MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 7, 2017

A. ROLL CALL/POSTING OF AGENDA

At 4:33 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; and Mayor Tim Flynn were present; Mayor Pro Tem Carmen Ramirez was absent (arrived at 4:36 p.m.).

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Dave Rodriguez, Steve Nash, Arthur Valenzuela Jr., Martin Jones, Gabriela Shufani, Elizabeth White, Karina Kaye, Lisa Kaye, Blanca Ceja, Erin Merrill, Dan Pinedo, and Sofia Vega.

C. CLOSED SESSION

The Mayor 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 the notice of violation regarding City elections dated October 7, 2017 by Jason Dominguez."

At 4:54 p.m., the City Council recessed to a closed session. At 5:58 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Ashley Golden, Development Services Director; Ingrid Hardy, Cultural and Community Services Director; Phil Molina, City Treasurer; Thien Ng, Interim Public Works Director; Jim Throop, Chief Financial Officer; Scott Whitney, Police Chief; Jefferson Billingsley, Assistant City Attorney; Kathleen Mallory, Planning Division Manager; Sergio Martinez, Fire Battalion Chief; Karen Moore, Assistant City Clerk, and Todd Vasquez-Housley, Environmental Resources Manager.

E. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Cycle California Coast (Mayor Pro Tem Ramirez).
RECOMMENDATION: Receive a presentation by Mayor Pro Tem Ramirez and Ventura County Supervisor Steve Bennett regarding Cycle California Coast, a small local business and tourism initiative to boost international cycle tourism and market all cities in Ventura and Santa Barbara Counties.

Mayor Pro Tem Ramirez made some brief remarks and introduced Supervisor Bennett, who gave a report. Discussion ensued among the Council. No action was taken.

Public Works Department

2. SUBJECT: Bicycle Friendly City Resolution.
RECOMMENDATION: That City Council adopt **Resolution No. 15,063** declaring the City of Oxnard to be a Bicycle Friendly City.

Public comments were received from Dan Mathews and Patrick Mullin.

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

F. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of $3,000 Donation from Joseph Cano, Luz Barcena, Pol Barcena, Manny Ancheta, and Nory Estrada of the Pangasinan Association of Ventura County to Improve Bus Stops/Shelters in Oxnard.

The Pangasinan Association members presented a check to Mayor Flynn and made some remarks.

2. SUBJECT: Presentation of a Donation of $3,000 from Myrna Viloria, Carmen Cano, Rebecca Schneider, Thelma Baroma and Elda Pichay of the Filipino Nurses Association of Ventura County to Improve Bus Stops/Shelters in Oxnard.

The Filipino Nurses Association of Ventura County members presented a check to Mayor Flynn and made some remarks.

(At this time, the Council and staff discussed whether to remove item M-3. No decision was made.)

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Diana Jacquez (dangerous collisions in her neighborhood), Blanca Ceja (problems with the Torino Soccer Club), Karina Kaye (joining Los Angeles' Community Choice Energy aggregation), Donald Ursitti (crosswalk of Hemlock & Capstan), Martin Glatt (Seabridge Mello Roos), Martin Jones (council districts), Noemi Tungui (council districts), Arthur Valenzuela Jr. (council districts), Lucy Cartagena (Halaco homeless encampment), Pete

Plascencia (LULAC "Salute to our Heroes" Veterans event), Albert Rivera (Halaco homeless encampment), Peggy Larios (Halaco homeless encampment), Greg Runyon (bridging division in the nation), and Daniel Chavez Jr. (public safety, homelessness).

H. REPORT OF CITY MANAGER

The City Manager announced the upcoming Veterans Day parade. He announced that a street paving project and street light repairs on Victoria Avenue will soon be underway, and that the Downtown tree trimming will be continuing. He commended Oxnard Police Sergeant Brian Woolley who recently assisted with locating a lost elderly resident. He commented on addressing homelessness at the Halaco site and throughout the city.

I. CITY COUNCIL REPORTS

Councilmember Madrigal announced the upcoming La Colonia Neighborhood Council meeting. He reported on attending the Rose Park Neighborhood Council meeting, and attending a World Series game.

Mayor Pro Tem Ramirez reported on her recent trip to Japan and South Korea with the Southern California Association of Governments. She requested that staff look into the Community Choice Energy partnership. She commented on the winter warming shelter, homelessness, and rent control. She lamented the recent passing of Ventura County NAACP President John R. Hatcher.

Councilman MacDonald announced the upcoming Fiscal Policy Task Force meeting. He commended the community groups that gave donations toward the bus shelters, and commented on modernizing public transit.

Councilmember Perello commented on the recent church shooting in Sutherland Springs, Texas. He reported on recent meetings of the Ventura Regional Sanitation District, Utility Task Force, and Wilson Neighborhood Council. He attended Dia de los Muertos at the Mexican consulate, commented on John R. Hatcher's life and work, and encouraged people to attend the upcoming Veterans Day commemoration. He commended city employees who volunteered at the Redwood neighborhood cleanup event. He commented on Council representation from South Oxnard.

Mayor Flynn announced the upcoming Veterans Day commemoration. He commented on the hiring of a Homelessness Manager, suggested declaring a homeless state of emergency, and stated that a regional approach is needed to solve homelessness and serve those with mental illnesses.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1, L-2 (a,b,c,d,e,h), and L-3 were discussed among the Council and staff.

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

L. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the July 25, 2017 Special Meeting, the July 25, 2017 Regular

Meeting, and the August 9, 2017 Special Meeting.
RECOMMENDATION: That the City Council approve the Minutes as presented.

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. Lourdes Campbell & Associates (A-8025) for translation and interpreting services ($150,000).
B. StreamLine Automation Systems, LLC. (7983-17-FI) for cloud-based records management and billing system for Fire Prevention Inspections ($43,717).
C. Fire Recovery USA, LLC. (7984-17-FI) for Fire Prevention billing services ($250,000).
D. The Hawk Pros, LLC. (A-7820) for professionally trained falconers for seagulls bird abatement at the Del Norte Regional Recycling and Transfer Station ($50,000).
E. Recycle Coach (8014-17-CM) for solid waste and recycling collection and event schedules program (no cost to the City).
F. Labor Compliance Providers, INC. (A-6763) for labor standards compliance monitoring for contracts funded by grants or other City construction funds (Time extension only).
G. Grandall Rental Company (A-7793) for storm drain channel cleaning ($47,040).
H. Earth Systems (6387-13-CM) Task Order No. 13 for geotechnical engineering and materials inspection and testing services during the construction phase of the Windsor North River Ridge neighborhood street resurfacing project ($29,200).

Cultural and Community Services Department

3. SUBJECT: Project Management Services for New Senior Center.
RECOMMENDATION: That City Council:
1. Approve a budget appropriation in the amount of $68,250 from Measure O funds to Senior Center Facility (Project No. MO5510); and
2. Approve and authorize the City Manager or designee to execute a task order within the existing agreement with Stantec Consulting Services, Inc. (Agreement Number 7729-16-DS) in an amount not to exceed $68,250 for project management services related to a new senior center.

Development Services Department

4. SUBJECT: Deferred Impact Fee Agreement for the Gateway Station Project.
RECOMMENDATION: That Council approve, and authorize the Mayor to execute, the terms of the agreement to defer impact fees for the project located at 1250 S. Oxnard Boulevard.

Finance Department

5. SUBJECT: Receive the August 2017 Major Funds Monthly Report.

RECOMMENDATION: That City Council receive and file the August 2017 Major Funds Monthly Report. Report was presented to the Fiscal Policy Task Force on October 11, 2017.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the Information/Consent items as presented. VOTE: MacDonald, Madrigal, and Ramirez voted in favor. Perello voted against item L-5, as he felt it was late; and Flynn voted against item L-3, stating that though he is in favor of building a new senior center, he thinks it's dangerous for it to be located so close to the airport. The motion carried 4-1 on item L-3 (Flynn opposed), 4-1 on item L-5 (Perello opposed) and 5-0 on the remaining items.

(Mayor Flynn announced that item M-1, listed on the agenda as a Report, will be re-classed as a Public Hearing.)

M. PUBLIC HEARING

City Attorney Department

1. SUBJECT: Ordinance Documenting Cannabis Restrictions in the City Zoning Code.
RECOMMENDATION: That the City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 16 of the Oxnard City Code to prohibit cannabis and cannabis related uses unless specifically provided in individual zones, and to specifically prohibit such uses in the following zones: Commercial Office (C-O), Neighborhood Shopping (C-1), General Commercial (C-2), Central Business District (CBD), Commercial and Light Manufacturing (CM), Business and Research Park (BRP), Limited Manufacturing (M-L), and Light Manufacturing (M-1) zones.

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

The Development Services Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Joe Kyle and Charlie Kellogg.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, and Ramirez voted in favor; Madrigal and Perello voted against. The motion carried 3-2.

(At this time, the Council and staff again discussed whether to remove item M-3. The decision was made to postpone the item.)

M. REPORTS

2. SUBJECT: Medical Cannabis Delivery Study Session.
RECOMMENDATION: That the City Council hold a study session and provide input on proposed draft medical cannabis delivery regulations.

The Assistant City Attorney gave a report. Public comments were received from Joe Kyle. Discussion ensued among the Council and staff.

Further comments were received from Charlie Kellogg. The Council members advised staff regarding their preferences on the proposed hours of delivery (6:00 a.m. to 6:00 p.m.). No formal action was taken.

Finance Department

3. SUBJECT: Recognized Obligation Payment Schedule (ROPS) Clean-Up.

(This item was postponed, per discussion earlier in the meeting.)

4. SUBJECT: Receive the September 2017 Major Funds Monthly Report.
   RECOMMENDATION: That City Council receive and file the September 2017 Major Funds Monthly Report.

The Chief Financial Officer gave a report. Discussion ensued among Council and staff. The report was received as presented.

City Treasurer Department

5. SUBJECT: Quarterly Investment Report for the First Quarter FY 2017-18.
   RECOMMENDATION: That the City Council review and accept the report.

The City Treasurer gave a report. Discussion ensued among Council and staff. The report was received as presented.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:22 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor