MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 2, 2020

A. ROLL CALL, POSTING OF AGENDA

At 5:10 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 via videoconference.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Ashley Golden, Assistant City Manager; Scott Whitney, Police Chief; Kenneth Rozell, Chief Assistant City Attorney; Denise Shadinger, Police Commander; Eric Sonstegard, Assistant Police Chief; Jeffrey Lambert, Community Development Director; Adam Smith, Project Manager/Interim Special Districts Manager; Kevin Riper, Chief Financial Officer; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating June 5, 2020 as "National Gun Violence Awareness Day."

Mayor Flynn read the proclamation and presented it to Karen Peters, Betty Empol, and Janet Eckhouse of the Ventura County Chapter of Brady United Against Gun Violence.

D. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: COVID-19 Update, Ratification of Director of Emergency Services Orders.
RECOMMENDATION: That the City Council:
1. Receive an update from the Director of Emergency Services;
2. Adopt **Resolution No. 15,333** ratifying orders issued by the Director in response to the COVID-19 Local Emergency.

The City Manager and City Attorney gave a report. Discussion ensued among the Council and staff.

It was moved by Councilmember Lopez, 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.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ray Blattel (general fund employees reassigned to enterprise funds), Gabriel Teran (the murder of George Floyd), Richard Linares (providing homeless services), Peggy Rivera (homeless shelters), Lang Martinez (homeless shelters), Irma Lopez (re-naming of the La Colonia Boxing Gym in honor of former mayor Dr. Manuel Lopez; accolades for city staff; homeless shelters), George Miller (homeless shelters, COVID-19 shutdowns, and tax increases), PW Robinson (homeless services), and Rev. Mark Gaston (police interaction with the public).

F. REPORT OF CITY MANAGER

The City Attorney, under Government Code section 54954.2, asked the Council to find with a two-thirds vote the need to take immediate action on a non-agendized item, and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, for the Council to allow for a discussion on the recent civil unrest following the murder of George Floyd in Minneapolis. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

The City Manager and Police Chief gave a report. Discussion ensued among the Council and staff.

G. CITY COUNCIL REPORTS

Mayor Pro Tem Ramirez announced an upcoming Black Lives Matter march, requested a meeting with the Housing Director to discuss homeless services, and encouraged patronage of local businesses.

Councilmember Perello encouraged people to vote and participate in the census, and commented on letters of credit, the public safety property tax assessment, mental health services, employee allocations, and community pride.

Councilmember Madrigal congratulated this year's high school graduates, and congratulated his former teacher Mr. Guzik on his upcoming retirement.

Councilmember Lopez encouraged people to continue to take precautions against the spread of COVID-19 and announced expanded testing and outreach services in South Oxnard.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-3, J-6, J-9, J-13, J-14, and J-15 were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Ray Blattel, Diana Coronado, Gabriel Teran, John Fowler, Alexander Russell, and Jim Bizzelle. Written comments were received from Alexander Russell, Margarita de Escontrias, Diana Coronado, John Fowler, Juliana Gallardo, Linda Braunschweiger, Luis Hernandez, Rick Schroeder, Brittany Seniff, and Larry Haynes.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the May 19, 2020 regular meeting as presented.

2. SUBJECT: Adoption of Ordinance No. 2978, Authorizing Electronic Filing of Campaign Disclosure Statements.
RECOMMENDATION: That the City Council adopt **Ordinance No. 2978** (by title only, further reading waived), adding subsection (C) "Electronic Filing of Campaign Disclosure Statements" to Section 2-247 of the Oxnard City Code to make the necessary findings and adopt regulations allowing for the electronic and paperless filing of Campaign Finance Disclosure forms.

3. SUBJECT: Adoption of Resolutions Calling 2020 General Municipal Election.
RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15,334** calling and giving notice of a municipal general election to be held on November 3, 2020, for the election of certain officers; consenting to and requesting election consolidation with the County of Ventura; requesting the County Clerk to render services and supplies; and authorizing the Board of Supervisors to canvass the returns; and
2. Adopt **Resolution No. 15,335** establishing rules to govern submission by candidates of Candidate Statements.

Billing and Licensing Department

4. SUBJECT: Second Amendment to Agreement for Utility Bill and Business Tax Form Printing, Inserting and Mailing Services.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute an amendment to the agreement with InfoSend, Inc. for printing, inserting and mailing services (Agreement No. A-7828) to increase the amount by $298,500, resulting in a total contact amount of $1,822,423, and extend the expiration date for one year to June 30, 2021.

Community Development Department

5. SUBJECT: California Department of Housing and Community Development (HCD) Local Early Action Planning (LEAP) Grant Program Application.
RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15,336** authorizing the City Manager or designee to submit an application for $500,000 in LEAP grant program funds (no City match required) to evaluate housing development opportunities along the Oxnard Boulevard/Saviers Road corridors, and complete the environmental review for the 2021-2029 Housing Element and related actions;
2. Authorize the City Manager or designee to accept the LEAP grant upon award; and
3. Authorize an administrative budget adjustment by the Chief Financial Officer (CFO) upon award of the grant.

6. SUBJECT: Adoption of Ordinance No. 2979 and Ordinance No. 2980 Revision of Existing Fees and Adoption of New Fees Related to Development Impact Fees and the Affordable Housing In-Lieu Fee and Inclusionary Housing Ordinance Amendments.
RECOMMENDATION: That the City Council adopts **Ordinance No. 2979 and**

Ordinance No. 2980 (read by title only, waiving further reading) approving the revision of existing fees and adoption of new fees related to Development Impact Fees and the Affordable Housing In-Lieu Fee and Inclusionary Housing ordinance amendments.

Cultural and Community Services Department

7. SUBJECT: Oxnard School District After School Education and Safety Grant.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an agreement (A-8217) with the Oxnard School District (OSD) for the City to receive an amount not to exceed $1,920,000 with a City match of $130,000 of in-kind services.

8. SUBJECT: Lease Agreement with Continuing Development, Incorporated (Agreement No. A-8218).
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a lease agreement with Continuing Development, Incorporated (CDI) for a portion of South Oxnard Community Center, 200 East Bard Road.

Finance Department

9. SUBJECT: Public Safety Property Tax Assessment FY 2020-21.
RECOMMENDATION: That the City Council adopts **Resolution No. 15,337** establishing the FY 2020-21 tax rates on property in the City of Oxnard for the payment of voter-approved obligations related to public safety personnel pension expenses.

10. SUBJECT: Agreement with BerryDunn for Enterprise Resource Planning (ERP) System Implementation Support and Organizational Change Management Consulting Services.

    (This item was removed from the agenda.)

Public Works Department

11. SUBJECT: Approval of Third Amendment to Agreement A-7950 with NBS Government Finance Group for Assessment District Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to:
1. Execute a Third Amendment to Agreement A-7950 with NBS Government Finance Group in the amount of $509,650 for a total not-to-exceed amount of $1,010,765.42 for ongoing administrative services, community outreach for Landscape Maintenance Districts (LMDs) and formation services of Community Facilities Districts (CFDs) and to extend the term from May 31, 2021 to June 30, 2022; and
2. Authorize the City Manager to approve a budget appropriation for various LMDs, and CFD 6 Northshore as detailed in the financial impact section.
(Public Works and Transportation Committee approved 2-0)

12. SUBJECT: Agreement A-8213 with Vertech Industrial Systems, LLC for On-Call Supervisory Control and Data Acquisition Systems (SCADA) Support Services.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8213 with Vertech Industrial Systems, LLC for on-call supervisory control and data acquisition systems (SCADA) support services for the water, wastewater, and

recycled water systems in the amount of $900,000 through June 30, 2023. (Public Works and Transportation Committee approved 3-0)

13. SUBJECT: Special Tax Levy for Community Facilities Districts No. 1 and No. 2 (Westport at Mandalay Bay).
RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15,338** setting a special tax rate within Community Facilities District (CFD) No. 1 (Westport at Mandalay Bay) for FY 2020-21; and
2. Adopt **Resolution No. 15,339** setting a special tax rate within CFD No. 2 (Westport at Mandalay Bay) for FY 2020-21.
(Public Works and Transportation Committee approved 3-0)

14. SUBJECT: Special Tax Levy for Community Facilities Districts No. 3 and No. 4 (Seabridge at Mandalay Bay).
RECOMMENDATION: That the City Council:
1. Adopt **Resolution No. 15,340** setting a special tax rate within Community Facilities District (CFD) No. 3 (Seabridge at Mandalay Bay) for FY 2020-21; and
2. Adopt **Resolution No. 15,341** setting a special tax rate within CFD No. 4 (Seabridge at Mandalay Bay) for FY 2020-21.
(Public Works and Transportation Committee approved 3-0)

15. SUBJECT: Special Tax Levy for Community Facilities District No. 5 (Riverpark).
RECOMMENDATION: That the City Council adopt **Resolution No. 15,342** setting a special tax rate within Community Facilities District (CFD) No. 5 for FY 2020-21. (Public Works and Transportation Committee approved 3-0)

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the Information/Consent items as presented (without item J-10). VOTE: Basua, Flynn, Lopez, Madrigal, and Ramirez voted in favor; MacDonald voted against item J-6 and Perello abstained from item J-11 due to a potential real property conflict of interest. The motion carried 6-1 on item J-6; 6-0-1 on item J-11; and 7-0 on the remaining items.

Mayor Flynn announced that item L-2 would be considered next.

L. REPORTS

Police Department

2. SUBJECT: Agreement for Animal Safety Services with Ventura County Animal Services (VCAS).
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a five year agreement (A-8151) with Ventura County Animal Services (VCAS) for animal safety services, in the amount of $2,324,778 for FY 20-21. (Public Safety Committee approved 3-0)

The Police Commander 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, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

K. PUBLIC HEARINGS

Community Development Department

1. SUBJECT: Planning & Zoning Permit No. 2020-580-02 - Amendments to Chapters 7 and 11 of the Oxnard City Code to establish fines for violation of Commercial Cannabis Businesses Regulations.
   RECOMMENDATION: That the City Council:
   1. Receive a report regarding criminal fines associated with illegal and legal cannabis operators; and
   2. Following the public hearing, approve the introduction of an ordinance (by title only, waiving further reading) adding Section 7-56 (D) of Article III, Chapter 7 of the Oxnard City Code, and amending Section 11-452 of Article XVI, Chapter 11 of the Oxnard City Code regarding civil and criminal penalties for violations of Commercial Cannabis Business Ordinances and illegal operations.
   (Housing and Economic Development Committee approved 3-0)

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

Mayor Flynn opened the public testimony portion of the public hearing. With no requests to speak and 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 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.

Public Works Department

2. SUBJECT: Resolution Approving Engineer's Report and Ordering the Levy and Collection of Assessments for the Fiscal Year 2020-21 within the City's Landscape Maintenance Districts.
   RECOMMENDATION: That the City Council, acting as the legislative body for the City of Oxnard's (City) Landscape Maintenance Districts (LMDs), approve and authorize:
   1. Holding a public hearing to receive public testimony regarding the proposed Fiscal Year 2020-21 assessments in the City's LMDs; and
   2. Adopting **Resolution No. 15,343** approving the Fiscal Year 2020-21 Consolidated Engineer's Report and ordering the levy and collection of assessments for Fiscal Year 2020-21 within the City's LMDs pursuant to the Landscaping and Lighting Act of 1972.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Project Manager/Interim Special Districts Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. With no requests to speak and 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 pertains to LMD District #13. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, and Ramirez voted in favor; Perello abstained due to a potential real property conflict of interest. The motion carried 6-0-1.

Further discussion ensued on the remaining Districts.

It was moved by Councilmember Perello, 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.

3. SUBJECT: Adoption of Resolution to Levy the Fiscal Year 2020-21 Assessments in Mandalay Beach Maintenance District.
   RECOMMENDATION: That the City Council, acting as the legislative body for the Mandalay Beach Maintenance District, approve and authorize to:
   1. Hold a public hearing to receive public testimony regarding the proposed Fiscal Year 2020-21 assessments for the Mandalay Beach Maintenance District; and
   2. Adopt **Resolution No. 15,344** fixing the special assessments in the Mandalay Beach Maintenance District for Fiscal Year 2020-21.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Project Manager/Interim Special Districts Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. With no requests to speak and 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 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.

4. SUBJECT: Adoption of Resolution to Levy Waterways Maintenance District Assessments for Fiscal Year 2020-21.
   RECOMMENDATION: That the City Council, acting as the legislative body for the Waterways Maintenance Assessment District, approve and authorize:
   1. Holding a public hearing regarding proposed assessments for the Waterways Maintenance District for Fiscal Year 2020-21; and
   2. Adopting **Resolution No. 15,345** for Fiscal Year 2020-21 fixing assessments for the Waterways Maintenance District.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Project Manager/Interim Special Districts Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Written comments were received from Debbie Mitchell. With no requests to speak and 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 Councilmember Lopez, 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.

L. REPORTS

Finance Department

1. SUBJECT: Interfund Borrowing Authority to Support Cash Flow for the General Fund.
   RECOMMENDATION: That the City Council adopt **Resolution No. 15,346** authorizing the City Manager through June 30, 2021 to:
   1. Borrow on behalf of the General Fund (101) up to $10,000,000 from each of the Water Fund, Wastewater Fund, and Environmental Resources Fund to support cash flow needs during the public health emergency and its aftermath; and
   2. Establish a 10-year repayment schedule, with interest charged at the City Treasurer's pooled cash portfolio earnings rate.

   (Finance and Governance Committee approved 3-0)

The Chief Financial Officer gave a report. Public comments were received from Ray Blattel, Alicia Percell, Aaron Starr, and George Miller. Written comments were received from Aaron Starr and Lawrence Stein. Discussion ensued among the Council and staff. City Attorney announced a revision to the resolution to add Section 8: "The loan(s) shall be immediately callable at the discretion of each utility enterprise fund."

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

M. ADJOURNMENT

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

Michelle Ascencion	Tim Flynn 6/16/20
MICHELLE ASCENCION, CMC	TIM FLYNN
City Clerk	Mayor