

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 17, 2017

A. ROLL CALL/POSTING OF AGENDA

At 4:35 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 Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; 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)(1), to confer with its attorneys. The title and case numbers of the litigation being discussed is Michael Bocanegra v. City of Oxnard; Workers’ Compensation Case Nos. ADJ10332335 and ADJ10332337.

The City Council will also recess to a closed session pursuant to Government Code section 54956.9(d)(2), based on existing facts and circumstances, there is significant exposure to litigation against the City in two potential cases regarding

1. The proposed development of the Fisherman’s Wharf site in Channel Islands Harbor, and
2. The notice of violation regarding City elections dated October 7, 2017 by Jason Dominguez.

The Successor Agency will recess to a closed session, pursuant to Government Code section 54956.8, to give instructions to its negotiators, Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director, concerning negotiations with Michelle and Greg Kenney regarding the potential sale of real property located at 740 South B Street.”

At 4:38 p.m., the City Council recessed to a closed session. At 6:28 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; Ashley Golden, Development Services Director; Ingrid Hardy, Cultural and Community Services Director; Scott Whitney, Police Chief; Jason Benitez, Assistant Police Chief; Roger Brooks, Code

Compliance Manager; Karl Lawson, Housing Compliance Services Manager; and Kathleen Mallory, Planning Division Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Resolution to Sylvia Paniagua for Thirty-Eight Years of Outstanding Service to the City of Oxnard.

The Police Chief made some remarks. Mayor Flynn read the proclamation and presented it to Ms. Paniagua, who made some remarks.

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.

2. SUBJECT: Presentation of Water Conservation Art Contest Winners.

Mayor Flynn presented awards to student contest winners Alexa Vega, Danica Jauregui, Diamaya Avila, Elissa Hernandez, Maribel Tejeda, Nancy Marmolejo, Natalie Nunez, Jacqueline Gonzalez, Gianne Santos, Kyza Melissa Avellano, Tracy Hoang, Jesus Noyola, Morgan Ranck, and Mariana Andrade.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Scott Brewer ("Great Shakeout" earthquake drill), Woodrow Thomas Sr. (police traffic stop procedures), Martin Jones (the city's A- bond rating), Nancy Cozza (Monarch Butterfly Festival), Jackie Tedeschi (INCO participation in the Multicultural Festival, Fox Canyon Groundwater Management Agency agenda), Denis O'Leary (council districts), Rene Aiu (local coastal plan for Fisherman's Wharf), Diane Delaney (California Coastal Commission meeting regarding Fisherman's Wharf), and Pat Brown (property management for condos on Seventh & Meta Streets).

G. REPORT OF CITY MANAGER

Assistant City Manager Osuna congratulated the City Manager and his wife on their 35th wedding anniversary, and announced that there will be no City Council meetings on October 24 or 31. She highlighted the upcoming "We Remember" Vietnam War exhibit, the "Day at the Park" for physically challenged and special needs children, "The Phantom of the Opera" at the Performing Arts Center, and the Police Department's "Spooktacular."

H. CITY COUNCIL REPORTS

Councilmember Madrigal commented on the upcoming Great Shakeout, reported on attending the grand opening of a free medical services clinic at Guadalupe Church and a recent Oxnard Union High School District board meeting, commented on recent homicides in the city, and reported on attending a recent Isla Urbana fundraising event.

Mayor Pro Tem Ramirez reported on attending the Guadalupe Church free medical services clinic grand opening, announced recent developments in the Puente power plant issue, related her recent

discussions with the Police Chief regarding taking care of seniors during natural disasters, commented on the recent homicides, and touted the "We Remember" Vietnam War exhibit.

Councilman MacDonald reported on attending the Tri-Counties Central Labor Council Labor Leader of the Year award dinner.

Councilmember Perello reported on attending the Ventura County military collaborative, commented on recent homicides and crime, and touted the "We Remember" exhibit. He stated that Neighborhood Councils have complained to him about trees covering streetlights. He commented on Guadalupe Church's free medical clinic, the recent Ventura County Airport Authority meeting, and expressed concern about building schools and homes in airport flight zones.

Mayor Flynn commented on the Puente power plant issue, the Ventura County Airport Authority meeting and the Teal Club Road proposal, the recent homicides, and public safety.

City Manager Department

1. SUBJECT: Request from LiUNA Local 585 for City Council Support Opposing Electric Rates.

RECOMMENDATION: That the City Council consider a request from LiUNA Local 585 for adoption of **Resolution No. 15,062** to support opposing the Southern California Edison Rate Increase for 2018, 2019 and 2020.

Assistant City Manager Nava gave a report. Public comments were received from Nancy Lindholm, Jose Garcia, Pat Brown, and George Miller. Reports were made by Neil Derry on behalf of LiUNA, and Rondi Guthrie on behalf of Southern California Edison. 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: Madrigal, Perello, and Ramirez voted in favor; Flynn and MacDonald were opposed. The motion carried 3-2.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Item K-4 was pulled for discussion. Discussion ensued among the Council and staff.

The Planning Division Manager announced that minor changes were made to Ordinance No. 2925 to provide further clarification to the zoning text amendments. Discussion ensued among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jackie Tedeschi.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the July 18, 2017 Special/Regular Meeting.

RECOMMENDATION: That the City Council approve the Minutes as presented.

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 following agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000:

A. Charter Communications (7928-17-IT) for City Internet access augmentation and redundancy project (\$50,000).

B. Landscape Development, Inc. (7849-17-FN) for monthly landscape maintenance services at Seabridge Community Facilities District No. 4 (\$97,200).

C. Professional Water Technologies (7418-16-PW) for technical support services for the Advanced Water Purification Facility reverse osmosis system (\$40,000).

D. Aqua-Metric Sales Company (Purchase Order No. 6490) for the purchase of water meters (\$140,000).

E. Sam Hill & Sons, Inc. (A-7721) for sewer manhole replacement at 1230 Saviers Road (\$32,474).

Development Services Department

3. SUBJECT: Lease for Dolce Vita at Oxnard Transit Center.

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a lease in the estimated amount of \$54,830 with Mr. Yong Tae Kwon doing business as Dolce Vita for 5 years beginning October 1, 2017, and ending September 30, 2022, for Suite 107 at the Oxnard Transit Center (OTC) at 201 East Fourth Street (Agreement No. A-7984). The lease has one option for a five-year renewal.

4. SUBJECT: Adoption of **Ordinance Nos. 2923, 2924, 2925, 2926, 2927, and 2928**, Amending Various Section of the Zoning Code Related to the Housing Element.

RECOMMENDATION: That the City Council adopts the following six Zoning Text Amendments:

1. ORDINANCE NO. 2923 - PLANNING & ZONING PERMIT NO. 17-580-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING OXNARD CITY CODE SECTIONS 16-362 (A) AND 16-362 (B) TO REDUCE MINIMUM UNIT SIZE AND MODIFY BUILDING SEPARATION

2. ORDINANCE NO. 2924 - PLANNING & ZONING PERMIT NO. PZ 17-580-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING OXNARD CITY CODE SECTION 16-41 TO REMOVE THE REQUIREMENT OF NOT MORE THAN SIX UNITS PER BUILDING

3. ORDINANCE NO. 2925 - PLANNING & ZONING PERMIT NO. 17-580-06 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING DIVISION 13 OF ARTICLE V OF CHAPTER 16 OF THE OXNARD CODE RELATING TO ACCESSORY DWELLING UNITS

4. ORDINANCE NO. 2926 - PLANNING & ZONING PERMIT NO. 17-580-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING DIVISION 13 OF ARTICLE V OF CHAPTER 16 OF THE CITY CODE RELATING TO REASONABLE ACCOMMODATION

5. ORDINANCE NO. 2927 - PLANNING & ZONING PERMIT NO. 17-580-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING DIVISION 13 OF ARTICLE V OF CHAPTER 16 OF THE OXNARD CITY CODE RELATING TO LOT MERGER FEES

6. ORDINANCE NO. 2928 - PLANNING & ZONING PERMIT NO. PZ 17-580-09 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING SEVERAL SECTIONS OF CHAPTER 16 OF THE OXNARD CITY CODE RELATING TO FARMWORKER HOUSING AND PARKING.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the Information/Consent items as presented, with the stated minor revisions to K-4. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against item K-4, stating that it was not completed or corrected to his satisfaction. The motion carried 4-1 on item K-4, and 5-0 on the remaining items.

L. REPORTS

City Manager Department

1. SUBJECT: Verbal Report on the Status of HALACO Site and Staff's Efforts to Mitigate Problems on the Site.
RECOMMENDATION: That City Council receive the report and provide comments on the current issues occurring at the HALACO site.

Assistant City Manager Osuna, the Development Services Director, and Assistant Police Chief gave a report. Discussion ensued among the Council and staff. Public comments were received from Peggy Rivera and Woodrow Thomas Sr. Further discussion ensued. No action was taken.

Mayor Flynn announced that the Public Works item would be considered next.

Public Works Department

4. SUBJECT: Approval of a Budget Appropriation in the Amount of \$105,000 for Repairs to the Central Trunk Sewer System.
RECOMMENDATION: That City Council:
 1. Approve and authorize the City Manager to pay Task Order No. 55A in the amount of \$154,037.20, Task Order No. 63A in the amount of \$22,207.36 and Task Order No. 63B in the amount of \$103,742.14 to Contract No. A-7721 with Sam Hill & Sons, Inc. for Project Specification No. 14-12, Non-Scheduled Repairs of Wastewater and Storm Drain Systems.
 2. Approve a budget appropriation in the amount of \$105,000 to pay for completed work.

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.

The Council took a brief break from 9:36 to 9:38 p.m.

Housing Department

2. SUBJECT: Verbal Report on the Status of the Winter Warming Shelter for the Homeless.
RECOMMENDATION: That City Council receive the report and provide direction to staff on the Winter Warming Shelter for the Homeless.

The Housing Director gave a report. Discussion ensued among the Council and staff. Public comments were received from Peggy Rivera, Woodrow Thomas Sr., George Miller, and Abel Magana. Further discussion ensued. No action was taken.

Finance Department

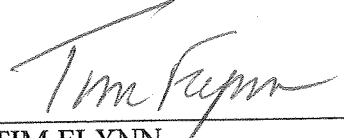
3. SUBJECT: Receive the August 2017 Major Funds Monthly Report.

(This item was postponed due to time.)

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:19 p.m.


MICHELLE ASCENCION, CMC
City Clerk


TIM FLYNN
Mayor