

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 3, 2018

A. ROLL CALL/POSTING OF AGENDA

At 6:05 p.m., Mayor Pro Tem Ramirez called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority) 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, Bert Perello, and Mayor Pro Tem Carmen Ramirez were present; Councilmember Oscar Madrigal and Mayor Tim Flynn were absent (Mayor Flynn arrived at 6:14 p.m.). Housing Commissioner Jose Andrade was present and Commissioner Francisco Vega arrived at 6:06 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; Sofia Kimsey, City Librarian; Kenneth Rozell, Assistant City Attorney; Eric Sonstegard, Assistant Police Chief; Jason Zaragoza, Deputy City Attorney; Karen Moore, Assistant City Clerk; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of April 2018 as "Fair Housing Month."

Mayor Pro Tem Ramirez read the proclamation and presented it to Matt Capritto and Shar Heard of the Ventura County Association of Realtors, who thanked the Council and made some remarks.

(Mayor Flynn arrived during this time.)

2. SUBJECT: Presentation of a Proclamation Designating the Week of April 8-14, 2018 as "Library Week."

Mayor Flynn read the proclamation and presented it to the City Librarian, who thanked the Council and made some remarks.

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jackie Tedeshi (upcoming INCO meeting on State of the Budget; recent VCStar article), Aaron Greer (recent passing of Lee Zeller, comments about City Treasurer), Woodrow Thomas Sr. (issues at senior apartment building), Dan Pinedo (complaint about recent League of Women Voters event), Armando Vasquez, Julie Medina, Josh Ruiz, Rene Corado, and Hector Colon (Acuna Arts Center), Michael Gleason (landscape maintenance districts), Jeffrey Burum (illegal immigration), Werner Keller (proposed development in Channel Islands

Harbor), Audrey Keller (recent Meet Up Clean Up in the Westport neighborhood), Anthony Delgadillo Salas (high school student who wants to be a future City Council member), George Miller (SB54 "safe city" proposal), Steve Nash (gun control, recall election), Pete Placencia (La Colonia Boxing Gym), Larry Barbarine (50th anniversary of Martin Luther King Jr. and Robert F. Kennedy assassinations), Martin Jones (recall election), Pat Brown (recall election), Bruce Boyer (SB54), Gloria Massey Chinae (Election Integrity Project California), Hector Moreno (SB54), Amanda Fagan (announced upcoming large-scale exercises at Naval Base Ventura County), and Daniel Chavez Jr. (recall election).

E. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and special events, and provided program updates. He highlighted a potential discount on flood insurance due to the City's recent FEMA reclassification in the National Flood Insurance Program Community Rating System.

The City Clerk gave an update on the upcoming May 1, 2018 Special Election.

F. CITY COUNCIL REPORTS

Mayor Pro Tem Ramirez commented on the recent Women's Heritage Festival, the annual budget, the status of former Redevelopment properties, an upcoming Clean Power Alliance meeting, immigration, the 50th anniversary of Martin Luther King Jr. assassination, and the recent passing of Dao Doan.

Councilman MacDonald commented on the recent passing of Dao Doan, the upcoming LOSSAN ribbon cutting for the extended Surfliner line, and the upcoming of Ventura County Sheriff's Academy graduation.

Councilmember Perello commented on the 1968 assassinations of Martin Luther King Jr. and Robert F. Kennedy, and recent meetings of the Kamala Neighborhood Council, the Ventura Regional Sanitation District Personnel and Finance committee, and a FEMA flood zone meeting.

Mayor Flynn commended city executive staff for visiting neighborhood meetings to give State of the Budget presentations.

City Attorney Department

1. SUBJECT: City Manager Recruitment Announcement and Local Applicants.
RECOMMENDATION: That City Council:
 1. Review the draft City Manager recruitment job announcement and provide direction.
 2. Discuss and determine whether to limit the City Manager candidate pool to local applicants.

The City Attorney and Councilmember Perello gave a report. Discussion ensued among the Council.

Public comments were received from Walter Hagedohm, Michael Gleason, Robert Franks, Edward Castillo, Julie Pena, Woodrow Thomas Sr., Jackie Tedeschi, Karl Lawson, and Daniel Chavez Jr. Further discussion ensued among the Council.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to direct staff to issue the recruitment brochure as drafted. VOTE: Flynn, MacDonald, Perello, and Ramirez voted in favor; the motion carried 4-0 (Madrigal absent).

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to encourage local applicants to apply. VOTE: Flynn, MacDonald, Perello, and Ramirez voted in favor; the motion carried 4-0 (Madrigal absent).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Items I-1, I-3, I-5 were discussed among the Council and staff. The Chief Financial Officer announced an amendment to Item I-5.

(Commissioner Vega left the meeting during this time.)

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Margaret Cortese and Philip Molina.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Calling of Election for Initiative Measure for CFD No. 4 (Seabridge at Mandalay Bay).
RECOMMENDATION: That the City Council (acting as the legislative body of Community Facilities District No. 4 (Seabridge at Mandalay Bay) of the City of Oxnard) adopt **Resolution No. 15,104** entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY) OF THE CITY OF OXNARD ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE ENTITLED "ORDINANCE REDUCING SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY)", REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS.

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 following agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000:
 - A. RRM Design Group, Inc. (8184-18-DS) for contract planning services for the Fisherman's Wharf project (\$240,638).
 - B. Bartel & Associates, LLC. (A-8060) to provide actuarial services for the PARS

Retirement Enhancement Plan; CalPERS, calculations of GASB 68 for safety plans and applicability of the Pension Override Tax for fiscal year 2018-19 (\$50,000).

Cultural and Community Services Department

3. **SUBJECT:** Authorization to Disburse and Appropriate Revenue from the Public Art Fund.
RECOMMENDATION: That City Council:
1. Authorize the disbursement of Public Art Fund revenues in the amount of \$170,000 for the purpose of providing funding for a range of cultural activities by various cultural arts organizations and artists; and
 2. Approve a one-time appropriation of revenue in the amount of \$170,000 from the Public Art Fund.

Development Services Department

4. **SUBJECT:** Adoption of Ordinance No. 2936.
RECOMMENDATION: That the City Council adopts **Ordinance No. 2936** (read by title only, waiving further reading) approving a two-year pilot program for the installation of parklets within the public right-of-way in the Central Business District zone; authorizing the Development Services Director the authority to approve licensing agreements associated with the installation of parklets within the public right-of-way; and waiving the collection of traffic impact fees associated with the installation of parklets within the public right-of-way.

Finance Department

5. **SUBJECT:** Update to Debt Management Policy to Comply with State Requirements.
RECOMMENDATION: That City Council adopts **Resolution No. 15,105** of the City Council of the City of Oxnard adopting a local debt management policy and taking actions related to the policy.

Housing Department

6. **SUBJECT:** Housing Authority Investment Policy.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard ("Authority") adopt **Resolution No. 1303** approving an investment policy for the Housing Authority of the City of Oxnard for FY 2018-2019.

Human Resources Department

7. **SUBJECT:** First Amendment to Agreement with Kelly Services, Inc.
RECOMMENDATION: That City Council approve a First Amendment to Agreement No. 7770-17-HR with Kelly Services, Inc. in the amount of \$10,113.02 for temporary labor services.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the Information/Consent items as presented, with the stated amendment to item I-5. VOTE: Andrade, Flynn, MacDonald, and Ramirez voted in favor; Perello voted against item I-5. The motion carried 5-0 (Madrigal and Vega absent) on item I-6 (Housing Authority item); 3-1 (Perello voted

against and Madrigal absent) on item I-5; and 4-0 (Madrigal absent) on the remaining items (City Council items).

J. REPORTS

City Attorney Department

1. SUBJECT: Medical Cannabis Delivery Ordinance Introduction.
RECOMMENDATION: That City Council approve the first reading by title only and waive further reading of an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING ARTICLE XVI OF CHAPTER 7 OF THE OXNARD CITY CODE REGARDING PROHIBITED CANNABIS ACTIVITIES, REPEALING UNCODIFIED ORDINANCE NO. 2756 REGARDING MEDICAL MARIJUANA, AND ADDING ARTICLE XV TO CHAPTER 11 OF THE OXNARD CITY CODE REGARDING MEDICAL CANNABIS DELIVERIES.

The Assistant City Attorney gave a report. Public comments were received from Daniel Chavez Jr., Chelsea Sutula, Francine Castanon, Karina Kaye, Steve Nash, Joe Kyle, and Anthony Delgadillo Salas. Discussion ensued among the Council and staff.

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

Finance Department

3. SUBJECT: Remodel of Third Floor - City Hall.
RECOMMENDATION: That City Council:
 1. Award and authorize the Mayor to execute an agreement in the amount of \$719,000 for the 300 W. Third Street, 3rd Floor Renovation Project (Rebid) PW 17-24R with Y.Ko.Construction Co, Inc.;
 2. Approve \$72,000 for Project contingency for the 300 W. Third Street, 3rd Floor Renovation Project (Rebid);
 3. Approve \$72,000 for consultant and staff engineering, inspection, surveying, and Project management for the 300 W. Third Street, 3rd Floor Renovation Project (Rebid); and
 4. Approve a project cost of \$1,066,000, for the 300 W. Third Street, 3rd Floor Renovation Project No. 171601, (Rebid) No. PW17-24. Of this amount, \$650,000 has already been appropriated, with the remaining \$416,000 to be appropriated in the FY2018-19 budget. Of this amount, \$863,000 will be for construction related costs, and \$203,000 is related to furniture and IT cabling costs.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Perello, and Ramirez voted in favor; the motion carried 4-0 (Madrigal absent).

City Attorney Department

2. SUBJECT: Fireworks Social Host Liability Ordinance Introduction.

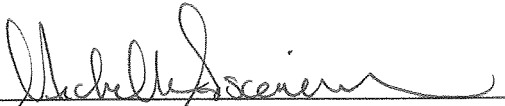
RECOMMENDATION: That City Council approve the first reading by title only and subsequent adoption of an ordinance amending section 7-147.1 of the Oxnard City Code concerning fireworks.

The Deputy City Attorney gave a report. Public comments were received from Jackie Tedeschi. Discussion ensued among the Council and staff.

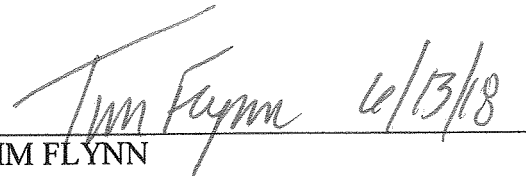
It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (Madrigal absent).

K. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:06 p.m.



MICHELLE ASCENCION, CMC
City Clerk



TIM FLYNN
Mayor