MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 26, 2016

A. ROLL CALL/POSTING OF AGENDA

At 4:33 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald and Dorina Padilla were present. Councilmember Bert Perello 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; Maria Hurtado, Assistant City Manager; Scott Whitney, Assistant City Manager and Stephen Fischer, City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments received from: Vickie Bowker; Steve Nash; Carol Woolley; Aaron Greer; Nancy Lindholm; Jim Lavery; Jackie Tedeschi and Irene Rausehouser.

C. CLOSED SESSION

At 4:57 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956. (d)(1) to confer with its attorneys. The title and case number of the litigation being discussed was:

1) Kevin Killian v. City of Oxnard: Workers' Compensation Case Nos. ADJ10137461, ADJ10137462, ADJ10137476;

2) Application of Southern California Edison Company (U338E) for Approval of the Results of Its 2013 Local Capacity Requirements Request for Offers for the Moorpark Sub-Area, (California Public Utilities Commission Application 14-11-016);

3) In the Matter of: Application of the Puente Power Project, (California Energy Commission Docket No. 15-AFC-01); and

4) City of Oxnard; et al. v. Aaron Starr; Ventura County Superior Court, Case No. 56-2016-00479696-CU-MC-VTA.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.8, to give instructions to negotiators, Greg Nyhoff, City Manager, and Scott Whitney, Assistant City Manager, concerning negotiations with Ravello Holdings, Inc., regarding the price and terms of payment for the possible sale of 4.53 acres of land located immediately east of the River Ridge Golf Club and west of Ventura Road, commonly referred to as River Ridge Fields.

At 6:09 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:13 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 for Ed Ellis. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Jason Benites, Assistant Police Chief; Arturo Castillo, Housing Director; Daniel Rydberg, Public Works Director; Todd Housley, Environmental Resources Manager; Ruth Hopkins, Housing Project Manager and Michael More, Financial Resources Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Esportiko Academy Futbol Club for Participating in the Costa Daurada Cup and Donosti Cup.
   DISCUSSION: The City Council recognized Esportiko Academy Futbol Club for success at recent soccer tournament in Spain.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments received from: Ren Camper-Stewart (thanking Police Department for solving a case); Daniel Chavez (power plant at beach); Vanessa Hernandez (ASYO soccer playing at Fremont School); Gregory Ramirez (Laser Broadcasting questioning the bid process for parade event); Steve Huber (July 16 neighborhood clean-up); Jackie Tedeschi (Santa Clara River levee EIR); Aaron Starr (initiative "impartial analysis); Alicia Percell (placing election information on web site); Kaz Iwamoto (Relay for Life & support of City Corps); Harold Ceja (community repairs needed in Colonia Neighborhood); Cynthia Gonzalez (placing camera(s) in high crime areas) and Al Jones (candidate for City Treasurer position).

G. REPORT OF CITY MANAGER

The City Manager reported the Dallas Cowboys arrival Oxnard, downtown Oxnard Vision Plan meeting, announced the appointment of Darwin Base as Interim Fire Chief and upcoming meeting regarding Short-term rentals.

H. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council commended on: St. Paul Baptist Church event; Clergy Council meeting; Oxnard Sister City visitation in Ocotlan, Mexico; downtown development; code enforcement staffing (over crowing of housing); priority-based budgeting and issues involving County owned property in Oxnard harbor area.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Comments received from: City Attorney K-2(c) and Assistant City Manager K-2(d) & (K-5).

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment received from: Aaron Starr (K-1).

K. INFORMATION CONSENT AGENDA

City Attorney Department

1. SUBJECT: First Amendment to Attorney Services Agreement with Colantuono, Highsmith & Whatley, PC.
   RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to the Attorney Services Agreement ("Agreement") with Colantuono, Highsmith & Whatley, PC ("Colantuono") (4957-09-CA) for legal services relating to municipal revenues, elections and litigation issues for an increase of $350,000 for a total contract amount not to exceed $449,000.

City Manager Department

2. 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.

Police Department

3. SUBJECT: Donation of Police Equipment.
   RECOMMENDATION: Adopt **Resolution No. 14,955** accepting the donation of One (1) 2016 Ford F250 Crew Cab Truck to the City of Oxnard, for use by the Oxnard Police Department.

Public Works Department

4. SUBJECT: Adopt **Ordinance 2907** to Amend Certain Portions of Ordinance 2901 for Wastewater Regional Treatment and Disposal Facility User Charges.
   RECOMMENDATION: That City Council adopt Ordinance No. 2907 amending Regional Treatment and Disposal Facility User Charges.
5. SUBJECT: Approve Plans and Specifications No. GS15-42 for Southwinds Park Phase I and II.
   RECOMMENDATION: 1) Approve plans and specifications for Project Specification No. GS15-42 and authorize staff to conduct a public bid for Southwinds Park Playground, Walking Track and Restroom Improvements Phase I and Phase II, located at 455 W. Clara Street; and 2) Approve a Budget Appropriation recognizing additional CDBG funding in the amount of $172,000 in order to complete the walking track and restroom improvements in Phase I.

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

L. 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: First Amendment to the FY 2014-2015 Annual Action Plan to Execute Loan Agreements with Habitat for Humanity of Ventura County.
   RECOMMENDATION: 1) Conduct a public hearing to receive comments on the proposed First Amendment to the FY 2014-2015 Annual Action Plan; 2) Approve the FY 2014-2015 Annual

Action Plan first amendment and authorize the City Manager to submit the Council approved First Amendment to the U.S. Department of Housing and Urban Development (HUD) for approval; 3) Approve a special budget appropriation of $95,337 to re-program HOME program income revenue into the Community Housing Development Organization project; 4) Approve a special budget appropriation of $162,244 from received HOME program income revenue into the City's First Time Homebuyer project; 5) Approve and authorize the Mayor to execute a HOME Participation Agreement (A-7897), an Affordable Housing Agreement (A-7898) and an Affordable Housing HOME CHDO Set-Aside Loan (A-7899) with Habitat for Humanity of Ventura County, providing gap financing in the amount of $577,149 for the construction of six (6) single family homes.
DISCUSSION: The Housing Director reviewed the amendment to construct six low-income single dwellings (as owner/builder with permits) and funding for "first time" home buyers assistance program.

Public comments received from: Felipe Flores, Sal Gonzalez, Nancy Stehle (Habitat for Humanity), Steve Nash and Steve Huber.

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

M. APPPOINTMENT ITEMS

N. REPORTS

Police Department

1. SUBJECT: Response to Grand Jury Report Titled "Final Report Detention Facilities and Related Law Enforcement".
RECOMMENDATION: Authorizes the Mayor, the City Manager, and the Police Chief to respond, on behalf of the City Council, to the Grand Jury report titled "Final Report Detention Facilities and Related Law Enforcement Issues" dated May 24, 2016, in the form included as Attachment 1.
ACTION: Approved as recommended. (Padilla/MacDonald). Ayes: Padilla, Flynn, Ramirez and MacDonald. Absent: Perello.

2. SUBJECT: Agreement with Ventura County Animal Shelter (VCAS) for Sheltering of Animals from the City of Oxnard.
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a one year-agreement with the County of Ventura's Public Health Agency (A-7904) for animal sheltering services estimated at $1,556,959 for Fiscal Year 2016-2017; and 2) Receive a report from staff on current Animal Safety Unit operations provided by the City.
DISCUSSION: The Assistant Police Chief and Terry Diller, Ventura County Animal Services Director, reviewed the Ventura County Animal Shelter system, "no" kill program, "community" outreach program and expenses.

Public comments received from: Pat Brown; Jackie Tedeschi and George Miller.

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

Public Works Department

3. SUBJECT: Agreement with TranSystems Corporation for Marine Engineering Services of the Inland Waterway Districts of Mandalay Bay, Westport and Seabridge.
   RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with TranSystems Corporation (TranSystems) (7401-16-PW) for on-call as needed marine engineering services of the Waterway Districts of Mandalay, Westport, and Seabridge in an amount not-to-exceed $929,500 over a three year term; 2) Approve Task Orders 1 and 2 for permit processing and engineering design services regarding West Hemlock Street seawalls; and 3) Approve a Budget Appropriation in the total amount of $379,500 from the fund balances of Mandalay – Fund 121 ($284,500). Westport – Fund 175 ($47,500) and Seabridge – Fund 173 ($47,500) Districts.
   DISCUSSION: The Public Works Director reviewed the service to be provided by this "on call" contract and funding.

   Public comments received from: Debbie Mitchell and George Miller.

   The City Council requested update of seawall repair issues and options.

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

4. SUBJECT: Retroactive Agreement for Trade Services with Mario's Trucking Corporation.
   RECOMMENDATION: Approve and authorize the City Manager to execute a retroactive Agreement for Trade Services with Mario's Trucking Corporation (A-7894), for supplemental waste transfer hauling services for the term March 1, 2016, through June 30, 2016 in the amount of $100,000.
   DISCUSSION: The Environmental Resources Manager reviewed the "need" to hire a third vendor program to provide services.

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

At 8:53 p.m., Councilman MacDonald left the meeting.

5. SUBJECT: Contract A-7874 with Pacific Coast Well Drilling, Inc. for ASR Well No. 1 - Campus Park Wellfield.
   RECOMMENDATION: 1) Consider an Addendum to the final Environmental Impact Report for the Groundwater Recovery Enhancement and Treatment ("GREAT") Program (SCH #200301 1045); 2) Award Contract No. A-7874 to the lowest responsible and responsive bidder, Pacific Coast Well Drilling, Inc., in the amount of $1,157,369 for Project Specification No. UD15-24 (Rebid) Aquifer Storage and Recovery (ASR) Water Well No. 1 – Campus Park Wellfield; 3) Approve a budget appropriation in the amount of $643,271 from the Resource Development Fee Fund 603 fund balance; and 4) Authorize the Purchasing Agent to issue and execute the Contract upon receipt of final documents.
   DISCUSSION: The Public Works Director reviewed the project to explore options including use of GREAT facilities, demonstration testing, data collecting, construction of pipelines and facilities.

   Public comments received from: Jackie Tedeschi and George Miller.

The City Council discussed: State regulations; well capacity (water storage); amount of water to be produced; phases of the project; and possible reduction of water rate/costs.

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

At 9:16 p.m., Councilman MacDonald returned to the meeting

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

H. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Appointments to Commission on Homelessness and Community Relations Commission to Fill Unexpected Vacancies.
   RECOMMENDATION: 1) That the Mayor, with approval of the City Council, appoint two (2) members to the Commission on Homelessness; and 2) That the City Council appoint one (1) member to the Community Relations Commission.
   ACTION: Mayor Flynn appointed David Courtland and Yukio Okano to Commission on Homelessness with Council approval. Councilmembers were polled and selected Helaine Stallion to Community Relations Commission.

R. ADJOURNMENT

At 9:24 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor