

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 28, 2014

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Tim Flynn, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Mayor Pro Tem Carmen Ramirez was absent. 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; Karen Burnham, 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 review the status of labor negotiations and to provide instructions to the City's negotiators, Greg Nyhoff, City Manager; Dania Torres Wong, and Burke Dunphy, City's labor attorneys regarding the matters: Employee organizations: the International Association of Firefighters, AFL-CIO (IAFF), Local No. 1684; the Oxnard Peace Officers' Association (OPOA); the Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); the International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); the Oxnard Public Safety Management Employees' Association (Police Unit); the Oxnard Public Safety Management Employees' Association (Fire Unit); the Oxnard Mid-Managers' Association; Department Directors; Confidential Mid-Managers; and Confidential Employees.

At 6:12 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:15 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Housing Authority and Financing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for fallen Sheriff Officer Eugene Kostiuhenko. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Scott Whitney, Assistant Police Chief; Jason Benites, Assistant Police Chief; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Carrie Sabatini, Interim Housing Director; Martin Erickson, Deputy City Manager; Daniel Rydberg, Interim Utilities Director; Kymberly Horner, Interim Redevelopment Services Manager; Michael More, Financial Resources Manager; Trish Honigsberg, Outreach & Education Specialist, and Miguel Lopez, Community Affairs Manager (Police).

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Proclamation Designating November, 2014 as "Oxnard Recycles Month".

DISCUSSION: The Outreach & Education Specialist announced recycling activities during the month of November and commented on the need for the community to continue recycling.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ventura Fernandez; Steve Nash; Daniel Lechlitter; Dan Pinedo; William Terry; Gerard Kapuscik; Pat Brown; Peggy Rivera; Patrick Barrios; George Miller and Juan Delgado.

G. TRANSMITTAL OF INFORMATION ONLY ITEMSH. INFORMATION/CONSENT PUBLIC HEARINGSI. PUBLIC HEARINGSJ. APPOINTMENT ITEMSCity Manager Department

1. SUBJECT: Memorandum of Understanding (MOU) Between the City of Oxnard and the Channel Islands YMCA (CIYMCA). (007)

RECOMMENDATION: Receive a report and approve and authorize the City Manager to execute a Memorandum of Understanding (MOU) between the City of Oxnard and the Channel Islands YMCA (CIYMCA) (6934-14-CM) for the potential siting of a facility in Oxnard.

DISCUSSION: The Assistant City Manager introduced Sal Cisneros, President/CEO Channel Islands YMCA and George Leis, Immediate Past President, Board of Directors, Channel Islands YMCA who reviewed services provided to the community; reasons wanting to location a YMCA in Oxnard and a festiability study being the next step.

Public comments were received from: Linda Calderon; Andres Garcia; Harold Ceja; Steve Nash and Dan Pinedo.

The City Council discussed: proposed locations and recreational activities to be provided by this program.

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

Finance Department

2. SUBJECT: Wastewater Revenue Refunding Bonds, Series 2014. (015)

RECOMMENDATION: 1) Adopt **Resolution No. 14,695** authorizing the sale, issuance and delivery of not more than \$90,000,000 in City of Oxnard Financing Authority Wastewater Revenue Refunding Bonds, Series 2014 ("2014 Bonds") and approving certain documents and authorizing certain actions in connection therewith.

DISCUSSION: The Chief Financial Officer reviewed the refunding process for Wastewater Bonds which would provide annual savings of current bonds. Michael Kremer, Senior Vice President (First Southwest Company) provided comparison of other cities' bond ratings.

The Interim Utilities Director stated a Capital Improvement Project plan would be ready in March of 2015.

Public comment was received from: Daniel Lechlitter.

The City Council discussed: bond rating of wastewater bonds; bonds savings due to refinancing; infrastructure needs and a need to understand the current "financial standing" of City.

ACTION: Move to approve as recommend with the condition that the City's "financial standing" be presented (Perello/Flynn), the motion was removed. Move to approved as recommended. (Perello/Ramirez) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

City Attorney Department

3. SUBJECT: Verbal Report on Local Hire Options for Public Works Contracts.

RECOMMENDATION: Receive verbal report.

DISCUSSION: The Acting City Attorney introduced Theodore Senet & Gary Scalabrini of Gibbs Giden Locher Turner Senet & Wittbrodt LLP., who commented on the current ordinance regarding "local hire" options, policies by other cities and discussed limitations of ordinances (confer with State and federal requirements).

Public comments were received from: David Velazquez; Jess Gutierrez; Jose Garcia and Daniel Lechlitter.

The City Council discussed: strengthening hiring practices; unemployment rate and creating a "model" ordinance.

ACTION: Received report and provide comments to staff regarding future report.

HOUSING AUTHORITY

At 9:14 p.m., the City Council recessed while the Housing Authority held a public hearing and at 9:34 p.m., the Council reconvened.

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Financial Resources Manager (S-3(b)); Police Chief S-3(d) and Interim Utilities Director (S-3(g)).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment was received from: Dan Pinedo (S-5).

S. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Third Amendment to Attorney Services Agreement with Gibbs Giden Locher, Turner, Senet & Wittbrodt, LLP Relating to South Oxnard Library Litigation. (259)

RECOMMENDATION: Approve and authorize the Mayor to execute the Third Amendment to the Attorney Services Agreement with Gibbs Giden Locher Turner, Senet & Wittbrodt, LLP ("Gibbs Giden") (5333-11-CA) to increase the amount by \$225,000 for a total of \$350,000 for litigation services relating to design and construction defects at the South Oxnard Library and extend the contract expiration date to June 30, 2015.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for October 7, 2014. (261)
RECOMMENDATION: Approve.

City Manager Department

3. SUBJECT: Agreements for City Council Review. (283)
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.* (S-3(d)) was removed from agenda.

Development Services Department

4. SUBJECT: Planning & Zoning Permit No. 14-300-01 (Tentative Parcel Map for Condominium Purposes), The Colonial House Mixed-Use Project, Located at 705 N. Oxnard Boulevard (southwest corner of Oxnard Boulevard and Roderick Avenue). Filed by Huitt-Zollars Inc. on behalf of Oxnard Pacific Associates. (287)
RECOMMENDATION: Adopt **Resolution No. 14,697** approving Tentative Parcel Map No. 14-300-01 dividing an existing parcel into two parcels, subject to certain findings and conditions, located at 705 N. Oxnard Boulevard.**

Finance Department

5. SUBJECT: Budget Appropriation for Improvements to Audio Visual Systems and Accessibility of City Council Chamber. (293)
RECOMMENDATION: Approve a budget appropriation in the amount of \$60,000 from the PEG Fee Capital Improvement Fund.

General Services Department

6. SUBJECT: Agreement with Safety Striping Service, Inc. for Street Striping and Marking Services. (295)
RECOMMENDATION: Approve and authorize the Mayor to execute Agreement with Safety Striping Service, Inc. (A-7716) to increase Purchase Order No. 4603 from \$150,000 to \$300,000 and extend the expiration date to September 18, 2015 for street striping and marking services.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with removal of S-3(d)*. (MacDonald/ Perello) Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla. Noes: Flynn only S-4.**

HOUSING AUTHORITY AND FINANCING AUTHORITY

At 9:55 p.m. the joint meetings with the Housing Authority and Financing Authority concluded.

K. REPORTS**Community Development Department**

1. **SUBJECT:** California Home Energy Renovation Opportunity "HERO" Energy Program. (231)
RECOMMENDATION: Adopt **Resolution No. 14,696** approving an Amendment to the Western Riverside Council of Governments ("WRCOG") Joint Powers Agreement to add the City as an Associate Member in order to authorize the City's participation in the California HERO Program, which will enable property owners to finance permanently fixed renewable energy, energy and water efficiency improvements, and electric vehicle charging infrastructure on their properties.

DISCUSSION: The Interim Redevelopment Services Manager and Dustin Reilich, Director for Municipal Development California HERO Program, outlined the program including protection of properties and how the program was working with other communities in California.

Public comments were received from: Daniel Lechlitter and George Miller.

The City Council commented on how this program will be helpful to the community beginning in 2015.

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

Police Department

2. **SUBJECT:** Bicycle Safety.
RECOMMENDATION: Receive a verbal presentation of citywide efforts on bicycle safety and City of Oxnard Bicycle Master Plan.
ACTION: The City Council concurred to remove this item from the agenda.
3. **SUBJECT:** Police Community Survey. (243)
RECOMMENDATION: Accept the results of our 2014 Community Survey.
DISCUSSION: The Police Chief introduced Fr. Jamshid Damooei, Ph.D. (Professor and Chair, Department of Economics, Finance & Accounting, Co-Director of Center for Leadership & Values, School of Management at Cal Lutheran University School of Management) and Community Affairs Manager (Police) who reviewed results of community survey, noting Oxnard was rated as a highly "safe" mid-size city.

Public comments were received from: Greg Runyon; Steve Nash; Daniel Lechlitter; Pat Brown and Edward Castillo.

The City Council discussed: the survey results; providing community resources; community challenges and Council support of the Police Department.

ACTION: Receive report and provided comments to staff.

L. REPORT OF CITY MANAGERM. CITY COUNCIL BUSINESS/COMMITTEE REPORTSCity Attorney Department

1. **SUBJECT:** Ordinance Forming a Cultural Arts Commission. (Ramirez/Padilla) (245)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption **Ordinance No. 2886** establishing a Cultural Arts Commission.
DISCUSSION: Mayor Pro Tem Ramirez and Councilmember Padilla commented the establishment of Cultural Arts Commission which may become more flexible and perhaps become a non-profit organization.

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

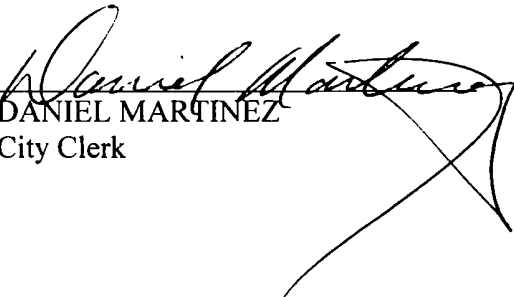
Development Services Department

2. **SUBJECT:** "One Stop" Permit Center Update. (249)
RECOMMENDATION: Receive a report on the initial results of the permit/process business tax certificate community and focus group meetings.
ACTION: The City Council concurred to remove from agenda.

The City Council commented on: community art event at Café on A; Ventura County Supervisor hearing regarding Anterra violations; former President Clinton would be visiting Oxnard College and Veteran's Day activities.

N. PUBLIC COMMENTS ON REPORTSO. PUBLIC COMMENTS ON STUDY SESSIONP. STUDY SESSIONT. ADJOURNMENT

At 11:34 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


TIM FLYNN
Mayor