

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 18, 2018

A. ROLL CALL/POSTING OF AGENDA

At 4:36 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 Gabriela Basua, Bryan A. MacDonald, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present. Councilmembers Oscar Madrigal and Vianey Lopez were absent (arrived at 4:39 p.m. and 4:45 p.m., respectively).

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Ashley Golden, Assistant City Manager; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

Mayor Flynn 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 of the litigation being discussed is Green Energy Holdings, LLC; Auto Fuels, Inc. v. City of Oxnard, et al.

The City Council will also recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.

For clarification, City Council will discuss whether to initiate litigation in one potential case only. Item C-2 was inadvertently included on the closed session agenda.”

At 4:37 p.m., the City Council recessed to a closed session. At 6:06 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney made the following announcement:

“The City Council, by a unanimous vote, has directed the City Attorney to initiate an action. The action, the defendants, and the other particulars shall, once unsealed, be disclosed to any person upon inquiry, unless to do so would jeopardize the City’s ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.”

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning and Environmental Services Manager; Ryan King, City

Traffic Engineer/Interim Transportation Services Manager; Scott Whitney, Police Chief; Eric Sonstegard, Assistant Police Chief; Jason Benites, Assistant Police Chief; Jason Zaragoza, Deputy City Attorney.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Bill Terry (requested extension of mitigated negative declaration review period), Patty Andrade (issues with transients near Clinicas del Camino Real), Armando Vasquez (recommended against “band-aid” solutions for systemic addictive behavior in the community), Martin Jones (faded striping on streets), Steve Nash (request for gun show ban at the Fairgrounds property, updating 2030 General Plan with a climate action plan to address global warming), Larry Stein (monthly expense report and quarterly financial reports for transparency), Gabriel Teran (congratulated newly elected council, upcoming forums on the Parks Master Plan, presentation to the Fremont South Neighborhood on the homeless shelter opening, tree trimming), Pat Brown (emergency preparedness), and Ray Blattel (upcoming Parks Master Plan input meetings).

F. REPORT OF CITY MANAGER

The Housing Compliance Services Manager gave a report on the status of the opening of the winter warming shelter.

G. CITY COUNCIL REPORTS

Councilmember Lopez wished everyone a happy holiday season.

Councilmember Perello expressed holiday wishes; thanked Assistant Police Chief Benites for recent assistance to a resident; commented on a recent Oxnard School District Board meeting and the recent Rose Park holiday gathering, and reminded everyone to count their blessings.

Councilman MacDonald reported on the recent Santa-to-the -Sea and Santa at the Station events. He announced an upcoming toy giveaway for the young cancer patients at Ventura County Medical Center. He acknowledged public safety for keeping the community safe during the holidays.

Mayor Pro Tem Ramirez expressed holiday wishes. She requested an extension of the comment period for the mitigated negative declaration. She reported on attending the recent opening ceremonies for the Fire Department’s Advanced Life Support program. She requested a future agenda item on a resolution supporting a ban of gun shows at the Ventura County Fairgrounds and opposing offshore drilling in federal waters. She commented on the failed Puente Power Plant project proposal.

Councilwoman Basua thanked staff for addressing concerns about people loitering around the former Citibank building, and expressed holiday wishes.

Councilmember Madrigal announced the upcoming Downtown Improvement Task Force meeting, commented on school safety, and reported on attending the retirement party for Oxnard School District board member Ernie Morrison, the Rose Park Christmas/Posadas celebration and the speaker event of author Martin Gonzalez. He commented on the Library and expressed holiday wishes.

Mayor Flynn expressed holiday wishes and optimism for the new year. He commented on upcoming budget challenges and priority based budgeting.

The Council and staff discussed the process for Council requests to add an item to future agendas.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1 and J-4 were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Larry Stein and Barbara Macri-Ortiz.

J. INFORMATION/CONSENT AGENDA

City Attorney Department

1. **SUBJECT:** Budget Appropriation for Legal Services.
RECOMMENDATION: That City Council recognize \$480,000 in expected settlement proceeds from litigation regarding former auditor Mayer, Hoffman and McCann, and approve a budget appropriation in the amount of \$480,000 to fund legal services and costs.

Fire Department

2. **SUBJECT:** Authorization to Submit Three Grant Applications to the Federal Emergency Management Agency (FEMA) for \$694,419 in Grant Funds for the Purpose of Purchasing Defibrillators, Smoke/Carbon Detector Installation, and Paramedic Training.
RECOMMENDATION: That City Council adopt **Resolution No. 15,188** authorizing:
 1. The City Manager to submit two grant applications to the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant program in the amount of \$521,000 for the purpose of purchasing Automated External Defibrillators (AED) and Paramedic Training;
 2. The City Manager to submit a grant application to the FEMA Fire Protection and Safety Grant in the amount of \$173,419 for the purchase of smoke/carbon monoxide detectors and salary and benefits for oversight of the installation of detectors;
 3. The City Manager or designee to execute the grant agreement if grant funds are awarded to the City;
 4. The Chief Financial Officer or designee to submit financial reports and grant claims, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and
 5. The Fire Chief or designee to submit non-financial reports.

Police Department

3. **SUBJECT:** Supplemental Law Enforcement Services Fund.
RECOMMENDATION: That City Council:
 1. Recognize \$313,843 in grant revenue from the State Supplemental Law Enforcement Services Fund (SLESF) for Citizens Option for Public Safety (COPS) Program;
 2. Approve a budget appropriation in the amount of \$313,843 for an Interview Room

Recording System and Body Worn Camera Storage Fees; and

3. Authorize the Chief Financial Officer or designee to approve additional budget appropriations if awarded.

4. SUBJECT: Agreement for Parking and Civil Citation Processing.

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute Agreement No. 8463-18-PO with Phoenix Group Information Services ("Phoenix Group"), for the next three (3) years, with an annual amount not to exceed \$175,000, for parking citation processing and collection services; and

2. Approve a budget appropriation recognizing \$65,000 in increased General Fund revenue (101-2101).

Public Works Department

5. SUBJECT: Second Amendments to Chemical Delivery Agreements for the Water and Wastewater Divisions.

RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Second Amendments with JCI Jones Chemicals, Inc. (A-7927) and Univar USA, Inc. (A-7929) for the increased cost per gallon of chemicals used by the Public Works Department's Water and Wastewater Divisions.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent items as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 7-0.

K. REPORTS

Development Services Department

1. SUBJECT: Planning & Zoning No. 18-600-01 - Pre-Application Review of the East Village Development Project (Known as the Maulhardt Development Project), Located on the Northeast Corner of Rose Avenue and Camino Del Sol. Filed by Rob Talmadage of Jensen Design and Survey on Behalf of the Maulhardt RF-JW. Trust.

RECOMMENDATION: That the City Council review and provide preliminary comments on a pre-application to master plan and develop 107 acres (e.g., East Village Development Project) with residential, open space (including parks and detention areas), a high school with a joint use agreement, and commercial area.

The Planning and Environmental Services Manager and Joel Kirkenstein of the Oxnard High School District, gave reports. Public comments were received from Barbara Macri-Ortiz, Pat Brown, Steve Nash, and Dan Pinedo. Discussion ensued among the Council and staff. No action was taken.

Police Department

2. SUBJECT: Update on Civil Gang Injunctions.

RECOMMENDATION: That City Council receives a report on a) Community feedback received during neighborhood meetings on civil gang injunctions, and b) Future direction of Oxnard's civil gang injunctions.

The Police Chief and Assistant Chief Sonstegard gave a report. Public comments were received from Jackie Tedeschi, Armando Vasquez, Julie Medina, Francisco Romero, Dr. Frank Barajas, Barbara Macri-Ortiz, Marisa Martinez, and Mike Johnson. Discussion ensued among the Council and staff. No action was taken.

City Attorney Department

3. SUBJECT: Police Alarm and Fire Alarm Ordinance.

RECOMMENDATION: That City Council:

1. Approve the first reading by title only and waive further reading of an ordinance amending Chapter 11 Article II of the Oxnard City Code concerning the regulation of security alarm systems and fire alarm systems;
2. Adopt **Resolution No. 15,189** adjusting fees for security alarm systems; and
3. Adopt **Resolution No. 15,190** amending the fee schedule for civil fines to include fines for various alarm violations.

Assistant Police Chief Benites gave a report. Public comments were received from Dave Michel and Dan Pinedo. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 7-0.

4. SUBJECT: Vending Ordinance.

RECOMMENDATION: That City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 8, Article IV, Division 1, Sec. 8-47 of the Oxnard City Code regarding operating regulations for vending on public property.

The Deputy City Attorney gave a report. Public comments were received from Pat Brown and Dan Pinedo. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 7-0.

L. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:59 p.m.


MICHELLE ASCENCION, CMC
City Clerk

 1/8/19
TIM FLYNN
Mayor