MINUTES

OXNARD CITY COUNCIL
Regular Meeting
June 23, 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 Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Mayor Flynn was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro-Tem Ramirez 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, Interim Assistant City Manager; Stephen Fischer, Interim City Attorney; Rob Silverstein, Code Compliance Officer.

J. PUBLIC HEARINGS

Police Department

ACTION: Mayor Pro Tem Ramirez declared the public hearing open.
DISCUSSION: The City Clerk reported on mailing and that there were no written communications received.

1. SUBJECT: Recovery of Civil Citation Fines. (001)
RECOMMENDATION: 1) Conduct a public hearing to consider objections to the cost report of property owners whose property is to be assessed for civil citation fines; 2) Approve the cost report; and 3) Direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.
DISCUSSION: The Code Compliance Officer reviewed the process, history of issuing civil citations and efforts to solve issues. The Interim City Attorney review possible options of the City Council.

Public comments were received from: Anthony von Teuber; Elmore Fowlie and Earl Sullivan.

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

DISCUSSION: The City Council discussed possible "property owners" options including having an administrative hearing.

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

ACTION: Mayor Pro Tem Ramirez declared the public hearing open.
DISCUSSION: The City Clerk reported on mailing and that there were no written communications received.

2. SUBJECT: Recovery of Nuisance Abatement Costs. (019)
RECOMMENDATION: 1) Conduct a public hearing to consider objections to the cost report of property owners whose property is to be assessed for nuisance abatement costs; 2) Approve the cost report; and 3) Direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.
ACTION: Close the public hearing. (Padilla/Perello) approved unanimously. Approved as recommended. (MacDonald/Perello) Padilla, Perello, Ramirez and MacDonald. Absent: Flynn.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:02 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 was City of Oxnard v. Dale Belcher, et al. Ventura County Superior Court, Case No. 56-2014-00450216-CU-CO-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 was Edmund Sotelo v. City of Oxnard, United States District Court, Case No. CV13-6039 FMO(MRWx)

At 6:02 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:04 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 Pro-Tem Ramirez presided.
Additional staff members present were: Jeri Williams, Police Chief; J. Tabin Cosio, Human Resources Director; Dave Millican, Interim Finance Director; Daniel Rydberg, Interim Utilities Director; Michael Henderson, General Services Manager; Michael More, Financial Resources Manager; and Cynthia Daniels, Project Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Mike Hernandez (Special Olympics); Jack Villa; Larry Stein; Patrick Barrios, Robert Rexford and Bricio Zaragoza.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: City Manager (I-1(k)); General Services Manager and Interim Financial Director (I-3) and General Services Manager (I-4).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment was received from: Larry Stein (I-1(k) and (I-3).

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (023)
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.

Finance Department

2. SUBJECT: Special Tax Levy for Community Facilities District No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange). (029)
RECOMMENDATION: That City Council, acting as the legislative body of Community Facilities District No. 2000-3 ("CFD No. 2000-3"), adopt **Resolution No. 14,777** setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2015-2016.

General Services Department

3. SUBJECT: Approval and Execution of Change Order #10 to Contract A-7671 for GS09-04 East Village Park Construction. (041)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order #10 to Contract A-7671 to C.S. Legacy Construction, Inc., in the amount of $557,866.43 for GS09-04 East Village Park, a newly constructed park located at 2051 Jacinto Drive.

4. SUBJECT: Approval of Low Responsible Responsive Bid and Authorization to Issue and Execute a Contract (A-7785) for GS14-16 Thompson Park Construct Restroom and Site Improvements Project. (069)
RECOMMENDATION: Award contract A-7785 to the low responsible and responsive bidder, Hansons and Son Construction Inc., in the amount of $217,000 for GS14-16 for Thompson Park to construct a new restroom in the park and authorize the purchasing agent to execute the contract upon receipt of final documents.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with removal of I-5. (MacDonald/ Perello) Ayes: Padilla, Perello, Ramirez and MacDonald. Absent: Flynn.

K. APPOINTMENT ITEMS

1. SUBJECT: Verbal Report on Assessment Districts Project.
RECOMMENDATION: Receive and consider the verbal report.
DISCUSSION: The City Manager and Interim Finance Director commented on investigating landscape district issues, district budgets, assessment fees and maintenance standards.

At 7:24 p.m., Mayor Flynn was present and presided.

The Council discussed: possible district elections; "landscaping" responsibilities and providing desired "assessment" services for each district.

ACTION: The Council received the report and provided comments.

I. INFORMATION/CONSENT AGENDA

General Services Department

5. SUBJECT: Adoption of Resolutions Levying FY 2015-2016 Assessments in Landscape Maintenance District Nos. 27 through 60. (091)
RECOMMENDATION: Adopt resolutions levying FY 2015-2016 assessments for Landscape Maintenance District Nos. 27 through 60 as follows: • **Resolution No. 14,778** Tract No. 5016, District No. 27 (Rose Island); • **Resolution No. 14,779** Tract No. 4268, District No. 28 (Harborside); • **Resolution No. 14,780** APN 202-0-110-175 and 202-0-110-295, District No. 29 (Mercy Charities Housing Project);• **Resolution No. 14,781** Tract No. 5020, District No. 30 (Haas Automation); • **Resolution No. 14,782** Tract No. 4714, District No. 31 (Rancho de la Rosa); • **Resolution No. 14,783** Tract No. 5070, District No. 32 (Oak Park); • **Resolution No. 14,784** Tract No. 5153, District No. 33 (El Paseo); • **Resolution No. 14,785** Tract No. 5136, District No. 34 (Sunrise/Sunset Cove); • **Resolution No. 14,786** Parcel Map No. 97-5-55, District No. 35 (Airport Marina Center); • **Resolution No. 14,787** Tract No. 5135, District No. 36 (Villa Carmel/Villa Santa Cruz); • **Resolution No. 14,788** Tract No. 5137, District No. 37 (Pacific Breeze); • **Resolution No. 14,789** Tract No. 5148, District No. 38 (Aldea Del Mar);
• **Resolution No. 14,790** Tract No. 5198-1 and 5198-2, District No. 39 (Promesa/Sueno);
• **Resolution No. 14,791** Tract No. 5214, District No. 40 (Cantada); • **Resolution No. 14,792** Tract No. 5171, District No. 41 (Pacific Cove); • **Resolution No. 14,793** Tract No. 5228, District No. 42 (Cantabria/ Coronado); • **Resolution No. 14,794** Parcel Map No. 98-5-117, Tract Nos. 4317, 5293 and 5294, District No. 43 (Parc Rose, Tierra Vista, Sonrisa II and Mayfield Village); • **Resolution No. 14,795** Tract No. 5253, District No. 44 (American Pacific Homes); • **Resolution No. 14,796** Parcel Map No. 00-5-55, District No. 45 (Channel Point); • **Resolution No. 14,797** Tract No. 5276, District No. 46 (Daily Ranch); • **Resolution No. 14,798** Tract No. 5339, District No. 47 (Sycamore Place); • **Resolution No. 14,799** Tract No. 5234, District No. 48 (Victoria Estates);
• **Resolution No. 14,800** Tract No. 5296, District No. 49 (Cameron Ranch); • **Resolution No. 14,801** Tract No. 5273, District No. 50 (Pleasant Valley Senior Housing); • **Resolution No. 14,802** Tract No. 5389-1, 2 and 3, District No. 51 (Pfiler);
• **Resolution No. 14,803** Tract No. 5340, District No. 52 (Wingfield); • **Resolution No. 14,804** Tract No. 5305, District No. 53 (Huff Court); • **Resolution No. 14,805** Tract No. 5459, District No. 54 (Meadowcrest); • **Resolution No. 14,806** Tract No. 5640, District No. 55 (Wingfield West); • **Resolution No. 14,807** Tract No. 5450, District No. 56 (The Cottages); • **Resolution No. 14,808** APN 144-0-150-085, APN 144-0-150-075, District 57 (Golden State Self Storage); • **Resolution No. 14,809** Tract No. 5441, District No. 58 (Westwind);
• **Resolution No. 14,810** Tract No. 5542, District No. 59 (Orbela); and • **Resolution No. 14,811** APN 213-0-031-250, APN 213-0-031-260, APN 213-0-031-450, District 60 (The Artisan).
DISCUSSION: The General Services Manager commented on the set-up of landscape districts, follow-up investigations of districts and district elections.

Public comments were received from: Julie Miller and Michael Gleason.

The Council discussed the services to be provided to homeowners (landscape) districts and having a basic standard for "landscaping" services though out the city.

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

J. 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.

General Services Department

3. SUBJECT: Public Hearing and Adoption of Resolution to Levy FY2015-2016 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (199)
RECOMMENDATION: 1) Hold a public hearing to receive public testimony regarding the proposed FY 2015-2016 assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26; and 2) Adopt resolutions for FY 2015-2016 confirming assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26 in the following tracts: • **Resolution No. 14,812** Tract No. 2247, District No. 1 (Summerfield); • **Resolution No. 14,813** Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); • **Resolution No. 14,814** Tract No. 3384, District No. 3 (River Ridge); • **Resolution No. 14,815** Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park); • **Resolution No. 14,816** Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); • **Resolution No. 14,817** Tract No. 4405, District No. 10 (Country Club Estates); • **Resolution No. 14,818** Tract No. 4376, District No. 11 (St. Tropez); • **Resolution No. 14,819** Tract No. 4294, District No. 12 (Standard Pacific); • **Resolution No. 14,820** Tract No. 4424, District No. 13 (Le Village); • **Resolution No. 14,821** Tract No. 4492, District No. 14 (California Cove); • **Resolution No. 14,822** Tract No. 4443, District No. 15 (Pelican Pointe); • **Resolution No. 14,823** Tract No. 4810, District No. 16 (California Lighthouse); • **Resolution No. 14,824** Tract No. 4702, District No. 17 (Village of San Miguel); • **Resolution No. 14,825** Parcel Map Nos. 213-0-031-355, 375, 385, 405, 415 and 425, District No. 18 (St. John's Regional Medical Center); • **Resolution No. 14,826** Tract No. 4827, District No. 19 (Shopping at the Rose);
• **Resolution No. 14,827** Parcel Map Nos. 231-0-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center); • **Resolution No. 14,828** Tract No. 3384-7, 8, District No. 21 (Cypress Pointe); • **Resolution No. 14,829** Tract No. 4611, District No. 22 (McDonald's Median);
• **Resolution No. 14,830** Tract No. 4529, District No. 23 (Greystone); • **Resolution No. 14,831** Tract No. 4529, District No. 24 (Vineyards); • **Resolution No. 14,832** Tract No. 4840, District No. 25 (The Pointe); and • **Resolution No. 14,833** Parcel Map No. 202-0-010-685, District No. 26 (Albertson's).*
DISCUSSION: The City Manager and General Services Manager commented on the need to be "transparent" regarding landscape services provided.

Public comments were received from: Julie Miller; Larry Stein and Jackie Tedeschi.

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

DISCUSSION: The City Council discussed: providing "transparent" information; differences between districts and having proper maps displaying districts.

ACTION: Approved as recommended. (Ramirez/Padilla) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello. *Abstain: Perello only on District No. 13.

ACTION: Mayor Flynn declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Police Department

4. SUBJECT: Edward Byrne Memorial Justice Assistance Grant Formula Program (JAG): FY 2015 Local Solicitation. (247)
RECOMMENDATION: Adopt **Resolution No. 14,834**: 1) Authorizing the City Manager to execute and submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of $89,657 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2015 Local Solicitation; 2) Authorizing the City Manager to execute a Memorandum of Understanding (City of Oxnard Agreement A-7780) with the County of Ventura and the Cities of San Buenaventura and Thousand Oaks, designating the City of Oxnard as the lead agency and fiscal agent for the JAG; 3) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 4) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve administrative budget adjustments for the use of JAG funds; and 5) Authorizing the Chief of Police or designee to submit all program related progress or status reports.
ACTION: Close the public hearing. (MacDonald/Perello) approved unanimously. Approved as recommended. (MacDonald/Perello) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

K. APPOINTMENT ITEMS

L. REPORTS

Finance Department

1. SUBJECT: Consideration of Adoption of Fiscal Year 2015-2016 Operating Budget. (269)
RECOMMENDATION: 1) That City Council adopt resolutions: (a) **Resolution No. 14,835** approving the City's Fiscal Year 2015-16 Operating Budget; (b) **Resolution No. 14,836** authorizing the Full-Time Equivalent Positions in the City effective July 1, 2015; (c) **Resolution No. 14,837** authorizing the Classification and Salary Schedule effective July 1, 2015; (d) **Resolution No. 14,838** approving the Appropriation Limit for Fiscal Year 2015-16; and (e) **Resolution No. 14,839** approving Financial Management Policies; 2) That City Council authorizes the City Manager to transfer and make adjustment of interfund loans on June 30, 2015 to eliminate cash deficits in the Capital Improvement Impact Fee funds, assessment districts funds, and Golf and Performing Arts and Convention Center funds .

DISCUSSION: The City Manager and Interim Finance Director reviewed the proposed 2015-16 budget including Council expenses, financial impacts and budget forecasts.

Public comments received from: Julie Miller; Daniel Kalbacher; Robert Chatenever; Larry Stein; Steve Huber; Greg Runyon and Dan Pinedo.

The City Council discussed: citywide staffing; having a Citywide "balance" of services; Councilmember Perello's proposed "budget" recommendations and reduction of services.

ACTION: Moved to approve recommendation with Councilmember's Perello recommendations: motion died due to lack of second. Approved as recommended (Flynn/ Ramirez). Ayes: Padilla, Perello, Flynn and Ramirez. Noes: MacDonald,

HOUSING AUTHORITY

At 9:55 p.m. the joint meeting the Housing Authority concluded.

RECESS

At 9:55 p.m., City Council concurred to recessed and at 10:07 p.m., reconvened the Council meeting.

2. SUBJECT: FY 2015-16 Property Tax Rate for Voter Approved Obligations. (315)
RECOMMENDATION: Adopt **Resolution No. 14,840** establishing the FY 2015-16 tax rates on property in the City of Oxnard for the payment of voter approved obligations.
DISCUSSION: The Interim Finance Director commented on necessary changes.
ACTION: Approved as recommended. (MacDonald/Perello). Ayes: Padilla, Perello, Flynn; Ramirez and MacDonald.

3. SUBJECT: Special Tax Levy for Community Facilities District No. 5 (Riverpark) and Agreement for Billing of Direct Assessments. (319)
RECOMMENDATION: That City Council: 1) Acting as the legislative body of Community Facilities District (CFD) No. 5, adopt **Resolution No. 14,841** setting a special tax rate within CFD No. 5 (Riverpark) for FY 2015-16; and 2) Authorize the City Manager to execute an Agreement for Billing of Direct Assessments with the Ventura County Auditor-Controller to provide the service of placement of direct assessments on the Ventura County Secured Tax Toll.
DISCUSSION: The Financial Resources Manager reviewed budget requirements and County costs.
ACTION: Approved as recommended. (Ramirez/Padilla). Ayes: Perello, Flynn; Ramirez, MacDonald and Padilla.

4. SUBJECT: Special Tax Levy for Community Facilities Districts No. 1 and No. 2 (Westport at Mandalay Bay). (345)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) No. 1 and of Community Facilities District (CFD) No. 2: 1) Adopt **Resolution No. 14,842** setting a special tax rate within CFD No. 1 (Westport at Mandalay Bay) for FY 2015-2016; and 2) Adopt **Resolution No. 14,843** setting a special tax rate within CFD No. 2 (Westport at Mandalay Bay) for FY 2015-2016.
DISCUSSION: The Financial Resources Manager reviewed setting tax rate for bonds, upgrades and reviewed a proposed two percent tax increase.
ACTION: Approved as recommended. (MacDonald/Perello). Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

5. SUBJECT: Special Tax Levy for Community Facilities Districts No. 3 and No. 4 (Seabridge at Mandalay Bay). (369)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) No. 3 and Community Facilities District (CFD) No. 4: 1) Adopt **Resolution No. 14,844** setting a special tax rate within CFD No. 3 (Seabridge at Mandalay Bay) for FY 2015-16; and 2) Adopt **Resolution No. 14,845** setting a special tax rate within CFD No. 4 (Seabridge at Mandalay Bay) for FY 2015-16.
DISCUSSION: The Financial Resources Manager reviewed setting tax rate for bonds, upgrades and reviewed a proposed two percent tax rate.
ACTION: Approved as recommended. (Ramirez/Padilla). Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

Development Services Department

6. SUBJECT: Thirteenth Amendment to Agreement with AECOM Technical Services, Inc. (AECOM) for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101. (389)
RECOMMENDATION: Approve and authorize the City Manager to execute a thirteenth amendment to the agreement with AECOM (A-7235) to increase the amount by $90,239 (a total of $5,142,454) to provide construction management services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101.
DISCUSSION: The Project Manager reviewed the project delay and completion of project.

Public comment was received: Larry Stein.

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

General Services Department

7. SUBJECT: Blanket Purchase Order to Extend Agreement with SC Fuels for Gasoline, Diesel, Biodiesel, Lubricants, and Antifreeze from July 1-December 31, 2015. (399)
RECOMMENDATION: Approve and authorize the Mayor to sign a blanket purchase order (No. 4866) to extend the agreement with Southern Counties Fuel DBA SC Fuels. The agreement extension period is for six months from July 1, 2015, to December 31, 2015, to increase the amount by $350,000 for a total amount not to exceed $600,000. The blanket purchase order is for delivery of gasoline, diesel, biodiesel, lubricants, and antifreeze to various City sites.
DISCUSSION: The General Services Manager reviewed the contact and reasons for changes.

Public comment was received from: Larry Stein.

The City Council discussed: maintenance of equipment; fuel costs and finding 'cost" efficiency.

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

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Report on Contributions to the California Public Employees' Retirement System and Level of Salary and Benefits for City Council and the Mayor. (405)
RECOMMENDATION: 1) Receive the report on contributions to the California Public Employees' Retirement System and level of salary and benefits for City Council and the Mayor; and 2) Provide direction to the City Manager regarding the contributions to the California Public Employees' Retirement System and level of salary and benefits for City Council and Mayor.
DISCUSSION: The Human Resources Director reviewed Councilmembers benefits including salary, City "sponsored" benefits and expense reimbursements. The Interim City Attorney recommended that staff return to Council with a resolution regarding Council benefits.

The Council discussed options regarding contributions to be for the retirement of Councilmembers.

ACTION: The City Council received the report and provided comments to staff.

City Clerk Department

2. SUBJECT: Agreement for Publication of Legal Notices and Legal Advertisements. (407)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Vida Newspaper (A-7786) for the publication of legal notices and legal advertisements for Fiscal Year (FY) 2015-16.
DISCUSSION: The City Clerk outlined the newspaper selection progress including the City staff "selection" committee. The Interim City Attorney reviewed the legal process.

   Public comments were received from: Pat Brown and Dan Pinedo.

   The Council reviewed the newspaper selection process and questioned the evaluation (factors/weights) process.

   ACTION: Authorize the selection of Vida Newspaper (MacDonald/Ramirez). Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla.

The Council discussed: Downtown Management meeting; One-Stop Service to attract businesses; request of information regarding recent wastewater spill (comments were received from the Interim Utilities Director regarding the Wooley Road site); and having more "civic" involvement.

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 12:28 a.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem