MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 2, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:00 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 Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Ashley Golden, Interim Assistant City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None.)

C. CLOSED SESSION

Mayor Flynn read the following closed session statement:

"The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The titles of the litigation being discussed are Pedro Marquez v. City of Oxnard and Martha Ramirez v. City of Oxnard."

At 5:01 p.m., the City Council recessed to a closed session. At 5:31 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.

Additional staff members present at this time were Claudia Pedroso, Downtown Revitalizaton Manager; Sofia Kimsey, City Librarian; Luis Guereca, Production Manager; Karl Lawson, Housing Compliance Services Manager; Darwin Base, Fire Chief; Eric Sonstegard, Assistant Police Chief; Sandra Burkhart, Special Districts Manager; Kathleen Mallory, Planning Division Manager; Scott Whitney, Police Chief; and Karen Moore, Assistant City Clerk.

E. APPOINTMENT ITEM

City Manager Department

1. SUBJECT: Oxnard Downtown Management District (ODMD) Annual Update.
   RECOMMENDATION: That City Council receive a verbal report by Executive Director Abel Ramírez Magaña on the activities performed by the Oxnard Downtown Management District.

The Downtown Revitalizaton Manager introduced Mr. Magana, who gave a report. Public comments were received from Gary Blum, Mark Spellman, and Larry Stein. Discussion ensued among the Council and staff. No action was taken.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

F. CEREMONIAL CALENDAR

1. SUBJECT: Donation by the Cheng Family to the City of Oxnard in the Amount of $30,000 to be Used for Technology Upgrades for Meeting Rooms and Homework Centers at the Oxnard Public Library.

The City Librarian and the late Dr. Chun-Lang Cheng's family members made remarks. The Chengs presented the City Librarian with a check and Mayor Flynn presented the Chengs with a certificate of appreciation.

2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2018 as "Multicultural Month" in the City of Oxnard.

Cultural Relations Commisioners Tiffany Lopez and Helaine Stallion and the Production Manager made remarks on this year's Multicultural Festival, and Mayor Flynn read the proclamation and presented it to the Commissioners.

3. SUBJECT: Presentation of **Resolution No. 15,168** to Arturo Casillas for Thirty Years of Outstanding Service to the City of Oxnard.

Mr. Casillas made remarks and public comments were received from the Housing Compliance Services Manager. Mayor Flynn read the resolution and presented it to Mr. Casillas.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve the resolution as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Carol Taylor (Channel Islands Harbor water quality), Ken Oplinger (Ventura County Lodging Association summit), Jackie Tedeschi (INCO candidate forum), Woodrow Thomas Sr. (status of his claim against the city), Larry Stein (park maintenance), Darryl Anderle (planning, development, and traffic), Harold Ceja (overflowing dumpsters), Martin Jones (elected officials and accountability), George Miller (support for Proposition 6 and candidates Ralston, Starr, and Stein), Aaron Starr (termination of former Economic Development Director), Alicia Percell (lawsuits), Pat Brown (distributing event/meeting information to the public), Kate Acosta (expressed support for the City Council), and Patricia Younis (Channel Islands Harbor water quality).

H. REPORT OF CITY MANAGER

The City Manager announced that he has purchased a home in the city and now lives in Oxnard full time.

I. CITY COUNCIL REPORTS

Councilmember Madrigal commented on political signs, recent meetings of the Downtown Management District and Rose Park Neighborhood, the Banana Festival, Coffee with a Cop, the upcoming La Colonia neighborhood cleanup, the Multicultural Festival, and bullying.

Mayor Pro Tem Ramirez commented on the recent Tourism Summit, recent illegal gun seizures by the Police, the importance of flu shots, the upcoming nationwide emergency alert system test, and the Hikianalia Polynesian voyaging canoe visit to the Channel Islands Harbor.

Councilman MacDonald commented on the City Manager's efforts to promote the city, the recent RDP-21 meeting and Military Appreciation Dinner, and the upcoming Multicultural Festival.

Councilmember Perello commented on the Channel Islands Harbor water quality, the upcoming INCO candidate forum, the Banana Festival, a clothing drive for people in need in Guatemala, and the importance of public engagement.

Mayor Flynn commented on a recent presentation from Father Gregory Boyle of Homeboy Industries, the city's gang injunction, and gang intervention.

Chief Base made some brief remarks about the upcoming nationwide emergency alert system test.

J. REVIEW OF INFORMATION/CONSENT AGENDA

Items L-1, L-2, and L-6 were discussed among the Council, staff, and legislative consultant Elisabeth Paniagua.

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Larry Stein, Phillip Molina, George Miller, Jose Garcia, Alex Mireles, Larry Barbarine, Vianey Lopez, Pat Brown, Ken Oplinger, Jeff Burum, Aaron Starr, and Woodrow Thomas Sr.

L. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the September 18, 2018 Regular Meeting as presented.

City Manager Department

2. SUBJECT: Oxnard City Council Position on November 2018 Ballot Initiatives.
   RECOMMENDATION: That the City Council 1) Receive the report; 2) Adopt **Resolution No. 15,169** Supporting State Propositions 2 and 3 and Opposing Proposition 6; and 3) take such additional, related action as may be desired.

Fire Department

3. SUBJECT: Authorization to Submit a Grant Application to the Office of Emergency Services for the 2018 Emergency Management Performance Grant (EMPG)
RECOMMENDATION: That City Council adopt **Resolution No. 15,170** authorizing:
1. The City Manager to submit a grant application in the amount of $46,829 to the Ventura County Office of Emergency Services for the 2018 Emergency Management Performance Grant for the purpose of planning and conducting an emergency management and response exercise and for offsetting the salary of emergency services personnel;
2. The City Manager or designee to execute the grant agreement if grant funds are awarded to the City;
3. The Chief Financial Officer or designee to submit financial reports and grant claims, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and
4. The Fire Chief or designee to submit non-financial reports.

4. SUBJECT: Funding of One Vehicle from CUPA Capital Equipment Fund.
RECOMMENDATION: That City Council appropriate $37,539 from the CUPA Capital Equipment Fund 373 fund balance for the purchase and outfitting of one vehicle for the Certified Unified Program Agency (CUPA) inspectors.

Information Technology Department

5. SUBJECT: Extension of Compuwave Blanket Purchase Order for Computer Upgrades.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute revised Compuwave Purchase Order #6668, to increase the not-to-exceed amount from $350,000 to $450,000. This purchase order was approved on February 6, 2018 and revised on June 19, 2018 for the purpose of purchasing computers, network hardware, and software.

Police Department

6. SUBJECT: Appropriation of Funds for Payment to Adamson Police Products.
RECOMMENDATION: That City Council approves a budget appropriation recognizing $50,250 of "pass-through" misc. revenue for payment of firearm purchases with Adamson Police Products.

Public Works Department

7. SUBJECT: Second Amendment to Tree Trimming Services Agreement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Second Amendment to Agreement No. 7517-16-CM with West Coast Arborists, Inc. in the amount of $720,000 to increase the amount to a total of $1,666,225 for tree trimming services.

8. SUBJECT: Five Agreements for On-Call Soils and Material Testing and Inspection Services.
RECOMMENDATION: That City Council award and authorize the Mayor to execute Agreement Numbers A-8078 with Fugro USA Land, Inc., A-8079 with Leighton Consulting, Inc., A-8080 with NV5 West, Inc., A-8081 with Earth Systems Pacific and 8256-18-PW with Twining, Inc., each in the amount of $250,000 and for three-year terms, for on-call soils and materials testing and inspection services.

9. SUBJECT: Authorize Annual Purchase Order with Aqua Metric Sales Company for Water Meters and Related Parts.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a purchase order with Aqua Metric Sales Company for the annual (FY 18-19) amount of $240,000 to purchase water meters and parts.

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

M. PUBLIC HEARINGS

Police Department

1. SUBJECT: JAG FY 18 Grant.
RECOMMENDATION: That City Council adopt **Resolution No. 15,171**:
1. Authorizing the City Manager to execute and submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of $106,112 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2018 Local Solicitation;
2. Authorizing the City Manager to execute a Memorandum of Understanding with the Cities of San Buenaventura and Simi Valley 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 Assistant Police Chief gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Woodrow Thomas Sr. 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 Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

N. REPORTS

Public Works Department

1. SUBJECT: Approval of the Release of Seabridge CFD Escrow Funds.
RECOMMENDATION: That the City Council:
1. Approve the release of the $250,000 deposit paid by the Developer of the Seabridge

Community Facilities District (CFD), and accumulated interest, to the City of Oxnard based upon the findings of the City's water quality expert that the thresholds of water quality have fallen below the Generally Accepted State Standards per the Seabridge Development Agreement;
2. Authorize a reimbursement from Seabridge Development Deposit Z43801 to Seabridge CFD#4 (Fund 173) for expenditures related to water quality issue in amount of $68,930;
3. Authorize a budget appropriation for Seabridge CFD#4 (Fund 173) in the amount of $68,930 for expenditures related to water quality issue.

The Special Districts Manager gave a report. Public comments were received from Audrey Keller, Jeffrey Burum, Kari Cryder, Aaron Starr, George Miller, and Mike de Martino. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, 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 5-0.

Development Services Department

2. SUBJECT: Cannabis Land Use Options.
RECOMMENDATION: That City Council:
1. Receive a presentation regarding land use and siting (location) options associated with cannabis land uses in zoning designations throughout the City of Oxnard;
2. Direct staff to prepare draft land use and permit regulations that would allow cannabis distribution, manufacturing, and testing/laboratory operations in the City of Oxnard;
3. Review potential indoor and outdoor cannabis cultivation and provide input on land use locations, if any; and
4. Review potential medical and non-medical cannabis dispensary (i.e., retail dispensaries) locations and direct staff to conduct community outreach to solicit input pertaining to proposed dispensary locations in the City of Oxnard.

The Planning Division Manager gave a report. Public comments were received from Jared Ficker, Joe Kyle, Gabriel Teran, Woodrow Thomas Sr., and Pat Brown. Discussion ensued among the Council, staff, Matt Eaton of HdL Companies, and Jesse Calvillo of AGQ Labs.

The Council provided the following direction for each of the staff recommendations:

Recommendation No. 2 – Allow cannabis distribution, manufacturing, and testing/laboratory operations: Madrigal – allow all; Ramirez – allow all; MacDonald – allow all; Perello – allow all; Flynn – allow testing/laboratory operations.

Recommendation No. 3 – Allow indoor and outdoor cannabis cultivation: Madrigal – allow both; Ramirez – allow indoor; MacDonald – allow indoor; Perello – allow indoor; Flynn – do not allow.

Recommendation No. 4 – Allow medical and non-medical cannabis dispensary locations: Madrigal – allow both; Ramirez – allow both, but wants to set a maximum number of locations; MacDonald – allow both, but wants to create a framework for enforcement, oversight, saturation, advertising, and related issues; Perello – allow both; Flynn – do not allow.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:16 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 10/16/18

TIM FLYNN
Mayor