MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 17, 2020

A. ROLL CALL, POSTING OF AGENDA

At 4:36 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 Vianey Lopez, Oscar Madrigal, and Mayor Tim Flynn were present. Councilmembers Gabriela Basua, Bryan A. MacDonald, Bert E. Perello, and Mayor Pro Tem Carmen Ramirez were present via telephone.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Ashley Golden, Assistant 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)
   In the Matter of: Local Coastal Program Amendment No. LCP-4-OXN-20-0007-1 (City of Oxnard LCP Amendment Override) before the California Coastal Commission.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8) (City Council)
   Property: APN 132-003-301 (adjacent to RiverPark Boulevard near Vineyard Avenue); City-owned property and right-of-way on the north side of U.S. Highway 101 between Rose Avenue and Rice Avenue; City-owned property and right-of-way on the south side of U.S. Highway 101 between Rose Avenue and Rice Avenue; City-owned property and right-of-way on the north side of U.S. Highway 101 between Vineyard Avenue and Rose Avenue; and City-owned property and right-of-way on the south side of U.S. Highway 101 between Vineyard Avenue and Rose Avenue.
   Agency negotiator: Alexander Nguyen, Ashley Golden, Kenneth Rozell.
   Negotiating parties: Clear Channel Outdoor, Inc.; Outfront Foster Interstate, LLC.
   Under negotiation: Price and terms of payment.

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
   Name of case: Kessner, et al. v. City of Santa Clara; et al.
   Santa Clara County Superior Court, Case No. 20CV364054

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 titles of the litigation being discussed are: 1. Local Coastal Program Amendment No. LCP-4-OXN-20-0007-1 (City of Oxnard LCP Amendment Override) before the

California Coastal Commission; and 2. Kessner, et al. v. City of Santa Clara; 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-2 of the meeting agenda."

At 4:38 p.m., the City Council recessed to a closed session in the Human Resources Activity Room, at 300 W. Third Street, Oxnard. At 5:39 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced there were no reportable actions out of closed session.

Mayor Flynn announced that item D-2 would be heard ahead of item D-1.

E. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Denise Shadinger, Police Commander; Donna Ventura, Assistant Chief Financial Officer; Jim Costello, Financial Analyst II; Darwin Base, Fire Chief; Jaime Villa, Emergency Services Coordinator; Scott Whitney, Police Chief; Emilio Ramirez, Housing Director; Kathleen Mallory, Planning and Sustainability Manager; Jeffrey Lambert, Community Development Director; Kevin Riper, Chief Financial Officer; Keith Brooks, Chief Information Officer; and Brian Yanez, Assistant Public Works Director.

D. APPOINTMENT ITEMS

Police Department

2. SUBJECT: Pedestrian and Bicyclist Safety.
RECOMMENDATION: That the City Council receive a presentation on pedestrian and bicyclist safety. (Public Safety Committee approved 3-0)

The Police Commander gave a report. Written comments were received from Ray Blattel. Discussion ensued among the Council and staff. No action was required.

Mayor Flynn read a statement about the current COVID-19 health emergency and the city's response to the crisis.

Finance Department

1. SUBJECT: Preview of City's Online Financial Transparency Portal.
RECOMMENDATION: That the City Council receive a preview of and provide feedback on, the City of Oxnard's Online Financial Transparency Portal. (Finance and Governance Committee approved 3-0)

The Financial Analyst II gave a report. Discussion ensued among the Council and staff. No action was required.

F. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating March 31, 2020 as "Cesar E. Chavez Day."

Mayor Flynn read the proclamation and made some remarks.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from PW Robinson (homelessness and sheltering) and Gregg Boyajian (odors and noise from "New Indy" cardboard manufacturing plant). Written comments were received from Martina Gallegos, Ray Blattel, Lucy Cartagena, Liz Beall, and Joyce Chavez.

H. REPORT OF CITY MANAGER

The City Manager introduced Vanessa Bechtel, President and CEO of the Ventura County Community Foundation, who gave a brief presentation on the upcoming 2020 U.S. Census.

City Manager Department

1. SUBJECT: Status of investigation of personnel complaints against elected City Treasurer Phillip Molina.

(This item was removed from the agenda.)

2. SUBJECT: Ratification of COVID-19 Emergency Proclamation.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,304** ratifying the Proclamation of the Director of Emergency Services of the City of Oxnard Proclaiming the Existence of a Local Emergency.

The City Manager gave a report and announced that the resolution has been amended. The Fire Chief, Police Chief, and City Attorney also gave reports. Discussion ensued among the Council and staff.

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

I. CITY COUNCIL REPORTS

Councilman MacDonald commented on new state mandates to remove food waste from garbage collection and requested a future item for the Public Works and Transportation Committee to discuss the possibility of sending the food waste to the biodigesters at the wastewater treatment plant.

Councilmember Perello announced he will follow up on Mr. Boyajian's public comment complaint about the New Indy cardboard plant.

Councilmember Madrigal commented on cancelled graduation ceremonies due to the COVID-19 emergency.

Mayor Flynn and the City Manager discussed arrangements to shelter and provide services to the homeless during the COVID-19 emergency.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-2 and L-5 were discussed among the Council and staff.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Written comments were received from Ray Blattel and Lucy Cartagena.

L. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the February 18, 2020 regular meeting as presented.

City Manager Department

2. SUBJECT: Council Committee Appointments.
RECOMMENDATION: That the Mayor, with the concurrence of the City Council, appoint Councilwoman Gabriela Basua to the Housing and Economic Development Committee, and Councilmember Vianey Lopez to the Finance and Governance Committee.

Fire Department

3. SUBJECT: Authorization to Submit Two Grant Applications to the California Office of Traffic Safety (OTS) for $190,125 in Grant Funds for the Purpose of Certifying Firefighters in Child Safety Seat Installation, Purchasing Child Safety Seats, and the Purchase of Battery-Operated Extrication Equipment for the Region.
RECOMMENDATION: That City Council adopts **Resolution No. 15,305** authorizing:
1. The City Manager to submit two grant applications to the California Office of Traffic Safety (OTS) in the amount of $190,125 for the purpose of certifying firefighters in child safety seat installation, purchasing child safety seats, and purchasing battery-operated extrication equipment;
2. The City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award;
3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve administrative budget appropriation for the use of OTS funds upon award; and
4. The Fire Chief or designee to submit all program related progress or status reports.
(Public Safety Committee approved 3-0).

4. SUBJECT: Authorization to Submit Five Grant Applications to the Federal Emergency Management Agency (FEMA) for $679,540 Grant Funds for the Purpose of Purchasing Automated External De-fibrillators (AED), Urban Search & Rescue (USAR) Supplies, Wildland Shelters and Hydration Packs, Hazardous Materials Training, USAR Training and United States Lifesaving Association Training.
RECOMMENDATION: That City Council adopt **Resolution No. 15,306** authorizing:
1. The City Manager to submit five grant applications to the Federal Emergency

Management Agency (FEMA) Assistance to Firefighters Grant program in the amount of $679,540 for the purpose of purchasing Automated External Defibrillators (AED), Urban Search & Rescue (USAR) supplies, wildland shelters and hydration packs, USAR training, hazardous materials training and United States Lifesaving Association training;
2. The City Manager or designee to execute the grant agreement if grant funds are awarded to the City;
3. The Chief Financial Officer or designee to submit financial reports and grant claims, approve budget appropriations during FY 2020-21 for the use of the grant funds and perform all other required financial actions; and
4. The Fire Chief or designee to submit non-financial reports.
(Public Safety Committee approved 3-0).

Housing Department

5. SUBJECT: Villa Madera Apartments Limited Partnership Transfer.
RECOMMENDATION: That the City Council consent to the transfer of partnership interest in the Villa Madera Apartments limited partnership, Mercy Housing California IVI Limited Partnership, from NEF Assignment Corporation to South of Market Mercy Housing, a new Limited Partner.

Police Department

6. SUBJECT: Resolution Commending Felice Johnson for Twenty-Four Years of Outstanding Service to the City of Oxnard.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,307** commending Felice Johnson for twenty-four years of outstanding service to the City of Oxnard.

7. SUBJECT: 2020 Community Policing Development Microgrant Application.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,308** authorizing:
1. The City Manager to execute and apply for $100,000 in grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services 2020 Community Policing Development (CPD) Microgrant Program.
2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award.
3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for use of CPD Microgrant funds.
4. The Chief of Police or designee to submit all program related progress or status reports.

8. SUBJECT: Third Amendment to Axon International Contract.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a third amendment to contract A-7858 with Axon International, Inc. for $276,602.78, to add to the scope of services. (Public Safety Committee approved 3-0)

Public Works Department

9. SUBJECT: Award Professional Services Agreement A-8859 with Water Systems Consulting, Inc. for Water Regulatory Compliance and Technical Assistance Services.
RECOMMENDATION: That the City Council approve and authorize the City Manager to

execute Professional Services Agreement A-8859 with Water Systems Consulting, Inc. (WSC) for a four-year term, in an amount not to exceed $175,000, for water regulatory compliance and technical assistance services. (Public Works and Transportation Committee approved 3-0)

10. SUBJECT: Purchase of New Heavy Equipment for Del Norte Regional Recycling and Transfer Station.
RECOMMENDATION: That the City Council approve and authorize:
1. The Mayor to execute a Purchase Order with Quinn Company (Caterpillar) in the amount of $1,207,903.39 for the supply of heavy equipment for the Del Norte Regional Recycling and Transfer Station; and
2. The City Manager to execute a budget appropriation for $1,207,904 from the Environmental Resources operating fund balance (631) for the purchase of the heavy equipment.
(Public Works and Transportation Committee approved 3-0)

It was moved by Councilmember Lopez, seconded by Mayor Pro Tem Ramirez, 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.

M. PUBLIC HEARINGS

Housing Department

1. SUBJECT: 2020-2024 Ventura County Regional Consolidated Plan, 2020 Ventura County Analysis of Impediments to Fair Housing Choice, 2020 Annual Action Plan and First Amendment to the 2019 Annual Action Plan.
RECOMMENDATION: That the City Council:
1. Conduct a hearing to receive public comments relating to the following documents to be submitted to the United States Department of Housing and Urban Development, Office of Community Planning and Development:
a) Draft of the 2020-2024 Ventura County Regional Consolidated Plan,
b) Draft of the 2020 Ventura County Analysis of Impediments to Fair Housing Choice,
c) Preparation of the Plan Year 2020 Annual Action Plan, and
d) First Amendment to the 2019 Annual Action Plan for the purpose of adding $125,000 of Fire Department Mobile Data Equipment;
2. Recommend final changes, if any, to the 2020-2024 Ventura County Regional Consolidated Plan and final changes, if any, to the 2020 Ventura County Analysis of Impediments to Fair Housing, and direct staff to forward documents to the Ventura County Executive Office;
3. Direct staff to prepare the 2020 Annual Action Plan from applications received, select activities that conform with City of Oxnard consolidated plan goals as defined in the Ventura County Regional Consolidate Plan for the three entitlement grants, Community Development Block Grant, Home Investments Partnership grant and the Emergency Solutions Grant, and to submit funding recommendations for City Council approval;
4. Approve First Amendment to the 2019 Annual Action Plan to add $125,000 of Mobile Data Equipment to enhance firefighting capabilities of the City of Oxnard Fire Department; and
5. Authorize the City Manager to incorporate any recommended changes resulting from

public input to the Ventura County Regional Consolidated Plan and the Ventura County Analysis of Impediments to Fair Housing as directed by the City Council.

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

Mayor Flynn opened the public testimony portion of the public hearing. No one requested to speak. 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.

N. REPORTS

Community Development Department

1. SUBJECT: City of Oxnard Climate Action Plan.
   RECOMMENDATION: That the City Council approve Agreement #8882-20-CD with Environmental Science Associates (ESA), Inc. for the preparation of the City's Climate Action Plan in the not to exceed amount of $411,490. (Housing and Economic Development Committee approved 3-0)

The Planning and Sustainability Manager gave a report. Discussion ensued among the Council and staff. Public comments were received from Gregg Boyajian.

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, Perello, and Ramirez voted in favor; the motion carried 7-0.

2. SUBJECT: Sakioka Development Agreement Authorization.
   RECOMMENDATION: That the City Council:
   1. Determine entering into a development agreement with Sakioka Farms, a California general partnership and AMS CRAIG, LLC, a Delaware limited liability company (collectively, the "Developer") is warranted and desirable for the project; and
   2. Direct City staff to negotiate a development agreement with the Developer for recommendation by the Planning Commission and consideration by the City Council.

The Community Development Director gave a report. 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, Perello, and Ramirez voted in favor; the motion carried 7-0.

Finance Department

3. SUBJECT: FY 2019-20 Budget Mid-Year Review.
RECOMMENDATION: That the City Council:
1. Receive an update on the latest FY 2019-20 revenue and expenditure projections for major funds;
2. Approve for the Information Technology Fund (731) a budget appropriation request in the amount of $297,828.17 for prepayment of FY 2020-21 vendor costs;
3. Approve for the Golf Course Operating Fund (651) a full-year revenue estimate of $4,259,666 ("Non-departmental – American Golf Corporation (AGC)") and a full-year budget appropriation request in the amount of $4,136,638 ("Golf Course - AGC");
4. Approve for the Customer Billing Operations Fund (725) a budget appropriation request in the amount of $300,000 to reflect the current allocation of bank charges; and
5. Adopt **Resolution No. 15,309** amending the position control resolution for Information Technology.
(Finance and Governance Committee approved 3-0)

The Chief Financial Officer and Chief Information Officer gave a report. Written comments were received from Ray Blattel. Discussion ensued among the Council and staff.

It was moved by Councilmember Lopez, 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.

Public Works Department

4. SUBJECT: Amending Enterprise Fleet Management Agreement and Restructuring of Fleet Services Division.
RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute a first amendment to Agreement A-8136 with Enterprise Fleet Management, Inc. (Enterprise) that increases the current agreement value by $3,425,000, from $675,000 to $4,100,000 ($1,600,000 for the Maintenance Management Program and $1,825,000 for leasing costs), and extends the term through December 1, 2025;
2. Authorize Public Works Fleet Services Division to enroll approximately 375 city-owned vehicles into Enterprise's Maintenance Management Program and all new leased or City owned vehicles that qualify for the program;
3. Adopt **Resolution No. 15,310** amending the position control resolution to eliminate three (3) staff positions from the Public Works Fleet Services Division; and
4. Authorize all City departments to utilize current vehicle replacement funds for leasing or future leasing.
(Public Works and Transportation Committee approved 3-0)

The Assistant Public Works Director gave a report. Written comments were received from Ray Blattel. Discussion ensued among the Council and staff.

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

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:00 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 4/7/20

TIM FLYNN
Mayor