MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 28, 2015

A. ROLL CALL/POSTING OF AGENDA

At 5:04 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; Scott Whitney, Interim Assistant City Manager and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:05p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.

At 6:06 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:08 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 for the ill wife of Daniel Lechliter and the passing of John Ziff. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Carrie Sabatini, Interim Housing Director; Martin Erickson, Deputy City Manager; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, General Services Manager; Ashley Golden, Planning and Environmental Services Manager; Lou Balderrama, City Engineer; Kymberly Horner, Interim Redevelopment Services Manager; Jason M. Samonte, Traffic Engineer; Karl Lawson, Compliance Services Manager and Robert Silverstein, Code Compliance Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Monica De La Hoya; Kathy Lanker; Paul Lemos; Kay Brainard; Karla Alejandra; Misha Carlton; Monika Morales; Elliot Gabriel; Kaz Iwamoto; Alice Madrid; Frank Nelsen; Roy Prince; Pat Brown; Lupe Anguiano; Patrick Barrios; Elsa Serrero and Nancy Lindholm.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim City Attorney (S-3); Community Redevelopment Director (S-4) General Manager and Deputy City Manager Erickson (S-8) and City Engineer (S-9).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Jackie Tedeschi; Larry Stein; Pat Brown and George Miller.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for February 3 and 10, 2015. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (015)
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.

City Attorney Department

3. SUBJECT: Second Amendment to Option and Rooftop Lease Agreement, Consent to Modifications. (019)
RECOMMENDATION: (1) approve the Second Amendment to Option and Rooftop Lease Agreement (A-5400); (2) authorize the Mayor to execute the Second Amendment to Option and Rooftop Lease Agreement; and (3) authorize the City Manager or his designee to provide written consent to AT&T to allow AT&T to file an application for administrative approval to substantially modify its wireless communications facility located on the roof of the Administrative Building located at 300 West Third Street.

Development Services Department

5. SUBJECT: Temporary Right of Entry Grant to City from Ralphs Grocery Company. (041)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Ralphs Grocery Company (7049-15-DS) at no cost for a temporary right of entry to 150 West Esplanade Drive to 451 West Esplanade Drive for bus stop improvements in the future public right of way (Project Specification No. DS14-21).

General Services Department

6. SUBJECT: Project Plans and Specifications No. GS15-28 for Oxnard Transit Center (OTC) Bus Islands Re-Roofing. (051)
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS15-28 to re-roof the Bus Islands located at the Oxnard Transit Center, 200 East Fourth Street and authorize staff to conduct a public bid solicitation.

Library Department

7. SUBJECT: Resolution Commending Darcey Spencer for 21 Years of Exemplary Service. (053)
RECOMMENDATION: Adopt **Resolution No. 14,736.**

Utilities Department

8. SUBJECT: Approval of Purchase Orders 5328 and 5329 for Purchase of Five Compressed Natural Gas (CNG) Refuse Vehicles from Velocity Truck Center. (055)
RECOMMENDATION: Approve and authorize the Mayor to execute Purchase Order 5328 in the amount of $900,022.14 for the purchase of three (3) front-end loader commercial refuse vehicles and Purchase Order 5329 in the amount of $489,969.68 for the purchase of two (2) industrial roll-off vehicles - a total of five (5) CNG vehicles - from Velocity truck center for the combined amount of $1,389,991.82.

9. SUBJECT: UD15-09 South Bank Resurfacing. (061)
RECOMMENDATION: Approve Project Specification No. UD15-09 for the milling of existing asphalt concrete pavement, removal and replacement of street name signs, and traffic striping in the South Bank Neighborhood and authorize staff to solicit bids.*

10. SUBJECT: UD15-08 College Estates Resurfacing. (063)
RECOMMENDATION: Approve Project Specification No. UD15-08 for the milling of existing asphalt concrete pavement, removal and replacement of street name signs, and traffic striping in the College Estates Neighborhood and authorize staff to solicit bids.

11. SUBJECT: Approval of Lowest Responsible and Responsive Bid and Authorization to Issue and Execute a Contract for UD15-14 Water Well Nos. 23 & 31 Rehabilitation Project. (065)
RECOMMENDATION: 1) Award contract to the lowest responsible and responsive bidder, Best Drilling and Pump, Inc. (A-7756) in the amount of $262,921.00 for UD15-14 Water Well Nos. 23 & 31 Rehabilitation Project; 2) Authorize the purchasing agent to issue and execute the contract upon receipt of final documents; and 3) Approve a budget appropriation in the amount of $336,282 from Water Operating Fund balance to new Well 23 & 31 Rehab Project 156005 to fund the work.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Ramirez/Padillo) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. *Abstain: Perello (S-9) only.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 7:48 p.m., the joint meeting with the Commission Development Commission Successor Agency concluded.

J. PUBLIC HEARINGS

ACTION: Mayor Flynn declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and that there was one written communication received.

Development Services Department

1. SUBJECT: Appeal of the Planning Commission's Denial of PZ Nos. 14-500-05 (Special Use Permit); 14-500-06 (Special Use Permit); and Recommendation to Deny PZ 14-300-02 (Tentative Parcel Map) Relating to a 2.52-acre Property Located at 450 North Rose Avenue. Filed by Thomas Davies with Canyon Cardiff Oxnard, LLC on behalf New Trinity Community Church. (069)

RECOMMENDATION: Adopt **Resolution No. 14,737; 14,738 and 14,739** upholding the action of the Planning Commission and denying the proposed use permits with related site development entitlements.
DISCUSSION: The Planning and Environmental Services Manager reviewed the proposed development including 24 hour drive-in restaurant, traffic, design of buildings and sale of alcohol at site.

Davies Jones, speaking for applicant, outlined the proposed development of a church, restaurant and commercial building on the property.

Public comments were received from: Harold Ceja; Larry Stein; Manuel Cano; Alexjandro Rivera; William Huckstein; Mae Young; Lawrence Lee; Carlos Speights; Damon Jonez; (Linden Royce); Steve Nash; Greg Runsen and Al Velesquez.

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

DISCUSSION: The City Council discussed: traffic issues; non-use of alcohol; design of buildings and jobs created.

ACTION: Moved to grant appeal. (MacDonald/Ramirez) Ayes: MacDonald, Padilla, Flynn, and Ramirez. Noes: Perello.

K. APPOINTMENT ITEMS

L. REPORTS

Finance Department

2. SUBJECT: Approval of limited delegation of contracting authority and appropriation to analyze and implement recommendations of the City's consultants. (249)
RECOMMENDATION: Continue to May 4, 2015.
ACTION: The City Council concurred to continue to May 4, 2015.

City Manager Department

1. SUBJECT: License Agreement with the Dallas Cowboys Football Organization for a Three-Year Agreement for a Training Camp at River Ridge Fields. (221)
RECOMMENDATION: Approve and authorize the Mayor to execute a three (2015, 2016, 2017) year agreement (A-7770) with an additional three-year extension option with the Dallas Cowboys Football Organization for an annual training camp to be held at River Ridge Fields.
DISCUSSION: The Interim Assistant City Manager reviewed the proposed contract and use of facilities

Public comments were received from: Nancy Linholm; Jose Moncacla; Andrew Hernandez; Linda Sandiago; David Dremer; Rebekah Evans; Pablo Gallegos; Lui Toilolo; Inez Tuttle; Steve Nash; Jackie Tedeschi; George Miller and Pat Brown.

The City Council commented on: traffic issues, parking issues, noise issues, community fundraiser opportunities and economic benefits.

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

At 10:36 p.m., Councilman MacDonald left the Council dias

J. PUBLIC HEARINGS

General Services Department

2. SUBJECT: Levy of 2015-2016 Assessments in Mandalay Beach Maintenance District.
RECOMMENDATION: Continue to May 12, 2015.
ACTION: Approved as recommended. (Padilla/Ramirez) Ayes: Perello, Flynn, Ramirez and Padilla. Absent: MacDonald.

Housing Department

3. SUBJECT: Regional Analysis of Impediments to Fair Housing.
RECOMMENDATION: Continue to May 5, 2015.
ACTION: Approved as recommended. (Padilla/Ramirez) Ayes: Perello, Flynn, Ramirez and Padilla. Absent: MacDonald.

At 10:38 p.m., Councilman MacDonald returned to the Council dias.

ACTION: Mayor Flynn declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and that there was one written communication received.

4. SUBJECT: Public Hearing to Approve Oxnard's Fiscal Year 2015-2016 Annual Action Plan (7087-15-HO) including Applications to the U.S. Department of Housing and Urban Development for the Entitlement Grants. (161)
RECOMMENDATION: That City Council: 1) Conduct a Public Hearing to receive comments and provide direction to staff on changes to the Annual Action Plan (AAP); 2) Approve the AAP with final recommended use of funds for the three entitlement grants: Community Development Block Grant (CDBG), Home Investments Partnership (HOME), and Homeless Emergency Solutions Grant (HESG); 3) Authorize the City Manager to make any changes to the AAP as directed; 4) Authorize the City Manager to execute the required applications, certifications, and other pertinent documents for the submission of the AAP to the United States Department of Housing and Urban Development (HUD); and 5) Authorize the City Manager to sign any documents or agreements required by HUD for the implementation of the AAP.*
DISCUSSION: The Interim Housing Director outlined the distribution of funds, requests for programs and types of programs that are funded. The Code Compliance Manager reviewed work force activities and compliance goals.

Public comments were received from: Karol Schulkin; Jason Meek; Samuel Gallucci; Tim Hucket; Cindy Wilson; Lawrence Hurst; Mark Wilde; Felipe Flores; Peggy Rivera; Miguel Garcia; Barbara Macri-Ortiz; Alice Sweehand; Larry Stein and Inez Tuttle.

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

The City Council commented on several issues: use of CBDG funds; rental inspection program; enforcement of code compliance rules and possible funding of other organizations.

ACTION: Approved as recommended with comments to staff. (Perello/Ramirez) Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla. *Noes: Padilla only regarding CBDG funds.

M. REPORT OF CITY MANAGER

The City Manager announced a special "budget" meeting on Monday, May 4, 2015 and water line break which will be fixed within a few days.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: possibility of having an "outdoor" smoking ordinance; having a Disaster Preparedness community; attending conference for Ventura County Regional Satiation District (Perello) and delivery of recycled water to farmers.

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Greg Runyon and Larry Stein.

R. ADJOURNMENT

At 12:46 a.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem