MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 20, 2020

A. ROLL CALL, POSTING OF AGENDA

At 4:33 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the 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 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; Kenneth Rozell, Chief Assistant City Attorney; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Pat Brown.

C. 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

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4))
   Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.
   Legislative Body: City Council

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
   Property: 538 South Meta Street (APN 201-0-213-100)
   Agency Negotiator: Ashley Golden, Assistant Executive Director
   Negotiating Parties: Alexander Russell, Executive Vice President, Many Mansions
   Under Negotiation: Price and terms of payment.
   Legislative Body: Successor Agency

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
   Properties: 544 Meta Street (APN 201-213-140), APN 201-0-213-130, APN 201-0-272-020, and APN 201-0-272-030
   Agency Negotiator: Ashley Golden, Assistant Executive Director

Negotiating Parties: Emilio Ramirez, Housing Director, Oxnard Housing Authority
Under Negotiation: Price and terms of payment.
Legislative Body: Successor Agency

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code section 54956.8)
Properties: 144 E. Sixth Street (APN 201-0-272-170), and APN 201-0-272-200
Agency Negotiator: Ashley Golden, Assistant Executive Director
Negotiating Parties: Alex Nguyen, City Manager, City of Oxnard
Under Negotiation: Price and terms of payment.
Legislative Body: Successor Agency

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)(2), based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case regarding possible actions the City may take affecting the delivery of emergency ambulance services in the City. The City Council will also recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case. 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 Items C-3, C-4 and C-5 of the meeting agenda."

At 4:39 p.m., the City Council recessed to a closed session. At 6:07 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement: "The Council was briefed on the two anticipated litigation items and briefed on the real property negotiations items and provided direction to its negotiators." He also made a correction to the statement prior to closed session, to clarify that the real property items pertained to the Successor Agency, not the City Council.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; and Delia Campbell, Police Finance Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating November 11, 2020 as "Veterans Day."

Mayor Flynn read the proclamation and presented it to US Army Sgt. David H. Wilson of the Vietnam Veterans of Ventura County, who made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ramona Ramirez (drainage problems on H Street at Aster Street), Walter J. Snyder (complaints about the Police Department), Rene Aiu (upcoming election

and economic/environmental concerns), Douglas D. Partello (Measure E), Barbara Macri-Ortiz (repeal of 2016 Measure M, upcoming election), Tom Cady (repeal of 2016 Measure M), Judith Dugan (environmental protection, upcoming election), Aaron Starr (repeal of 2016 Measure M), and Alicia Percell (illegally placed campaign signs). Written comments were received from Gary Yeung (opposing state measure 16).

G. REPORT OF CITY MANAGER

City Manager Department

1. SUBJECT: COVID-19 Update from Director of Emergency Services.
   RECOMMENDATION: That the City Council receive and file an update from the Director of Emergency Services on the COVID-19 Local Emergency.

The City Manager gave a progress report on the City's COVID-19 response. No formal action was required.

2. SUBJECT: Amazon Facility Opening in Oxnard.
   RECOMMENDATION: That the City Council receive an update on the Amazon Facility opening in Oxnard.

The City Manager gave a report on the progression of bringing the facility to Oxnard. Public comments were received from Cam Spencer, Maria Navarro, Amisha Deyoung-Dominguez, and Alicia Percell. Discussion ensued among the Council and staff. No formal action was required.

H. CITY COUNCIL REPORTS

Councilmember Lopez commended the Ventura County Community Foundation and other partner agencies for their work on the 2020 US Census.

Councilmember Madrigal commented on residents lacking medical insurance, and encouraged everyone to vote in the upcoming election.

Councilwoman Basua encouraged everyone to vote.

Mayor Pro Tem Ramirez urged people to stay cautious during the ongoing COVID-19 pandemic, commented on the US Census, the repeal of 2016 Measure M, the upcoming Veterans Day holiday, and acknowledged new public defender Claudia Bautista.

Councilman MacDonald commented on remote meetings and remote learning, job preparation, and the risks of "self-certification."

Mayor Flynn commented on the upcoming Veterans Day holiday and the importance of honoring our veterans.

Councilmember Perello commented on the new Amazon facility, the repeal of 2016 Measure M, the upcoming election, and the upcoming Veterans Day holiday.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Item K-3 was discussed among the Council and staff.

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

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the October 6, 2020 regular meeting as presented.

Public Works Department

2. SUBJECT: Purchase Order with Velocity Truck Centers.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Purchase Order and sole source authorization with Velocity Truck Centers in the amount of $400,286.40 for three (3) new Autocar brand yard tractors for the Wastewater and Environmental Resources (ER) Divisions. (Public Works and Transportation Committee approved 3-0)

3. SUBJECT: Amendments to Ventura Regional Sanitation District and Waste Management, Inc. Agreements.
RECOMMENDATION: That the City Council approve and authorize:
1. The Mayor to execute a Second Amendment to Agreement No. A-5906 with Ventura Regional Sanitation District to extend the term for 90 days ending February 12, 2021 for solid waste disposal;
2. The Mayor to execute a First Amendment to the Amended and Restated Agreement to Agreement No. A-7618 with Waste Management, Inc. to extend the term for 90 days ending February 12, 2021 for solid waste disposal; and
3. The City Manager to extend the term dates for an additional ninety (90) days if necessary.
(Public Works and Transportation Committee approved 3-0)

4. SUBJECT: Establish the Wagon Wheel Community Facility District 2018-01 Fund and Approve Budget Appropriations.
RECOMMENDATION: That the City Council approve and authorize the City Manager to:
1. Establish a fund for the Wagon Wheel Community Facility District 2018-01; and
2. Approve budget appropriations to recognize revenues and expenditures for the Wagon Wheel Community Facility District 2018-01 fund.

5. SUBJECT: Ratify Third Amendment to Garcia's Landscape Maintenance Services Correcting Not to Exceed Amount Which Results in No Increase to Contract.
RECOMMENDATION: That the City Council ratify the Third Amendment to Agreement A-7971 with Garcia's Landscape Maintenance Inc. to correct the not to exceed amount (NTE) from $1,252,720 to $2,187,569.80 for landscape maintenance services in various special

districts in accordance with Section 4-75 of the City's Purchasing Ordinance. This correction however does not increase the contract amount that the Council recently approved.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, 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.

L. PUBLIC HEARINGS

Police Department

1. SUBJECT: Edward Byrne Memorial Justice Assistance Grant Program FY 2020 Local JAG.
RECOMMENDATION: That City Council conduct a public hearing and adopt **Resolution No. 15,391:**
1. Authorizing the City Manager to submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of $94,818 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program FY 2020 Local Solicitation with no matching fund requirement;
2. Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura and the City of San Buenaventura designating the City of Oxnard as the lead agency and fiscal agent for the JAG;
3. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award;
4. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve administrative budget appropriation for the use of JAG funds upon award; and
5. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Police Finance 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.

It was moved by Councilman MacDonald, 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.

M. REPORTS

Community Development Department

1. SUBJECT: Cannabis Equity Program and Cannabis Cultivation.
RECOMMENDATION: That the City Council adopt the Oxnard Cannabis Local Equity Program and make recommendations on both the allocation of one time funds and 1% annual gross revenues. (Evaluated by the Housing and Economic Development Committee on September 8, 2020)

The Assistant City Manager gave a report. Public comments were received from Shawn Belschner, Lesa Slaughter, Juan Garcia, Jim Gilmer, Ronald Arruejo, Ray Blattel, D'Nasha Lee Harrison, and Daryl Williams. Discussion ensued among the Council and staff.

It was moved by Councilwoman Basua, seconded by Mayor Pro Tem Ramirez, to direct staff to keep $500,000 in the General Fund to restore recreation and senior services programs that had been previously cut, and approve earmarking the 1% one-time donation for improvements to the Colonia Multi-Service Center building. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against. The motion carried 6-1.

City Manager Department

2. SUBJECT: Continuing to Wean Off of Measure O.
   RECOMMENDATION: That the City Council receive and file an update regarding the Measure O weaning process. (Finance and Governance Committee approved 3-0)

The Deputy City Manager gave a report. Public comments were received from Ray Blattel. Discussion ensued among the Council and staff. No formal action was required.

3. SUBJECT: Council's Annual Calendar of Routine Items.
   RECOMMENDATION: That the City Council accept Council's Annual Calendar of Routine Items (and related Committee Annual Calendars). (Finance and Governance Committee approved 3-0)

The Deputy City Manager gave a report. Discussion ensued among the Council and staff. No action was required.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:39 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor