MINUTES

OXNARD CITY COUNCIL
Regular Meeting
September 10, 2013

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 Timothy B. Flynn, Bryan A. MacDonald, Carmen Ramirez, 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; Karen Burnham, Interim City Manager; Stephen Fischer, Acting City Attorney; Michelle Téllez, Human Resources Director; Grace Magistrale Hoffman, Deputy City Manager; and Martin Erickson, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

The following individuals provided comments: Maria Gallegos-Herrera; Marcos Vargas; Danny Carrillo; Martin Vasquez and Rachel Flores.

C. CLOSED SESSION

At 4:49 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 Téllez, 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 scope of representation. In addition, instructions will be given to the City's negotiator Michelle Téllez, Human Resources Director and City's labor attorney, Jeffrey C. Freeman, regarding the voluntary recognition request from Oxnard Mid-Managers' Association and other matters within the scope of requested representation.

The City Council will also recess to a closed session pursuant to Government Code section 564956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.

At 6:21 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:29 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. Mayor Flynn presided. Additional staff members present were: Danielle Navas, City Treasurer; Jeri Williams, Police Chief; Rob Roshanian, Interim Public Works Director; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Sofia Balderrama, Special Projects Manager; Anthony Emmert, Water Resources Manager; Michael Henderson, General Services Manager; and Karl Lawson, Compliance Services Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Donald Thibeault; Thomas Greer, William Terry; Russell Sydney; Nancy Pedersen; Nancy Lindholm; Casey Showers; Woodrow Thomas; Irma Lopez; Comite Cultural Mexicano; James Reach; Dan Pinedo; Morey Navarro; Daniel Lechliter; Roy Prince; Maria Herrera; Danny Carrillo; Angela Portillo; Richard Duarte, Ted Wakai; Vince Behrens; and Larry Stein.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

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

Housing Department

1. SUBJECT: The City of Oxnard's Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year 2012-2013. (001)
   RECOMMENDATION: Accepts the City of Oxnard's CAPER for FY 2012-2013.
   DISCUSSION: The Housing Director reviewed the outreach process and the time schedule for public review. The Special Projects Manager reviewed "Youth Master Plan" development, priorities, grants and updates. The Compliance Services Manager reviewed the scope of grants with the purpose of retention of housing and loan assistance.

   The following individual provided comments: Eileen Tracy.

   The Council discussed: 1) grant funding deadlines; 2) accountability of funds; and 3) public outreach.

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

I. PUBLIC HEARINGS

Mayor Flynn opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

Development Services Department

1. SUBJECT: Planning & Zoning (PZ) Permit Nos. 12-535-01 (Density Bonus) and 12-500-06 (Special Use Permit), Located at 300 W. Ninth Street. Filed by Albert Group Architects on behalf of the property owner Press-Courier Lofts, LLC. (009)

RECOMMENDATION: 1) Adopt **Resolution No. 14,433** approving a Density Bonus (PZ No. 12-535-01) for the Press-Courier Lofts 115-unit senior affordable housing project, subject to the conditions set forth in Planning Commission Resolution No. 2013-15; and 2) Adopt **Resolution No. 14,434** upholding the Planning Commission's approval of a Special Use Permit (PZ No. 12-500-06), subject to the conditions set forth in Planning Commission Resolution No. 2013-14.
DISCUSSION: The Development Services Director outlined the proposed housing project, parking along "B" Street and communications with the Elks Club.

Richard Bracmonte, Elks Club, reviewed the concerns of the Elks Club including parking, water drainage and entrance of site.

The following individuals provided comments: David O'Malley; Alejandro Cara; Pat Brown; Richard Bracamonte; Larry Stein; Abel Magana and William Terry.

The Council discussed the proposed development including parking issues; bonus density and transportation issues.

ACTION: Close the public hearing. (Ramirez/Perello) Ayes: MacDonald, Perello, Padilla, Flynn and Ramirez. Approved as recommended. (Ramirez/MacDonald) Ayes: MacDonald, Padilla, Flynn, and Ramirez. Noes: Perello.

J. APPOINTMENT ITEMS

K. REPORTS

L. PUBLIC COMMENTS ON REPORTS

N. CITY COUNCIL BUSINESS /COMMITTEE REPORTS

City Manager Department

2. SUBJECT: League of California Cities Annual Conference Voting Delegate/Alternate 2013. (121)
RECOMMENDATION: Designate a voting delegate and a voting alternate to the League of California Cities Annual Conference.
ACTION: Moved to appoint Perello as voting member with Mayor Flynn as alternate. (Flynn/Ramirez) Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla.

O. STUDY SESSION

Public Works Department

1. SUBJECT: Hydraulic Fracturing "Fracking" and Potential Impacts upon Source Water Quality. (127)
RECOMMENDATION: Receive a report on petroleum well stimulation methods, including hydraulic fracturing, and associated potential negative source water quality impacts and provide direction to staff.
DISCUSSION: The Water Resources Manager reviewed fracking process and oil well production in the local area.

The Council discussed local oil well activities including the underground storage of oil production "waste" materials.

Public comments were received from: Nancy Pedersen; Reynal Guillen; Lupe Anguiano; Maria Elena Cruz; Daniel Lechliter; Jose Barrera; Jesus Cardenas; Pat Brown; Orlando Dozier; William Terry and Steve Nash.

ACTION: The City Council provided comments to staff.

N. CITY COUNCIL / COMMITTEE REPORTS

City Clerk Department

1. SUBJECT: Appointment Councilmember to Various Boards, Commissions, and Committees. (111)
   RECOMMENDATION: Continue to future date.
   ACTION: The Council concurred to continue this item.

P. PUBLIC COMMENTS ON STUDY SESSION

M. REPORT OF CITY MANAGER

Q. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council discussed S-1 and S-3(d). Comments were received from: General Services Manager (S-4).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Pat Brown; Larry Stein and Daniel Lechliter.

S. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: City Manager Recruitment Consulting Services Agreement. (131)
   RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Bob Murray & Associates (A-7616) in the amount of $27,400 for City Manager recruitment consulting services.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for June 11, 18 and 25, 2013; and July 2, 2013. (163)
   RECOMMENDATION: Approve.

City Manager Department

3. SUBJECT: Agreements for City Council Review. (195)
RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, 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.

4. SUBJECT: Project Plans and Specification No. GS09-04 for Construction of East Village Park. (201)
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS09-04 to construct a new park to be called East Village Park located at 2051 Jacinto Drive.

5. SUBJECT: Project Specification No. GS13-11 for Vineyards Park Improvements Walking Track. (203)
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS13-11 to rework the walking track at the Vineyards Park located at 2790 Smokey Mountain Road, River Park development.

Development Services Department

6. SUBJECT: Special Budget Appropriation for Oxnard Boulevard Bicycle and Pedestrian Path. (205)
RECOMMENDATION: Approve a special budget appropriation recognizing federal revenue and appropriating $334,000 to "Oxnard Blvd. Pedestrian & Bike Path" to construct the bicycle and pedestrian path east of Oxnard Boulevard and south of Gonzales Road.

7. SUBJECT: Project Specification No. DS13-03 for Landscaping for Ventura Blvd., Santa Clara Avenue, and Auto Center Drive, and Special Budget Appropriation. (209)
RECOMMENDATION: 1) Adopt plans, specifications, and working details for Project Specification No. DS13-03 to install landscaping and irrigation at Ventura Boulevard, Santa Clara Avenue, and Auto Center Drive north of the 101 Freeway; and 2) Approve a special budget appropriation to recognize and appropriate federal revenue in the amount of $273,330 and appropriate local matching funds of $35,413 from Air Pollution Buy-down Fund Balance.

8. SUBJECT: Joint Use Agreement, Easement Deed for Southern California Edison Company (SCE) for Rice/Santa Clara Avenue Interchange Improvements at Highway 101. (215)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with SCE (A-7614) for joint use of public right of way at Santa Clara Avenue and Ventura Boulevard; and 2) Approve and authorize the Mayor to execute a grant of easement to SCE to replace property acquired for the Rice/Santa Clara Avenue Interchange improvements at Highway 101.

Fire Department

9. SUBJECT: Authorization to Accept a Reimbursement from Ventura County Emergency Medical Services Agency and Purchase of Computer Software. (233)
RECOMMENDATION: 1) Approve a special budget appropriation recognizing and appropriating reimbursement from the Ventura County Emergency Medical Services Agency (VCEMSA) for the purchase of required software program in the amount of $75,000; and 2) Authorize the Fire Chief or designee to purchase the required software program.

Housing Department

10. SUBJECT: Affordable Housing and Rehabilitation Division Loan Program Policies. (235) RECOMMENDATION: Approve revisions to the Affordable Housing and Rehabilitation Division loan program policies.

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

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 11:44 p.m. the joint meetings with the Community Development Successor Agency Commission concluded.

M. REPORT OF CITY MANAGER

The Interim Public Works Director reported the MRF business plan would be presented to the Council on September 24, 2013.

N. CITY COUNCIL / COMMITTEE REPORTS

The Council discussed: having weekly update reports regarding the MRF; McGrath State Park site; youth violence in the community; status of the former Halaco property; the hiring of a City Attorney; Public Access Channel; use of Measure "O" funds and the Oxnard Performing Arts Center.

T. ADJOURNMENT

At 12:08 a.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor