MINUTES
OXNARD CITY COUNCIL
Regular Meeting
June 6, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:09 p.m., the regular meeting of the Oxnard City Council was called to order in the Council Chambers. The City Clerk called the roll: Councilmembers Bryan A. MacDonald, Oscar Madrigal; Mayor Pro Tem Carmen Ramirez; and Mayor Tim Flynn were present; Councilmember Bert Perello was absent (arrived at 5:34 p.m.). Housing Commissioners Jose Andrade and Francisco Vega arrived at 6:00 p.m. The City Clerk stated that the agenda was posted June 1, 2017 at City Hall.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Ashley Golden, Development Services Director; Roger Brooks, Code Compliance Manager; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Recovery of Nuisance Abatement Costs.
   RECOMMENDATION: That City Council: 1) conduct a public hearing to consider objections to the cost report of the property owners whose property is to be assessed for nuisance abatement costs, 2) approve the cost report, and 3) direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.

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

The Development Services Director introduced the Code Compliance Manager, who gave a report. Discussion ensued among the Council and staff.

Mayor Flynn opened the public testimony portion of the public hearing. No public comments were received.

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

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; the motion carried 4-0 (Perello absent).

2. SUBJECT: Recovery of Civil Citation Fines.
   RECOMMENDATION: That City Council: 1) conduct a public hearing to consider objections to the cost report of property owners whose property is to be assessed for civil citation fines, 2) approve the cost report, and 3) direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.

The City Clerk announced the affidavit of publication and stated that one written communication had been received. Councilman MacDonald clarified that the communication's subject address (5298 Cypress Road) had been removed from the fine recovery list.

The Code Compliance Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Tony Solis regarding 1000 King Street. Discussion ensued among the Council and staff.

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

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve staff's recommendation, with an amendment to hold the proposed lien against 1000 King Street in abeyance until June 26, 2017, pending Mr. Solis' obtainment of a demolition permit. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; the motion carried 4-0 (Perello absent).

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jack Villa (Neighborhood Councils), Steve Nash (potential recall election), Michael Gleason (transparency and public involvement), Daniel Chavez Jr. (budget workshops, Hemlock crosswalks, whistleblower program), Dan Pinedo (potential recall, street repairs, roadside memorials), Jackie Tedeshi (potential recall election), Woodrow Thomas Sr. (racial harassment, hate crimes, immigration), Al Velasquez (potential recall election), Harold Ceja (potential recall election), Lawrence Stein (budget workshops), and Pat Brown (recent FEMA meeting, sea level rise).

(Councilmember Perello arrived during Public Comments.)

D. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating June 12, 2017 as "Philippine Independence Day - Flag Raising."

Mayor Flynn read the proclamation and presented it to Grace Tuazon of the Filipino American Council of Ventura County, who thanked the Council and made some remarks, along with other leaders of the Filipino American Council.

(The Housing Commissioners arrived at this time.)

Additional staff members present at this time were Darwin Base, Fire Chief; Arturo Casillas, Housing Director; Kymberly Horner, Economic Development Director; Phillip Molina, City Treasurer; Daniel Rydberg, Public Works Director; James Throop, Chief Financial Officer; Scott Whitney, Police Chief; Eden Alomeri, Assistant City Treasurer; Raja Bamrungpong, Information Technology Manager; Jefferson Billingsley, Assistant City Attorney; Sandra Burkhart, Special Districts Administrator; Grant Dunne, Environmental Resources Management Analyst III; Art Gutierrez, Facilities Maintenance Supervisor; Shiri Klima, Assistant City Attorney; Eduardo Miranda, Police Commander; Joe Rodriguez, Fleet Services Supervisor; and James Torrez, Environmental Resources Supervisor.

F. REPORTS

Finance Department

1. SUBJECT: Landscape Maintenance District Contracts for FY 17-18, 18-19 and 19-20. RECOMMENDATION: That City Council approve and authorize the City Manager to execute the following:
   1. Agreement A-7970 with Kaneko Landscaping, Inc. to provide landscape maintenance services to thirty seven (37) landscape maintenance districts (LMDs) in the total amount of $1,516,680.00;
   2. Agreement A-7971 with Garcia's Landscape Maintenance, Inc. to provide landscape maintenance services to three (3) LMDs in the total amount of $108,000.

   That City Council additionally approve the following:

   3. A 10 percent contingency amount of $151,668 for Agreement A-7970 for maintenance services with Kaneko Landscaping, Inc.;
   4. A 10 percent contingency amount of $10,800 for Agreement A-7971 for maintenance services with Garcia's Landscape Maintenance, Inc.

Councilman MacDonald announced that he would recuse himself from this item due to a potential conflict of interest, and left the dais.

The Special Districts Administrator gave a report.

Councilmember Perello also announced that he would recuse himself from this item due to a potential conflict of interest, and left the dais.

Public comments were received from Steve Huber, Michael Gleason, Larry Stein, Jackie Tedeshi, and Al Velasquez.

Discussion ensued among the Council, staff, and Pablo Perez of NBS Local Government Consulting.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal, to approve staff's recommendation as presented. VOTE: Flynn, Madrigal, and Ramirez voted in favor; the motion carried 3-0 (MacDonald and Perello absent [recused]).

Following the vote, Councilmembers MacDonald and Perello returned to the dais.

G. REPORT OF CITY MANAGER

The City Manager reported on the ongoing budget workshop process, the City's recent "Business Champion Award" from the Oxnard School District and the Ventura County Civic Alliance, his recent presentation to the Ventura County Lodging Association, and the City's latest sales tax revenues.

H. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending a recent Downtown meeting and a recent La Colonia Neighborhood Council meeting.

Mayor Pro Tem Ramirez requested that another hearing be held regarding the FEMA flood maps. She congratulated former Mayor Dr. Manuel Lopez on his recent 90th birthday. She read excerpts from the other Councilmembers' recall response statements. She commented on the 73rd anniversary of the D-Day invasion.

Councilman MacDonald announced an upcoming Gold Coast Transit District meeting and the Chamber of Commerce annual business and community awards luncheon. He reported that he'd communicated with E-Path Homeless Solutions on dealing with homelessness issues.

Councilmember Perello reported on attending recent meetings regarding the Santa Clara River levy issue, a Ventura Regional Sanitation District meeting, the FEMA flood map hearing, and a Planning Commission meeting regarding short term rentals.

Mayor Flynn discussed initiating priority-based budgeting in the fall.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-13 and K-12 were pulled for discussion.

Regarding K-13: Councilmember Madrigal inquired whether the Ocean View School District is participating in the School Resource Officer contract. The Police Commander responded. Discussion ensued among Council and staff.

Regarding K-12: Mayor Pro Tem Ramirez commented on the importance of affordable housing in the community.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Michael Gleason. Discussion ensued among Council and staff.

K. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Ventura Council of Governments (VCOG) Joint Powers Authority (JPA) Agreement.

RECOMMENDATION: That City Council authorize the Mayor to execute the Ventura Council of Governments (VCOG) Joint Powers Authority (JPA) Agreement.

City Clerk Department

2. SUBJECT: Minutes of the May 23, 2017 Regular Meeting.
RECOMMENDATION: That the City Council approve the Minutes as presented.

City Manager Department

3. 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. Kaneko Landscaping, Inc. (7059-15-CM) to provide monthly maintenance of the landscaping areas within the Waterways District at Mandalay Bay ($38,400).
B. Kaneko Landscaping, Inc. (7060-15-CM) to provide monthly maintenance of the landscaping areas within the Waterways Assessment District at Harbor Island ($30,000).
C. The Groundkeeper, Inc. (652-14-PW) for landscape maintenance services for Public Works facilities ($70,000).
D. Weck Laboratories, Inc. (A-7583) for laboratory chemical testing and sampling for the Water Division ($157,000).
E. Ventura County Tax Collector for property taxes incurred during the building of Fire Station 8 ($25,795).
F. CDWG for network hardware ($28,482).
G. Aztec Data Supply for sinology servers and related hardware ($80,097).
H. Aztec Data Supply for VMWARE software license ($36,680).

Finance Department

4. SUBJECT: Adoption of Resolution Declaring Intention to Levy and Collect Assessments and Scheduling of Public Hearing for FY 2017-18 for Landscaping Maintenance Districts.
RECOMMENDATION: That City Council adopt **Resolution No. 15,015** declaring intention to levy and collect assessments for Fiscal Year 2017-2018 within the city's Landscape Maintenance District pursuant to the Landscaping and Lighting Act of 1972.

5. SUBJECT: Special Tax Levy for Community Facilities District No. 2000-3 (Oxnard Blvd./Highway 101 Interchange).
RECOMMENDATION: That City Council, acting as the legislative body of Community Facilities District No. 2000-3 (CFD No. 2000-3) adopt **Resolution No. 15,016** setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2017-18.

6. SUBJECT: Special Tax Levy for Community Facilities District No. 5 (Riverpark).
RECOMMENDATION: That City Council:
1) Acting as the legislative body of Community Facilities District (CFD) No. 5, adopt

Resolution No. 15,017 setting a special tax rate within CFD No. 5 (Riverpark) for FY 2017-18; and
2) Authorize the City Manager to execute an agreement for Billing of Direct Assessments with the Ventura County Auditor-Controller to provide the service of placement of direct assessments on the Ventura County Secured Tax Roll.

7. SUBJECT: Special Tax Levy for Community Facilities District No. 3 and No. 4 (Seabridge at Mandalay Bay).
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) No. 3 and Community Facilities District (CFD) No. 4:
1) Adopt **Resolution No. 15,018** setting a special tax rate within CFD No. 3 (Seabridge at Mandalay Bay) for FY 2017-18; and
2) Adopt **Resolution No. 15,019** setting a special tax rate within CFD No. 4 (Seabridge at Mandalay Bay) for FY 2017-18.

8. SUBJECT: Special Tax Levy for Community Facilities Districts No. 1 and No. 2 (Westport at Mandalay Bay).
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) No. 1 and of Community Facilities District (CFD) No. 2:
1) Adopt **Resolution No. 15,021** setting a special tax rate within CFD No. 1 (Westport at Mandalay Bay) for FY 2017-18; and
2) Adopt **Resolution No. 15,022** setting a special tax rate within CFD No. 2 (Westport at Mandalay Bay) for FY 2017-18.

9. SUBJECT: Resolution of Intention to Dissolve Eighteen Landscape Maintenance Districts.
RECOMMENDATION: That City Council adopt **Resolution No. 15,023** declaring intention to dissolve Eighteen (18) of the City's Landscape Maintenance Districts for Fiscal Year 2017-2018 pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500).

Housing Department

10. SUBJECT: Housing Authority Investment Policy.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard ("Authority") approve **Housing Authority Resolution No. 1,297** adopting an investment policy for the Housing Authority of the City of Oxnard for FY 2017-2018.

11. SUBJECT: Revision to the Utility Allowances for Public Housing Residents and Section 8 Housing Choice Voucher Participants.
RECOMMENDATION: That the Housing Authority of the City of Oxnard Board of Commissioners approve **Housing Authority Resolution No. 1,298** to adopt revised utility allowance schedules for the Section 8 Housing Choice Voucher program and the Public Housing program.

12. SUBJECT: Request for $200,000 in Funding from the Ventura County Housing Trust Fund.

RECOMMENDATION: That the City Council approve a request for $200,000 in funding for an investment into the Ventura County Housing Trust Fund (VCHTF).

Police Department

13. SUBJECT: MOUs with School Districts.
RECOMMENDATION: That City Council approve and authorize the City Manager to execute the Cost Sharing Memorandums of Understanding (MOU) between the: Rio School District, Hueneme School District, Oxnard School District and the Oxnard Union High School District for the School Resource Officer (SRO) Program. These MOUs set forth guidelines between the listed school districts and the Oxnard Police Department (OPD) to ensure an understanding of the goals of the SRO program. The various districts reimburse the OPD for a portion of the personnel costs associated with this program.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent Agenda as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, Ramirez, Andrade and Vega voted in favor; the motion carried 5-0 (City Council items) and 7-0 (Housing Authority items).

L. REPORTS

City Treasurer Department

1. SUBJECT: General Banking Services Agreement.
RECOMMENDATION: The City Council approve and authorize the Mayor to execute an agreement with Bank of America in an estimated amount of $360,000 for an initial term of 3 years with an option to renew for a 2-year term, to provide general banking services, including provision of a continuing Sweep Account and armored guard pickup services.

The City Treasurer gave a report. Public comments were received from Al Velasquez and Jackie Tedeschi. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against, stating that he felt the credit card issue needed to be addressed separately. The motion carried 4-1.

Public Works Department

2. SUBJECT: Blanket Purchase Order No. 6260 with Shell Fleet Card Services to Extend Agreement a Sixth Year for Gas Station Fuel and Car Wash Service for FY 2017-18.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute Blanket Purchase Order No. 6260 to extend the agreement a sixth and final year with Shell Fleet Card Services, contract administrator for Oxnard Airport Shell and MacValley Oil Company. The agreement period is from July 1, 2017, to June 30, 2018, in an amount not to exceed $2,005,000. The blanket purchase order is for the purchase of gasoline, diesel, and car wash service at Shell stations through a fuel card system.

The Fleet Services Supervisor gave a report. Discussion ensued among the Council and staff. Public comments were received from Al Velasquez. Further discussion ensued.

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.

3. SUBJECT: Purchase of 15 Compressed Natural Gas Trucks.
   RECOMMENDATION: That City Council approve and authorize the Mayor to execute Purchase Order #6034 in the amount of $4,851,760 for the purchase of ten (10) residential refuse collection vehicles, two (2) commercial ("front-loader") collection vehicles, and three (3) industrial ("roll-off") collection vehicles from Velocity Truck Center.

The Environmental Resources Supervisor gave a report. Discussion ensued among the Council and staff. Public comments were received from Al Velasquez. Further discussion ensued.

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

4. SUBJECT: Second Amendment to Agreement with Ecology Auto Parts, Inc. for Supplemental Waste Transfer Hauling Services (Agreement No. A-7766).
   RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Second Amendment to the Agreement with Ecology Auto Parts, Inc. (Ecology) to increase the total amount by $800,000 from an agreement value of $2,100,000 to $2,900,000 for supplemental waste transfer hauling services (Agreement No. A-7766).

The Environmental Resources Management Analyst gave a report. Public comments were received from Al Velasquez and Pat Brown. 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.

Economic Development Department

5. SUBJECT: Heritage Square Agreement for Use of the Common Areas.
   RECOMMENDATION: That the City Council approve an agreement between the Heritage Square Property Owners Association ("Association") and the City of Oxnard ("City") for use of the Association's common areas for Fiscal Years 2016-2017, 2017-2018, 2018-2019, and 2019-2020, and approve an annual contribution to the Association in the amount of $25,000 per year for Fiscal Years 2017-2018 through 2019-2020.

The Economic Development Director gave a report. Public comments were received from Steve Nash. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, 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.

M. PUBLIC COMMENTS ON REPORTS (None)

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:05 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor