MINUTES
OXNARD CITY COUNCIL
Regular Meeting
February 4, 2020

A. ROLL CALL, POSTING OF AGENDA

At 5:01 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Community Development Successor Agency) 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, Bert E. Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present. Councilmembers Gabriela Basua, Vianey Lopez, and Oscar Madrigal were absent (arrived at 5:11 p.m., 5:07 p.m., and 7:24 p.m., respectively).

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 ITEMS NOT ON THE AGENDA (None received.)

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
Name of case: City of Port Hueneme; et al. v. City of Oxnard; Albino Gonzalez, et al.
Ventura County Superior Court Case No. 56-2018-00511489-CU-MC-VTA

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council/Successor Agency)
Name of case: City of Oxnard; et al. v. California Director of Finance Keely Martin Bosler, et al.
Sacramento County Superior Court Case No. 34-2019-80003259

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - (Government Code section 54956.8) (City Council)
Property: 418 West Fourth Street, Oxnard
Agency Negotiators: Jeffrey Lambert, Development Services Director
Negotiating Party: BikeVentura (Joey Juhasz-Lukomski, Executive Director)
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)(1), to confer with its attorneys. The title of the litigation being discussed is City of Port Hueneme; et al. v. City of Oxnard; Albino Gonzalez; et al. 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 regarding Item C-3 of the meeting agenda. The City Council and the Successor Agency will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title of the litigation being discussed is City of Oxnard; et al. v. California Director of Finance Keely Martin Bosler; et al."

The City Attorney announced that when she arrives, Councilmember Lopez will be recused from item C-1 due to a familial relationship to a party in the lawsuit.

At 5:04 p.m., the City Council recessed to a closed session. At 6:04 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement:

"On the Port Hueneme v. City of Oxnard matter, Councilwoman Basua and Councilmember Lopez recused themselves and Council was briefed on the status of this worker's compensation subrogation case, and provided direction and settlement authority to legal counsel regarding an upcoming mediation in the matter. On the real property negotiation item, Council was briefed on the status of negotiations for the potential lease of City property with the listed entity and provided direction to the City's negotiator. If the lease is negotiated, it will be agendized for Council action at open session. In the matter of the City and Successor Agency v. the California Director of Finance and the Department of Finance, by unanimous vote with Councilmember Madrigal being absent, the City Council and Successor Agency approved settling litigation the City and Successor Agency filed in October of last year regarding disposition of housing funds resulting from refinancing of the Camino del Sol Senior Apartments. The settlement will permit the Successor Agency to transfer the full amount at issue – $1.5 million – to the City as Successor Housing Entity to use for affordable housing purposes."

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; Jeffrey Lambert, Community Development Director; Scott Kolwitz, Planning and Environmental Service Manager; Chris Williamson, Planning Project Manager; Kevin Riper, Chief Financial Officer; and Christine Williams, Senior Manager of Internal Controls.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of February 2020 as "Black History Month."

Mayor Flynn read the proclamation and presented it to Regina Crawford, Julia Dixon, Angela Mitchell, Bruce Stewart, Le'Shune Clark, LaRita Montgomery, and Marvis Graves. Ms. Montgomery made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from PW Robinson (death rate of the homeless), Lawrence Paul Stein (GREAT Program debt service, Parks Master Plan), George Miller (Ventura County Board of Supervisors District 5 race, City Treasurer's administrative duties, term limits), Jack Villa (INCO primary election forum), Pat Brown (INCO primary election forum), and Al Velasquez (City Treasurer's administrative duties).

G. REPORT OF CITY MANAGER

The City Manager made a brief remark on the Parks Master Plan and the City Treasurer. He announced a jobs website for the upcoming 2020 Census, a faith-based 2020 Census subcommittee meeting, and a community meeting to discuss the proposed Housing Navigation Center

H. CITY COUNCIL REPORTS

Councilmember Lopez expressed condolences to the families of former mayor Dr. Manuel Lopez and Officer Nathan Martin. She reported on participating in the annual point-in-time homeless count.

Councilmember Perello expressed condolences on the recent deaths of Dr. Manuel Lopez, Officer Nathan Martin, and PBS newscaster Jim Lehrer. He reported on attending recent neighborhood council meetings at Channel Islands, Oxnard Shores, and Cal-Gisler, and commented on a local restaurant.

Councilman MacDonald reported on attending a Southern California Edison Government Advisory Panel meeting, and expressed condolences to the Lopez and Martin families.

Mayor Pro Tem Ramirez expressed condolences to the Lopez and Martin families and shared details of the upcoming memorial services. She commented on the recent opening of a homeless shelter in Ventura.

Councilwoman Basua expressed condolences to the Lopez and Martin families, and announced an upcoming Ormond Beach cleanup.

Mayor Flynn introduced the Housing Director, who gave an update on efforts to address homelessness in the city.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-5 and K-6 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Pat Brown.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the January 15, 2020 special meeting and January 21, 2020 regular meeting as presented.

Housing Department

2. SUBJECT: CalHome Mortgage and Rehabilitation Assistance Program Funding Application.
   RECOMMENDATION: That the City Council:
   1. Adopt **Resolution No. 15,298** authorizing the City Manager to submit an application to the California State Department of Housing and Community Development for $950,000 in

CalHome grant program funds to be used for first-time home-buyer assistance and owner-occupied residential rehabilitation assistance and execute a Standard Agreement with the California State Department of Housing and Community Development, if awarded funds, and any related documents necessary to participate in the CalHome program including required amendments and modifications; and
2. Authorize the Housing Director to review and approve updates and other changes from time to time to program policies and procedures for the City's existing First-Time Homebuyer and Residential Rehabilitation programs for consistency with CalHome and other regulations pertaining to these programs and the City's housing priorities.

Public Works Department

3. SUBJECT: Appropriation of Funds for Wastewater Treatment Reliability Projects.
RECOMMENDATION: That the City Council authorize an appropriation from the Wastewater Treatment Operating Fund 621 in the amount of $451,680 to fund agreement A-7815 with AECOM Technical Services Inc. for engineering design services for projects at the Oxnard Wastewater Treatment Plant. (Public Works and Transportation Committee approved 3-0)

4. SUBJECT: Award Solicitation PW 20-32 to Summit Air Conditioning, A-8197 for On-Call HVAC Maintenance and Repair Services.
RECOMMENDATION: That the City Council approve and authorize the City Manager to execute Agreement No. A-8197 with Shawn Steinberg DBA Summit Air Conditioning in the amount not to exceed $200,000 for a three (3) year period for on-call Heating Ventilation and Air Conditioning (HVAC) maintenance and repair services. (Public Works and Transportation Committee approved 3-0)

5. SUBJECT: Appropriate Funds for Oxnard Boulevard & Saviers Road Signal Improvements PW 19-97 (Project No. 173102).
RECOMMENDATION: That the City Council approve a budget appropriation of $90,585 for the Oxnard Boulevard & Saviers Road Signal Improvements PW 19-97 (Project No. 173102). This amount includes $20,475 from the fund balance of the Circulation System Improvement Fees (Fund 354) and an increase in Highway Safety Improvement Program (HSIP) grant revenue (Fund 275) of $70,110. (Public Works and Transportation Committee approved 3-0)

6. SUBJECT: Dokken Engineering 8792-19-PW Traffic Signal Modifications Project No. 183114.
RECOMMENDATION: That City Council:
1. Approve a budget appropriation of $164,355 to Traffic Signal Modifications PW 19-98 (Project No. 183114). This amount includes $14,685 from the fund balance of the Circulation System Improvement Fees (Fund 354) and an increase in Highway Safety Improvement Program (HSIP) grant revenue (Fund 275) of $149,670; and
2. Authorize the Mayor to execute Agreement No. 8792-19-PW in the amount of $224,833 with Dokken Engineering for the Traffic Signal Modifications project PW 19-98 (Project No. 183114).
(Public Works and Transportation Committee approved 3-0)

7. SUBJECT: Award Professional Services Agreement A-8202 with Pavement Engineering Inc. for City's Pavement Management Systems Update.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Professional Services Agreement A-8202 with Pavement Engineering Inc. (PEI) for a three year term, in an amount not to exceed $353,275, for the Pavement Management Systems (PMS) Update. (Public Works and Transportation Committee approved 3-0)

8. SUBJECT: Purchase of Police Department Vehicles, Motorcycles, and Off-Road Vehicles.
RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute six (6) Purchase Orders for a total amount of $595,829.21, for a total of twelve (12) public safety vehicle purchases with accessories and equipment:
a) Seven (7) patrol vehicles for a cost of $349,724.01 from National Auto Fleet Group;
b) Three (3) police motorcycles for a cost of $94,881.54 from Long Beach BMW Motorcycles;
c) One (1) Ford Transit Cargo Van for a cost of $69,321.51 from National Auto Fleet Group;
d) One (1) 4x4 pick-up for a cost of $48,787.86 from National Auto Fleet Group;
e) Police Radios for a cost of $12,681.29 from Telecom, Inc.;
f) Mobile Dispatch Computers for a cost of $20,433.00 from PCS Mobile; and
2. Authorize a budget appropriation of $595,829 from 2018 Bank of America Line of Credit in the amount of $541,893 and $53,936 from RiverPark CFD#5 Fund 174 Fund Balance. (Public Safety Committee approved 3-0)

9. SUBJECT: Award Trade Services Agreement A-8129 to Quinn Company for Department-wide Maintenance of Generators and Heavy Equipment.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a three (3) year Trade Services Agreement A-8129 with Quinn Company for the maintenance of department generators and heavy equipment, for an amount not to exceed $610,083.33. (Public Works and Transportation Committee approved 3-0)

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

L. PUBLIC HEARINGS

Community Development Department

1. SUBJECT: Appeal of Planning Commission Action of PZ 18-500-12, Special Use Permit Regarding Property Located at 2900 Saviers Road; Request for Continuance to Date Uncertain.
RECOMMENDATION: That the City Council continue the appeal hearing for Planning and Zoning Permit No. 18-500-12 (SUP) for property located at 2900 Saviers Road to a date uncertain.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to continue the hearing as recommended. VOTE: Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; the motion carried 6-0.

2. SUBJECT: Rio Urbana Development Project located at 2714 East Vineyard Avenue consisting of 15,000 SF Office Building and 167 For Sale Residential Units Over Nine Individual Buildings. Filed By Rio School District and The Pacific Companies.
   RECOMMENDATION: That the City Council:
   1. Conduct a public hearing;
   2. Adopt **Resolution No. 15,299** adopting Mitigated Negative Declaration (MND) 2017-04, authorizing proceeding with Annexation of the Parcel PZ Nos. 17-610-01 (Annexation) (subject to approval of Tax Sharing Agreement) and approving 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General and to add the Project site to the El Rio West Neighborhood, subject to certain findings and conditions;
   3. Adopt **Resolution No. 15,300** adopting PZ Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998) and 17-535-02 (Density Bonus), subject to certain findings and conditions;
   4. Introduce an Ordinance (by title only, waiving further reading) approving PZ No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD); and
   5. Authorize City staff to negotiate with the County of Ventura a Project Specific Tax Share Agreement.

The City Clerk announced the affidavit of publication and stated that one written communication had been received.

The Community Development Director introduced the Planning and Environmental Manager, who gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Kevin White and Joel Kirschenstein. Tony Talamante and Lori Summers gave a presentation on behalf of the applicant. (Councilmember Madrigal arrived during this time.) Additional public comments were received from Pat Brown. Written comments were received from Henry Macias.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council, staff, and Ms. Summers.

It was moved by Councilmember 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.

M. REPORTS

Finance Department

1. SUBJECT: Corrective Action Plan Update.
   RECOMMENDATION: That the City Council receives an update on progress made on the Corrective Action Plan (CAP) in response to Single Audit findings received for audits conducted on fiscal years 2015 through 2018. (Finance and Governance Committee approved 3-0)

The Chief Financial Officer and Senior Manager of Internal Controls gave a report. Discussion ensued among the Council, staff and Don Ecker of Eadie+Payne. No formal action was required.

2. SUBJECT: FY 2018-19 Comprehensive Annual Financial Report and Summary Presentation. RECOMMENDATION: That the City Council receive and file the FY 2018-19 Comprehensive Annual Financial Report (CAFR) and receive a summary presentation presented by the City's external auditors, Eadie + Payne, LLP. (Finance and Governance Committee approved 3-0)

The Don Ecker and Eden Casareno of Eadie+Payne gave a report. Discussion ensued among the Council and Ms. Casareno. No formal action was required.

City Manager Department

3. SUBJECT: City of Oxnard Internal Audit Annual Work Plan Proposal for FY 2019/2020. RECOMMENDATION: That the City Council ratify the Internal Auditor Annual Work Plan for FY2019/2020. (Finance and Governance Committee approved 3-0)

The Deputy City Manager and Henry Oum of Price Paige and Company gave a report. Discussion ensued among the Council and staff.

It was moved by Councilman 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.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 8:35 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 2/18/20

TIM FLYNN
Mayor