MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 19, 2017

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., Mayor Pro Tem Ramirez 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 Pro Tem Carmen Ramirez were present; Mayor Tim Flynn was absent (arrived at 4:45 p.m.).

Staff members present were Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Kymberly Horner, Economic Development Director; Shiri Klima, Assistant City Attorney; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

Mayor Pro Tem Ramirez 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 title and case number of the litigation being discussed is City of Oxnard; et al. v. Aaron Starr; Ventura County Superior Court, Case No. 56-2016-00479696-CU-MC-VTA.

The City Council will also recess to a closed session, pursuant to Government Code section 54957.6(a), to provide instructions to the City's negotiators regarding the position of Interim City Manager.

The City Council will also recess to a closed session, pursuant to Government Code section 54957(b)(1), public employee appointment, Interim City Manager.

The Successor Agency will recess to a closed session, pursuant to Government Code section 54956.8, to give instructions to its real property negotiators, Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director, concerning negotiations with Jesus Nava for City of Oxnard regarding the potential sale of real property located at 720 South B Street."

At 4:37 p.m., the City Council recessed to a closed session (Mayor Flynn arrived during this time). At 6:06 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 but he did note that the item on the Successor Agency property will return to the City Council/Successor Agency for consideration in January.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Darwin Base, Fire Chief; Arturo Casillas, Housing Director; Ashley Golden, Development Services Director; Steve Naveau, Human Resources Director; Thien Ng, Interim Public Works Director; Mark Alvarado, Homeless Services Coordinator; Kathleen Mallory, Planning Division Manager; and Kenneth Rozell, Assistant City Attorney.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Javier Gomez of Inlakech Cultural Arts Center introduced the youth mariachi band, which played a couple of selections. Public comments were received from Margaret Cortese (support of community arts), Elizabeth Botello (support of community arts), Lucy Cartagena (student workers not being paid due to Thomas Fire school closures), Raul Lopez (city council districts), Mina Nichols (Halaco homeless encampment, delinquent golf course fees), Jackie Tedeschi (landscape maintenance districts), Jack Villa (INCO sock drive for the homeless), George Miller (city manager transition, transparency), Roy Prince (city council districts), Raul Arce (Christmas greetings), Al Velasquez (city manager transition, city council districts), Lawrence Stein (city council districts), and Larry Barbarine (Christmas greetings, public safety).

F. APPOINTMENT ITEMS

Development Services Department

1. SUBJECT: Evaluate Options Pertaining to Community Choice Aggregation.
RECOMMENDATION: That City Council choose from among three options:
1. Receive a report, and evaluate whether to join the Los Angeles Community Choice Energy (LACCE) program. Should the City Council choose to join the LACCE, the City Council will need to direct staff to return with more information pertaining to the financial and contractual obligations associated with participation in LACCE; and introduce an ordinance approving a Joint Powers Agreement with the Los Angeles Community Choice Energy program, and authorize the implementation of a Community Choice Aggregation program within the City; or
2. Receive a report, meet with key LACCE leadership, and monitor LACCE Authority membership developments over the next several months. Report back to the City Council at the City Council's February 6, 2018 City Council meeting; or
3. Investigate the concept of implementing a Community Choice Energy (CCE) program in the City or with a group of cities in the region; and direct staff to study options and return with a recommendation for a CCE model to consider and identify a funding source to conduct a feasibility study.

The Planning Division Manager gave a report. Public comments were received from Michael Stubblefield, Barbara Boswell, Raul Lopez, Kitty Merrill, Mina Nichols, Steve Nash, Manuel Herrera, Roy Prince, Karina Kaye, Lisa Kaye, Lupe Anguiano, Al Velasquez, George Miller, Pat Brown, County Supervisor Linda Parks, former State Senator Fran Pavley, Jan Dietrick, and Ron Whitehurst.

Gary Gero, Chief Sustainability Officer for the County of Los Angeles, gave a report.

Discussion ensued among the Council and staff.

It was moved by Mayor Flynn, seconded by Mayor Pro Tem Ramirez, to approve staff Recommendation #1 as presented, with direction to staff to hold an outreach workshop in mid-January and send a letter to the Public Utilities Commission objecting to Executive Order E-4907. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

(There was a brief break in the meeting at 8:03 p.m.; the meeting resumed at 8:12 p.m.)

G. REPORT OF CITY MANAGER

Assistant City Manager Osuna introduced the Assistant City Attorney, who gave a brief update on the City Council districting process. Discussion ensued among the Council and staff. Public comments were received from George Miller and Al Velasquez.

City Manager Department

1. SUBJECT: Resolution of the City Manager of the City of Oxnard Declaring an Emergency (for Public Bidding Purposes Only) Due to the Thomas Fire Throughout the County of Ventura, Making Findings Therefor, and Ordering that All City Facilities be Immediately Repaired and/or Replaced as Needed.
RECOMMENDATION: That City Council:
1. Review the emergency bidding action.
2. Approve the need to continue that action; or, in the alternative, adopt a Resolution terminating the emergency action due to the Thomas Fire throughout Ventura County, making findings therefor, and ordering that the remainder of the emergency action at the City's facilities be completed by giving notice for bids.

Assistant City Manager Osuna gave a report. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve the need to continue the emergency bidding action. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

H. CITY COUNCIL REPORTS

City Council

1. SUBJECT: Resolution Commending Greg Nyhoff.

(This item was removed from the agenda due to the City Manager's absence.)

2. SUBJECT: Appointment of Interim City Manager and Establishment of City Manager Recruitment Subcommittee.
RECOMMENDATION: That City Council:
1. Appoint Scott Whitney to serve as Interim City Manager while continuing to serve as the City's Police Chief, effective close of business January 5, 2018.

2. Establish an ad hoc subcommittee which would work with staff on issues related to the recruitment of a new City Manager.

It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez, to approve staff's recommendation as presented, and they both volunteered to serve on the ad hoc subcommittee. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Councilmember Madrigal expressed condolences for Engineer Corey Iverson, who perished fighting the Thomas Fire. He congratulated local high schools on their championship football seasons. He encouraged people to give back this holiday season.

Mayor Pro Tem Ramirez thanked the Inlakech folklorico band for coming to the meeting. She expressed condolences for Engineer Iverson. She commented on the student workers not being paid due to the Thomas Fire school closures. She commended outgoing City Manager Nyhoff. She encouraged people to spread goodwill this holiday season.

Councilman MacDonald expressed condolences for Engineer Iverson.

Councilmember Perello commented on the passing of former Southwinds Neighborhood Chairman Ventura Fernandez. He expressed condolences for Engineer Iverson and spoke on other Thomas Fire-related matters. He commented on the student workers not being paid due to the Thomas Fire school closures. He inquired about delinquent golf course fees. He recommended the INCO's request regarding landscape maintenance districts be agendized. He commented on the City Council districts.

Mayor Flynn wished everyone a happy Christmas and Hanukkah. He expressed condolences for Engineer Iverson. He commended outgoing City Manager Nyhoff.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1(A), K-1(C), and K-3 were discussed among the Council and staff.

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

K. INFORMATION/CONSENT AGENDA

City Manager Department

1. 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. Feldman Law Group, LLP (7286-15-CA) for legal services related to public finance and bond counsel matters, including legal services related to a Wastewater Refunding ($100,000).
B. Revell Coastal Consulting (7211-15-DS) to provide work associated with the local coastal plan update ($25,000).
C. Atkinson, Andelson, Loya, Ruud, & Romo (7866-17-HR) as needed-employee

investigative legal services (225,000).
D. Applied Spectrometry Associates, Inc. (A-7711) for maintenance service for two ChemScan water analyzers located at Blending Station 1 and 3 ($35,600).

Development Services Department

2. SUBJECT: Adoption of **Ordinance No. 2932** to Pre-Zone Property Located at 4600 Olds Road to Community Reserve (C-R).
RECOMMENDATION: That the City Council adopt Ordinance No. 2932, approving Planning and Zoning Permit No. 17-560-03 to Pre-Zone property located at 4600 Olds Road (APN: 232-001-006) to Community Reserve (C-R).

3. SUBJECT: Pollinate Agreement No. 8113-17-DS.
RECOMMENDATION: That City Council award and authorize the City Manager to execute an agreement with Pollinate for Ormond Beach coordinator services in the amount of $150,000 over a three year period.

Public Works Department

4. SUBJECT: Award Contract for Police Station Roof Replacement Project PW 17-33.
RECOMMENDATION: That City Council:
1. Award and authorize the Mayor to execute Agreement A-8029 in the amount of $569,979 with Best Contracting Services, Inc. for the Police Station Roof Replacement Project PW 17-33; and
2. Approve an additional appropriation of $251,000 for the Police Station Roof Replacement Project No. MO2107.

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

L. REPORTS

Development Services Department

1. SUBJECT: Payment of Future Utility Bills from the Channel Islands Beach Community Services District for Services Within the Channel Islands Harbor Relating to Parks and Street Medians.
RECOMMENDATION: That the City Council:
1. Authorize payment of utility services provided by the Channel Islands Beach Community Services District within the Channel Islands Harbor for park and median landscaping and maintenance of bathrooms through February 28, 2018; and
2. Approve an appropriation of $50,000 for utility services from General Fund Reserves.

The Development Services Director gave a report. Public comments were received from Al Velasquez. Discussion ensued among the Council and staff.

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

Housing Department

2. SUBJECT: Appropriation for Extended Daytime Shelter Services.
RECOMMENDATION: That the City Council:
1. Approve a budget appropriation of $44,000 from General Fund Reserves for extended daytime shelter services for the Homeless at Community Action of Ventura County;
2. Authorize the Housing Director to execute the necessary agreements with Community Action of Ventura County to fund the operation of the Shelter.

The Housing Director gave a report and introduced Dr. Cynder Sinclair, Executive Director of Community Action of Ventura County, who made some remarks. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve staff's recommendation as presented, with direction to Fire Department staff to work with Community Action of Ventura County staff to ensure the safety of the facility. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Public Works Department

3. SUBJECT: Sixth Amendment to Agreement No. 6212-13-CM with Genuine Parts Company d.b.a. NAPA Auto Parts.
RECOMMENDATION: That City Council approves and authorizes the Mayor to execute the Sixth Amendment to the Agreement (6212-13-CM) with Genuine Parts Company d.b.a. NAPA Auto Parts for $1,468,877, for a total contract amount of $9,583,877, and extending the agreement until June 30, 2018 to provide on-site repair parts and tires to City until staff finalizes a new agreement for this service. This expense has been approved in the FY 2017-18 Fleet Services Divisions' operating budget.

The Interim Public Works Director gave a report. Discussion ensued among the Council and staff.

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.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:29 p.m.

Michelle Ascencion
MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 1/10/18
TIM FLYNN
Mayor