MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 9, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:03 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, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present.

Staff members present were Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Darwin Base, Fire Chief; Karen Moore, Assistant City Clerk; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. APPOINTMENT ITEMS

Fire Department

1. SUBJECT: Standards of Cover Review.
   RECOMMENDATION: That City Council receive an oral report presented by FACETS Consulting of a Community Risk Assessment and Standards of Cover Report conducted on behalf of City of Oxnard Fire Department.

The Fire Chief gave introduced Kevin Roche and John Cochran of FACETS, who gave a report. Public comments were received from Mark Kupperman. Discussion ensued among the Council, Mr. Roche, and Mr. Cochran. No action was taken.

Additional staff present at this time were Kymberly Horner, Economic Development Director; Jim Throop, Chief Financial Officer; Jeff Miller, Wastewater Maintenance Manager; Claudia Pedroso, Downtown Revitalization Manager; Todd Vasquez-Housley, Environmental Resources Manager.

D. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating January 15, 2018 as "Martin Luther King, Jr. Day."

Mayor Flynn read the proclamation and presented it to Vincent Stewart of the Ventura County Martin Luther King Jr. Committee, who thanked the Council and made some remarks.

2. SUBJECT: Introduction of the Downtown Revitalization Manager Claudia Pedroso.

The Interim City Manager introduced the Downtown Revitalization Manager, who made some remarks. The Council welcomed Ms. Pedroso.

Mayor Flynn introduced City of Ventura Councilmember Cheryl Heitmann and Deputy Mayor Matt LaVere, who visited to thank the Oxnard Fire Department, Oxnard Police Department, and Oxnard officials for their assistance to the City of Ventura during the recent Thomas Fire. The Council thanked them and made some remarks.

(At this time, the Council took a vote on continuing the Public Hearing item.)

K. PUBLIC HEARINGS

Public Works Department

1. SUBJECT: Rio Manor Mutual Water Company Well Permit Request.

The Interim City Manager announced that the public hearing will be continued to the Council's January 30, 2018 meeting.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve continuing the public hearing to January 20, 2018. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

(The Council heard the City Manager's report next)

F. REPORT OF CITY MANAGER

The City Manager reported that Assistant City Manager Ruth Osuna is no longer with the City. He reiterated that the City Treasurer's list of unclaimed checks is available on the City's website, with a deadline of February 20th for claims. He announced that the new Public Works director will be starting on January 16th. He announced upcoming meetings of the Fiscal Policy Task Force, Cultural Arts Commission, Parks and Recreation Commission, and INCO. The next special City Council public hearing regarding the Council Districts will be held January 17th. He commented on the dissemination of bilingual emergency information during disasters. He announced the current street resurfacing project in the Redwood neighborhood. He stated that the CAFR will be presented to the Fiscal Policy Task Force at its next meeting, then to the City Council. He announced that opioid overdose rescue kits are now in use by Police Department personnel, and that overall crime was reduced by 11% in 2017. He showed a short video on Oxnard first responders' actions during the Thomas Fire. He and the City Attorney updated the Council on the continuation of the emergency bidding action for the Thomas Fire.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Dr. Peter Crabbe, (Channel Islands Maritime Museum), Jackie Tedeschi (upcoming INCO meeting, proper disposal of sharps, VCAlert), Pat Brown (potential recall election), Roger Poirier (city council districts), Heather Behrens (Channel Islands

Maritime Museum), Lucy Cartagena (cannabis regulations), Diana Larios (Halaco homeless encampment), Martin Jones (city council districts), Abel Flores (gang-stalking), and Alicia Percell (refuting earlier speaker's comments on the recall).

(Mayor Flynn announced that Item L-1 would be heard next.)

L. REPORTS

Economic Development Department

1. SUBJECT: Disposition of Successor Agency Owned Property - 740 South B Street.
RECOMMENDATION: That the Successor Agency:
1. Adopt **Successor Agency Resolution No. 24** entitled "A Resolution of the Board of Directors of the Oxnard Community Development Commission Successor Agency approving, and recommending to its Oversight Board approval of, the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Non-Residential), by and between the Successor Agency, as Seller, and, Michelle and Greg Kenney, as Buyer, with regard to real property located at 740 South B Street;"
2. Authorize the Executive Director (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the Successor Agency General Counsel and Successor Agency Special Counsel;
3. Authorize the Executive Director (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the Successor Agency's obligations, responsibilities and duties thereunder; and
4. Approve option 2 under redevelopment dissolution law whereby net proceeds from the sale of the Property be transferred to the Ventura County Auditor-Controller for distribution to the other taxing entities (the City's share of which would be an estimated 19.6% of any sales proceeds).

The Economic Development Director gave a report. Discussion ensued among the Council, staff, and Successor Agency Special Counsel Todd C. Mooney.

Public comments were received from Alicia Percell, Fernando Garcia, Joshua Ruiz, Michelle Kinney, Aaron Starr, and Steven Buenger.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against. The motion carried 4-1.

G. CITY COUNCIL REPORTS

City Manager Department

1. SUBJECT: Approval of City of Oxnard Legislative Program for 2018.
RECOMMENDATION: That the City Council:
1. Discuss and deliberate on the 2018 Legislative Priorities;
2. Adopt **Resolution No. 15,077** approving the 2018 Legislative Program for the City of Oxnard; and
3. Take such additional, related action as may be desired.

2. SUBJECT: Federal and State Lobbyist Agreements.
RECOMMENDATION: That City Council:
1. Approve and authorize the Interim City Manager to execute an agreement with HROD, Inc, John R. O'Donnell (A-8049) in the amount of $196,200 beginning January 14, 2018 through January 13, 2021 for federal lobbyist services; and
2. Approve and authorize the Interim City Manager to execute an agreement with Michael J. Arnold and Associates, Inc. (A-8050) in the amount of $144,000 beginning January 14, 2018 through January 13, 2021 for state lobbyist services.

The Assistant City Manager gave a brief report on Item G-1 and introduced Elizabeth Paniagua of E.P. Consulting Services, who gave a report. Discussion ensued among the Council and staff.

Public comments were received from Jeffrey Burum and Pat Brown.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the staff's recommendations in both Items G-1 and G-2 as presented. Further discussion ensued (Mayor Pro Tem Ramirez left the dais during this time). VOTE: Flynn, MacDonald, Madrigal, and Perello, voted in favor (Ramirez was absent); the motion carried 4-0. (Mayor Pro Tem Ramirez returned to the dais.)

Councilmember Madrigal commented on the recent natural disasters, reported on attending the public hearing regarding city council districts, and commented on a book titled "Twenty-One Miles of Scenic Beauty… and then Oxnard," by Martin Alberto Gonzalez.

Mayor Pro Tem Ramirez commented on heeding evacuation orders in the wake of the Santa Barbara mudslides. She attended the recent Homeless Commission meeting and commented on the winter warming shelter. She thanked the Police Department for providing officers with opioid overdose kits. She stated that all city council and city employees' salaries are publicly available information.

Councilman MacDonald reported on the recent RDP-21 meeting and its legislative planning for the year. He announced the postmaster's recent upgrade of group mailboxes in the East Village and West Village neighborhoods.

Councilmember Perello reported on attending a recent Board of Supervisors' meeting, a United Water Conservation District presentation on the Freeman Diversion, and the February 20th deadline for unclaimed checks from the City Treasurer.

Mayor Flynn expressed optimism for the new year. He announced that he plans to visit the Halaco homeless encampment to help get the people connected with available social services. He announced an upcoming trip to San Diego to meet with Mayor Kevin Faulkner to discuss how San Diego is dealing its homeless. He stated that he would like for City Council districts to be on June primary ballot.

City Attorney Department

3. SUBJECT: Resolution Designating Interim City Manager.
RECOMMENDATION: That City Council adopt **Resolution No. 15,078** designating Chief Scott Whitney as Interim City Manager effective close of business January 5, 2018

for a temporary period while the City Council recruits a new City Manager, and during which period Chief Whitney will continue to act as Police Chief and shall receive a 10% temporary pay upgrade.

The City Attorney gave a report and announced a minor revision to the resolution. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Mayor Flynn, to approve staff's recommendation as presented with the stated revision, and including an additional caveat that the Interim City Manager cannot apply for the permanent position. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1, J-2, J-3, J-6, and J-7 were discussed among the Council and staff. Councilman MacDonald announced that he had a conflict on J-7 and would abstain from voting on that item. The Assistant City Manager announced a minor revision to the resolution on Item J-4.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jackie Tedeschi and Alicia Percell.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the December 11, 2017 Adjourned Regular Meeting, December 11, 2017 Special Meeting, December 12, 2017 Regular Meeting, December 13, 2017 Special Meeting, December 19, 2017 Regular Meeting, and January 3, 2018 Special Meeting.
   RECOMMENDATION: That the City Council approve the Minutes as presented.

2. SUBJECT: Certificates of Sufficiency of Recall Petition Signatures.
   RECOMMENDATION: No City Council action is required at this time; however a resolution calling a special election for the recall will be brought to the Council for adoption at the January 23, 2017 regular meeting.

City Manager Department

3. 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. Kelly Cleaning & Supplies, Inc. (7592-16-PW) to provide custodial services at seven utility facilities ($45,000).
   B. Quinn Company (Purchase Order #6627) for the purchase of two emergency standby generators ($141,377).

Cultural and Community Services Department

4. SUBJECT: Resolution Approving Submittal of CalVIP Grant Application.
RECOMMENDATION: That City Council adopt **Resolution No. 15,079**:
1. Authorizing the City Manager to submit an application for $500,000 in Board of State and Community Corrections (BSCC) grant funding for the 2018/20 California Violence Intervention and Prevention (CalVIP) project to reduce gang and youth violence through direct intervention, youth employment, and community engagement;
2. Authorizing the City Manager or designee to execute a grant agreement for funding from the State of California/BSCC for the CalVIP Program from May 1, 2018 through April 30, 2020;
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims; and
4. Authorizing the Recreation and Community Services Department/Office of Youth Safety to submit non-financial reports.

Fire Department

5. SUBJECT: Commercial Rescue with Light and Breathing Air System.
RECOMMENDATION: That City Council approves and authorizes the Mayor to execute one (1) purchase order (Requisition 3667) for a total amount of $436,179 for the purchase of a Commercial Rescue with Light and Breathing Air System Vehicle.

Public Works Department

6. SUBJECT: Purchase Order with Wastequip Manufacturing Company, LLC for Supply and Delivery of Commercial and Industrial Waste and Recycle Containers.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute Purchase Order No. 6606 with Wastequip Manufacturing Company, LLC in an amount not-to-exceed $479,315.63 for the supply and delivery of commercial and industrial waste and recycle containers for a one year term.

7. SUBJECT: Award Contract for Campus Park ASR Well Pipeline Phase I PW 17-28.
RECOMMENDATION: That City Council:
1. Award and authorize the Mayor to execute Agreement A-8038 with Toro Enterprises, Inc. in the amount of $648,828.00 for the Campus Park ASR Well Pipeline Phase I PW 17-28;
2. Approve $65,172 as Project contingency for the Campus Park ASR Well Pipeline Phase I PW 17-28; and
3. Approve an appropriation of $714,000 for Campus Park ASR Well Pipeline Phase I Project No. 186504

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve the Information/Consent items as presented, with the stated amendment to item J-4. VOTE: Flynn, Madrigal, and Ramirez voted in favor; Perello voted against J-1 and MacDonald abstained from J-7. The motion carried 4-1 on item J-1, 4-0-1 on item J-7, and 5-0 on the remaining items.

L. REPORTS

Economic Development Department

2. SUBJECT: Approval of Request for Final and Conclusive Determination, RiverPark Owner Participation Agreement.
RECOMMENDATION: That the Oxnard Community Development Commission Successor Agency (the "Successor Agency") adopt **Successor Agency Resolution No. 25** titled "Resolution of the Board of Directors of the Oxnard Community Development Commission Successor Agency Approving, and Recommending to its Oversight Board Approval of, a Request that the California Department of Finance Make a Final and Conclusive Determination Concerning the Riverpark Owner Participation Agreement, Consenting to the Assignment of OPA Payments to Piper Jaffray & Co. and Authorizing the Execution of an Estoppel Certificate."

The Economic Development Director re-introduced Successor Agency Special Counsel Todd C. Mooney, who gave a report. Public comments were received from Lucy Cartagena. Discussion ensued among the Council, staff, and Dave Schey of HdL Coren & Cone.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:43 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn

TIM FLYNN
Mayor