MINUTES
OXNARD CITY COUNCIL
Regular Meeting
September 1, 2020

A. ROLL CALL, POSTING OF AGENDA

At 5:09 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority and 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 Vianey Lopez, Bryan A. MacDonald, Oscar Madrigal, Bert E. Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present via videoconference. Councilwoman Gabriela Basua arrived at 5:17 p.m. via videoconference Housing Commissioners Jose Andrade arrived at 6:07 p.m. via videoconference. 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; Kevin Riper, Chief Financial Officer; Christine Williams, Senior Manager of Internal Controls; Terrell Harrison, Cultural and Community Services Director; Emilio Ramirez, Housing Director; and Michelle Ascencion, City Clerk.

B. APPOINTMENT ITEM

Finance Department

1. SUBJECT: Presentation of Internal Control - Integrated Framework.
   RECOMMENDATION: That the City Council:
   1. Receive a presentation on the Internal Control – Integrated Framework (ICIF).
   2. Adopt **Resolution No. 15,379** adopting four framework implementing policies, approving the ICIF, and amending Council Committee Bylaws to delegate internal control duties and responsibilities to the Finance and Governance Committee.
   (Finance and Governance Committee approved 3-0)

The Senior Manager of Internal Controls gave a report. Public comments were received from James Aragon. Discussion ensued among the Council and staff.

It was moved by Councilmember 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.

The Council took a brief recess at 5:48 p.m.; the meeting resumed at 6:03 p.m.

C. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from James Aragon (compliance audits), Lucy Cartagena (upcoming census and "little library" event), Lauraine Effress (recent Coastal Commission vote on Fisherman's Wharf), Zuleth (rent control), Cecilia (rent control), Ana Mari (rent control), Noemi (rent control), Lucila (rent control), Adriana (rent control), Irendi (rent control), Jose (rent control), Soledad (rent control), Diego (rent control), Daniel (rent control), and Benito (rent control).

Written comments were received from Daniel Gonzalez (rent control), Marisol Mendoza (rent control), Jeremy Meyer (rent control), Rick Sanchez (rent control), Karla Ramirez (rent control), Sandy Diaz (rent control), Aura (rent control), Nancy (rent control), Colyn Messacar (rent control), and Tom Holstein (state controller compensation report).

When the allotted 30 minutes had expired, Mayor Flynn announced that the remaining public comments would be heard at the end of the meeting.

E. REPORT OF CITY MANAGER

The City Manager announced recent developments with the power plant removal trust fund, shared information about the COVID-19 pandemic, announced an upcoming public meeting on a "Project HomeKey" proposed purchase of the Vagabond Inn, gave an update on the 2020 U.S. Census, and announced the new Interim Fire Chief Alexander Hamilton.

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. 15,380** ratifying orders issued by the Director in response to the COVID-19 Local Emergency.

The City Attorney gave a report. 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.

Cultural and Community Services Department

2. SUBJECT: Cultural and Community Services Update on Department Response to COVID-19.
   RECOMMENDATION: That the City Council receive an update on the Cultural and Community Services Department's response efforts related to COVID-19.

The Cultural and Community Services Director gave a report. Discussion ensued among the Council and staff. No formal action was required.

F. CITY COUNCIL REPORTS

Councilmember Lopez commented on the public comments on rent control and requested a future agenda item to discuss the issue. She commended community members who have volunteered to help others during the COVID-19 pandemic.

Councilmember Perello acknowledged the recent deaths of local labor leader Tony Skinner and community volunteer Eileen Tracy, and commented on the danger of early endorsements. He later acknowledged the coordinators of the citywide cleanup event and requested a future agenda item to discuss project labor agreements.

Mayor Pro Tem Ramirez acknowledged Tony Skinner's and Eileen Tracy's deaths. She commented on COVID-19 related deaths, the importance of wearing masks, and requested that Code Enforcement look into large gatherings at short-term rentals at the beach. She commented on County assistance programs for farmworkers. She congratulated the City Clerk on her new position at the County of Ventura and the incoming City Clerk. She thanked volunteers who participated in recent community cleanup events.

Councilwoman Basua reported on a recent tour of the Gabriel's House shelter, the recent Southwinds neighborhood cleanup event, and expressed interest in discussing the issue of rent control.

Councilmember Madrigal wished his sister a happy birthday, commented on remote learning for the new school year, encouraged people to continue exercising caution to prevent the spread of COVID-19, commented on the citywide cleanup event, gave an update on the Las Cortes replacement project, and expressed condolences to the families of Tony Skinner and former Oaks Christian students Ryan Breaux and Ezekial Bishop.

Mayor Flynn acknowledged the successful citywide cleanup event and commented on the recent failure of Senate Bill 1120 pertaining to accessory dwelling units.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Items I-2, I-3, I-7, I-10, I-11 were discussed among the Council and staff.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Lucy Cartagena, Ray Blattel, and James Aragon. Written comments were received from Matthew Gelfand, Roger Poirier, Abel Magana, Connie Heagy, and Ray Blattel.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the of the July 17, 2020 special meeting; July 21, 2020 regular meeting; July 29, 2020 regular meeting; and August 5, 2020 special meeting as presented.

City Manager Department

2. SUBJECT: League of California Cities Annual Conference Voting Delegate/Alternate 2020.
RECOMMENDATION: That the City Council designate Mayor Flynn as the voting delegate and Mayor Pro Tem Ramirez as the voting alternate as Oxnard's representatives to the 2020 League Annual Business Meeting at the League of California Cities Annual Conference.

Community Development Department

3. SUBJECT: Second Reading and Adoption of **Ordinance No. 2984 and No. 2985** - Updates to Oxnard City Code Chapters 11 and 16: to Create Consistency with Accessory Dwelling Units State Law; Incorporate Certain Cannabis Activities into the Zone Use Tables and Correct Typographical Errors (Chapter 16 Divisions 10 and 11); and Related to Cannabis Uses (Chapter 11).
RECOMMENDATION: That the City Council approve for second reading (by title only and waive further reading) and adoption of Ordinance No. 2984 and No. 2985 regarding updates to Oxnard City Code Chapters 11 and 16: to create consistency with Accessory Dwelling Units state law; incorporate certain cannabis activities into the zone use tables and correct typographical errors (Chapter 16 Divisions 10 and 11); and related to cannabis uses (Chapter 11).

4. SUBJECT: Planning and Zoning Permit No. 19-680-01 (Mills Act Agreement-Henry T. Oxnard-Landmark No. 161), Murray J. Wineman House at 121 South F Street (APN 202-0-030-140). Filed by Robin Roy, Successor Trustee on behalf of Property Owner.
RECOMMENDATION: That the City Council approve a recommendation by the City of Oxnard Cultural Heritage Review Board to authorize the Mayor to execute a Mills Act Contract (Agreement No. A-8200) to maintain and preserve a historic property located at 121 South F Street (Oxnard-Landmark No. 161).

5. SUBJECT: Amended Recognized Obligation Payment Schedule 2020-21B.
RECOMMENDATION: That the Community Development Commission Successor Agency (Successor Agency) adopt **Resolution No. 37** adopting an Amended Fifth Annual Recognized Obligation Payment Schedule for January 1, 2021 - June 30, 2021 (ROPS 20-21B).

6. SUBJECT: Planning and Zoning Permit No. 18-300-10 (Final Parcel Map for 18-310-10) for the Lockwood Subdivision. Filed by Eric Widmer for Sunbelt Enterprises, LLC, 5715 Mesmer Avenue, Los Angeles, CA 90230.
RECOMMENDATION: That the City Council:
1. Accept Final Parcel Map 18-300-10 for the Lockwood Subdivision;
2. Receive and file a "Notice of Pending Approval" for Parcel Map 18-300-10 by the Interim Community Development Director including signature of "City Council's Certificate" on the title sheet; and
3. Adopt **Resolution No. 15,381** approving a Subdivision Improvement Agreement and Accepting the water rights offered in dedication to the City of Oxnard and accepting public access and utility easements associated with Parcel Map 18-300-10.

7. SUBJECT: Budget Appropriation for previously endorsed projects using the Downtown Improvement Program Settlement Funds (DIPSF)/Fund 481 City-Downtown Improvement.
RECOMMENDATION: That the City Council approve a budget appropriation, as previously endorsed at Council's December 3, 2019 meeting, in the amount of $200,000 to Downtown Targeted Police Deployment and $100,000 to Homeless Outreach from the fund balance of the City-Downtown Improvement Fund 481.

Cultural and Community Services Department

8. SUBJECT: Ratification of the Agreement for Hueneme Elementary Afterschool Program Services to Provide COVID-19 Support Services.
RECOMMENDATION: That the City Council
1. Ratify an amendment to Agreement No. 8069 between the City and Hueneme Elementary School District to operate the FY20-21 Homework Support Center and provide extended learning program services in a Hybrid/Blended Learning program not to exceed the amount of $215,265 and
2. Approve a budget appropriation in the amount of $215,265 in FY 20-21 to ASES funding (272-5511/Project AS0951).

Human Resources Department

9. SUBJECT: Side Letter of Agreement Amending the Memorandum of Understanding (Agreement No. A-8237) with the Oxnard Mid-Managers Association to Extend Post Retirement Medical Benefits Earned through the Oxnard Police Officers Association to a Promoted Employee.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,382** approving the side letter agreement between the City of Oxnard and the Oxnard Mid-Managers Association and authorizing the City Manager or Designee to take the necessary administrative actions to implement the attached side letter.

Housing Department

10. SUBJECT: License Agreement for Development Visioning and Temporary Use for Housing Authority Property Located at 610 Cuesta del Mar.
RECOMMENDATION: That the Oxnard Housing Authority Board of Commissioners approve and authorize the Housing Director to execute the proposed License Agreement A-8233 with LUCHA, for an initial term of three years.

Public Works Department

11. SUBJECT: Notice of Completion for Fire Station 6 Roof Replacement and Remodel Project FD 19-89.
RECOMMENDATION: That the City Council receive an update following a Notice of Completion for the Fire Station 6 Roof Replacement and Remodel Project executed on June 16, 2020.

12. SUBJECT: Automatic Public Toilets as Standard for Future Restroom Projects.
RECOMMENDATION: That the City Council approve and authorize City staff to adopt

prefabricated self-cleaning Automatic Public Toilets (APT) as the standard restroom for future park restroom projects. (Public Works and Transportation Committee approved 3-0)

13. SUBJECT: Grant Resolution for Active Transportation Program, Highway Safety Improvement Program, and Allocation of Funding for Local Road Safety Plan and Sustainable Communities Grant Projects.
RECOMMENDATION: That the City Council approve and authorize:
1. The adoption of **Resolution No. 15,383** authorizing the City Manager to submit grant applications and execute grant agreements, if awarded, for Active Transportation Program, an Active Transportation Program Quick Build project in partnership with the Southern California Association of Governments (SCAG), and Highway Safety Improvement Program, authorizing the Finance Director to submit financial reports and claims for the use of the grant funds, and authorizing the Public Works Director or designee to submit non-financial reports;
2. The budget appropriation recognizing grant revenue in the amount of $72,000 of Transportation State Grant Funds (Fund 210), and $7,200 of Traffic Safety matching funds (Fund 182) to the Local Road Safety Plan Project (213102); and
3. The budget appropriation recognizing grant revenue in the amount of $410,000 of Transportation State Grant Funds (Fund 210), and $53,121 of Roadway Maintenance and Rehabilitation Account matching funds (Fund 185) to the Mobility Plan for Sustainable Communities Project (213103).
(Public Works and Transportation Committee approved 3-0)

14. SUBJECT: Reclassification of Project Appropriation Allocations and Expenditures from State Gas Tax Fund to Roadway Maintenance and Rehabilitation Account Fund.
RECOMMENDATION: That the City Council authorize and approve the City Manager to:
1. Approve a Fiscal Year 2019-20 budget appropriation to: A) Reclassify budget appropriation allocations of $390,000 for Rice Avenue Street Resurfacing project 183113, and $132,383 for Annual Pavement System Update project 19IN01 from State Gas Tax Fund (181) to Roadway Maintenance and Rehabilitation Account (RMRA) Fund (185); B) Decrease $204,000 from State Gas Tax Fund (181) for Cooper Street Resurfacing project 183109; and C) Recognize revenue of $750,000 in State Gas Tax Fund (181) and appropriate to RMRA Fund (185) for Public Works Road and Signal Maintenance Project 203009; and
2. Approve a Fiscal Year 2020-21 budget appropriation recognizing revenue of $1,000,000 in State Gas Tax Fund (181) and appropriating to RMRA Fund (185) for Public Works Road and Signal Maintenance Project 203009.
(Public Works and Transportation Committee approved 3-0)

Housing Department

15. SUBJECT: Application for the U.S. Department of Housing and Urban Development (HUD) Choice Neighborhoods Planning Grant.
RECOMMENDATION: That the Board of Commissioners authorize the Housing Director to prepare, and the Chair to submit, an application to the U. S. Department of Housing and Urban Development (HUD) for a $450,000 grant under the Choice Neighborhoods Planning Grants (CNPG) program.

Fire Department

16. SUBJECT: National Institute of Health Grant for Early COVID-19 Detection Through Wastewater Testing.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,384** authorizing:
1. The City Manager to submit a two-year grant application by September 15, 2020, to the National Institute of Health grant for early COVID-19 detection through wastewater testing in the amount of $800,000;
2. The City Manager or designee to execute the grant agreement if funds are awarded to the City;
3. The Chief Financial Officer or designee to submit financial reports and grant claims, approve budget appropriations during FY2020-21 and FY2021-22 for the use of grant funds and perform all other required financial actions; and
4. The Fire Chief or designee to submit non-financial reports.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve the Information/Consent items as presented. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; Flynn voted against item I-3 (Andrade was unable to vote, due to technical difficulties). The motion carried 6-1 on item I-3, and 7-0 on the remaining items.

J. REPORTS

Finance Department

1. SUBJECT: Reduce Budget Appropriations to Reflect Employee Givebacks.
RECOMMENDATION: That the City Council reduce FY 20-21 budget appropriations by a total of $2,836,913 across all funds other than grant funds to reflect employee givebacks. $1,821,031 would be returned collectively to the General Fund and Measure O ($1,693,362 to the General Fund and $127,669 to Measure O).

The Chief Financial 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 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.

CONTINUATION OF PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Public comments were received from Olga (rent control), Arturo (rent control), Antonio (rent control), Yesenia (rent control), Cristel (rent control), Soledad (rent control), Manuel (rent control), Johnathan (rent control), Estela (rent control), Adelina (rent control), Victorina (rent control), Odette Moran (rent control), Mayra Munguia (rent control), Suly Salazar (rent control), Nidia Bello (rent control), Dr. Martin Alberto Gonzalez (rent control, citations against street vendors), Jorge (rent control), Nicolas (rent control), Kimberly (rent control), Amadeo (rent control), Gregory Runyon (urged civility during the election, acknowledged Eileen Tracy's passing), Ezequiel (rent control), Erbino Mateo (rent control), and Yesenia (rent control).

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

L. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2))
   Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.
   Legislative Body: City Council

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)(2), based on the existing facts and circumstances, there is significant exposure to litigation against the City in one potential case."

At 9:38 p.m., the City Council recessed to a closed session. At 10:31 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.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:31 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 10/7/20

TIM FLYNN
Mayor