MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 21, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:08 p.m., the regular meeting of the Oxnard City Council was called to order by Mayor Pro Tem Ramirez in the Council Chambers, concurrently with the Oxnard Housing Authority meeting. The City Clerk called the roll: Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, and Mayor Pro Tem Ramirez were present; Mayor Tim Flynn was absent (arrived at 5:28 p.m.). Housing Commissioner Francisco Vega arrived at 6:02 p.m.; Commissioner Jose Andrade was absent. The City Clerk stated that the agenda was posted March 16, 2017 at City Hall.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Ruth Osuna, Assistant City Manager; Jesús Nava, Assistant City Manager; Scott Whitney, Chief of Police; James Throop, Chief Financial Officer; Jason Benites, Assistant Chief of Police; Eric Sonstegard, Assistant Chief of Police; George Iafrete, Computer Network Engineer III; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence in memory of musician Chuck Berry, who recently passed away.

Mayor Pro Tem Ramirez announced that Items D-1 and J-6 are removed from the agenda.

C. APPOINTMENT ITEM

1. SUBJECT: Mid-Year Police Department Budget Augmentation.
   RECOMMENDATION: That the City Council adopt **Resolution No. 14,999** amending Resolution No. 14,949 authorizing full time equivalent positions within the Police Department.

The City Manager made some remarks and introduced the Chief of Police, who gave a presentation.

(Mayor Flynn arrived at this time.)

Public comments were received from Harry Cortez, Tom Cady, Mike Johnson, and Daniel Chavez Jr.

Discussion ensued among the Council and staff.

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

D. CEREMONIAL CALENDAR

Additional staff present at this time were Keith Brooks, IT Director; Ashley Golden, Development

Services Director; Ingrid Hardy, Cultural and Community Services Director; Kymberly Horner, Economic Development Director; Daniel Rydberg, Public Works Director; Susan Duenas, Emergency Services Manager; Grant Dunne, Environmental Resources Management Analyst III; Todd Vasquez-Housley, Environmental Resources Manager; Karl Lawson, Housing Compliance Services Manager; James Torrez, Environmental Resources Supervisor; James Vega, Management Analyst; and Lisa Yoshimura, Assistant Human Resources Director.

1. SUBJECT: Presentation of a Proclamation Designating the Month of March 2017 as "Brain Injury Awareness Month."

(This item was removed from the agenda, as the proclamation recipient was unable to attend.)

2. SUBJECT: Presentation of a Proclamation Designating the Month of March 2017 as "American Red Cross of Ventura County Month."

Mayor Flynn presented the proclamation to Board Member Lesa Caputo and Executive Assistant Melissa Durand of the Red Cross, who thanked the Council and made some remarks.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Joan Lopez (immigration enforcement), Steve Nash (bike lanes), Jim Milstead (palm trees, emergency training), George Miller (immigration enforcement), Deborah Baber (immigration enforcement), Gloria Massey Chinea (immigration enforcement), Hector Moreno (immigration enforcement), Roy Prince (downtown development), Pat Brown (downtown aesthetics), Daniel Chavez Jr. (city priorities), and Woodrow Thomas Sr. (racism).

F. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR

The City Manager announced Management Analyst James Vega's upcoming departure to serve as Deputy City Manager of the City of Ojai. The City Manager also reported on the Meet Up Clean Up program and recent Neighborhood Council meetings. He announced that an update on Council strategic priorities will be presented at the next Council meeting.

G. CITY COUNCIL/HOUSING AUTHORITY BUSINESS/COMMITTEE REPORTS

Councilmember Madrigal reported on attending various neighborhood meetings and promoted the Oxnard 311 app.

Mayor Pro Tem Ramirez reported on attending the National League of Cities conference and the Local Government Commission's Local Policymakers Conference. She asked the City Attorney to look into signing onto the Amicus Brief in opposition to the executive order on immigration, and to provide an assessment of the threat of losing federal funding.

Councilman MacDonald commented on attending the recent LOSSAN meeting and related transportation issues, and announced an upcoming Oxnard Visitors and Convention Bureau meeting. He announced that he will be absent from next week's meeting, as he will be in Washington DC with the RDP-21 group.

Councilmember Perello commented on the County's watershed and levee protection efforts, flood zones, and public television. He reported on attending Bethel AME church's Tuskegee Airman commemoration, a recent Ventura Regional Sanitation District meeting, the Bartolo Square Neighborhood Council meeting, and Red Cross CPR training. He advised that the City stay out of unnecessary legal issues. He inquired about light poles near the Oxnard airport and requested a closed session review of the City Attorney. He wished a speedy recovery to Eileen Tracy and John Flynn.

Mayor Flynn commented on the upcoming strategic priorities review. He announced that he will present a proposal on policy process at the next meeting. He expressed concern about the city losing funding due to not adhering to federal mandates.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-3 and J-7 were pulled for discussion.

Regarding J-3: Councilmember Perello requested clarification on the Cultural Arts Grant Award process (the Cultural and Community Services Director responded). Discussion ensued among Council and staff.

Regarding J-7: Councilmember Perello inquired about the proposed salary schedule and salary steps/ranges (the Assistant Human Resources Director responded). Discussion ensued among Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Comments were received from Karl Lawson, Margaret Cortese, Patricia Sanchez, and George Miller. Discussion ensued among Council and staff.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes: January 23, 2017 Special Meeting; January 24, 2017 Regular Meeting; and January 31, 2017 Special Meeting.
   RECOMMENDATION: Approve the Minutes of the City Council Meetings of January 23, 24, and 31, 2017.

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 agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000, which are described on the attached list:
   A. Joe Mar Polygraph & Investigate Services (A-7964) to conduct polygraph services for civilian and sworn positions ($150,000).
   B. Enterprise Baler Company (7794-17-PW) to repair baler at the Del Norte Regional & Transfer Station ($88,662).
   C. Shute Mihaly & Weinberger, LLP (7002-15-CA) for continued legal representation before the California Public Utilities Commission and the California Energy

Commission ($200,000).

D. BPS Tactical for the purchase of 75 external vest carriers for the Oxnard Police Officers ($33,937).

Cultural and Community Services Department

3. SUBJECT: Approval of Cultural Arts Grant Program Awards.
RECOMMENDATION: That City Council approve the recommended awards to various artists and organizations as part of the 2016/17 Cultural Arts Grant Program

Development Services Department

4. SUBJECT: Approve a Reimbursement Agreement with Kroger (Dba Food4Less) for 2030 Roadway and Circulation Improvements and Land Dedications Beyond Those Required for the Construction of the Food-4-Less Project (Northwest Corner of Vineyard Avenue and Esplanade Drive). Filed by Greg Peters on Behalf of Kroger Company.
RECOMMENDATION: That City Council:
1. Adopt a reimbursement agreement with Kroger to authorize the payment of $319,406.99 from Fund 118 to reimburse Kroger for the cost and dedication of the on-site multi-use trail and 2030 circulation improvement and
2. Authorize a budget appropriation in amount of $319,407 from Air Pollution Buy Down Fund Balance for reimbursement to developer for costs associated with the 2030 circulation improvement and the dedication of multi-use trail.

Fire Department

5. SUBJECT: Formal Adoption of 2015 Ventura County Hazard Mitigation Plan (HMP).
RECOMMENDATION: That City Council approve **Resolution No. 15,000** adopting the 2015 Ventura County Hazard Mitigation Plan (HMP).

Housing Department

6. SUBJECT: Award of Contract for the Replacement of Flooring in 129 Public Housing Units.

(Item J-6 was removed from the agenda.)

Human Resources Department

7. SUBJECT: Classification and Salary Resolution.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,001** repealing all prior salary schedule and classification resolutions and approving the attached classification and salary schedule.

Police Department

8. SUBJECT: State of California Office of Traffic Safety S.T.E.P. Grant Application.
RECOMMENDATION: That City Council adopt **Resolution No. 15,002**:
1. Authorizing the City Manager to execute and submit an application for $599,797.00 in

grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2017/18 Selective Traffic Enforcement Program (S.T.E.P.).
2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award.
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of OTS funds.
4. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the Information/Consent Agenda items as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; Perello voted against Item J-3, as he felt there may be an issue with awarding a grant to a political organization. The motion carried 5-0 (4-1 on Item J-3, Perello opposed).

K. PUBLIC HEARING

Housing Department

1. SUBJECT: Five-Year & Annual Agency Plan and Five-Year Capital Fund for Low Rent Public Housing.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard:
1. Hold a public hearing to receive comments concerning the third year of the Five-Year Agency Plan and the 2017 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and
2. Adopt **Resolution No. 1296**:
(a) Approving the Five-Year and Annual Agency Plan for the Housing Authority;
(b) Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures;
(c) Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with HUD's policies and procedures regarding the Five-Year Agency Plan;
(d) Approving the 2017 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and
(e) Authorizing the Housing Director to accept and expend the funds as indicated in the revised 2017 Capital Fund Annual Statement and Five-Year Capital Fund Plan.

The Board Clerk presented the affidavit of publication and reported that no written communication had been received.

The Housing Director gave a report. Discussion ensued among the Housing Board and staff.

Chair Flynn opened the public testimony portion of the public hearing. Public comments were received from Steve Nash, George Miller, Dan Pinedo, and Daniel Chavez Jr.

Commissioner MacDonald moved to close the public testimony portion of the public hearing; the Housing Board approved unanimously.

Discussion ensued among the Housing Board and staff.

It was moved by Commissioner MacDonald, seconded by Commissioner Perello, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, Ramirez, and Vega voted in favor; the motion carried 6-0 (Commissioner Andrade absent).

L. REPORTS

Fire Department

1. SUBJECT: Approval of an Update of the City's Emergency Ordinance and Emergency Plan.
   RECOMMENDATION: That City Council:
   1. Approve the first reading by title only and waive further reading of an Ordinance Amending Chapter 6 of the Oxnard City Code Relating to Emergency Organization and Functions.
   2. Approve the City of Oxnard's Emergency Operations Plan Update.
   3. Authorize the Mayor to sign the Letter of Promulgation, making the Emergency Operations Plan effective.

The Emergency Services Manager gave a report. Discussion ensued among the Council and staff.

Public comments were received from Pat Brown.

It was moved by Councilmember Perello, 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.

Public Works Department

2. SUBJECT: Second Amendment to Agreement A-7571 with G4S Secure Solutions (USA) Inc. to Provide Security Services at the Del Norte Regional Recycling and Transfer Station (MRF).
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a Second Amendment to the agreement with G4S Secure Solutions (USA) Inc. (Agreement No. A-7571) to increase the total amount by $185,000 for a total contract value of $1,250,000, to provide security services at the MRF.

The Environmental Resources Manager and Environmental Resources Management Analyst III gave a report. Discussion ensued among the Council and staff.

Public comments were received from Pat Brown, George Miller, and Jackie Tedeschi.

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.

M. PUBLIC COMMENTS ON REPORTS (None)

CONTINUATION OF PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Salvador Orozco (Oxnard Guerreros soccer team). Discussion between Council and Mr. Orozco.

N. ADJOURNMENT

There being no further business, and without objection, Mayor Flynn adjourned the meeting at 9:35 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor