MINUTES
OXNARD CITY COUNCIL
Special Meeting
September 3, 2020

A. ROLL CALL, POSTING OF AGENDA

At 5:07 p.m., Mayor Pro Tem Ramirez 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, and Mayor Pro Tem Carmen Ramirez were present via videoconference. Mayor Tim Flynn arrived at 5:20 p.m. via videoconference.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Rene Aiu and Debbie Mitchell. Written comments were received from Rene Aiu, Debbie Mitchell, and Carol Taylor.

D. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9 (d)(1))
   Name of Case: City of Oxnard v. URS Corporation; et al.
   Los Angeles County Superior Court Case No. BC698461
   Legislative Body: City Council

2. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION (Government Code section 54957)
   Title: City Manager
   This item is to be discussed in closed session under the Brown Act exception of Government Code section 54957(b)(1) (public employee performance evaluation).
   Legislative Body: City Council

3. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION (Government Code section 54957)
   Title: City Attorney
   This item is to be discussed in closed session under the Brown Act exception of Government Code section 54957(b)(1) (public employee performance evaluation).
   Legislative Body: City Council

The City Attorney 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 Oxnard v. URS Corporation; et al. The City Council will also recess to a closed session, pursuant to Government Code section 54957, for annual evaluation of public employees, City Manager and City Attorney."

At 5:18 p.m., the City Council recessed to a closed session. (Mayor Flynn arrived during this time.) At 7:08 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement:

"By a unanimous vote, the City Council has accepted a proposal to settle the action entitled *City of Oxnard v. URS Corporation; et al.,* which concerns a claim by the City for breach of contract and indemnification against a design engineer firm on the Rice Avenue/101 construction project which began in 2001. The terms of the settlement are that the City will receive $1,502,312.85. In full settlement of all claims, each party will release the other from all liabilities including attorneys' fees and costs."

The City Manager made a brief announcement about the upcoming excessive heat warnings, potential rolling blackouts, and the opening of cooling centers for the weekend.

E. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 7:11 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 10/6/20

TIM FLYNN
Mayor