announced a potential real estate conflict on item J-3 and left the dais when that item was discussed. Items J-2, J-3, and J-4 were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Ray Blattel and Pat Brown.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the January 7, 2020 regular meeting as presented.

Public Works Department

2. SUBJECT: Award Agreement A-8203 to Tomar Construction for Fire Station 6 Roof Replacement Project.
   RECOMMENDATION: That the City Council:
   1. Award and authorize the Mayor to execute Agreement A-8203 in the amount of $377,270.50 from existing appropriation of the Fire Station 6 Roof Replacement Project (Project No. MO2206) with Tomar Construction, Inc.;
   2. Approve $37,727 for project contingency from existing appropriation of the Fire Station 6 Roof Replacement (Project No. MO2206); and
   3. Approve $37,727 for engineering, inspection, survey and project management from existing appropriation of the Fire Station 6 Roof Replacement (Project No. MO2206).

3. SUBJECT: Award Contract A-8188 to Pueblo Construction for PAL Gym South Wing Roof Repair.
   RECOMMENDATION: That the City Council:
   1. Award and authorize the Mayor to execute Agreement A-8188 in the amount of $206,490.60 for the PAL Gymnasium South Wing Roof Repair Project Specification No. PW 20-11 (Project No. 205501) with Pueblo Construction, Inc.;
   2. Approve $20,649 for Project contingency from existing appropriation of the Oxnard PAL Facility Rehab (Project No. 205501) ; and
   3. Approve $20,649 for engineering, inspection, survey and project management from existing appropriation of the Oxnard PAL Facility Rehab (Project No. 205501).

4. SUBJECT: Agreement A-8191 for Tree Maintenance Services PW 20-22.
RECOMMENDATION: That City Council:
1. Award and authorize the Mayor to execute Agreement No. 8191 with West Coast Arborists, Inc., for a five (5) year term for an amount not to exceed $2,700,000, for tree maintenance services; and
2. Authorize a Budget Appropriation in the amount of $180,000 from Special Districts: LMDs 23, 25, 33, 34, 40, 47, 52, 53, and CFD 2.
(Public Works and Transportation Committee approved 3-0)

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to approve Information/Consent items J-1, J-2, and J-4 as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve Information/Consent item J-3 as presented. VOTE: Basua, Flynn, Lopez, Madrigal, Perello, and Ramirez voted in favor; MacDonald was recused. The motion carried 6-0-1.

K. REPORTS

Housing Department

3. SUBJECT: Demolition of Colonia Village.
RECOMMENDATION: That the Housing Authority Board of Commissioners adopt **Resolution No. 1315** approving an amendment to the Public and Indian Housing Information Center (PIC) Application DDA0001989 at Colonia Village, CA031001 allowing for the demolition of the existing public housing units prior to the disposition of such property in accordance with existing HUD approval and approving and authorizing an unsecured promissory note (predevelopment loan) for the purpose of providing for the immediate demolition of the existing public housing units.

The Housing Director gave a report. The City Attorney announced that Councilmember Madrigal had recused himself due to a real estate conflict and left the dais during the presentation. 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: Andrade, Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal was absent (recused). The motion carried 7-0-1.

Councilmember Madrigal returned to the dais.

Finance Department

1. SUBJECT: Approval of 2020 Gas Tax Revenue Refunding Bonds (Refinancing of the Gas Tax Revenue Certificates of Participation (2007 Street Improvement Program)).
RECOMMENDATION: That the City Council approve **Resolution No. 15,297**: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE ISSUANCE AND SALE OF GAS TAX REVENUE

REFUNDING BONDS, SERIES 2020 TO REFINANCE OUTSTANDING OBLIGATIONS, AUTHORIZING EXECUTION OF AN INDENTURE OF TRUST, AND AUTHORIZING EXECUTION OF AND APPROVING RELATED AGREEMENTS AND OFFICIAL ACTIONS. (Finance and Governance Committee approved 3-0)

The Chief Financial Officer made some brief remarks and introduced Craig Hill of NHA Advisors, who gave a report. Discussion ensued among the Council and staff.

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

Information Technology Department

2. SUBJECT: Oxnard 311 - Performance Update Report.
   RECOMMENDATION: That the City Council receive an update on the third year (and first half of fourth year) performance of the Oxnard 311 Constituent Relationship Management Mobile Application.

The Chief Information Officer and Information Technology Manager gave a report. Public comments were received from Ray Blattel and Aaron Starr. Discussion ensued among the Council and staff. No action was required.

City Clerk Department

4. SUBJECT: Certificate of Sufficiency of Signatures for Initiative Petition.
   RECOMMENDATION: That the City Council receive and file the certificate of sufficiency for the initiative: "Term Limits for the Mayor and Councilmembers, Extension of Mayor's Term from Two Years to Four Years Starting in 2022."

The City Clerk gave a report. Public comments were received from Aaron Starr. Discussion ensued among the Council and staff. No action was required.

L. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Ray Blattel and Aaron Starr.

M. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (City Council) Initiation of litigation pursuant to Government Code Section 54956.9, subd. (d)(4): One case.

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."

At 8:58 p.m., the City Council recessed to a closed session. At 9:18 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.

N. REPORTS

City Attorney Department

1. SUBJECT: Consideration of Action on Initiative Measure Titled: "Term Limits for the Mayor and Councilmembers, Extension of Mayor's Term from Two Years to Four Years Starting in 2022."
   RECOMMENDATION: That the City Council:
   1. For the above initiative, either: a) adopt **Ordinance No. 2974**, or b) call an election; and
   2. If calling the election, adopt a resolution ordering consolidation with the November 3, 2020 statewide election and requesting the County Clerk to conduct the election and authorizing the Board of Supervisors to canvass the returns.

The City Attorney gave a report. Public comments were received from Pat Brown, Aaron Starr, and Greg Runyon. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to adopt the Ordinance as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal voted against. The motion carried 6-1.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:27 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 2/4/20

TIM FLYNN
Mayor