MINUTES

OXNARD CITY COUNCIL
Special Meeting
July 30, 2013

A. ROLL CALL/POSTING OF AGENDA

At 6:06 p.m., the special meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Tim Flynn, Carmen Ramirez, Dorina Padilla and Bert Perello were present. Councilmember Bryan A. MacDonald 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; Grace Magistrale Hoffman, Deputy City Manager; Stephen Fischer, Acting City Attorney; Scott Whitney, Assistant Police Chief; and Martin Erickson, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: George Iafrate; Lyn Bennett; Cyndi Hooksta; Norma Owens; Cathy Kinney; Christina Aerenlund and Ralph James.

C. CLOSED SESSION

At 6:08 p.m. the City Council recessed to a closed session for the following purposes and pursuant to Government Code Section 54957.6 to give instructions to negotiators, Karen Burnham, Interim City Manager; Michelle Tellez, Human Resources Director, regarding salaries, salary schedules, or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721 and other matters within the scope of representation. In additional, instructions will be given to the City negotiator Michelle Tellez, Director of Human Resources and the City's labor attorney, Jeffrey C. Freedman, regarding the voluntary recognition request from Oxnard Mid-Managers' Association and other matters within the scope of requested representation.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(1), The title and case number of the litigation being discussed United States, et al., ex rel. Hendrix v. J-M Manufacturing Company, Inc., et al., United States District Court for the Central District of California, Case No. ED CV 06-00055-GW.

At 7:54 p.m., the City Council reconvened pursuant to Government Code Section 54957.1 to make a public report of any actions taken in Closed Session.

D. OPENING CEREMONIES

At 7:54 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission Successor Agency. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Alan Holmberg, former City Attorney. Mayor Flynn presided. Additional staff members present were: William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director;

James Cameron, Chief Financial Officer; Michael Henderson, General Services Manager; Rob Roshanian, Interim Public Works Director; Christina Aerenlund, Public Information Officer, Michael More, Financial Resources Manager; Cynthia Daniels, Project Manager; Anthony Emmert, Water Resources Manager; Kymberly Horner, Redevelopment Project Manager; Jason M. Samonte, Traffic Engineer and Gregory Barnes; Interim Recreation Supervisor.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Community Relations Commission Community Awards
DISCUSSION: The Council and Community Relations Commissioners (Ernest Stein, Bruce Mitchell, Joseph A. Castaneda, Orlando Dozier, and Travis L. Kelly) recognized Voces da la Comunidad for Outstanding Organization; Darlene Elaine Miller for Outstanding Individual; Valita Stoke for Outstanding Youth; and Patricia Kosmo for Outstanding Senior.

F. PUBLIC COMMENTS

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

K. REPORTS

City Manager Department

1. SUBJECT: Joint Use Agreement between the City of Oxnard and the Rio School District. (001)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a Joint Use Agreement for the Construction, Operation and Use of the East Village Park and a Ground Lease with the Rio School District for the Joint Use of a Park Site in the Northeast Community Specific Plan; 2) Approve the appropriation of Measure O funds in the amount of $2,674,000 and Quimby Fees in the amount of $675,775 per the attached Special Budget Appropriation; and 3) Authorize the use of Measure O funds for future annual maintenance costs of $120,000.
DISCUSSION: The General Services Manager reviewed the proposed joint-use school agreement (with negotiations starting in 1996) regarding construction of park, design costs, equipment costs, property use, hours of use as park, hours of use as school, changes to agreement (fencing of half of the park and maintenance of park), use of school property at River Park and the deeding of school property at park site. The Chief Financial Officer reviewed use of Measure "O" funds.

Public comments were received from: Larry Stein; Matt Klinefelter (Rio School District Trustee); Dan Pinedo; and Woodrow Thomas.

Dr. John D. Puglisi, Rio School District Superintendent, and Mark Krueguer, Assistant Superintendent, commented on the building of restrooms at park site, full payment of utilities to be used at park, and lease agreement of River Park property.

Councilmembers discussed: partnership with the Rio School District, ownership/lease of property, construction of the park, maintenance costs, and the opening/closing of school fences at park.

ACTION: Moved to as recommended. (Ramirez/Flynn) Ayes: Ramirez, Perello and Flynn. Noes: Padilla. Absent: MacDonald.

K. REPORTS

Finance Department

2. SUBJECT: Community Facilities District No. 3 (Seabridge) Bond Refunding. (045)
RECOMMENDATION: Adopt Resolution No. 14,432 authorizing the issuance and delivery of not more than $32 million in principal amount of Community Facilities District No. 3 (Seabridge at Mandalay Bay) of the City of Oxnard 2013 Special Tax Refunding Bonds, and approving certain documents and authorizing certain actions in connection therewith.
DISCUSSION: The Chief Financial Officer and Financial Resources Manager outlined the proposed refinancing of the bonds including not needing to rate the bonds, financing charges, schedule of funding, rating process and savings to home owners.

Phillip Curls, First Southwest Company (City's Financial Advisor) reviewed the financing process and selection of financial institution.

Councilmembers discussed: not having a bond rating, financing costs, use of tax consultant and the funding process.

Public comments received from: Steve Nash.

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

3. SUBJECT: Extension of Letters of Credit with Union Bank. (127)
RECOMMENDATION: Approve and authorize the Chief Financial Officer to sign extension agreements for three letters of credit with Union Bank.
DISCUSSION: The Chief Financial Officer outlined the reasons to approve the recommendation.
ACTION: Moved to as recommended. (Padilla/Perello) Ayes: Perello, Flynn, Ramirez, and Padilla. Absent: MacDonald.

O. STUDY SESSION

1. SUBJECT: Review the Campus Park Master Plan.
RECOMMENDATION: Receive the verbal report and provide direction to staff.
ACTION: Concurred to remove from agenda.

M. REPORT OF CITY MANAGER

1. SUBJECT: Verbal Report on Oxnard Community Development Commission Successor Agency and Status of Redevelopment Activities in the City of Oxnard.
   RECOMMENDATION: Receive and consider report.
   ACTION: Concurred to remove from agenda.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 9:49 p.m., the concurrent meeting with the Community Development Successor Agency concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Correspondence from the Mayor. (Mayor Flynn) (129)
   DICUSSION: Mayor Flynn discussed his letter and asked for comments.

   Public comments received from: Ed Ellis, Larry Stein and David Courtland.

   ACTION: Received letter and provided comments.

2. SUBJECT: Management, Operation and Maintenance of the Del Norte Regional Recycling and Transfer Station (Del Norte Facility). (131)
   RECOMMENDATION: 1) Approve and direct staff to discontinue the Del Norte-Request for Proposal (RFP) for a contractor to manage, operate and maintain the Del Norte Facility; and 2) Provide direction to staff for the future operations of the Del Norte Regional Recycling and Transfer Station.
   DISCUSSION: The Interim Public Works Director reviewed past directions of the Council, possible actions to take place and projected transition timeline including presenting a business plan (transition plan, staffing level, equipment, waste diversion) if directed by Council.

   Public comments were received from: Dan Lechliter; William "Bill" Terry; Steve Nash; Sandra Sudac; Nancy Lindholm; Morey Navarro; Gerard Kapuscik; Dan Pinedo; Eileen Tracy; Gus Sanchez; George Miller; Barbara Macri-Ortiz; Francine Castanon; Jim Gilmore; Woodrow Thomas; Patrick Barrios; Abel Magana; Juan Delego; and Pat Brown.

   The City Council discussed: the process of taking over the facilities; responsibility of City; personnel issues; bench marks; recycling issues and energy options.

   ACTION: Moved to approve, part one. (Ramirez/Perello) Ayes: Flynn, Ramirez and Perello, and Flynn. Noes: Padilla. Absent: MacDonald. Moved to approve, part two. (Flynn/Ramirez) Ayes: Ramirez, Perello, and Flynn. Noes: Padilla. Absent: MacDonald.

3. SUBJECT: Update on the Status of the Oxnard Public Access Channel Memorandum of Understanding.
   RECOMMENDATION: Receive the report and provide direction.

DISCUSSION: The Public Information Officer outlined the history and current status of the public access channel. The Chief Financial Officer reviewed franchise fees received and use of fees.

Public comments received from: Paul Montgomery; Steve Nash; Ernest Stein; and Barbara Macri-Ortiz.

The Council discussed having community involvement and starting a new selection process.

ACTION: Provided directions to staff.

O. STUDY SESSION

2. SUBJECT: Review the Campus Park Master Plan.
RECOMMENDATION: Receive the verbal report and provide direction to staff.
ACTION: Continue to future date.

P. PUBLIC COMMENTS ON STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Human Resources Director (S-1(a)); General Services Manager (S-3); Mayor Flynn (S-5); and Traffic Engineer (S-12).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments received from: Dan Pinedo (S-1); Steve Nash (S-9) and Pat Brown (S-6).

S. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (133)
RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than $25,000 but less than $250,000 (B and C removed from agenda).

2. SUBJECT: First Amendment to Agreement with Genuine Parts Company for On-Site Fleet Parts Program. (137)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement with Genuine Parts Company DBA NAPA Auto Parts (6212-13-CM) for an estimated amount of $315,000, based on required staffing levels and historic parts and tires usage, for an estimated total contract amount of $630,000, for vendor to provide on-site repair parts and tires to City from September 1, 2013, to October 31, 2013.

3. SUBJECT: Appropriation of Funds for Asbestos Abatement and Building Rehabilitation. (141)
RECOMMENDATION: Approve appropriation of $85,000 from Facilities Maintenance Fund for asbestos abatement and building rehabilitation at 305 West Third Street.

Development Services Department

4. SUBJECT: Special Budget Appropriation for Traffic & Trip Demand Management Plan. (143)
RECOMMENDATION: Approve a special budget appropriation recognizing federal revenue and appropriating $132,795 to "Traffic/Trip Demand Management Plan" to implement policies of the *2030 General Plan.*

5. SUBJECT: Project Specification No. GS09-18 for Oxnard Boulevard Bicycle and Pedestrian Facility. (147)
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS09-18 to construct a bicycle and pedestrian path east of Oxnard Boulevard and south of Gonzales Road, adjacent to the future Sports Park.

6. SUBJECT: Second Reading of **Ordinance No. 2871**, Adding Division 3 of Article III of Chapter 19 to the Oxnard Code Concerning Use of City Streets by Overweight Vehicles. (149)
RECOMMENDATION: Second reading and adoption.

Public Works Department

7. SUBJECT: Third Amendment to the Consulting Agreement with Carollo Engineers, Inc. for the Recycled Water Retrofit Project. (157)
RECOMMENDATION: Approve and authorize the Mayor to execute a Third Amendment to the Consulting Services Agreement with Carollo Engineers, Inc. (A-7338) to increase the total by $202,496 for a total contract value of $4,698,524.

8. SUBJECT: Project Specification PW13-15 Localized Pavement Maintenance Project (2013). (163)
RECOMMENDATION: Approve Project Specification No. PW13-15 Localized Pavement Maintenance Project (2013) and authorize staff to solicit bids.

9. SUBJECT: Agreement with Aqua-Tech Services, Inc. for Water Backflow Prevention Assemblies Testing and Maintenance. (165)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Aqua-Tech Services, Inc. (A-7606) for an amount not to exceed $285,000 for three years of water backflow prevention assemblies testing and maintenance.

10. SUBJECT: Agreement with Commercial Cleaning Systems for Custodial Services at Water Resources Facilities. (185)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Commercial Cleaning Systems (A-7600) for an amount not to exceed $385,000 for three years of custodial services at Water Resources Division facilities.

11. SUBJECT: Agreement with Penfield & Smith to Provide Construction Management Services for the Hueneme Road and Ventura Boulevard Resurfacing Projects. (211)
RECOMMENDATION: Approve and authorize the Mayor to execute a one-year agreement with Penfield & Smith (A-7605) in an amount not to exceed $510,652, to provide construction management services for the Hueneme Road and the Ventura Boulevard Resurfacing Projects.

12. SUBJECT: Project Specification PW13-05 Alleyways Reconstruction Project. (235) RECOMMENDATION: Approve Project Specification No. PW13-05 for the design and reconstruction of the alleyways of Alley West of Terrace Avenue, Alley East of Samuel Avenue, Alley South of Hill Road, and Alley West of Saviers Road and authorize staff to solicit bids.

13. SUBJECT: Special Budget Appropriation for GREAT Phase I - Recycled Water Projects. (239) RECOMMENDATION: Approve a special budget appropriation to reflect current project priorities and establish new accounts to improve financial management of the various projects in the GREAT program.

14. SUBJECT: Second Amendment to Agreement with Channel Islands Beach Community Services District for Transportation and Treatment of Wastewater. (243) RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment to the Agreement with Channel Islands Beach Community Services District (A-6680) for Transportation and Treatment of Wastewater.

Recreation and Community Services Department

15. SUBJECT: Acceptance of Senior Nutrition Grant Funds from the Ventura County Area Agency on Aging ("VCAAA") for FY 2013-2014. (279) RECOMMENDATION: 1) Authorize the Interim City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports, grant claims and approve budget adjustments for the use of grant funds; and 2) Approve a special budget appropriation to recognize grant awards in the amount of $19,835 for amendment #2 and $60,896 for amendment #3 and program donations for the FY 2013-2014 Senior Nutrition Program.

INFORMATION/CONSENT ACTION: Approved as recommended with removal of S-1(a) & S-1(b). (Ramirez/Padilla) Ayes: Perello, Flynn, Ramirez and Padilla. Absent: MacDonald.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council commented on: the recent Sister City Visitation, Salsa Festival and the passing of Alan Holmberg.

T. ADJOURNMENT

At 12:39 a.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor