MINUTES
OXNARD CITY COUNCIL
Regular Meeting
February 27, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:04 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, Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present.

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

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

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 54957.6(a), to provide instructions to the City's negotiators, Stephen M. Fischer, City Attorney, and Wendi Brown, W. Brown Creative Partners, regarding the position of City Manager."

At 5:05 p.m., the City Council recessed to a closed session. At 6:16 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; Kymberly Horner, Economic Development Director; Kathleen Mallory, Planning Division Manager; Kenneth Rozell, Assistant City Attorney; and Karen Moore, Assistant City Clerk.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Rogelio Quezada for 18 Years of Dedicated Service as Chair of the Rose Park Neighborhood Council.

Mayor Flynn announced that due to Mr. Quezada's absence, the presentation will be postponed to a future meeting.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Woodrow Thomas Sr. (grievances against the city), Lorraine

Pizano Ramirez (unclaimed funds), Elena Salaverria (request for driveway permit), Martin Jones (council district mapping), Maria Ramirez (city's support of Community Action of Ventura County's winter warming shelter), Chad Rohn (cannabis cultivation), Dr. Ramon Flores (winter warming shelter), Abel Magana (annual homeless count), Daniel Chavez Jr. (improving quality of life for Oxnard residents), George Miller (announced upcoming debate regarding council recall), Pat Brown (upcoming recall election), Steve Nash (local gun control measures), Peter Godinez (Good Morning Oxnard program), Lauraine Effress (upcoming recall election), Sofia Vega (parking issues in Southwinds neighborhood), and Al Velasquez (upcoming recall election).

G. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and events and provided program updates. He highlighted that the Oxnard Police Department recently received the 2018 James Q. Wilson community policing award.

The Economic Development Director introduced Rigo Gonzalez-Nossa from the Small Business Administration Office of Disaster Assistance, who spoke on disaster relief for small businesses.

The City Clerk gave an update on the upcoming May 1, 2018 Special Election. Public comments were received from Jackie Tedeschi.

H. CITY COUNCIL REPORTS

Councilmember Madrigal spoke on visiting local elementary schools to read to the students, the Thurgood Marshall School's 15th anniversary, an upcoming Downtown meeting, and the Hueneme High School girls basketball team.

Mayor Pro Tem Ramirez spoke on the Camino del Sol community garden, SB623 and the state water supply, a recent Los Angeles Times article on homelessness, and the winter warming shelter. She asked staff to look into enacting local measures against assault weapons.

Councilman MacDonald reported on the Los Angeles/San Diego/San Luis Obispo Rail Corridor ("LOSSAN") Board's actions to increase train routes to Santa Barbara.

Councilmember Perello spoke on the upcoming Inter-Neighborhood Council Organization meeting with the City Manager recruiter, the recent Channel Islands Harbor Task Force meeting, Carty Park, the Southwinds PAL grand opening, and the Ormond Beach Villas veterans home groundbreaking.

Mayor Flynn spoke on the recent Channel Islands Harbor Task Force meeting and planning of the Veterans Day annual commemoration.

City Manager Department

1. SUBJECT: Request of Councilmember Perello: Consideration of Option to Submit Council District Map #635 for Voter Approval.
   RECOMMENDATION: That City Council discuss and determine whether an item related to Approval of District Election Map No. 635 for Voter Approval should be placed on a future City Council agenda for Council discussion.

Councilmember Perello gave a report. Discussion ensued among the Council and staff. Public comments were received from Pat Brown, Daniel Chavez Jr., Lucy Cartagena, and Lauraine Effress. Further discussion ensued.

It was moved by Councilmember Perello, seconded by Mayor Flynn, that following the Council's approval of Map #635, that the map be put forward for final approval by Oxnard voters as soon as possible. VOTE: Flynn and Perello voted in favor; MacDonald, Madrigal, and Ramirez voted against. The motion failed 2-3.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Mayor Flynn announced a correction to item K-2. Items K-1, K-2, K-3, and K-4 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Daniel Chavez Jr. and Al Velasquez.

K. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Second Amendment to Attorney Services Agreement with Colantuono Highsmith & Whatley.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Second Amendment to the Attorney Services Agreement ("Agreement") with Colantuono, Highsmith & Whatley, PC ("CHW") (Agreement No. 4957-09-CA) for legal services relating to municipal revenues, elections and litigation issues for an increase of $500,000 for a total contract amount not to exceed $949,000.

Finance Department

2. SUBJECT: Budget Appropriation for Bond Payment.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of $45,906 from CFD #3 Seabridge at Mandalay reserve fund balance for prepayment of bond calls.

Fire Department

3. SUBJECT: Authorization to Submit Two Grant Applications to the Federal Emergency Management Agency (FEMA) for $372,208 in Assistance to Firefighters Grant Program (AFG) Grant Funds for the Purpose of Swiftwater Rescue Training and Regional Hazardous Materials Training.
RECOMMENDATION: That City Council adopt **Resolution No. 15,093** authorizing:
1. The City Manager to submit a grant application to the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant program in the amount of $372,208 for the purpose of funding Swiftwater Rescue Training and Regional Hazardous Materials Training;

2. The City Manager or designee to execute the grant agreement if grant funds are awarded to the City;
3. The Chief Financial Officer or designee to submit financial reports, grant claims, and perform all other required financial actions; and
4. The Fire Chief or designee to submit non-financial reports.

4. SUBJECT: Authorization to Submit a Grant Applications to the Federal Emergency Management Agency (FEMA) for $124,000 Under the Hazard Mitigation Grant Program (HMGP). Grant Funds for the Purpose of Providing Seismic Anchoring of City Computer and Communications Systems and Equipment.
RECOMMENDATION: That City Council adopt **Resolution No. 15,094** authorizing:
1. The City Manager to submit a grant application in the amount of $124,000 to the Federal Emergency Management Agency (FEMA) under the Hazard Mitigation Grant Program (HMGP) for the purpose of obtaining the materials necessary to seismically anchor city computers and communication equipment in such a way that they resist damage during earthquakes;
2. The City Manager or designee to execute the grant agreement if grant funds are awarded to the City;
3. The Chief Financial Officer or designee to submit financial reports and grant claims and perform all other required financial actions;
4. The Fire Chief or designee to submit non-financial reports.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve the Information/Consent items as presented [with the stated correction to item K-2]. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

Mayor Flynn announced that item L-2 would be heard next, ahead of item L-1.

L. PUBLIC HEARINGS

Development Services Department

2. SUBJECT: Introduce for First Reading an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program with the Los Angeles Community Choice Energy Joint Powers Authority and Approving the Related Joint Powers Agreement.
RECOMMENDATION: That the Council consider the introduction of an Ordinance approving the Joint Powers Agreement for the Los Angeles Community Choice Energy program and Authorizing the Implementation of the Community Choice Aggregation Program.

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 Gary Gero of the Clean Power Alliance, who gave a presentation. Mr. Gero also introduced Clean Power Alliance Executive Director Ted Bardacke.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Lauraine Effress, Al Velasquez, Steve Nash, and Jackie Tedeschi.

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 Madrigal, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

City Attorney Department

1. SUBJECT: Public Hearing Regarding Districting Process and Introduction of an Ordinance Designating Six Council Districts and the Dates that Elections Would be Held in Each of the Six Districts.
   RECOMMENDATION: That City Council:
   1. Hold a public hearing regarding the districting process and proposed ordinance that would designate six City Council districts and the dates in which elections would be held in each of the six districts; and
   2. Approve the first reading (by title only and waive further reading) of an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD PROVIDING FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL BY SIX DISTRICTS, ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT AND ADDING SECTIONS 2-2 TO 2-3.5 TO THE OXNARD CITY CODE.

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

The Assistant City Attorney gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Pat Brown.

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 Madrigal, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against, stating that while he supports council districts, the public should be allowed to vote on the matter. The motion carried 4-1.

M. REPORTS

Development Services Department

1. SUBJECT: Harbor Maintenance Agreement and Payment of Utility Fees.
   RECOMMENDATION: That the City Council:
   1. Approve a Memorandum of Agreement (MOA) with the County of Ventura (County) as it relates to operations and maintenance responsibilities in Channel Islands Harbor;
   2. Authorize the payment of utility services and maintenance of park and median

landscape improvements until March 31st, or until the Board of Supervisors takes action on the subject agreement, whichever occurs first; and

3. Authorize payment of utility services provided by the Channel Islands Beach Community Services District within the Channel Islands Harbor for park and median landscaping and maintenance of bathrooms through the term of the subject agreement.

The Interim Assistant City Manager gave a report. Public comments were received from Al Velasquez, Robert Bravo, and Pat Brown. Discussion ensued among the Council and staff.

Councilmember Perello made a motion to approve an agreement for a maximum of three years; the motion died for lack of a 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.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:01 p.m.

Michelle Ascencion

MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 5/23/18

TIM FLYNN
Mayor