MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 17, 2013

A. ROLL CALL/POSTING OF AGENDA

At 4:32 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Commission Development Commission Successor Agency. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The Deputy 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: Karen Burnham, Interim City Manager; Stephen Fischer, Interim City Attorney; Grace Magistrale Hoffman, Deputy City Manager; Martin Erickson, Deputy City Manager; and Kymberly Horner, Interim Redevelopment Services Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments received from: Larry Stein

C. CLOSED SESSION

At 4:40 p.m. the City Council and Successor Agency the City Council and Successor Agency recessed to a closed session, pursuant to Government Code section 54956.(d)(1) to confer with attorneys. The title and case number of the litigation being discussed is SOCM I, LLC v. City of Oxnard, et al., Ventura County Superior Court, Case No. 56-2012-00427637-CU-MC-VTA.

The City Council also 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 is Sierra Club, et al. v. City of Oxnard, et al. Ventura County Superior Court Case No. 56-2011-00401161-CU-WM-OXN

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(4) , based on existing facts and circumstances, to whether to initiate litigation in 7 potential cases.

At 6:34 p.m. the City Council reconvened to the evening session. The Interim City Attorney announced that instructions were provided to attorneys including payment of attorney fees.

D. OPENING CEREMONIES

At 6:34 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 with all members of the Council present. Additional staff members present were: James Cameron, Chief Financial Officer; Rob Roshanian, Interim Public Works Director; Jason Benites, Assistant Police Chief; William Wilkins, Housing Director; Matthew Winegar, Development Services Director; Michelle Tellez, Human Resources Director; Michael Henderson, General Services Manager; Anthony Emmert, Water Resources Manager; Todd Housley, Environmental Resources Manager; and Lou Balderrama, City Engineer.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Update on California State University Channel Islands' 5th Annual Science Fair.
DISCUSSION: President Rush of CSUCI commented the success of a Science Fair held at Thurgood Marshall Elementary School

2. SUBJECT: Presentation to Oxnard City Corps from Community Roots Gardens - North Oxnard United Methodist Church.
DISCUSSION: The Community Roots Gardens - North Oxnard United Methodist Church commented on work and support of the City Corps including support of the City.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Dan Pinedo; Nancy Pedersen; Mike Stilley; Gloria Valencia (Jose Espinosa; Hilary Ramos; Jennelyn Cezar; Liz Fernandez, Rocio and Gustavo Bucio; Sarfaz Patel, Mizella Haywood); Alice Madrid, Jeff Maulhardt; Shaun Stanistreet; Larry Stein; Theadora Davitt-Cornyn; Harold Ceja; Pat Brown; Chuy Rocha; Jim Yarbrough; Patricia Moran; Teresa Ramirez; Elliott Gabriel; Francisco Chavez Romero; Abel Magana; Elsa Serrano; Juan Delgado and Elizabeth Wolfel.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending October 31, 2013. (001)
RECOMMENDATION: Receive Report.
DISCUSSION: The Chief Financial Officer commented on General Fund subsidy of PAC, capital reserves, comparison of past year figures and differences of reports of other agencies.

Public comments received from: Larry Stein.

The Council commented on need to review PAC, comparison of other agencies and differences from last year.

ACTION: Received report and provided comments.

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

K. REPORTS

Public Works Department

1. SUBJECT: Groundwater Recovery Enhancement and Treatment (GREAT) Program Report. (019)
RECOMMENDATION: 1) Receive a verbal report on the GREAT Program and provide direction to staff regarding next steps; and 2) Approve a special budget appropriation (SBA) to reflect current project priorities and establish new accounts for financial management of the various projects in the GREAT Program.

DISCUSSION: The Water Resources Manager commented on: 1) the projected future cost of water; 2) limited water supply; 3) actions of other water agencies; 4) water supply options; 5) recommended projections; 6) injection of recycled water allocations; and 7) costs of a "sea water" desalter system.

The Interim Public Works Director reviewed the funding

The Chief Financial Officer outlined the financing analysis; reviewed future bond needs and discussed possible rate increase of waste water due to bond rating.

Mr. Robert Saperstein, Brownstein Hyatt Farber Schreck LLP, City's Special Counsel on Water Issues, commented regarding Proposition 218 issues, Fox Canyon Groundwater Management Agency Issues and water rights.

Public comments received from: Nancy Pedersen; Larry Stein; Pat Brown; Gerald Kapuscik; Jim Lavery; William Terry and Steve Nash.

The Council discussed: the "water credits" issue; cost of imported water; "water desalter" costs; bond costs; staffing levels requirements; having a hybrid water model; need for public awareness of water use; and a "water conservation" policy.

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

L. PUBLIC COMMENTS ON REPORTS

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

2. SUBJECT: Verbal Update on the Materials Recycling Facility (MRF).
RECOMMENDATION: Receive and consider verbal report.
DISCUSSION: The Environmental Resources Manager outlined the progress of the transition including hiring of current employees and new employees.
ACTION: Received report.

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.
DISCUSSION: The Interim Redevelopment Services Manager briefly updated the Council.

The Council discussed the timeline of Department of Finance (DOF).

ACTION: Received report.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:39 p.m., the joint meeting with the Community Development Successor Agency concluded.

N. CITY COUNCIL BUSINESS /COMMITTEE REPORTS

1. SUBJECT: Verbal Discussion of Temporary Upgrade Pay for Interim City Attorney Stephen Fischer.
   DISCUSSION: The Human Resources Director reviewed the process of the Deputy City Attorney returning to previous position, employees' benefits and information regarding interim personnel positions.
   ACTION: Received report.

O. STUDY SESSION

Finance Department

1. SUBJECT: Fiscal Year 2012-13 Preliminary Year-End Financial Update and General Fund Projection for Fiscal Year 2013-14. (023)
   RECOMMENDATION: Receive a preliminary year-end update for Fiscal Year (FY) 2012-13 and General Fund projections for FY 2013-14.
   ACTION: Continue to future date.

P. PUBLIC COMMENTS ON STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

The following individuals provided comments: Police Chief and General Services Manager (S-1(a)); Project Manager (S-1(e)); Library Director (S-1); and Traffic Engineer (S-3). Mayor Flynn requested S-4 be removed from agenda.

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided public comments: Charles Oaks (S-1); Larry Stein (S-5); and Todd Temanson (S-5).

S. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (031)
   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.

Development Services Department

2. SUBJECT: Heavy Container Corridors. (035)
   RECOMMENDATION: Approve **Resolution No. 14,449** establishing Heavy Container Corridors.

3. SUBJECT: Special Budget Appropriation for Program Supplement Agreement No. 066-N. (049)
   RECOMMENDATION: Approve the special budget appropriation recognizing Federal grant funds awarded from the Regional Surface Transportation Program Congestion Mitigation and Air Quality in the amount of $1,760,000.

4. SUBJECT: Extension of the Channel Islands Harbor Annexation Agreement. (059)
RECOMMENDATION: Approve the Sixth Amendment, consisting of a one-year extension to the City of Oxnard Annexation Agreement (A-7638) between the County of Ventura as it relates to Channel Islands Harbor and the City of Oxnard, to allow for negotiation of a replacement agreement, and authorize the City Manager to represent the City in the negotiation of a replacement agreement.

5. SUBJECT: Second Reading of **Ordinance No. 2877** Approving the Fifth Amendment to the RiverPark Development Agreement No. A-6128 (PZ Nos. 13-670-02, 13-670-03 and 13-670-04. (063)
RECOMMENDATION: Second reading and adoption.*

Police Department

6. SUBJECT: Supplemental Law Enforcement Services Fund. (065)
RECOMMENDATION: 1) Recognize $320,464 in grant revenue from the State Supplemental Law Enforcement Services Fund (SLESF) for Citizens Option for Public Safety (COPS) Program; and 2) Approve a special budget appropriation in the amount of $320,464 for improvements and equipment.

Recreation and Community Services Department

7. SUBJECT: Environmental Workforce Development and Job Training Program. (069)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with U.S. Environmental Protection Agency (EPA) for the City of Oxnard to implement the Environmental Workforce Development and Job Training Program in the amount of $267,000; and 2) Approve a special budget appropriation recognizing $200,000 of EPA grant award and provide a matching contribution in the amount of $67,000 to the Environmental Workforce Development Grant.

INFORMATION/CONSENT AGENDA ACTION: Approve as recommended (Padilla/Perello)
Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez. *Noes: Ramirez and MacDonald S-5 only.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed: traffic intersection of Justin & Bard Road; community support of Christmas programs; upcoming Homelessness count; Neighborhood Council meetings; Neighborhood Watch program; water usage; Citizen (Police) Oversight Commission; and Policy and Procedures meeting.

T. ADJOURNMENT

At 11:44 p.m. the City Council concurred to adjourn the meeting.

Daniel Martinez
DANIEL MARTINEZ
City Clerk

Timothy Flynn
TIM FLYNN
Mayor