MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 13, 2015

A. ROLL CALL/POSTING OF AGENDA

At 4:36 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Oxnard Community Development Commission Successor Agency. 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; Stephen Fischer, Interim City Attorney; Scott Whitney, Interim Assistant City Manager; Matthew Winegar, Development Services Director; Carrie Sabatini, Interim Housing Director and Karl Lawson, Compliance Services Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Enedina Rivera; Edgar Rivera and Barbara Macri-Ortiz.

C. CLOSED SESSION

At 4:47 p.m. the City Council and Commission Development Commission Successor Agency 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 Audrey Ramirez; et al. v. City of Oxnard; et al., Ventura County Superior Court, Case No. 56-2012-00427361-CU-EI-VTA.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(2). Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case: Claimant: Jose and Enedina Rivera, City of Oxnard Claim No. 2014-0152.

At 6:10 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:11 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: Jason Benites, Assistant Police Chief; James Williams, Fire Chief; Dave Millican, Interim Chief Financial Officer; Rob Roshanian, Development Services Manager; Martin Erickson, Deputy City Manager; Daniel Rydberg, Interim Utilities Director; Kymberly Horner, Interim Redevelopment Services Manager; and Todd Housley, Environmental Resources Manager. The City Manager introduced David Millican to the Council and the community.

ITEMS REMOVED FROM AGENDA

The Council concurred to remove item K-1 and S-7 from the agenda.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation to Oxnard Police Activities League (PAL) Boys Soccer Team for winning the 2014 Coast Soccer League Gold Division Boys U13 Champions.
   ACTION: The City Council and Johnny Garcia Vasquez (State Assembly Jacqui Irwin) recognized the Oxnard PAL Soccer Club players: Cesar Almanza; Brian Alvarez; Eric Ayala; Kyleler Brant; Jeovany Barron; Adrian Castro; Miguel Garcia; Angel Gonzalez; Armando Hernandez; Isaac Lara; Alfredo Madlonado; John Paul Melgoza; Luis Melgoza; Christian Olivares; Ivan Rodriguez; Mathew Solorio; Ronaldo Valderrama; Ethan Zamora. The Council also recognized soccer coaches Juan Melgoza; Luis Melgoza; Miguel Garcia; Jovan Almanza and Managers Jeannette Zamora and Patty Melgoza.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ed Ellis; Peter Martinez; Aaron Greer; Jim Milstead; Elias Banales; Frank Barba; Joseph Contaoi; Lucy Cartagena; John Adamson; Jenny Card; Martin Jones; Lupe Anguiano; Ron Whitehurst; Jack Villa; William Terry; Steve Nash; Elsa Serrano; Elliott Gabriel and Pat Brown.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

Mayor Flynn opened the public hearing. The City Clerk reported on publication and that there was one written communications received.

Housing Department

1. SUBJECT: Extremely-Low to Low-Income Needs Assessment – FY 2015-2016 Annual Action Plan. (001)
   RECOMMENDATION: Conduct the first Public Hearing to receive comments and provide direction to staff concerning unmet needs of extremely-low to low-income persons residing in the City of Oxnard, for affordable housing, community development and homelessness.
   DISCUSSION: The Interim Housing Director reported on several aspects of the Annual Action Plan including community outreach, community input, supportive services, Housing goals reached, Homeless Prevention, schedule for workshops/review and awarding of funds. The Compliance Services Manager reviewed information collected from the Census and other ways to gather information.

   Public comments were received from: Rose Banuelos; Tim Hockett; William Terry; Danny Carrillo; Pat Brown; Felipe Flores; Eileen Tracy; George Miller; Barbara Mari-Ortiz; Francine Castonon and Benjamin Unseth.

   ACTION: Close the public hearing. (Padilla/Perello) unanimously.

DISCUSSION: The Council discussed: local housing needs; review the panel "selection" progress; need to have a clear process for spending funds; assessment of population and possible legal solutions.

ACTION: The City Council conducted a public hearing, received the report and provided comments to staff.

J. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Update on City of Oxnard General Fund Financial Position. (009)
RECOMMENDATION: Receive a report on the General Fund's financial position as part of the Organizational Assessment (Oxnard 2020) by Management Partners.
DISCUSSION: The City Manager reviewed the timeline of proposed budget, upcoming audit, input to the process and goals to provide "excellent" services. Bob Deis, Management Partners, commented on: financial projections of the "general fund"; forecasting of retirement funds; Measure "O" funds; creating a separate Development Services fund; projected user fees and having General Fund policies.

Public comments were received from: Eileen Tracy; Jim Lavery; Larry Stein; George Miller; Al Velasquez and Greg Runyon

The Council discussed: projected revenues; projected liabilities; possible City Auditor and selecting budget priorities.

ACTION: Received report and provided comments.

S. INFORMATION/CONSENT AGENDA

Human Resources Department

7. SUBJECT: Amending Personnel Rules and Regulations and Position Control Resolutions. (235)
RECOMMENDATION: 1) Authorize the Mayor to execute an amendment to Resolution No. 14,667 authorizing the addition of three full-time equivalent positions to include the Economic Development Director, General Services Director and Utilities Director and deleting the Redevelopment Services Manager, Maintenance Services Manager and the Public Works Director; 2) Authorize the Mayor to execute an amendment to Resolution No. 14,668 authorizing changes in Section XII of the Personnel Rules and Regulations to set the salary ranges for the classifications of Economic Development Director, General Services Director, and Utilities Director; and 3) Authorize the Mayor to execute an amendment to Resolution No. 14,668 authorizing changes in Section XII of the Personnel Rules and Regulations to set the salary ranges for the classifications of City Attorney and Housing Director.
ACTION: The City Council concurred to remove from the agenda.

Fire Department

4. SUBJECT: Recognize and Appropriate Grant Revenues for the 2014 State Homeland Security Grants Awards. (217)
   RECOMMENDATION: 1) Recognize $217,650 in grant revenue from the State Homeland Security Grants Program (SHSGP); and 2) Approve budget appropriations in the amounts of $75,000 to Regional Urban Search and Rescue (USAR) Equipment, $20,000 to Regional Listos training, $75,000 to Regional Hazmat Task Force, $38,650 to Emergency Operations Center (EOC) Maintenance, and $9,000 to Oxnard Fire CERT Training.

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

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 10:25 p.m. the joint meeting with the Commission Development Commission Successor Agency concluded.

K. REPORTS

Finance Department

1. SUBJECT: Annual Report for Development, Connection and Improvement Fees for the Year Ended June 30, 2014. (021)
   RECOMMENDATION: Receive and file the Annual Report for Development, Connection and Improvement Fees for the year ended June 30, 2014 in accordance with Government Code Section 66006.
   ACTION: The City Council concurred to remove from the agenda.

Utilities Department

2. SUBJECT: Full Advanced Treatment Recycled Water Management and Use Agreement. (033)
   RECOMMENDATION: Approve and authorize the Mayor to execute the Full Advanced Treatment Recycled Water Management and Use Agreement between the City of Oxnard and United Water Conservation District, Pleasant Valley County Water District, Houweling Nurseries, Southland Sod, and Reiter Affiliated Companies (A-7651).
   DISCUSSION: The Interim Utilities Director reviewed history of GREAT program; changes of State and federal rules and "potable" water use.

   Public comments were received from: Larry Stein; John Mathews; Steve Nash; George Miller and Al Velasquez.

   The City Council discussed: water allocation; water credits and agreements with other agencies.

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

3. SUBJECT: First Amendment to Agreement for Professional Services with Jensen Design & Survey, Inc. for Engineering, Design and Post Design Services for the Hueneme Road Recycled Water Pipeline Phase 2. (095)

RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to the Agreement with Jensen Design and Survey, Inc. (A-7669) in an amount not to exceed $1,775,415 to execute all engineering and design tasks related to Phase 2 services for the Hueneme Road Recycled Water Pipeline Phase 2, which will bring the total authorization for Agreement to $2,948,499.
DISCUSSION: Public comment was received from: Larry Stein.

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

4. SUBJECT: Mitigated Negative Declaration for Groundwater Enhancement Recovery and Treatment (GREAT) Program. (131)
RECOMMENDATION: Adopt **Resolution No. 14,713** approving a Mitigated Negative Declaration regarding the ongoing implementation of the Groundwater Recovery Enhancement and Treatment Program (Phase 1).
ACTION: Move to approve as recommended. (MacDonald/Ramirez). Approved as recommended. (MacDonald/Ramirez). Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Al Velasquez and Larry Stein.

L. REPORT OF CITY MANAGER

The City Manager stated his belief that the GREAT Program will bring great benefits to the community.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: Harbor Boulevard and Rose Road maintenance/resurfacing; the use of "railroad" services to move oil through the community and the upcoming Martin Luther King walk.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for December 2, 2014 and Minutes of the Special Meeting of the Oxnard City Council for November 25, 2014 and December 3, 2014. (199)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (211)
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.

Development Services Department

3. SUBJECT: Authorization to Disburse and Appropriate Revenue from the Public Art Fund. (215)
RECOMMENDATION: 1) Authorize the disbursement of Public Art Fund revenues in the amount of $150,000 for the purpose of providing funding to various cultural arts organizations, programs, and artists; and 2) Approve a one-time appropriation of revenue in the amount of $150,000 from the Public Art Fund.

Fire Department

5. SUBJECT: Accept a Grant Award from the U.S. Department of Homeland Security for the 2014 Emergency Management Performance Grant. (225)
RECOMMENDATION: 1) Approve the City Manager to accept a grant from the U.S. Department of Homeland Security administered through the California Office of Emergency Services grant in the amount of $47,824, and; 2) Authorize the Finance Director to appropriate grant award and perform all other required financial actions and 3) The Fire Chief or designee to submit non-financial reports.

Housing Department

6. SUBJECT: Restructuring of Commission on Homelessness. (229)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 2 of the City Code related to the Commission on Homelessness (COH) to reduce the size of the COH from eleven to seven Commissioners, reduce the quorum requirement for the conduct of COH business from six to four Commissioners, and allow for the Commissioners' two-year terms of office to commence in March of odd-numbered years.

Library Department

8. SUBJECT: Second Reading of **Ordinance No. 2888** for Public Library Rules of Conduct and Exclusion Process. (245)
RECOMMENDATION: Second reading and adoption.

Utilities Department

9. SUBJECT: Agreement for Professional Services with Pavement Engineering Inc. (PEI) for Pavement Management System (PMS) Update. (253)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement for professional services with PEI (A-7723) for a four year term in an amount not to exceed $451,740 for the PMS Update; and 2) Approve the appropriation of funds in the amount of $451,740 from the Gas Tax Fund Balance.

10. SUBJECT: Agreement for Developing Green Alleys Program. (296)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with SWA Group (A-7739) in the amount of $300,000 for developing Oxnard's Green Alleys Program.

ACTION INFORMATION/CONSENT AGENDA ACTION: Concurred to continue items to future date.

T. ADJOURNMENT

At 12:27 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor