MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 1, 2016

A. ROLL CALL/POSTING OF AGENDA

At 5:02 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 Deputy City Clerk stated that the agenda was posted on Thursday at the Oxnard City Hall and the Library. Staff members present were: Greg Nyhoff, City Manager; Maria Hurtado, Assistant City Manager; Stephen Fischer, City Attorney and Lyn McGraw, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:05 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(d)(1) to confer with its attorneys. The title and case number of the litigation being discussed Ruel A. Gadbury; et al. v. Granite Construction Company; et al.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(2). The purpose of the closed session was for the City Council to consider whether to allow the late claim application of Lisa C. Kalani Gadbury.

At 5:51 p.m. the City Council reconvened and recessed to the evening session. At 6:06 p.m. the City Council reconvened and City Attorney reported that the City Clerk granted allowing the late claim application of Kalani Gadbury.

D. OPENING CEREMONIES

At 6:06 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. 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: Daniel Martinez, City Clerk; Scott Whitney, Police Chief; Darwin Base, Fire Chief; Arturo Castillo, Housing Director; Ingrid Hardy, Cultural and Community Services Director; Ashley Golden, Development Services Director and Kathleen Mallory, Principal Planner.

E. CEREMONIAL CALENDAR

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove (K-1) form the agenda, unanimously.

SUBJECT: Emergency Resolution.
RECOMMENDATION: Placement of Emergency Resolution on Agenda.
DISCUSSION: The City Attorney reviewed the reasons that the City Council must make a motion to place the emergency resolution requiring a 2/3 vote and reporting requirements.
ACTION: Moved to place the emergency Resolution on City Council's agenda (Ramirez/Padilla)
Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

DISCUSSION: The City Manager reported on the "need" for an "emergency" resolution to repair RiverRidge Golf Course building due to emergency repairs caused by a fire.
ACTION: Received report regarding Emergency **Resolution No. 14,971** (Perello/Ramirez) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments received from: Michael Gleason (City maintenance fees); Jackie Tedeschi (monthly Inter-Neighborhood meetings); Peter De Domenico (City Clerk candidate); Phillip Molina (City Treasurer candidate); Daniel Chavez (City Council candidate); Woodrow Thomas (past legal claims); Tiffany Lopez (City Clerk candidate); Martin Jones (Starr's candidate position); Aurora de la Selva (the moving of political signs); Laura Gallardo (Harbor Commissioner candidate); Steve Nash (influence of Police and Fire unions); Al Jones (City Treasurer candidate); Michelle Ascencion (City Clerk candidate); Alicia Percell ("Moving Oxnard Forward" issues); Jonathan Royas (City Treasurer candidate); Dan Pinedo ("You Tube" channel to view candidates) and Al Velasquez (City Council candidate).

G. REPORT OF CITY MANAGER

The City Manager commented on: fire at River Ridge Golf Course building; Planning Commission on "short-term" rental issues; Ventura County Firefighter Memorial Service (adding name of Scott Carrol) and newly appointed Fire Chief, Darwin Base. The Housing director announced the recognition by HUD for high performance rating of Section 8 Rental Assistance Program and Public Housing Program.

H. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council commented on: election process (November. 8, 2016); Performing Arts Center benefit to local schools and non-profits and impact of "water ejection" wells on local water quality.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Principal Planner and Fire Chief (K-4); City Manager and Public Works Director (K-5).

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Orlando Dozier (K- 4); Alicia Percell (K-5); Aaron Starr (K-5) and Pat Brown (K-2).

K. INFORMATION CONSENT AGENDA

City Attorney Department

1. SUBJECT: Consent to Sublease of the Boys and Girls Club
   RECOMMENDATION: Removed from agenda.

City Clerk Department

2. SUBJECT: Minutes of October 11, 2016
   RECOMMENDATION: Approve City Council Minutes of October 11, 2016.

City Manager Department

3. SUBJECT: Agreements for City Council Review
RECOMMENDATION: 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, which are described on the attached list. A) Aleshire & Wynder, LLP., to provide advice and representation concerning Rice Avenue/Highway 101 Interchange ($200,000).

Development Services Department

4. SUBJECT: Planning and Zoning Permit No. 16-580-01 (Zone Text Amendment) - Final and Parcel Subdivision Map Approval, and Acceptance and Consent to Deeds or Grants.
RECOMMENDATION: 1) Introduce **Ordinance No. 1210** amending Sections 15-52 through 15-56, 15-60, 15-62 and 15-67 of Division 3, Article III, of Chapter 15 of the City of Oxnard Municipal Code relating to Final and Parcel Subdivision Map approval by the Development Services Director; and 2) Repeal Resolution No. 1939 and approve a **Resolution No. 14,968** authorizing the Development Services Director and Public Works Director to accept and consent to deeds or grants to the City of Oxnard conveying interests in or easements upon real estate.

Public Works Department

5. SUBJECT: Third Amendment to Agreement with Carollo Engineers, Inc. to Provide Local Limits Evaluation for Wastewater Pretreatment Reporting Requirements Under the National Pollutant Discharge Elimination System (A-7714).
RECOMMENDATION: Approve and authorize the Mayor to execute a Third Amendment to the Agreement with Carollo Engineers, Inc. to provide Local Limits Evaluation for Wastewater Pretreatment Reporting Requirements under the National Pollutant Discharge Elimination System (NPDES) (A-7714), in the amount of $53,510 to bring the total amount to $689,403.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with removal of K-1 (MacDonald/Padilla) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: PZ 13-300-02 (Final Map for Tract 5877) - Rancho Victoria Plaza
RECOMMENDATION: Adopt **Resolution No. 14,969** approving Planning and Zoning Permit No. 13-300-02 (Final Map for Tract No. 5877), which will authorize subdivision of the 6-acre (vacant) project site into 11 separate parcels which is located at 3600-3700 West Fifth Street (APN Nos 185-0-170-085, 095) (A-7787).
ACTION: Approved as recommended. (Ramirez/MacDonald) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

ACTION: Mayor Flynn declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

2. SUBJECT: Planning and Zoning Permit No. 15-660-01 (Alley Vacation) - Gateway Station Apartments
RECOMMENDATION: Adopt **Resolution No. 14,970** vacating a portion of an existing alley that extends for approximately 820 feet and is located between an approved 12- acre apartment complex site (Gateway Station); properties addressed between 1156 and 1250 South Oxnard Boulevard; railroad right-of-way to the north; and the Oxnard Mobile Home Lodge to the south.
DISCUSSION: The Development Services Director reviewed the proposed "alley vacation" location, improved parking and "railroad crossing access" of City vehicles.

Public comments received from: Pat Brown; Shaw Burr; Peggy Rivera; Lucy Cartagena and Barbara Mari-Ortiz.

ACTION: Close the public hearing (Ramirez/Flynn) unanimously.

DISCUSSION: The City Council discussed parking, transport safety of railroad tracks use, loss of vacation property value, AHOP program, traffic issues and address of housing needs.

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

M. APPOINTMENT ITEMS

N. REPORTS

Cultural and Community Service Department

1. SUBJECT: Agreement of the Somis Union Elementary School District and the City of Oxnard to Operate a State of California After School Education and Safety Program.
RECOMMENDATION: That City Council choose one of the following recommendations: 1) Approve and authorize the City Manager to execute an agreement (A-7925) with the Somis Union Elementary School District for the City of Oxnard to receive the total amount of $26,214, to provide services under the California After School Education and Safety (ASES) at (1) school through December 31, 2016, or; 2) Approve and authorize the City Manager to execute an agreement (A-7925) with the Somis Union Elementary School District for the City of Oxnard to receive the total amount of $52,428, to provide services under the California After School Education and Safety (ASES) at (1) school through June 9, 2017. Authorize the City Manager or designee to appropriate funds in the amount equal to the executed agreement
DISCUSSION: The Cultural and Community Services Director reviewed the program history; requested continuing program and possible school district options.

Public comments received from: Colleen Robertson, Somis Union Elementary School District; Daniel Chavez; Lucy Cartagena; George Miller; Steve Nash; Dan Pinedo and Pat Brown.

The City Council commented on: the City Corps program, training program for City Corps individuals, transportation costs, future options and funding considerations.

ACTION: Approved the selection of Option 2 (two). (Flynn/MacDonald) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

Housing Department

2. SUBJECT: Funding Request for Homeless Winter Shelter
RECOMMENDATION: Approve and authorize the use of $30,000 of Salary Savings from the Housing Department to fund a Winter Warming Shelter for the Homeless at the Ventura National Guard Armory for the 2016-2017 winter.
ACTION: Continue to future meeting.

Public Works Department

3. SUBJECT: Chemical Purchases for Water and Wastewater Treatment Facilities.
RECOMMENDATION: 1. Approve and authorize the Mayor to execute four agreements for the as-needed supply and delivery of chemicals to Water and Wastewater Treatment Facilities in the period of November 15, 2016, through November 14, 2019: 1) Agreement A-7924 with Argo Chemical, Inc. for supply and delivery of aqueous ammonia to the Water Facilities in the amount of $61,722; 2) Agreement A-7927 with JCI Jones Chemical, Inc. for supply and delivery of sodium hydroxide and sodium hypochlorite to the Water Campus and Blending Station No. 3 in the amounts of $214,744 and $132,692, respectively, sodium hydroxide and sodium hypochlorite to the Wastewater Treatment Plant (WWTP) in the amounts of $119,801 and $597,010, respectively, and sodium hydroxide and sodium hypochlorite to the Advanced Water Purification Facility (AWPF) in the amounts of $23,960 and $36,340, respectively, for a total purchase amount of $1,124,547; 3) Agreement A-7928 with Kemira Water Solutions, Inc. for supply and delivery of ferric chloride to the WWTP in the amount of $1,358,546; and 4) Agreement A-7929 with Univar USA, Inc. for supply and delivery of sodium bisulfite to the WTTP in the amount of $138,969 and of citric acid, hydrogen peroxide, sodium bisulfite and sulfuric acid to the AWPF in the amounts of $119,402, $206,777, $13,897 and $357,008, respectively, for a total purchase amount of $836,053; and 2) Approve and authorize the Mayor to execute Purchase Order 6039 for the as-needed supply and delivery of liquid lime to the AWPF in the period of November 15, 2016
ACTION: Continue to future meeting.

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 10:04 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

Tim Flynn
TIM FLYNN
Mayor

L McGraw
LYN MCGRAW
Deputy City Clerk