MINUTES

OXNARD CITY COUNCIL
Regular Meeting
May 13, 2014

A. ROLL CALL/POSTING OF AGENDA

At 4:32 p.m., the regular meeting of the Oxnard City Council convened in the Council. 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; Karen Burnham, Interim City Manager; Stephen Fischer, Interim City Attorney; Michelle Tellez, Human Resources Director; James Cameron, Chief Financial Officer and Grace Magistrale Hoffman, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Steve Nash; Shirley Godwin; Larry Godwin; Pat Brown; Martin Jones; Rebecca Ralph; Gayle Elkins; Karl Lawson; Chris Williamson; Cynthia Daniels; Stephanie Huhn; Cyndi Hookstra and Miguel Lopez.

C. CLOSED SESSION

At 5:05 p.m. the City Council 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 Edmund Sotelo v. City of Oxnard, United States District Court, Case No. CV13-6039 FMO(MRWx).

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6 to review the status of negotiations and to provide instructions to the City's negotiators, Michelle Téllez, Director of Human Resources and Jeffrey C. Freedman, City's labor attorney, regarding salaries, salary schedules and compensation paid in the form of fringe benefits for employees represented by the employee organization identified as the Oxnard Mid-Managers' Association and other matters within the scope of representation.

At 6:42 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:44 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Housing Authority. 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: William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; James Williams, Fire Chief; Jason Benites, Assistant Police Chief; Michael Henderson, General Services Manager; Daniel Rydberg, Construction and Maintenance Superintendent and Kymberly Horner, Interim Redevelopment Services Manager

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Donation From Pangasinan Association of Ventura County to Improve Bus Stops/Shelters in Oxnard
   DISCUSSION: Joseph Camo, Ampy Rabano and Luz Barcena of the Pangasinan Association of Ventura County, presented a $3,000 check to the City for a bus stop shelter.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ed Ellis; Vincent Stewart; Joseph Contaoi; Lauraine Effress; Joe Avelar; Sandra Sudac; Larry Stein; Martin Jones; Daniel Lechliter; Martin Glatt; Elizabeth Wolfel; Ana Lopez; Patrick Barrios and Juan Delgado.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

HOUSING AUTHORITY

At 7:33 p.m., the City Council recessed while Housing Authority held a meeting. At 8:48 p.m. the Council meeting reconvened and the joint meeting with the Housing Authority concluded.

K. REPORTS

Community Development Department

1. SUBJECT: Property-Based Business Improvement District Petition. (001)
   RECOMMENDATION: 1) Consider the Property-Based Business Improvement District ("PBID") Petition ("Petition"); and 2) Authorize the Mayor, City Manager or a designee sign the Petition on behalf of the City.
   DISCUSSION: The Interim Redevelopment Services Manager outlined the PBID petition process including boundaries, proposed assessments, "time-line" schedule process and Council's voting options.

   Abel Magana, Downtown Management District, commented on the PBID process and stated that "churches" are exempt from assessment district and are not provided services.

   Public comments were received from: Tom Garcia; Susan Smith; Larry Stein; Michelle Kenny; Kim Recharte; Gary Blum and Samuel Sepulveda.

Councilmembers discussed: the voting process, marketing of downtown, services to be provided by Downtown Management District and Council's commitment to the downtown area.

ACTION: Approve option three (Perello/Flynn) Ayes: Perello and Flynn. Noes: Ramirez, MacDonald and Padilla. (motion failed 2-3). Approved as recommended with Mayor signing PBID petition. (Padilla/Ramirez). Ayes: MacDonald, Padilla, Flynn and Ramirez. Noes: Perello.

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Construction and Maintenance Superintendent (S-9) and General Services Manager (S-3).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Larry Stein (S-3) and Steve Nash (S-3) & (S-9).

S. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (051)
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 no more than $250,000, which are described on the attached list.

2. SUBJECT: Scheduling of Public Hearing and Adoption of Resolutions to Declare Intent to Levy FY 2014-2015 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (055)
RECOMMENDATION: 1) Adopt resolutions declaring City Council's intention to levy FY 2014-2015 assessments for Landscape Maintenance Districts Nos. 1 through 3, and 7 through 26 in the following tracts: • **Resolution No. 14,570**: Tract No. 2247, District No. 1 (Summerfield); • **Resolution No. 14,571**: Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); • **Resolution No. 14,572**: Tract No. 3384, District No. 3 (River Ridge); • **Resolution No. 14,573**: Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/ Seagate Business Park); • **Resolution No. 14,574**: Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); • **Resolution No. 14,575**: Tract No. 4405, District No. 10 (Country Club Estates); • **Resolution No. 14,576**: Tract No. 4376, District No. 11 (St. Tropez); • **Resolution No. 14,577**: Tract No. 4294, District No. 12 (Standard Pacific); • **Resolution No. 14,578**: Tract No. 4424, District No. 13 (Le Village); • **Resolution No. 14,579**: Tract No. 4492, District No. 14 (California Cove); • **Resolution No. 14,580**: Tract No. 4443, District No. 15 (Pelican Pointe); • **Resolution No. 14,581**:Tract No. 4810, District No. 16 (California Lighthouse); • **Resolution No. 14,582:** Tract No. 4702, District No. 17 (Village of San Miguel); • **Resolution No. 14,583** Parcel Map Nos. 213-0-031-355, 375, 385, 405, 415, 425, District No. 18 (St. John's Regional Medical Center); • **Resolution No. 14,584** Tract No. 4827, District No. 19 (Shopping at the Rose); • **Resolution No. 14,585** Parcel Map Nos. 231-0-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center); • **Resolution No. 14,586** Tract Nos. 3384-7, 8, District No. 21 (Cypress Pointe); • **Resolution No. 14,587** Tract No. 4611, District No. 22 (McDonald's

Median); • **Resolution No. 14,588** Tract No. 4529, District No. 23 (Greystone); • **Resolution No. 14,589** Tract No. 4529, District No. 24 (Vineyards); • **Resolution No. 14,590** Tract No. 4840, District No. 25 (The Pointe); and • **Resolution No. 14,591** Parcel Map No. 202-0-010-685, District No. 26 (Albertson's); and 2) Set a public hearing for June 10, 2014, on the levy of the proposed assessments in Landscape Maintenance District Nos. 1 through 3, and 7 through 26. *Councilmember Perello abstain only for districts 13, 23, and 24.

3. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for GS09-04-East Village Park Construction of New Park. (153)
RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, C.S. Legacy Construction, Inc. (A-7671) in the amount of $1,396,440.00 for GS09-04 East Village Park Construction of New Park, located at 2051 Jacinto Drive, and authorize the purchasing agent to execute the contract upon receipt of final documents.

4. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for DS13-16-Median and Traffic Signal Modifications at Intersection of Pleasant Valley Road and Rose Avenue. (225)
RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, Berry General Engineering Contractors, Inc. (A-7673) in the amount of $285,223.45 for DS13-16-Median and Traffic Signal Modifications at Intersection of Pleasant Valley Road and Rose Avenue and authorize the purchasing agent to execute the contract upon receipt of final documents.

5. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for GS13-11R (Rebid) Vineyards Park Improvements of Walking Track. (267)
RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, Hughes General Engineering, Inc. (A-7670) in the amount of $303,520 for GS13-11R (Rebid)-Vineyards Park Improvements-Walking Tract, located at 2790 Smokey Mountain Road, and authorize the Purchasing Agent to execute the contract upon receipt of final documents.

City Treasurer Department

6. SUBJECT: Quarterly Investment Report for the Third Quarter F/Y 2013-2014. (361)
RECOMMENDATION: Accept the Quarterly Investment Report for the Third Quarter F/Y 2013-2014.

Development Services Department

7. SUBJECT: Second Reading of **Ordinance No. 2881** Amending the City Zone Map (PZ No. 11-560-02) for Prezoning of 2991 Ventura Boulevard to General Commercial Planned Development (C-2-PD). (369)
RECOMMENDATION: Second reading and adoption.

8. SUBJECT: Authorization to Appropriate General Plan Maintenance Fee Revenue. (373)
RECOMMENDATION: Recognize and appropriate $125,000 from the General Plan Maintenance Fee in Fiscal Year 2013-2014 for the preparation of a comprehensive update of the Local Coastal Program and the completion of the 2014-2021 Housing Element.

Public Works Department

9. SUBJECT: Professional Services Agreement with KEH & Associates, Inc. for Wastewater and Storm Water Operations, Management and Assessment. (377)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with KEH & Associates, Inc. (A-7672) in the amount of $2,275,355 for Phase 1 of Wastewater and Storm Water operations, management and assessment; and 2) Approve the appropriation of funds in the amount of $189,614 from the Wastewater Treatment Operating Fund Balance and $63,203 from Wastewater Collection Operating Fund Balance to fund FY 2013-14 costs related to Phase I of the Agreement.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (MacDonald/ Ramirez) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez. *Abstain: Perello (S-2 districts 13, 23, and 24.)

K. REPORTS

Finance Department

2. SUBJECT: Monthly Budget Status Report for the Period Ending March 31, 2014. (031)
RECOMMENDATION: Receive Report.
ACTION: Continue to May 20, 2014.

Fire Department

3. SUBJECT: Verbal Report Regarding the Estimated Costs and Responsibilities for a Marine Safety Officer Position (MSO).
RECOMMENDATION: Receive Report.
DISCUSSION: The Fire Chief briefly reviewed initial costs, annual costs (Junior Life Guard Program) and labor costs including a full-time Marine Safety Officer position. The Chief Financial Officer stated the recommended budget would be presented and priority issues could be discussed.

Public comment was received from: Larry Stein.

The Council discussed: hiring of personnel; alternatives (partnerships) such as working with County and having a life guard program.

ACTION: The City Council received report.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Verbal Update on the Fox Canyon Groundwater Management Agency Water Decision and the Impacts to the City's Water Conservation Program.
RECOMMENDATION: Receive report.
DISCUSSION: The Construction and Maintenance Superintendent reviewed: future regulations; Fox Canyon Ground Water Management Agreement; use of water wells; staffing & training of personnel; future "water" supply and "water" rates.

At 11:14 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 11:19 p.m., Mayor Flynn returned to the meeting and presided.

Public comments were received from: Steve Nash and George Miller.

The Council discussed: city-wide "water" impacts; residential water use; Ground water credits; discussions with Fox Canyon Groundwater Management Agency to recharge ground water and communications with the community.

ACTION: The City Council received report.

L. REPORT OF CITY MANAGER

The Interim City Manager stated that the Oxnard Police Memorial for fallen officers would be held on May 14, 2014.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council commented on: street push-cart vendors; park restroom facilities; mobile food vendor ordinance; youth leadership council; community bike safety; receiving sample ballots; summer concert series; Strawberry Festival and golf course contract.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

T. ADJOURNMENT

At 11:45 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem