MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 17, 2015

A. ROLL CALL/POSTING OF AGENDA

At 4:34 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Greg Nyhoff, City Manager; Maria Hurtado, Assistant City Manager; Scott Whitney, Assistant City Manager and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 4:36 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6, to discuss the status of labor negotiations and to review its available funds and funding priorities for the sole purpose of providing instructions to the City's negotiators, J. Tabin Cosio, Director of Human Resources; Dania Torres Wong, and Jon Holtzman, City's labor attorneys. Employee organizations: International Association of Firefighters, AFL-CIO (**IAFF**), Local No. 1684; Oxnard Peace Officers' Association (**OPOA**); Service Employees International Union CTW, CLC, Local 721 (**SEIU Local 721**); International Union of Operating Engineers AFL-CIO, Local No. 501 (**IUOE Local 501**); Oxnard Public Safety Management Employees' Association (**Police Unit**); Oxnard Public Safety Management Employees' Association (**Fire Unit**); and Oxnard Mid-Managers' Association (**OMMA**); **Unrepresented employees**: Assistant City Manager, Chief Financial Officer, City Clerk, City Treasurer, Deputy City Manager, Development Services Director, Fire Chief, Housing Director, Human Resources Director, Economic Development Director, I.T. Director, Library Director, Police Chief, Utilities Director (**Department Directors**); Assistant City Attorney, Assistant Director of Human Resources, Community Relations and Public Affairs Manager, Deputy City Attorney, Law Office Manager, Human Resources Manager, Workers' Compensation Manager, Management Analyst III (C) (**Confidential Mid-Managers**); Accountant II (C80), Accounting Technician (C67), Administrative Assistant (C70), Administrative Legal Assistant (C70), Administrative Legal Secretary I (C25), Administrative Legal Secretary II (C35), Administrative Legal Secretary III (C50), Administrative Secretary I (C15), Administrative Secretary II (C30), Administrative Secretary III (C40), Administrative Services Assistant (C70), Administrative Technician (C60), Employee Relations Coordinator (C67), Executive Assistant I (C80), Executive Assistant II (C85), Human Resources Technician (C70), Office Assistant I (C10), Office Assistant II (C20), Paralegal (C75), Safety Specialist (C72), Senior Administrative Legal Secretary (C65), Senior Administrative Secretary (C55), Senior Benefits Coordinator (C75), Senior Human Resources Coordinator (C75), Workers' Compensation Specialist (C69) (**Confidential Employees**); unrepresented Limited Benefit Employees.

At 6:07 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:07 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Oxnard Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Flynn presided. Additional staff members present were: Joseph Lillio, Chief Financial Officer; Tobin Cosio, Human Resources Director; Arturo Castillo, Housing Director; Ashley Golden, Development Services Director; Cynthia Daniels, Project Manager; Kymberly Horner, Economic Development Director; Daniel Rydberg, Interim Utilities Director; Keith Brooks, Interim IT Manager and Todd Housley, Environmental Resources Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Resolution to Manuel Jimenez for over thirty-eight years of service to the City of Oxnard. (001)
   RECOMMENDATION: Approve.
   INFORMATION/CONSENT AGENDA ACTION: Approved as recommended, **Resolution No. 14,870.** (Ramirez/Perello) unanimously.
   DISCUSSION: Mayor Flynn presented a resolution to Mr. Jimenez who recognized his family.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Brett Munoz; Mike Johnson (OPOA); Greg Runyon; Wilfredo Chua, (height of proposed buildings); Woodrow Thomas; Julie Pena (Neighbor Council meetings issues); Richard Francis (SOAR); Larry Stein; Nancy Kobashigawa (removal of trees); Phillip Molina (removal of trees) and Martin Jones, (in-lieu fee housing fees).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim City Attorney I-1(a); Interim Public Works Director I-1(d) & I-1(e); Project Manager (I-3) and Interim IT Manager (I-2).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (003)
   RECOMMENDATION: Approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000, which are described on the attached list.

2. SUBJECT: Second Amendment to Novacoast, Inc., Agreement. (007)
   RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment with Novacoast, Inc. (5582-11-CM) to increase the amount by $300,000 for a total of $525,000, for technical consulting services in the areas of network infrastructure, website design, and operating systems support.

Development Services Department

3. SUBJECT: Project Specification No. GS12-09 for Sewer Replacement at 273 E. Fifth Street. (023)*
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS12-09 to replace a damaged sewer line at 273 E. Fifth Street.

Fire Department

4. SUBJECT: Authorization to Submit a Grant Application to the Federal Emergency Management Agency (FEMA) for $450,000 in Assistance to Firefighters Grants Program (AFG) Grant Funds for the purpose of purchasing a Light & Air vehicle. (025)
RECOMMENDATION: Adopt **Resolution No. 14,871** 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 $450,000 for the purpose of purchasing a Light & Air vehicle; 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, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and 4) The Fire Chief or designee to submit non-financial reports.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Ramirez/Padilla) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. Noes: Perello only I-3*.

J. PUBLIC HEARINGS

HOUSING AUTHORITY

At 7:21 p.m. the joint meetings with the Oxnard Housing Authority concluded.

K. APPOINTMENT ITEMS

Development Services Department

1. SUBJECT: Presentation on Naval Base Ventura County Joint Land Use Study. (033)
RECOMMENDATION: 1) Receive and file a presentation on the Naval Base Ventura County Joint Land Use Study; and 2) Adopt **Resolution No. 14,872** in support of the City of Oxnard's continued Collaboration with Regional Partners to Evaluate the Joint Land Use Study Recommended Strategies and Identified Compatibility Issue to Decide Feasible Steps for Implementation.
DISCUSSION: The Development Services Director; Steve DeGeorge, Ventura County Transportation Commission and Rick Rust, Matrix, commented on the "joint land use" study to review future development plans to ensure that the local community is "compatible and balanced" with the military bases.

   The City Council commented on: supporting the compatibility of the local and military community and use of Rice Avenue.

   ACTION: Approved as recommended. (MacDonald/Perello) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

Q. STUDY SESSION

Finance Department

2. SUBJECT: Review of the City's Budget for the 1st Quarter – Fiscal Year 2015-16. (117)
RECOMMENDATION: Receive the first quarter Budget Status Report as of September 30, 2015.
DISCUSSION: The Chief Financial Officer reviewed the projected budget including property taxes, reserve account, Measure "O" revenues, utilities funds, S&P rating impacts and future financial outlook.

The Development Services Director reviewed "business" license fees and costs.

The Economic Development Director commented on revenue received due to former Redevelopment loans and collection of any outstanding revenue(s).

Phillip Curls, First Southwest, commented on impacts of lower S&P rating.

Public comments were received from: Larry Stein; Aaron Starr; Jim Lavery and Steve Nash.

The City Council discuss: S&P rating; anticipated revenues; possible future reductions; business licenses and "long term" financial options.

ACTION: The City Council provided comments and directions to staff.

RECESS

At 9:26 p.m., the City Council recessed and at 9:38 p.m., the City Council reconvened.

L. REPORTS

Human Resources Department

2. SUBJECT: Approval of Resolutions Authorizing Full-Time Equivalent Positions and Approving Changes to Section XII of the Personnel Rules and Regulations Setting the Classification and Salary Schedule. (055)
RECOMMENDATION: Adopt two resolutions 1) **Resolution No. 14,873** Repealing Resolutions No. 14,836, 14,851 and 14,860 authorizing full-time equivalent positions and setting the authorized full-time equivalent positions; and 2) **Resolution No. 14,874,** Repealing Resolutions No. 14,837, 14,852, 14,861 setting the classification and salary schedule; and approving changes to Section XII of the Personnel Rules and Regulations setting the classification and salary schedule.
DISCUSSION: The Human Resources Director reviewed reasons for proposed changes and funding of the positions including use of consultants and filling approved positions.

Public comment received from Larry Stein.

The City Council discussed the services and costs of consultants.

ACTION: Approved as recommended. (MacDonald/Perello). Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

3. SUBJECT: Third Amendment to Attorney Services Agreement for Special Counsel to Represent the City of Oxnard in a Variety of Human Resources Related Matters. (077)
   RECOMMENDATION: 1) Approve and authorize the Mayor to execute a Third Amendment to Attorney Services Agreement with Renne Sloan Holtzman Sakai LLP (6862-14-CA) to increase the contract amount by $549,000 for a total not to exceed amount of $1,089,000; and 2) Authorize an appropriation in the amount of $235,000 cost allocated as follows: $177,444 (or 62%) from the one time Successor Agency Residual pass-through Loan Payment, which currently resides in the General Fund Reserve fund, $13,429 (or 5%) to Water fund, $17,859 (or 7%) to the Wastewater fund and $26,268 to the Environmental Resources fund (or 26%).
   DISCUSSION: The Human Resources Director commented projected legal costs and staffing of Human Resources Department.

   Public comment received from Larry Stein.

   The Council discussed: legal services being received; legal costs and possible reduction of General Fund reserve funds.

   ACTION: Approved as recommended. (Ramirez/Padilla). Ayes: Perello, Flynn, Ramirez, Padilla. Noes: MacDonald.

ACTION: Approved extending meeting after 10:00 p.m. (Flynn/Ramirez) unanimously.

Public Works Department

1. SUBJECT: Proposition 218 Protest Form and Establishing a Regular Meeting for January 19, 2016. (053)
   RECOMMENDATION: 1) Provide direction to staff on including a Protest Form in the Notice of Public Hearing regarding proposed increase in Water, Wastewater, and Solid Waste Service Rates; and 2) establish Tuesday, January 19, 2016 as regular City Council meeting.
   DISCUSSION: The Assistant City Manager (Whitney) outlined the Position 218 process, proposed schedule, cost of service survey and possible mailing of protest form.

   Public comments were received from: Aaron Starr; George Miller; Larry Stein; Harold Ceja and Pat Brown.

   The City Council discussed: mailing out of ballots to the community; providing information to the community and need to invest in municipal infrastructure.

   ACTION: Provided comments to staff to provide ballots and moved to approve a regular meeting of January 19, 2016 (Flynn/Ramirez) unanimously.

Public Works Department

4. SUBJECT: Appropriate Funds from Streets Improvement Fund Balance in the amount of $1,250,000 to the La Colonia Resurfacing, Phase I, Project 143116. (083)
RECOMMENDATION: Approve a budget appropriation in the amount of $1,250,000 from the Street Improvement Fund Balance to the La Colonia Resurfacing, Phase I, Project 143116.
ACTION: Continue to future date.

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: density impact (Flynn); removal of trees (Perello); survey of municipal infrastructure (sewer lines) (Flynn) and Water Assistance Program (Ramirez).

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

City Attorney Department

1. SUBJECT: Review and Discuss Whistleblower Policy Guidelines. (085)
RECOMMENDATION: Discuss a Whistleblower Policy and provide staff direction to return to Council with a recommended Whistleblower Policy for adoption.
ACTION: Continue to future date.

R. ADJOURNMENT

At 11:28 p.m. the City Council concurred to adjourn the meeting.

Daniel Martinez

DANIEL MARTINEZ
City Clerk

Tim Flynn

TIM FLYNN
Mayor