MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 27, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:10 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: Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello; and Mayor Tim Flynn were present (Mayor Pro Tem Carmen Ramirez arrived at 5:30 p.m.). The City Clerk stated that the agenda was posted June 22, 2017 at City Hall, with an amended agenda posted on June 23, 2017.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Daniel Rydberg, Public Works Director; Robert Hearne, Interim Civil Engineer; Shiri Klima, Assistant City Attorney; Eric Sonstegard, Assistant Chief of Police; 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)(4), based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

The City Council will also recess to a closed session pursuant to Government Code section 54956.8, to give instructions to its negotiators, Robert McDowell of Hamner, Jewell & Associates, and Robert Hearne, Interim Civil Engineer, concerning price and terms or payment relating to right of way acquisition and construction easements for a pipeline project."

At 5:12 p.m., the City Council recessed to a closed session. (Mayor Pro Tem Ramirez arrived at 5:30 p.m.) At 6:17 p.m. the City Council reconvened in open session in the Council Chambers. There was no announcement following closed session.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Arturo Casillas, Housing Director; Kymberly Horner, Economic Development Director; Steve Naveau, Human Resources Director; Ralph Alamillo, Public Works Project Manager; Kathleen Mallory, Planning Division Manager; Todd Vasquez-Housley, Environmental Resources Manager; Chris Williams, Police Commander; and Raymond Williams, Streets Manager;

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Gerard Kapuscik (SR-3 Levy Project Completion), Daniel Kalbacher (police interaction with the homeless), Julie Miller Kalbacher (concern regarding proposed car wash business), Gregory Ramirez (status of September 16 parade sponsorship applications), Kimberly Rivers (appeal to Ventura County regarding proposed oil project), Noemi Tungui (concerned about proposed Cabrillo Oil expansion project), Francisco Ferreyra (Cabrillo project), Tomas Morales Rebecchi (Cabrillo project), Roy Prince (Citizen Jane screening, land use), Arturo de la Cerda (Cabrillo project), Pete Placencia (La Colonia Boxing Gym), Dan Pinedo (recall election), and Woodrow Thomas Sr. (public safety).

F. REPORT OF CITY MANAGER

The City Manager reminded the community that fireworks are illegal, reported on attending the recent Redwood neighborhood council meeting, and commented on homelessness issues.

G. CITY COUNCIL REPORTS

Councilmember Madrigal reminded residents to drive carefully now that school is out for the summer.

Mayor Pro Tem Ramirez commented on the recent Ormond Beach planning meeting, the proposed federal health care act, a future agenda item regarding the proposed Cabrillo expansion project, the city of San Juan Capistrano's lawsuit against the California Public Utilities Commission, and fireworks.

Councilmember Perello commented on a future agenda item regarding the proposed Cabrillo expansion project, a Los Angeles Times article on excess energy, the recent Ormond Beach planning meeting, the recent Performing Arts Center board meeting, the recent El Rio West neighborhood council meeting, a Ventura Regional Sanitation District meeting regarding the amount of material going to landfills, and a recent Chinese heritage event in downtown, and the benefits of acupuncture.

Mayor Flynn commented on attending the recent Riverpark Neighborhood Council meeting and sustaining reactivated neighborhood councils, budget augmentations and Measure O funding, and priority based budgeting.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Councilmember Perello and the City Manager, Economic Development Director, Assistant Police Chief, Police Commander, City Attorney, Housing Director, and Environmental Resources Manager discussed items on J-1 A, B, C, D, E, and G.

Regarding Item J-5: the City Attorney, pursuant to new Brown Act requirements, announced a summary of the recommended action, as it is a modification to the existing salary and benefits for executive management employees. Mayor Flynn made some comments.

Regarding Item J-2: Councilmember Perello commented on the senior meals to be provided by the agreement.

Regarding Item J-3: Assistant City Manager Nava clarified that the contract pertains to sales taxes only.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Daniel Chavez Jr. The Human Resources Director responded.

J. 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 agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:
A. Interface Children and Family Services (7958-17-CM) for 2-1-1 services provided to Oxnard residents ($37,000).
B. Oxnard Downtowners (7937-17-ED) for downtown events support ($30,000).
C. Vigilant Solutions (7907-17-PO) for purchase of three automated license plate reader camera system ($150,000).
D. Public Safety Corporation (7915-17-PO) for alarm management services ($150,000).
E. Housing Rights Center (7158-15-HO) for fair housing services ($29,000).
F. Tyler Technologies (5463-11-PD) for electronic citation module for the Police Department ($47,102).
G. Mario's Trucking Corporation (A-7894) for supplemental waste transfer hauling ($30,445).
H. Kustom Signals, Inc. for the purchase of two variable message sign trailers ($41,413).

Cultural and Community Services Department

2. SUBJECT: Acceptance of Senior Nutrition Grant Funds from the Ventura County Area Agency on Aging (VCAAA).
RECOMMENDATION: That City Council:
1. Authorize the City Manager or designee to execute Ventura County Area Agency on Aging Grant Contract No. 3500FY18-05 for the Provision of Services (Senior Nutrition Program) ("Senior Nutrition Program Grant Agreement") and any other document or instrument necessary to carry out the purposes of Senior Nutrition grant; the Chief Financial Officer or designee to submit financial reports, grant claims and approve budget adjustments for the use of Senior Nutrition grant funds; and
2. Approve a budget appropriation to recognize the Senior Nutrition grant award in the amount of $103,550 and program donations in the amount of $14,000 for the FY 2017-2018 Senior Nutrition Program.

Finance Department

3. SUBJECT: Hinderliter, De Llamas and Associates Consulting Contract.

RECOMMENDATION: That City Council approve and authorize the City Manager to execute the First Amendment of the Agreement for Consulting Services with Hinderliter, de Llamas and Associates (HDL Coren & Cone), in the amount of $175,500 for a total not to exceed $200,000 for the consulting services contract.

4. SUBJECT: Public Safety Tax Assessment FY2017-18.
RECOMMENDATION: That City Council adopts **Resolution No. 15,038** establishing the FY 17-18 tax rates on property in the City of Oxnard for the payment of voter approved obligations.

Human Resources Department

5. SUBJECT: A Resolution of the City Council of the City of Oxnard Establishing Rules for the Application of Compensation Rates and Benefit Levels for Unrepresented Executive, Unrepresented Mid-Managers, and Unrepresented Confidential Employees through September 2019.
RECOMMENDATION: That City Council adopt **Resolution No. 15,039** regarding compensation rates and benefit levels for Unrepresented Executive, Unrepresented Mid-Managers, and Unrepresented Confidential Employees through September 2019.

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

K. REPORTS

City Manager Department

1. SUBJECT: Creation of Internal Audit Program—Approval of Contract with Price Paige and Company.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute an Agreement with Price Paige and Company (A-7986) to provide the first comprehensive Internal Audit program, for which $200,000 has been budgeted for FY17-18

The City Manager gave a brief report and introduced Bob Deis of Renne Sloan Holtzman Sakai LLP, who gave a report.

Public comments were received from Steve Nash and Jack Villa.

Discussion ensued among the Council, staff, Mr. Deis, and Fausto Hinojosa of Price Paige and Company.

It was moved by Councilman MacDonald, 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.

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Updating the City of Oxnard's California Environmental Quality Act (CEQA) Threshold Guidelines.
   RECOMMENDATION: That the City Council adopt **Resolution No. 15,040** approving the updated CEQA Threshold Guidelines (herein referred to as CEQA Guidelines).

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

The Planning Division Manager gave a report and introduced Joe Power of Rincon Consultants, who also gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Woodrow Thomas Sr.

Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, moved to close the public testimony portion of the public hearing; the Council approved unanimously. 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.

M. REPORTS

City Attorney Department

1. SUBJECT: Construction and Repair Work Ordinance Amendment.
   RECOMMENDATION: That the City Council approve the introduction and first reading by title only and waive further reading of an ordinance amending Article II of Chapter 4 of the City Code regarding public projects to increase bidding thresholds; to amend the change order threshold; to allow the City Council to award projects over the Tier 2 limit as authorized by statute; to increase the City Manager's authority to award and execute public project contracts; to allow delivery of notices by any legally permissible method and to reduce required delivery time for notices inviting formal bids; to delegate the adoption of formally bid project plans, specifications and working details to the City Engineer; and to amend the requirements for the prequalification of contractors.

The Assistant City Attorney gave a report. 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.

Economic Development Department

2. SUBJECT: Downtown Lighting and Tree Trimming.
RECOMMENDATION: That City Council:
1. Appropriate $145,575 from the Downtown Improvement Program Settlement Funds ("DIPSF") to initiate two Downtown Capital Improvement Projects identified within the Downtown Vision Plan, which will include lighting for Plaza Park and tree trimming within the Central Business District; and
2. Approve the carryover of unused funds of $97,758 from the General Fund Capital Outlay for Downtown tree trimming within the Central Business District in support of the Downtown Vision Plan.

(Mayor Flynn left the meeting at this time.)

The Economic Development Director and Public Works Project Manager gave a report. Discussion ensued among Council and staff.

Public comments were received from Abel Magana and Pat Brown. Further discussion ensued.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the recommendation as presented. VOTE: MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (Flynn absent).

3. SUBJECT: Downtown Public Restrooms.
RECOMMENDATION: That City Council approve the appropriation of $145,322 from the Downtown Improvement Program Settlement Funds ("DIPSF") to install public restrooms within the Central Business District.

The Economic Development Director and Public Works Project Manager gave a report. Discussion ensued among Council and staff.

Public comments were received from Abel Magana and Pat Brown. Further discussion ensued.

It was moved by Councilmember Perello, seconded by Councilmember Madrigal, to approve the recommendation as presented. VOTE: Madrigal, Perello, and Ramirez voted in favor, MacDonald was opposed; the motion carried 3-1 (Flynn absent).

Public Works Department

4. SUBJECT: Agreement A-7955 for On-Call Sidewalk, Curb and Gutter and Spandrel Grinding Services.
RECOMMENDATION: That City Council approve a one-year agreement with BPR, Inc. (A-7955) for an amount that is not to exceed $250,000 for sidewalk, curb, gutter and spandrel grinding and authorize the Mayor to execute the contract upon receipt of final documents.

The Streets Manager gave a report.

(Mayor Flynn returned to the meeting at this time.)

Public comments were received from Pat Brown and Abel Magana. Discussion ensued among the Council and staff.

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

(As it was after 10:00 p.m., the City Council voted unanimously for the remaining agenda item to be heard.)

5. SUBJECT: First Amendment to Agreement No. 7517-16-CM with West Coast Arborists, Inc. for On-Call Tree Trimming Services.
   RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to Agreement No. 7517-16-CM with West Coast Arborists, Inc. in the amount of $700,000 to increase the amount from $246,255 to a total amount of $946,255 for on-call citywide tree trimming services.

Discussion ensued among the Council and staff.

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

N. PUBLIC COMMENTS ON REPORTS (None)

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:07 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn

TIM FLYNN
Mayor