

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 7, 2020

A. ROLL CALL, POSTING OF AGENDA

At 4:32 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Community Development Successor Agency) in the City Hall Council Chambers at 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, Oscar Madrigal, Bert E. Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present. Councilmember Oscar Madrigal arrived at 6:40 p.m; Councilmember Vianey Lopez was absent.

Staff members present were Alexander Nguyen, City Manager; Kenneth Rozell, Chief Assistant City Attorney; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Shirley Godwin and Jack Villa.

C. CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - (Government Code Section 54956.8) (City Council)
Property: Portion of vacant City property located behind the Del Norte Regional Recycling and Transfer Station located at 111 S. Del Norte Blvd.
Agency negotiators: Jeffrey Lambert and Rosemarie Gaglione.
Negotiating parties: Agromin (Bill Camarillo, CEO)
Under negotiation: Price and terms of payment.
2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
Name of case: Moving Oxnard Forward, Inc. v. Michelle Ascencion, in her official Capacity as City Clerk, et al
United States District Court Case No. 2:19cv10368 CBM(AFMx)
3. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
Name of case: Moving Oxnard Forward, Inc. v. City of Oxnard, et al.
Ventura County Superior Court Case No. 56-2019-00536762
4. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
Name of case: Jones v. City of Oxnard, et al.
Ventura County Superior Court Case No. 56-2018-00516406

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4)) (City Council)
Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.
6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - (Government Code section 54956.8) (City Council)
Property: 1258 Saviers Road, Oxnard
Agency Negotiators: Emilio Ramirez, Housing Director.
Negotiating Party: Fairgrow LLC
Under negotiation: Price and terms of payment.
7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - (Government Code section 54956.8) (City Council)
Property: 241 West Second Street, Oxnard
Agency Negotiators: Emilio Ramirez, Housing Director.
Negotiating Party: Mercy House
Under negotiation: Price and terms of payment.

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 titles of the litigation being discussed are: 1. Moving Oxnard Forward, Inc. v. Michelle Ascencion, et al.; 2. Moving Oxnard Forward, Inc. v. City of Oxnard, et al.; and 3. Jones 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.

“The City Council will also recess to a closed session, pursuant to Government Code section 549956.8, to give instructions to its real property negotiators regarding Items C-1, C-6, and C-7 of the meeting agenda.”

At 4:40 p.m., the City Council recessed to a closed session. At 6:04 p.m. the City Council reconvened in open session in the Council Chambers. The Chief Assistant City Attorney announced there were no reportable actions out of closed session, but the Council will reconvene in closed session at the end of the meeting to consider item C-1.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Scott Whitney, Chief of Police; Emilio Ramirez, Housing Director; Eden Alomeri, Assistant City Treasurer; Phillip Molina, City Treasurer; and Sharon Giles, Police Commander.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating January 20, 2020 as “Dr. Martin Luther King, Jr. Day.”

Mayor Flynn presented the proclamation to LaRita Montgomery, chair of the Martin Luther King Jr. Committee of Ventura County, who made some remarks.

2. SUBJECT: Presentation of a Commendation to Marvin Boos for his commitment to beautifying our City.

Mayor Flynn presented the commendation to Mr. Boos, who made some remarks.

The Chief of Police also presented a special commendation to the following Oxnard Police personnel for their extraordinary handling of a recent mental health crisis call: Officer Robert Blixt, Officer Mason Galindo, Officer Abel Alaniz, Officer Hayley Bracken, Senior Officer Daniel Casson, Sergeant Steve Trickle, Sergeant Chris Inglehart, and K-9 Capone.

The City Manager announced that item K-6 would be pulled from the agenda and that there is an amendment to item K-2.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Ray Blattel (labor MOUs), Jack Villa (potential homeless shelter site), Julie Pena (landscaping improvements in Oxnard Shores area), Kendall Lousen (upcoming October air show at Naval Base Ventura County), Corey Branchflower (services for homeless and foster families), Gabriel Teran (acknowledged Mr. Boos’ service to the community, volunteer programs), Pat Brown (council committee meetings), and JoAnn Olivares (transparency).

G. REPORT OF CITY MANAGER

The City Manager commented on the importance of Police training, sheltering the homeless and transitioning them to permanent housing, announced opportunities for the annual homeless point-in-time count and the upcoming 2020 Census, and the Christmas tree refuse pickup schedule.

H. CITY COUNCIL REPORTS

Councilmember Madrigal reported on a new children’s museum in Camarillo, volunteering at a holiday food giveaway at Casa Lopez, and acknowledged recent street work in the La Colonia area.

Councilwoman Basua expressed good wishes and hope for the new year and birthday wishes to family members.

Mayor Pro Tem Ramirez wished former Port Hueneme Councilman Jon Sharkey a speedy recovery, commented on the wildfires in Australia and climate change, acknowledged Mr. Boos’ service, and commented on Martin Luther King Jr. Day, the crisis in the Middle East, and her sister’s birthday.

Councilman MacDonald acknowledged staff's hard work over the last year, the military servicemembers in the Middle East, and announced upcoming meetings of the Gold Coast Transit District and Ventura County Transportation Commission, and he is now serving on a Southern California Edison citizen advisory group for elected officials.

Councilmember Perello commented on making public comments, the Council's committee system, reported on the Rose Park neighborhood Christmas event, acknowledged Mr. Boos' service, commented on recent accidents and safe driving, disclosed a recent fine from the Fair Political Practices Commission, and reported on cleanup that may be needed at the Simi Valley landfill.

Mayor Flynn introduced the Housing Director, who gave an update on the city's recent actions regarding the homeless crisis.

I. REVIEW OF INFORMATION/CONSENT AGENDA

The City Manager reiterated that item K-2 has a correction and that item K-6 is pulled. Mayor Flynn commented on item K-3.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Phillip Molina, Jackie Tedeschi, and Pat Brown.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the December 17, 2019 regular meeting as presented.

Community Development Department

2. SUBJECT: Recognized Obligation Payment Schedule 2020-2021.
RECOMMENDATION: That the Community Development Commission Successor Agency adopt **Resolution No. 36** approving the Annual Recognized Obligation Payment Schedule 20-21 covering the period of July 1, 2020 - June 30, 2021.
3. SUBJECT: Notice of Pending Approval of Planning & Zoning Permit No. 18-300-05 (Final Map for Tract 6009) to subdivide a 1.49-acre site Located at 130-138 North H Street and 838 Palm Drive. Filed by Henry Casillas with Heritage Homes, LLC.
RECOMMENDATION: That City Council receive and file this Notice of Pending Approval for Planning and Zoning Permit No. 18-300-05 (Final Map for Tract 6009).

Public Works Department

4. SUBJECT: Notice of Completion for Auto Center Commercial Neighborhood Street Resurfacing Project PW 17-07.
RECOMMENDATION: That the City Council receive an update following a Notice of

Completion for the Auto Center Commercial Neighborhood Street Resurfacing Project PW 17-07 (Project No. 183102) recorded on October 25, 2019.

5. SUBJECT: Award Contract A-8187 for On-Call Sidewalk Grinding to BPR, Inc.
RECOMMENDATION: That the City Council award and authorize the Mayor to execute Agreement A-8187 in an amount not to exceed \$800,000 with BPR, Inc., for a three-year, on-call sidewalk, and curb and gutter grinding services contract. The \$500,000 portion of this project will be used in the Streets Division and \$300,000 allocated to the Special Districts Division. (Public Works and Transportation Committee approved 3-0)
6. SUBJECT: Agreement A-8191 for Tree Maintenance Services PW 20-22.
(This item was removed from the agenda.)
7. SUBJECT: Award Three (3) Year Agreement A-8196 for Citywide On-Call Fencing Installation and Repair Services.
RECOMMENDATION: That the City Council award and authorize the Mayor to execute Agreement A-8196 with Quality Fence Co., Inc. in the amount of \$300,000 for a three year on-call Fencing Installation and Repair Services contract, SD 19-50R. (Public Works and Transportation Committee approved 3-0)
8. SUBJECT: Award Blanket Purchase Order to Maneri Signs, Inc. for directional, wayfinding and traffic control signs.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a blanket purchase order in an amount not to exceed \$260,000 with Maneri Sign Co. for directional, wayfinding and traffic control signs. (Public Works and Transportation Committee approved 3-0)
9. SUBJECT: Award First Amendment for Agreement No. A-7937 with ProUsys, Inc.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute a First Amendment to Agreement A-7937 with ProUsys, Inc. (ProUsys) for Supervisory Control and Data Acquisition (SCADA) Systems support services for the water, wastewater, and recycled water systems. This first amendment will increase the cost of services in the amount of \$180,000 bringing the total contract amount to \$780,000 and will extend the contract through June 30, 2020. (Public Works and Transportation Committee approved 3-0)
10. SUBJECT: Approval of Agreement No. 8819-19-PW with Anderson Refrigeration, Inc.
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement No. 8819-19-PW with Anderson Refrigeration, Inc., for a four (4) year term for an amount not to exceed \$200,000, to extract and remove refrigerant from appliances collected at the Del Norte facility. (Public Works and Transportation Committee approved 3-0)
11. SUBJECT: Award Solicitation PW 20-12 for Supply of Chemicals Required for Water, Recycled Water and Wastewater Treatment.
RECOMMENDATION: That the City Council would approve and authorize the Mayor to execute the following:
 1. Purchase Orders to the following vendors for supply and delivery of chemicals to the

City of Oxnard Wastewater Treatment Plant (OWTP), Headworks Facility, Advanced Water Purification Facility (AWPF), Water Campus and Water Blending Station No. 3, for a three (3) year period, at the following estimated costs:

- a) Argo Chemicals, Inc. (\$148,293.60)
 - b) King Lee Technologies (\$352,796.28)
 - c) Miles Chemical Company (\$115,649.46)
 - d) Northstar Chemical (\$208,159.58)
 - e) PVS Technologies (\$349,927.50); and
2. Award Change Orders to the following vendors with three (3) year adjusted estimated totals:
- a) JCI Jones Chemicals, Inc. PO #7476 (increasing by \$103,275.90 from \$398,686.02 to \$501,961.92)
 - b) Univar USA, Inc. PO # 7478 (increasing by \$56,239.30 from \$431,734.88 to \$487,974.18); and
3. Authorize the Purchasing Manager to approve annual unit cost adjustments that remain within the Not To Exceed Limit of all Purchase Orders combined.
(Public Works and Transportation Committee approved 3-0)

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello, to approve the Information/Consent items as presented, with the stated amendment to item K-2 and item K-6 removed. VOTE: Basua, Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0.

L. REPORTS

City Treasurer Department

1. SUBJECT: SB 998 Water Services Policy.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,295** approving a written policy on discontinuation of water service in compliance with SB 998. (Finance and Governance Committee approved 3-0)

The Assistant City Treasurer gave a report. 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, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 6-0.

Police Department

2. SUBJECT: Reducing Opioid Related Deaths.
RECOMMENDATION: That the City Council receive a report on the Police Department's efforts to help reduce the number of opioid-related deaths in the City of Oxnard.

The Police Commander gave a report. Public comments were received from Gabriel Teran and Pat Brown. Discussion ensued among the Council and staff. No action was required.

C. CONTINUATION OF CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - (Government Code Section 54956.8) (City Council)

Property: Portion of vacant City property located behind the Del Norte Regional Recycling and Transfer Station located at 111 S. Del Norte Blvd.

Agency negotiators: Jeffrey Lambert and Rosemarie Gaglione.

Negotiating parties: Agromin (Bill Camarillo, CEO)

Under negotiation: Price and terms of payment.

At 8:36 p.m., the City Council recessed to closed session. At 9:11 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.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:11 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor