MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 3, 2015

A. ROLL CALL/POSTING OF AGENDA

At 6:05 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrent with Community Development Commission Successor Agency. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald and Dorina Padilla 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: Lyn McGraw, Deputy City Clerk; Greg Nyhoff, City Manager, Scott Whitney, Interim Assistant City Manager; Grace Magistrale Hoffman, Deputy City Manager; Martin Erickson, Deputy City Manager; Stephen Fischer, Acting City Attorney; David Millican, Interim Chief Financial Officer; Kymberly Horner, Interim Community Development Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

At 6:07 P.M., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Successor Agency. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for the Metrolink Engineer who passed away from injuries substained in the recent railroad accident. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Karl Lawson, Housing Director; Matthew Winegar, Development Services Director; Ashley Golden, Planning Manager; Michael Henderson, Maintenance Services Manager; James Williams, Fire Chief; Efren Gorre, Youth Development Manager; Dan Rydberg, Utilities and Engineering Manager; Roger Brooks, Code Compliance Officer; Steve Newman, Deputy Building Official.

E. CEREMONIAL CALENDAR

1. SUBJECT: Recognition of the Rose Park Neighborhood Council "Vecinos Unidos de Rose Park."
   DISCUSSION: The City Manager praised the Rose Park Neighborhood Council and said that other neighborhood councils could learn from them.

2. SUBJECT: Presentation of Proclamation Designating March 14, 2015, as "Volunteer Income Tax Assistance Program" Day.
   DISCUSSION: Council received presentation from Jerome Horton Company representative regarding the Volunteer Income Tax Assistance Program.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments received from: Ed Ellis; Janice Feingold; Jon Martinez; Bill Mitzel; Jean Joneson; William "Bill" Terry; Peggy Rivera; "Andrea"; Mike McBain; Firman Brown; Darlene Miller; Pat Brown; Harold Ceja; Daniel Lechliter; Patrick Barrios; Larry Stein; Sal Gonzalez; and Lupe Anguiano.

J. APPOINTMENT ITEMS: These are INFORMATION/CONSENT Items carried over from February 24, 2015 meeting

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.

Fire Department

2. SUBJECT: California Fire Assistance Agreement Terms and Conditions. (005)
   RECOMMENDATION: Adopt a resolution identifying the terms and conditions for Fire Department response to incidents that are under the California Fire Assistance Agreement (CFAA).

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

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

Community Development Department

1. SUBJECT: Conduct Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing and Adoption of a Resolution Approving the Issuance of $1,895,000 of California Enterprise Development Authority Revenue Bonds for the Benefit of KJH Properties, LLC. (011)
   RECOMMENDATION: 1) Hold a public hearing regarding the issuance by the issuance by the California Enterprise Development Authority (the "Authority") of not to exceed $1,895,000 of the Authority's Revenue Bonds (the "Bonds") for the benefit of KJH Properties, LLC, a California limited liability company (the "Company"); and 2) Adopt **Resolution No.14,724** approving the issuance of Bonds by the Authority.

   ACTION: Close the public hearing. (Perello/Ramirez). Unanimously.

   Public comments received from: Larry Stein; Steve Nash and George Miller.

   ACTION: Approved as recommended. (MacDonald/Ramirez). Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. Noes: None.

Development Services Department

2. SUBJECT: Planning and Zoning Permit No. 13-580-05 (Zone Text Amendment) for Accessory Structures. (019)
   RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an **Ordinance No. 2890** approving Planning and Zoning Permit No 13-580-05 (Zone Text Amendment) regarding regulations for accessory structures in residential zones.

ACTION: Close the public hearing. (Padilla/Perello). Unanimously.

Public comment provided by: George Miller.

ACTION: Approved as recommended. (MacDonald/Ramirez). Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald. Noes: None.

J. APPOINTMENT ITEMS

3. SUBJECT: Verbal Update on the Convention and Visitors Bureau Annual Report.
   DISCUSSION: Need to address the business market; include American Express Card usage in the figures and not just Visa data.
   ACTION: Received report and provided comments to staff.

Q. REVIEW OF INFORMATION/CONSENT AGENDA

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments received from: George Miller and Pat Brown.

S. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Attorney Services Agreement for Special Counsel in Proceedings Related to Electrical Generating Facilities at Mandalay and Ormond Beach. (043)
   RECOMMENDATION: 1) Approve and authorize the City Manager to execute an Attorney Services Agreement in a sum not to exceed $200,000 with Shute Mihaly & Weinberger, LLP ("Shute") (7002-15-CA); and 2) Authorize the special budget appropriation in the amount of $200,000 from the General Fund Operating Reserve Fund. *

2. SUBJECT: Attorney Services Agreement for Special Counsel to Represent the City in a Variety of Human Resources Related Matters. (069)
   RECOMMENDATION: 1) Approve and authorize the City Manager to execute an Attorney Services Agreement in a sum not to exceed $240,000 with Renne Sloan Holtzman Sakai LLP ("Renne") (7001-15-CA); and 2) Authorize the special budget appropriation in the amount of $240,000 from the General Fund Operating Reserve Fund.

City Clerk Department

3. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for January 13 and 27, 2015; and Minutes of the Regular Meetings of the Oxnard Community Development Successor Agency for January 13 and 27, 2015. (089)
   RECOMMENDATION: Approve.

City Manager Department

4. SUBJECT: Agreements for City Council Review. (107)
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.

Community Development Department

5. SUBJECT: Assignment and Assumption Agreement Regarding Long-Range Property Management Plan Advisory Services Agreement with Kosmont Companies. (109)
RECOMMENDATION: 1) That the City Council approve the City's entry into an Assignment and Assumption Agreement with the Oxnard Community Development Commission Successor Agency; and 2) That the Governing Board approve, and recommend to its Oversight Board approval of, the Successor Agency's entry into an Assignment and Assumption Agreement with the City of Oxnard.

Fire Department

6. SUBJECT: Recognize Revenue and Appropriate Funds for the Supplemental 2013 Emergency Management Performance Grant (EMPG). (149)
RECOMMENDATION: Approve a Budget Appropriation to Recognize Revenue and Appropriate Funds in the amount of $45,000 from the Supplemental 2013 Emergency Management Performance Grant (EMPG).

General Services Department

7. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract (to be numbered A-7751) for GS13-14 Oxnard Transit Center (OTC) Heating & Air Conditioning (HVAC) System Upgrade. (153)
RECOMMENDATION: 1) Award a contract to be numbered A-7751 to the lowest responsible and responsive bidder, Bon Air, Inc. in the amount of $567,000 for GS13-14-Oxnard Transit Center Heating & Air Conditioning System Upgrade, and authorize the purchasing agent to execute the contract upon receipt of final documents; and 2) Approve a Budget Appropriation in the amount of $20,000 from TDA/LTF4-TRANS.FND 99400c to the Oxnard Transportation Center Heating and Air Conditioning System Upgrade Project No. 143105.

Utilities Department

8. SUBJECT: UD15-10 Channel Islands Neighborhood Street Resurfacing. (177)
RECOMMENDATION: Approve Project Specification No. UD15-10 for the improvements of streets, sidewalks, curbs, gutters, and replacement of street name signs in the Channel Islands Neighborhood and authorizes staff to solicit bids.

9. SUBJECT: UD14-07 Hobson Park West Neighborhood Street Resurfacing. (179)
RECOMMENDATION: Approve Project Specification No. UD14-07 for the improvements of streets, sidewalks, curbs, gutters, and replacement of street name signs in the Hobson Park West Neighborhood and authorizes staff to solicit bids.

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

K. REPORTS

General Services Department

1. SUBJECT: Verbal Update on Citywide Tree Trimming.
RECOMMENDATION: Receive and consider report.
ACTION: Removed from the Agenda.

Police Department

2. SUBJECT: Smart Policing Initiative (SPI) FY15 – Body Worn Camera Systems. (039)
RECOMMENDATION: Adopt **Resolution R.14,725:** 1) Authorizing the City Manager to execute and submit an application for up to $700,000 in grant funds to the U.S. Department of Justice for Body Worn Camera Systems; 2) Authorizing the City Manager or designee to execute grant agreements; 3) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and 4) Authorizing the Chief of Police or designee to submit non-financial reports.
DISCUSSION: The Police Chief explained the procedures.
ACTION: Approved as recommended. (MacDonald/Padilla). Unanimously.

L. REPORT OF CITY MANAGER

1. SUBJECT: Verbal Update on the Status of the Memorandum of Agreement with the County of Ventura Regarding the Channel Islands Harbor.
DISCUSSION: The Development Services Director provided an update on the Memorandum of Agreement and commented on negotiations.

Public comments received from: Al Velasquez; Daniel Lechliter and George Miller.

ACTION: Received report, council provided comments and direction to staff to bring back at a later date for further discussion.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Discussion and Determination Whether to Include at Future City Council Meetings for Consideration, with the Accompanying Appropriate Research and Agenda Report, Items Raised at Previous Council Meetings.
RECOMMENDATION: Consider and determine by majority vote whether to include the following items on future City Council meeting agendas: 1) St. Francis Dam Failure Presentation; 2) Green Building Code Presentation; 3) Regulation of Dogs on Public Beaches; and 4) Establishment of an Athletics Commission.
ACTION: Removed from the Agenda.

2. SUBJECT: Verbal Update on the City Attorney Recruitment
RECOMMENDATION: Receive verbal update.
ACTION: Removed from the Agenda.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:53 p.m. the City Council concurred to adjourn the joint meeting with the Oxnard Community Development Successor Agency.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

T. ADJOURNMENT

At 10:54 p.m. the City Council concurred to adjourn the meeting.

Lyn McGraw
LYN MCGRAW
Deputy City Clerk

Tim Flynn
TIM FLYNN
Mayor