# MINUTES
# OXNARD CITY COUNCIL
## Regular Meeting
## January 30, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:07 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, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 5:15 p.m.).

Staff members present were Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Ashley Golden, Interim Assistant City Manager; Jesús Nava, Assistant City Manager; and Michelle Ascencion, City Clerk.

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

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)(1), to confer with its attorneys on three cases. The titles and case numbers of the litigation being discussed are:

1. In the Matter of: Application of the Puente Power Project, (California Energy Commission Docket No. 15-AFC-01);

2. Application of Southern California Edison Company (U338E) for Approval of the Results of Its 2013 Local Capacity Requirements Request for Offers for the Moorpark Sub-Area, (California Public Utilities Commission Application 14-11-016); and

3. In re: GenOn Energy, Inc., et al., United States Bankruptcy Court for the Southern District of Texas, Houston Division Case No. 17-33695 (DRJ)."

At 5:09 p.m., the City Council recessed to a closed session. At 6:05 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 Darwin Base, Fire Chief; Arturo Casillas, Housing Director; Phillip Molina, City Treasurer; Jim Throop, Chief Financial Officer; Mark Alvarado, Homelessness Coordinator; Roger Brooks, Code Compliance Manager; Sandra Burkhart, Special Districts Administrator; Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning Division Manager; Karen Moore, Assistant City Clerk; and Todd Vasquez-Housley, Environmental Resources Manager.

## E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mayor Flynn announced that item L-2 was being pulled from the agenda.

Public comments were received from Eric Nicholls (emergency response for the homeless); Petra Montes (facing eviction and homelessness); Woodrow Thomas Sr. (recent arrest and court case; Sgt. Major John Canley); Jackie Tedeschi (City Managers weekly report, Firehouse Subs restaurant, and recent Fox Canyon Groundwater Management Agency meeting); Martin Jones (city council districts); Lucy Cartagena (homelessness, recall election); Alicia Percell (outstanding public records request); and Soledad Trevino (advocating on behalf of Ms. Montes).

## F. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and events and provided program updates. He also mentioned that Oxnard has been profiled as one of "20 Game-Changing Places to Live" in Sunset Magazine's February 2018 issue, and that the city won the Ventura County, American Public Works Association 2017 Public Works Project of the Year award for the Central Trunk Sewer Failure repair projet.

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

The Interim City Manager also announced that stale dated checks are available for public claims, and clarified that staff did attend the recent Fox Canyon Groundwater Management Agency workshop.

## G. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending the Oxnard Downtown Improvement District meeting. He attended community presentations at Oxnard High School and Hueneme High School. He commented on the city working cooperatively with the schools. He congratulated Sgt. Major John Canley on receiving the Medal of Honor.

Mayor Pro Tem Ramirez congratulated Sgt.Major Canley on his Medal of Honor and the Public Works Department on the Public Works Project of the Year award. She announced the upcoming Community Choice Energy workshop. She commented on the Halaco homeless encampment and the Winter Warming Shelter. She stated that a resolution is close on the proposed Puente power plant.

Councilman MacDonald reported on his recent installation as Chair of the LOSSAN Oversight Board. He said he favors creating six city council districts and proposed Map #635. He congratulated Sgt.Major Canley on his Medal of Honor.

Councilmember Perello proposed creating a "Red Team" to seek out grants and other sources of revenue for the city. He congratulated Sgt.Major Canley on his Medal of Honor. He commented on the Police Department's lifesaving kits for overdose emergencies.

Mayor Flynn commented on the city council districts and discussion ensued on the proposed council committee process.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-2(B), J-2(C), and J-3 were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jackie Tedeschi.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the January 9, 2018 Regular Meeting and January 17, 2018 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. Ron's Signs (8148-17-DS) for installation and maintenance of legal notice signs ($75,000).
B. Rieman Enterprises, Inc., dba Ray Rieman Construction (8178-18-DS) for DS18-27R Perkins Road Remediation Project ($198,000).
C. Ephonamation.com, Inc. dba Ansafone Contact Centers (7870-17-PW) for telephone answering service for the Public Works Department ($37,000).
D. Mallory Safety & Supply for the purchase of 100 ballistic vests for the Fire Department ($41,708).

Finance Department

3. SUBJECT: Release of Special Assessment Lien and Closeout of Assessment District 96-1.
RECOMMENDATION: That City Council acting as the legislative body of Assessment District No. 96-1 (Rose Avenue/Highway 101 Interchange Improvements) ("AD 96-1") adopt **Resolution No. 15,085** that approves the District closeout analysis, declares the redemption fund as surplus, and orders the disposition of surplus amounts.

*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.

K. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning & Zoning Permit Nos. 17-620-04 (General Plan Amendment), Planning & Zoning Permit No. 17-16-630-01 (Rose Santa Clara Specific Plan Amendment), and Planning & Zoning Permit No. 17-500-15 (Special Use Permit) for the Parcel Generally Located on a 16.6 Acre Parcel Off of Ventura Blvd. (2001 Ventura Blvd. ) and a 1.6 Acre Vacant Site Adjacent to and to the Northeast of the Subject Site, Generally Known as Assessor's Parcel Number: 144-0-150-095.
   RECOMMENDATION: That the City Council:
   1. Adopt Mitigated Negative Declaration No. 17-03;
   2. Adopt **Resolution No. 15,086** approving Planning & Zoning (PZ) Permit No. 17-620-04 (General Plan Amendment);
   3. Approve the first reading by title only and waive further reading of an ordinance amending the Rose Santa-Clara Corridor Specific Plan as a result of PZ Permit No. 16-630-01 (Specific Plan Amendment); and
   4. Approve a **Resolution No. 15,087** upholding the Planning Commission's approval of PZ Permit No. 17-500-15 (Special Use Permit).

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 Jackie Tedeschi.

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

Councilmember Perello moved to approve the staff recommendation with an amendment that requires the applicant to provide window cleaning devices (squeegees) for safety purposes. Further discussion ensued. The motion died for lack of second.

*It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against. The motion carried 4-1.

Housing Department

2. SUBJECT: Extremely Low & Low-Income Needs Assessment FY 2018-19 Annual AAP & FY 2018-23 Consolidated Plan.
   RECOMMENDATION: That the City Council conduct the first Public Hearing to receive comments and provide direction to staff concerning unmet needs of extremely-low and low-income persons residing in the City of Oxnard, for affordable housing, community development, and homelessness for the preparation of the FY 2018-19 Annual Action Plan and for the 2018-23 Five Year Consolidated Plan.

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

The Housing Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. No one requested to speak. 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 Perello,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Public Works Department

3. SUBJECT: Rio Manor Mutual Water Company Well Permit Request.

This item was removed from the agenda.

L. REPORTS

Finance Department

1. SUBJECT: Recommendation for Surplus Funds of Eighteen (18) Dissolved Landscape Maintenance Districts.
RECOMMENDATION: That the City Council approves either recommendation 1 or 2:
1. Authorize the transfer of the surplus funds from the eighteen (18) dissolved Landscape Maintenance Districts, totaling $1,137,781.32 to the general fund per Streets and Highways Code section 22610; or
2. Adopt a resolution authorizing the reimbursement of surplus funds from the eighteen (18) dissolved Landscape Maintenance Districts that did not receive a general fund subsidy, totaling $1,131,152.39 from the General Fund to the parcels within those respective districts.

The Special Districts Administrator gave a report, clarifying that the recommendation should read as follows:

That City Council adopts recommendation 1 or recommendations 1 and 2:
1. Authorize the transfer of the surplus funds from the eighteen (18) dissolved Landscape Maintenance Districts, totaling $1,137,781.32 to the general fund per Statute 22610 – Streets and Highways Code
2. Adopt resolution **[Resolution No. 15,088]** authorizing the reimbursement of surplus funds from the eight (8) dissolved Landscape Maintenance Districts that did not receive a General Fund Subsidy, totaling $1,131,152.39 from the General Fund to the parcels within those respective Districts.

Public comments were received from Michael Gleason, Julie Miller Kalbacher, and Jackie Tedeschi. Discussion ensued among the Council and staff.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the staff recommendation with an amendment to bring back the audit to be discussed on a future City Council agenda in open session. VOTE: Madrigal and Perello voted in favor; Flynn, MacDonald, and Ramirez voted against. The motion failed 2-3.

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

2. SUBJECT: Award Contract for Fencing in Various Landscape Maintenance Districts.

This item was removed from the agenda.

City Treasurer Department

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

The City Treasurer gave a report. Discussion ensued among the Council, Treasurer, and staff. The report was received and filed as presented. No action was taken.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:18 p.m.

Michelle Ascencion
MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn
TIM FLYNN
Mayor