MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 28, 2017

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., the regular meeting of the Oxnard City Council was called to order by Mayor Flynn in the Council Chambers. The City Clerk called the roll: Councilmembers Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; (Councilman Bryan A. MacDonald was absent). The City Clerk announced that the agenda was posted on March 23, 2017 at City Hall.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Steve Janice, Human Resources Director; James Throop, Chief Financial Officer; Jason Benites, Assistant Chief of Police; Jefferson Billingsley, Assistant City Attorney; Randy Latimer, Police Commander; Kenneth Rozell, Assistant City Attorney; Eric Sonstegard, Assistant Chief of Police; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None)

C. CLOSED SESSION

At 4:38 p.m. the City Council recessed to a closed session, pursuant to 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.

The City Council also recessed to a closed session pursuant to Government Code section 54956.9(d)(2), to discuss a significant exposure to litigation against the City of Oxnard. In written and verbal communications with the City, the Calleguas Municipal Water District has stated that it will initiate litigation against the City if the City and the Ocean View School District do not initiate annexation to the Calleguas Municipal Water District and the Metropolitan Water District of district-owned property by April 5, 2017.

The City Council will also recess to a closed session, pursuant to Government Code section 54957.6(a), to review the status of labor negotiations and to review its available funds and funding priorities for the purpose of providing instructions to the City's negotiators, Steve Janice, Director of Human Resources, and Burke Dunphy, City's labor attorney, regarding the position titles specified in Item C-3 of the meeting agenda.

At 6:13 p.m. the City Council reconvened in open session in the Council Chambers. There was no announcement following closed session.

D. OPENING CEREMONIES

The City Clerk called the roll and announced the posting of the agenda.

Mayor Flynn read a proclamation in honor of Cesar Chavez Day.
The flag salute was followed by a moment of silence.

Additional staff members present at this time were Darwin Base, Fire Chief; Keith Brooks, Information Technology Director; Ashley Golden, Development Services Director; Ingrid Hardy, Cultural and Community Services Director; Phillip Molina, City Treasurer; Daniel Rydberg, Public Works Director; Suzanne Bellah, Cultural Arts Supervisor; Sandra Burkhart, Special Districts Administrator; Shiri Klima, Assistant City Attorney; Manny Torres, Computer Network Engineer I; and Mark Uribe, Assistant CFO.

Mayor Flynn announced that Item L-3 would be pulled from the agenda.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation by Oxnard College President Dr. Cynthia Azari on the "Oxnard College Promise."

Ventura County Community College District Board of Trustees Vice Chair Art Hernandez made some remarks and introduced Dr. Azari, who gave a presentation. Discussion ensued among the Council and Dr. Azari.

2. SUBJECT: Presentation of Certificates of Commendation to Outgoing Citizen Advisory Group Members.

Mayor Flynn made some remarks and presented certificates of commendation to outgoing commissioners David Courtland (Commission on Homelessness); Christine Morla (Cultural Arts Commission); Michelle Ascencion, Mark Kupperman, and John Ragan (Library Board); Gloria Postel (Parks and Recreation Commission); and Sonny Okada (Planning Commission). The outgoing commissioners made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Woodrow Thomas Sr. (status of claim), Milton Creagh (youth safety), Edward Sierra (condition of Patterson Road), Dick Jaquez (in support of proposed power plant), Jack Villa (Neighborhood Council), Nancy Lindholm (Chamber of Commerce recommendations), Pat Brown (in opposition to proposed power plant), Julio Espinosa (water bill past due notice), Rev. Gregory Runyon (homeless issues), and Daniel Chavez Jr. (Council accountability).

G. REPORT OF CITY MANAGER (None)

H. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Councilmember Madrigal reported on attending the recent Sierra Linda Neighborhood Council meeting and the recent first home game of the Oxnard Guerreros soccer team. He commended a Rio Mesa High School student who was recently accepted into MIT, the only student from Ventura County to be accepted.

Mayor Pro Tem Ramirez commented on the Oxnard Guerreros, the Chamber of Commerce's recommendations, homelessness, Cesar Chavez Day, and the threat of the elimination of funding from the federal government. Assistant City Attorney Klima responded. Mayor Pro Tem Ramirez requested a closed session to discuss the threat.

Councilmember Perello requested a closed session on the City Attorney's performance. He commented on the risk of losing federal funding, AB1234 ethics training, recent Carriage Square Neighborhood Council and Community Relations Commission meetings, and the Library's roof. He detailed his and the City Treasurer's efforts to settle accounts with the Pleasant Valley Water District.

Mayor Flynn discussed his recent request to the Community Relations Commission to develop a "Common Statement of Values."

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-2(b) and K-3 were pulled for discussion.

Regarding K-2(b): Councilmember Perello asked about public versus private streets and sidewalks in the proposed project (the Public Works Director and City Manager responded).

Regarding K-3: Mayor Flynn inquired about the status of the Local Coastal Plan update. The Development Services Director responded; discussion ensued among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None)

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the February 7, 2017 Regular Meeting and the February 13, 2017 Special Meeting.
   RECOMMENDATION: Approve the Minutes of February 7 and 13, 2017 meetings.

City Manager Department

2. SUBJECT: Agreements for City Council Review.
   RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000, which described on the attached list.
   A. NV5 West, Inc. (6389-16-CM) for on-call soils and materials testing ($27,290).
   B. Jordan, Gilbert & Bain Architects, Inc. (6676-14-CM) for CAD drawings for 105 acre RiverPark CFD #5 ($47,900).

Development Services Department

3. SUBJECT: Authorization to Appropriate General Plan Maintenance Fee.

RECOMMENDATION: That City Council recognize and approve the appropriation of $175,000 collected in Fiscal Year 2016-2017 from the General Plan Maintenance Fee for the tasks that are related to preparation, maintenance, and/or revision of the 2030 General Plan, and the Oxnard Local Coastal Program (LCP).

Fire Department

4. SUBJECT: Recognize and Appropriate Budget for Fire Station 4 Remodel Designated in Development Agreement A-7122.
RECOMMENDATION: That City Council recognized the revenue received from Capital Growth Impact Fees (Fund 355) via Development Agreement A-7122 in amount of $300,000 and appropriating to Station 4 Remodel Project 172201.

Public Works Department

5. SUBJECT: Approve Plans and Specifications for the City Hall Third Floor Renovation Project PW 17-24.
RECOMMENDATION: That City Council approve project plans and specifications and authorize staff to solicit bids for the City Hall Third Floor Renovation Project PW 17-24.

6. SUBJECT: Third Amendment to Agreement No. 6856-14-CM with Stantec Consulting Services, Inc.
RECOMMENDATION: That City Council approve and authorize the City Manager to execute the Third Amendment to Agreement No. 6856-14-CM with Stantec Consulting Services, Inc. in the amount of $199,740 for temporary traffic engineering consulting services, bringing the total contract not-to-exceed amount to $949,740.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve the Information/Consent Agenda items as presented. VOTE: Flynn, Madrigal, Perello and Ramirez voted in favor; the motion carried 4-0 (MacDonald absent).

L. REPORTS

Cultural and Community Services Department

1. SUBJECT: Carnegie Art Museum Cornerstones 2017 Update Presentation.
RECOMMENDATION: That City Council receive the Carnegie Art Museum Cornerstones Board of Directors' update presentation.

Cornerstones Board President Steven Kinney made some remarks and introduced the Cultural Arts Supervisor, who gave a report. Discussion ensued among Council and staff; no action was taken.

Finance Department

2. SUBJECT: Single Audit FY2016/17 Presentation.
RECOMMENDATION: For the City Council to receive and file a report and presentation on the Single Audit for Fiscal Year 2015/16, ending June 30, 2016.

Discussion ensued among Council and staff.

The Chief Financial Officer, Assistant Chief Financial Officer, and Eden Casareno and Don Ecker of Eadie & Payne, gave a report. Further discussion ensued among the Council, staff, Ms. Casarno, and Mr. Ecker.

Public comments were received from Steve Nash, George Miller, Phillip Molina, Edward Castillo, and Aaron Starr. Further discussion ensued.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to direct staff to implement the auditors' recommendation on Finding #2015-032 regarding providing the Treasurer supporting documentation prior to check/warrant signing or wire transfer authorization. Discussion ensued among the Council and staff. VOTE: Madrigal and Perello voted in favor, Flynn and Ramirez voted against; the motion failed 2-2 (MacDonald absent). Further discussion ensued; no action was taken.

City Manager Department

3. SUBJECT: Status Update of the City Council Strategic Priorities Two-Year Business Plans for FY 16/17 and 17/18.

(This item was removed from the agenda.)

4. SUBJECT: Presentation by Mayor Flynn on Proposed City Council Committee Reorganization.

(Due to time, this item was postponed to a future meeting.)

City Attorney Department

5. SUBJECT: Marijuana Study Session.

(Due to time, this item was postponed to a future meeting.)

M. PUBLIC COMMENTS ON REPORTS (None)

N. 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

TIM FLYNN
Mayor