

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 27, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:05 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; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Deanne Purcell, Assistant Chief Financial Officer; and Michelle Ascencion, City Clerk.

B. APPOINTMENT ITEM

Finance Department

1. SUBJECT: Report on Corrective Action Plan Update.
RECOMMENDATION: That the City Council receive and file an update on the City's adopted Corrective Action Plan (CAP), which concerns the 135 audit findings. That list includes 111 findings documented in the Fiscal 2014-15 Single Audit.

The Assistant Chief Financial Officer gave a report. Discussion ensued among the Council, staff, and Eden Casareno and Donald Ecker from Eadie & Payne. Public comments were received from Phillip Molina and Alicia Percell. No action was taken.

The City Council took a recess at 5:33 p.m. and the meeting resumed at 6:04 p.m. Mayor Flynn made some announcements about the evening's proceedings.

C. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Jan Hauser, Wastewater Division Manager; Rosemarie Gaglione, Public Works Director; Scott Whitney, Police Chief; Eric Sonstegard, Assistant Police Chief; Kathleen Mallory, Planning Division Manager; and Adam Smith, Economic Development Project Manager.

D. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating December 1, 2018 as "World AIDS Day."

Mayor Flynn read the proclamation and presented it to Sal Fuentes of the HIV/AIDS Coalition of Ventura County, who made some remarks.

2. SUBJECT: Special Guest from the North Pole.

Santa Claus announced the upcoming holiday events and Santa Float tours, and he and Mrs. Claus wished everyone a Merry Christmas.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Elena Salaverria (delays to her request for a driveway permit), Harold Ceja (road repairs), Tom Petersen (damaged seawalls and pilaster in Channel Islands Harbor), Cesar Caes (lack of park lighting and restricted field use for youth soccer), Fernando Maldonado (lack of park lighting and restricted field use for youth soccer), Gary Blum (upcoming holiday events in Downtown), Kelly Maple (near-collisions at the intersection of Third Street and A Street), Daniel Chavez Jr. (traffic safety/transportation and liveable wage jobs), Pat Brown (excessive number of wrecked cars at a used car lot near her home), Woodrow Thomas Sr. (praise for the Housing Compliance Services Manager), and Larry Barbarine (Thanksgiving at the Rescue Mission, AIDS prevention in Africa, and military efforts in the Middle East).

F. REPORT OF CITY MANAGER

The City Manager's office gave an update on the status of the winter warming shelter opening, issues with the PERS payments for former City Corps employees, and a recent notice from the State Department of Resources, Recycling and Recovery regarding a potential violation of the state's Mandatory Commercial Recycling law.

G. CITY COUNCIL REPORTS

Councilmember Madrigal acknowledged Casa Lopez, Inlakech, Rescue Mission, and individuals who served others during the Thanksgiving holiday and through the recent local tragedies. He commented on the recent Anderson Paak event at the PACC, congratulated the Oxnard High School football team for reaching the CIF Finals, and highlighted upcoming holiday events.

Mayor Pro Tem Ramirez commented on homelessness and housing, the importance of disaster preparation, and the Assistant City Manager's upcoming retirement.

Councilman MacDonald commented on the recent passing of Santa Clara High School former basketball coach Lou Cvijanovich, Oxnard native Ruth Zavala's 100th birthday, and wished everyone a happy holiday season. He later commented about Community Action of Ventura County's services for the homeless.

Councilmember Perello commented on the passing of Coach Cvijanovich and former coach George Ragsdale, the recent Anderson Paak event, presenting an award to a local professional soccer organization, Aspen helicopter, bedbugs in public housing, issues with youth soccer teams and the soccer fields, the City Manager's update, recent Thanksgiving events at the Rescue Mission and Haycox Elementary, and concerns about conditions in the Southwinds neighborhood.

Mayor Flynn commented on conditions in the Southwinds neighborhood, homeless impacts in Downtown and the availability of assistance for the homeless, and memorial services for Coach Cvijanovich.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-2, J-3, and J-4 were discussed among the Council and staff. The City Attorney announced an amendment to the resolution on item J-4.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Larry Stein and Pat Brown.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the November 13, 2018 Regular Meeting as presented.

Development Services Department

2. SUBJECT: Budget Appropriation for Oxnard Transit Center Operations and Bus Stops.
RECOMMENDATION: That City Council approve a budget appropriation totaling \$109,598, which includes the appropriation of:
 1. \$37,500 in General Fund 101 for bus shelter and bus bench maintenance;
 2. \$30,000 in Air Pollution Buydown Fee (APBD) Fund 118 for the purchase of new bus benches; and
 3. \$42,098 in Transportation Development Act (TDA) Fund 213, which includes reallocating appropriated funds and adding new funds for the purpose of carpet replacement and building and grounds maintenance at the Oxnard Transit Center (OTC).

Public Works Department

3. SUBJECT: Ratify the First Amendment to Security Contract for Water and Wastewater Facilities.
RECOMMENDATION: That City Council ratify the First Amendment to Agreement No. A-7985 providing for security at the Advanced Water Purification Facility (AWPF) and the Oxnard Wastewater Treatment Plant (OWTP) and increasing the amount of the Agreement from \$450,000 to \$600,000.
4. SUBJECT: Caltrans Sustainable Transportation Planning Grant Program Application.
RECOMMENDATION: That City Council adopt **Resolution No. 15,180** authorizing the City Manager to submit an application for an amount not to exceed \$450,000 in California Department of Transportation Sustainable Transportation Planning Grant Program funds, to be used for multimodal transportation and land use planning that furthers sustainable community strategies and contributes to the State's greenhouse gas reduction targets.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the Information/Consent items as presented [with the stated amendment to item J-4]. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

K. PUBLIC HEARINGS**Police Department**

1. **SUBJECT:** Urgency Ordinance-Moratorium on Firearms Retailers.
RECOMMENDATION: That City Council adopt interim land use **Ordinance No. 2950** pursuant to Government Code Section 65858 imposing a temporary moratorium for 45 days, subject to extensions, on the establishment of new retail uses selling firearms and ammunition to allow the City to study this land use and make recommendations to the Planning Commission and City Council.

The City Clerk announced the affidavit of publication and stated that 101 written communications had been received. The Police Chief, Assistant Police Chief, and City Attorney gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Charles Henderson, Sandi Henderson, Bruce Boyer, Carl Rupprecht, Erica King, Troy Corley, Richard Hall, George Miller, Deborah Baber Savalla, Pat Brown, Maravilla Clemens, Alicia Percell, Aaron Starr, Steve Nash, Justin Young, Michael Robidart, James Severus, Royce Altstatt, and Barbara Macri-Ortiz.

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 Councilman MacDonald, 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:** Planning and Zoning Permit No. 17-300-08 (Tentative Subdivision Map for Tract No. 6004), for the Undeveloped Property Between Town Center Drive and North Ventura Road, Within the RiverPark Specific Plan Area. Filed by Ann Walsh, 2751 Park View Court, Suite 261 Oxnard, CA 93036.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,181** approving Planning and Zoning Permit No. 17-300-08 (Tentative Subdivision Map for Tract No. 6004), subject to certain findings and conditions.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Planning Division Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Daniel Chavez Jr. Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council, staff, applicant Ann Walsh of RiverPark Landing LLC and engineer Mark Haslinger.

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.

L. REPORTSEconomic Development Department

1. **SUBJECT:** Property Assessed Clean Energy ("PACE") Programs in Oxnard.

RECOMMENDATION: That the City Council:

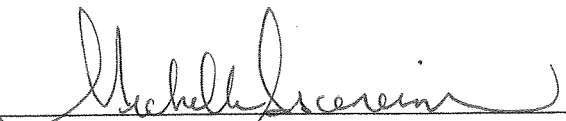
1. Adopt **Resolution No. 15,182** entitled "A Resolution Authorizing the City of Oxnard to join the Figtree PACE Program; authorizing the California Enterprise Development Authority to conduct contractual assessment proceedings and levy contractual assessments within the territory of the City of Oxnard; and authorizing related actions;"
2. Adopt **Resolution No. 15,183** entitled "A Resolution of the City Council of the City of Oxnard consenting to the inclusion of properties within the territory of the City in the California Municipal Finance Authority Open PACE Programs; authorizing the California Municipal Finance Authority to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the territory of the City; and authorizing related actions;" and
3. Adopt **Resolution No. 15,184** entitled "A Resolution of the City Council of the City of Oxnard consenting to the inclusion of properties within the territory of the City into the CSCDA Open PACE programs and authorize the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City; and authorizing related actions."

The Economic Development Project Manager and Bob Schuman of Counterpointe Energy Solutions gave a report. Discussion ensued among the Council, staff, and Mr. Schuman. Public comments were received from Steve Nash.

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.

M. 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