

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 5, 2018

A. ROLL CALL/POSTING OF AGENDA

At 4:41 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Bryan A. MacDonald, Oscar Madrigal, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Bert Perello was absent (arrived at 5:00 p.m.).

Staff members present were Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Jim Throop, Chief Financial Officer; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. APPOINTMENT ITEM

Finance Department

1. SUBJECT: Review of Management Financial Policies.

RECOMMENDATION: That the City Council receive an update on the current financial management policies, which include recommendations from staff on potential changes, updates, and deletions to the policies; and to give direction to staff on proposed recommendations for insertion into the FY2018-19 budget document.

The Chief Financial Officer gave a report. Public comments were received from Dan Pinedo. Discussion ensued among the Council and staff (Councilmember Perello arrived during this time). Councilmembers provided direction and comments to staff. No formal action was taken.

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Steve Huber (community health grants available from St. John's Hospital), Jackie Tedeschi (upcoming Inter-Neighborhood Council Organization meetings on fireworks and neighborhood cleanups, assessment districts, traffic problems near Rio Del Norte School), Steve Nash (City Manager recruitment), Michael Gleason (landscape maintenance assessment districts), Roy Prince (economic development in Downtown), Pat Brown (costs of recent special election), and Francine Castanon (recent pedestrian death in her neighborhood).

Additional staff members present at this time were Keith Brooks, Information Technology Director; Mark Alvarado, Homeless Services Coordinator; Sandra Burkhart, Special Districts Administrator; Kathleen Mallory, Planning Division Manager; and Kenneth Rozell, Assistant City Attorney.

E. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings, special events, and provided program updates. He highlighted the recent Employee Safety Fair, and the upcoming Oxnard Cruise Night event, and the Heritage Square summer concert series.

The City Clerk gave a brief presentation on upcoming educational sessions for residents interested in running for City Council in November.

F. CITY COUNCIL REPORTS

Councilmember Madrigal encouraged people to vote, commented on the recent Southwinds neighborhood cleanup, McAuliffe School STEAM Night, Frank School art show, PACC The Arts event, and the upcoming West Village neighborhood council meeting.

Mayor Pro Tem Ramirez commented on the Community Choice Energy program, illegal fireworks, Thomas Fire relief from United Way, the 50th anniversary of the Robert F. Kennedy assassination and recent school shootings, and thanked City staff for their hard work.

Councilman MacDonald commented on the death of a recent pedestrian, homeless issues in the downtown, and requested a presentation on other cities' solutions to homelessness.

Councilmember Perello commented on recent city's credit card breach, the delinquent property tax list published in the newspaper, requested monthly or quarterly presentations by the City Treasurer and City Clerk, commented on the upcoming Election Educational Sessions and Camarillo Airport Authority workshop on hangar leases. The Information Technology Director gave a brief report on the credit card fraudulent charges. Discussion ensued among Council and staff.

Mayor Flynn commented on the City's homelessness issues, and related a story of seeing Robert F. Kennedy in person in Oxnard 50 years ago, and how it motivated him as a young boy to get involved in public service.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Special Districts Administrator gave a brief summary of items I-7 through I-11, which are all related to the city's Community Facilities Districts and Landscape Maintenance Districts. Discussion ensued among Council and staff. Items I-3, I-6, I-8, and I-10 were also discussed among the Council and staff.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Mark Savalla, Michael Gleason, Jackie Tedeschi, Pat Brown, Steve Nash, and Dan Pinedo. Further discussion ensued.

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Adoption of Anti Price Gouging Ordinance.

RECOMMENDATION: That City Council adopt **Ordinance No. 2942** (read by title only, waiving further reading) amending Chapter 6 of the Oxnard City Code to impose a prohibition on unfair pricing following the declaration of a state of emergency, local emergency or state of war emergency; adding various definitions relating to the prohibition and making various clerical changes.

City Clerk Department

2. **SUBJECT:** Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the March 6, 2018 Regular Meeting, March 12, 2018 Special Meeting, March 20, 2018 Regular Meeting, and March 27, 2018 Regular Meeting, as presented.

3. **SUBJECT:** Certificates of Sufficiency of Signatures for the Initiative Petitions Entitled: "Reducing Special Tax in Community Facilities District No. 3 (Seabridge at Mandalay Bay) Overhead," and "Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay) Harbor Patrol."

RECOMMENDATION: No City Council action is required at this time; however a resolution to consolidate the measure with the November 6, 2018 General Election will be brought to the Council for adoption at the June 19, 2018 regular meeting.

City Manager Department

4. **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 following agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000:

- A. Selma Nissan (Purchase Order No. 6857) for purchase of three (3) 2018 Nissan Frontier pickups for Development Services Building and Engineering staff (\$72,050).
- B. Selma Nissan (Purchase Order No. 6858) for the purchase of one (1) 2018 Nissan Frontier for Development Services Code Compliance (\$27,171).
- C. Hach Company (Purchase Order No. 6859) for the purchase of controllers and analyzers for the Advanced Water Purification Facility (\$26,551).

Development Services Department

5. **SUBJECT:** Authorization to Appropriate General Plan Maintenance Fee Revenue.

RECOMMENDATION: That City Council recognize and approve the appropriation of \$65,000 collected from General Plan Maintenance Fee revenue for tasks related to the preparation, maintenance and/or revision of the 2030 General Plan and the Oxnard Local Coastal Program (LCP).

6. **SUBJECT:** Ormond Beach Wetlands Area Caretaker Agreement.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an agreement with Walter Fuller (A-8066) for occupancy of a City-owned mobile home at the end of Arnold Road, in South Ormond in support of the Ormond Beach project area and caretaker services at Ormond Beach.

Finance Department

7. SUBJECT: FY 2018-19 Landscape Maintenance Districts Initiation of Proceedings, Declaration of Intention to Levy and Collect Assessments, and Scheduling of Public Hearing
RECOMMENDATION: That City Council:
1. Adopt **Resolution No. 15,125** initiating proceedings for the annual levy and collection of assessments for Fiscal Year 2018-19 within the City's Landscape Maintenance Districts; and
 2. Adopt **Resolution No. 15,126** declaring intention to levy and collect assessments for Fiscal Year 2018-2019 within the city's Landscape Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.
8. SUBJECT: Declaration of Intent to Dissolve Two Landscape Maintenance Districts
RECOMMENDATION: That City Council adopt **Resolution No. 15,127** declaring the intention to dissolve (Attachment A) two (2) of the City's Landscape Maintenance Districts (LMD 9 – Strawberry Fields and LMD 15 – Pelican Pointe) for Fiscal Year 2018-2019 pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500).
9. SUBJECT: Adopt the Resolutions Authorizing the Special Tax Levy for Community Facility District Nos. 1 and 2 (Westport at Mandalay Bay)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) Nos. 1 and 2:
1. Adopt **Resolution No. 15,128** setting a special tax rate within CFD No. 1 for FY 2018-19 (Westport at Mandalay Bay); and
 2. Adopt **Resolution No. 15,129** setting a special tax rate within CFD No. 2 for FY 2018-19 (Westport at Mandalay Bay).
10. SUBJECT: Adopt the Resolutions Authorizing the Special Tax Levy for Community Facility District Nos. 3 and 4 (Seabridge at Mandalay Bay)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) Nos. 3 and 4:
1. Adopt **Resolution No. 15,130** setting a special tax rate within CFD No. 3 for FY 2018-19 (Seabridge at Mandalay Bay); and
 2. Adopt **Resolution No. 15,131** setting a special tax rate within CFD No. 4 for FY 2018-19 (Seabridge at Mandalay Bay).
11. SUBJECT: Special Tax Levy for Community Facilities District No. 2000-3 for Fiscal Year 2018-19.
RECOMMENDATION: That City Council, acting as the legislative body of Community Facilities District No. 2000-3 (CFD No. 2000-3) adopt **Resolution No. 15,132** setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2018-19.

Police Department

12. SUBJECT: Opposition to Concealed Carry Reciprocity Resolution.
RECOMMENDATION: That City Council adopt **Resolution No. 15,133** opposing Senate Bill 446 and H.R. Bill 38, titled *Constitutional Concealed Carry Reciprocity Act of 2017* and *Concealed Carry Reciprocity Act of 2017*, respectively.

Public Works Department13. SUBJECT: Public Safety Vehicle Replacement.

RECOMMENDATION: That City Council approve and authorize the Mayor to execute three (3) purchase orders for a total amount of \$757,172.31 for public safety vehicle purchases as follows:

1. Purchase Order 6829 is for thirteen (13) Ford Police Interceptor Utility vehicles and up-fitting costs for \$563,509.31 from Folsom Lake Ford.
2. Purchase Order 6830 is for three (3) Nissan Frontier King Cab light duty pickup trucks and up-fitting costs for \$81,511.80 from Selma Nissan.
3. Purchase Order 6833 is for four (4) BMW police motorcycles and up-fitting costs for \$112,151.20 from BMW Motorcycles of Ventura County.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

The Council agreed to consider item J-2 ahead of item J-1.

J. REPORTS2. SUBJECT: Cannabis Tax and Transient Occupancy Tax Ballot Measures.

RECOMMENDATION: That City Council:

1. Adopt **Resolution No. 15,134** entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE IMPOSING A CANNABIS BUSINESS TAX; REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS, and

[NOT APPROVED] 2. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE TO MODIFY THE CITY'S EXISTING TRANSIENT OCCUPANCY TAX SO THAT IT APPLIES TO SHORT-TERM RENTALS WITHIN THE CITY, REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS.

The Interim Assistant City Manager gave a report. Public comments were received from Walter Hagedohm and Deirdre Frank. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve recommended action #1 (Cannabis Business Tax) as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve recommended action #2 (Transient Occupancy Tax) as presented. VOTE: Ramirez voted in favor; Flynn, MacDonald, Madrigal, and Perello voted against. The motion failed 1-4.

City Manager Department1. SUBJECT: Fiscal Year 2018-19 Budget Workshop.RECOMMENDATION: That the City Council:

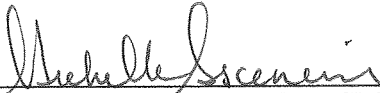
1. Approve the recommended budget calendar and process leading to adoption of the Fiscal Year (FY) 2018-2019 Budget on June 26, 2018; and
2. Conduct a budget workshop with the primary intent of:
 - a. Understanding the City's financial position, and
 - b. Understanding departmental accomplishments, needs, and other pertinent information

The Interim City Manager gave a report. Discussion ensued among the Council and staff. Public comments were received from Julie Mino, Samuel Thompson, Woodrow Thomas Sr., Dan Pinedo, and Pat Brown. Further discussion ensued.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve the recommended action (approving the budget calendar and process) as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

K. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:49 p.m.



MICHELLE ASCENCION, CMC
City Clerk



TIM FLYNN
Mayor