

MINUTES

OXNARD CITY COUNCIL

Regular Meeting
October 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. 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; Maria Hurtado, Assistant City Manager; Stephen Fischer, Interim City Attorney; Scott Whitney, Assistant City Manager and Chris Williamson, Principal Planner.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 4:37 p.m., the City Council 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.

At 5:38 p.m., the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 5:39 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. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Joseph Lillio, Chief Financial Officer; Daniel Rydberg, Interim Utilities Director; Todd Housley, Environmental Resources Manager; Michael Henderson, General Services Manager; Kathleen Mallory, Contract Planner; Keith Brooks, Interim Information Systems Manager; Cynthia Daniels, Project Manager and Kymberly Horner, Economic Development Director.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Peggy Rivera (homelessness issue); Al Velasquez (attorney fees regarding NRG plant); Patrick Barrios (use of consultants, Colonia streets/sidewalks) and Martin Jones (cost and use of attorneys regarding the NRG plant site issue).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim Information Systems Manager (I-1(c)) and Contract Planner (I-2) & (I-3).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment received from: Martin Jones (I-2); Pat Brown (I-2 & I-3) and Larry Stein.

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (001)
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

2. SUBJECT: Second Reading of **Ordinance No. 2895** Approving Planning and Zoning Permit No. 14-570-02 (Zone Change) on Parcels Located on Pleasant Valley Road and Etting Road. (003)
RECOMMENDATION: Second reading and adoption.*
3. SUBJECT: Second Reading of **Ordinance No. 2896** Approving Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment). (009)
RECOMMENDATION: Second reading and adoption.*
4. SUBJECT: Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580). Filed by Greg Mendoza, TriPointe Homes, 19520 Jamboree Road, Suite 200, Irvine, California 92612. (015)
RECOMMENDATION: Adopt **Resolution No. 14,865** approving Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580) for the property located on the Northwest Corner of Victoria Avenue and Hemlock Street, (APN: 187-0-060-105 and 187-0-060-095), subject to certain findings and conditions.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Padilla/ Ramirez)
Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. Noes: Flynn I-2 and I-3* and Perello only I-1(c)**

J. PUBLIC HEARINGS

K. APPOINTMENT ITEMS

L. REPORTS

Utilities Department

1. SUBJECT: Proposed Comprehensive Five-Year Utilities Rate Increases. (059)
RECOMMENDATION: 1) Review and provide direction on recommendations including: utility vision and guiding principles statements; utility rate policy; utility capital improvement program (CIP); and utility rate structure; 2) Review and provide direction on implementation of rate increases for the Water, Wastewater, and Environmental Resources Enterprises. The proposed rate increase for Wastewater is 35% for Fiscal Year 2015-16, 10% for Fiscal Year 2016-17, 8%

for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Water is 15% for Fiscal Year 2015-16, 12% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Environmental Resources is 6% for Fiscal Year 2015-16, 4% for Fiscal Year 2016-17, 4% for Fiscal Year 2017-18, 4% for Fiscal Year 2018-19, and 3% for Fiscal Year 2019-20; and 3) Authorize staff to proceed with the Proposition 218 public notification process.

DISCUSSION: The City Manager reviewed the next step process to raise "utilities" rates including the 218 process.

The Interim Utilities Director commented on several issues including: beginning the 218 process, projected water revenues, recycled water revenues, water conservation impacts; Utility Ratepayers Advisory Panel; returning to City Council with "penalty water use" options and having an "utility assistance" program.

Robert Saperstein, Brownstein Hyatt Farber Schreck, reviewed 218 process to the City Council, setting the rates and options of the community/Council.

RECESS

At 7:12 p.m., the City Council recessed and at 7:26 p.m., the City Council reconvened.

The Environmental Resources Manager discussed; vehicle use; pick-up of refuse; sorting of recyclables and use of the recycle facility and equipment.

Lewis G. Feldman, bond counsel, commented on having "low" water rates for several years and possible future bond rating by Standard & Poor's.

Alexander Bugbee, (Analyst) Carollo Engineers, reviewed rate structure and different levels of "users".

The Chief Financial Officer outlined Standard & Poor's "bond rate" assessment (water conservation & low rates); meeting debt coverage; utility "rate" policy; need for emergency reserve and proposed increase of reserves.

Public comments received from: Nancy Lindholm; Frank Brommenschencel; Harold Ceja; Al Velasquez; Dan Pinedo; Larry Stein; Ed Ellis; Steve Nash; Aaron Star and Pat Brown.

The City Council commented on: the Utility Ratepayer Advisory Panel; information available to community; State legislation; new "billing" structure; vital "services of water, wastewater and refuse"; having a penalty schedule; having a protest process; costs of maintenance of facilities/equipment.

ACTION: The City Council provided comments and directions for staff to move forward with the 218 process (Ramirez/Padilla) approved unanimously.

2. SUBJECT: GS11-12-Colonia Park Improvements, GS15-16-Wilson Park Improvements, and GS16-08-Beck Park Improvements. (087)

RECOMMENDATION: Approve plans and specifications for Project Specification No. GS11-12 Colonia Park Improvements, GS15-16 Wilson Park Improvements, and GS16-08-Beck Park Improvements; authorize staff to conduct a public bid for these three projects; and authorize use of Housing Related Parks (HRP) grant funds approved for this purpose.

DISCUSSION: The General Services Manager reviewed the plans for the separate sites.

Public comments were received from: Al Velasquez and Martin Jones.

The Council discussed: location of Wilson Park restroom; cleaning of facilities and cost of building a restroom.

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

M. REPORT OF CITY MANAGER

The City Manager introduced the Police Chief who presented a proclamation recognizing "Community Safety and Anti-Violence Day".

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: options/role (Ordinance) to develop In-fill property (Flynn); legal brief regarding the proposed NRG power plant site (Ramirez); having a "community events" policy (Ramirez) and Sycamore Apartments update (Perello).

O. PUBLIC COMMENTS ON REPORTS

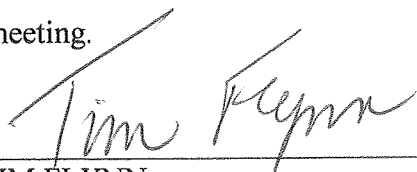
P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 11:21 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


TIM FLYNN
Mayor