

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 19, 2016

A. ROLL CALL/POSTING OF AGENDA

At 4:35 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, Assistant City Manager; Stephen Fischer, City Attorney and Dave Millican, Chief Financial Officer.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 4:36 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 City of Oxnard; et al. v. Aaron Starr Ventura County Superior Court, Case No. 56-2016-00479696-CU-MC-VTA

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

D. APPOINTMENT ITEM

1. SUBJECT: Presentation About the Single Audit Report, Internal Control and Compliance Report and Other Required Communications for Fiscal Year 2014-15 by Eden Casareno and Associates from Eadie + Payne, LLP.
RECOMMENDATION: Receive presentation of the Single Audit Report, Internal Control and Compliance Report and other required communications for Fiscal Year 2014-15.
DISCUSSION: Eden Casareno, Engagement Partner and Hong Nguyen, Senior Manager reviewed the results of "Internal Control and Compliance Reports" including findings regarding compliance, expenditures, audit finding (in summary), internal controls, staffing levels and need to follow "best practice" policies. The Special Financial Counsel reviewed the "needed" follow up activities.

Public comments received from: Steve Huber; Phillip Molina; Steve Nash; Dan Pinedo; Larry Stein; Al Velasquez and Aaron Starr.

At 6:36 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 6:38 p.m., Mayor Flynn returned to the meeting and presided.

The City Council discussed several issues including staffing levels, State Auditor Controller review, accountability of staff and future policies/procedures.

ACTION: Receive report and provide comments to staff

E. OPENING CEREMONIES

At 7:04 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. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Jason Benites, Assistant Police Chief; Daniel Rydberg, Public Works Director; Ingrid Hardy, Cultural and Community Services Director; Michael Henderson, General Services Manager; and Kathleen Mallory, Contract Planner.

F. CEREMONIAL CALENDAR

SUBJECT: Presentation of the Ventura County Fair Poster.

DISCUSSION: The City Council received the 2016 Ventura County Fair Poster and recognized members of the 2016 Ventura County Junior Fair Board, Hannah Wishan (JFB President); Jessica Mangineni (JFB Parliamentarian) and Sarah Polland.

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments received from: Margaret Cortese (supported water increase); Steve Huber (Veteran Stand Down); Steve Nash (supported the audit report); Larry Stein (water assistance program); Cynthia Gonzalez (use of Measure O funds to help with crime in the community); Jackie Tedeschi (Veteran Stand down); Jack Villa (proposed union concessions); Phillip Molina (award of excellence for CAFR, report of audit); Larry Barbarine (the City providing services); Al Velasquez (Police "funding" reduction) and Pat Brown (financial condition of the City).

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager commented on: mid-year budget changes; results of Short Term Rentals survey; upcoming Downtown Vision Plan meeting and upcoming community meeting regarding the Santa Clara River Levee.

I. CITY COUNCIL BUSINESS / COMMITTEE REPORTS

The Council commented on: results of STR survey; staffing and funding of the Police Department; youth programs and Relay for Life event.

J. REVIEW OF INFORMATION/CONSENT AGENDA

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

L. INFORMATION CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review

RECOMMENDATION: Approve and authorize the City Manager to execute the 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.

Cultural and Community Service Department

2. SUBJECT: Acceptance of Senior Nutrition Grant Funds from the Ventura County Area Agency on Aging (VCAAA) for FY2016-2017.

RECOMMENDATION: 1) Authorize the City Manager or designee to execute Ventura County Area Agency on Aging Grant Contract No. A-7890 for the Provision of Services (Senior Nutrition Program) ("Senior Nutrition Program Grant Agreement") and any other document or instrument necessary to carry out the purposes of Senior Nutrition grant; the Chief Financial Officer or designee to submit financial reports, grant claims and approve budget adjustments for the use of Senior Nutrition grant funds; and 2) Approve a special budget appropriation to recognize the Senior Nutrition grant award in the amount of \$104,513 and program donations in the amount of \$14,000 for the FY 2016-2017 Senior Nutrition Program.

Development Services Department

3. SUBJECT: Planning and Zoning Permit No. 16-300-05 (Final Subdivision Map for Tract No. 5745-1) Wagon Wheel "Village" Specific Plan. Filed by Doug Brooks, Oxnard CRFL Partners, LLC, 64 Maxwell, Irvine, California 92618.

RECOMMENDATION: Adopt **Resolution NO. 14,954** approving Planning and Zoning Permit No. 16-300-05 (Final Subdivision Map for Tract No. 5745-1) for a 46.25 acre property located south of the Ventura Freeway (Highway 101), west of Oxnard Boulevard, north of the Union Pacific Railroad (UPRR) and El Rio Drain, and east of the North Ventura Road and the Santa Clara River, subject to certain findings and conditions.

4. SUBJECT: Special Budget Appropriation for Santa Clara Avenue Sidewalk

RECOMMENDATION: Approve a special budget appropriation in the amount of \$25,500 for the project to construct a sidewalk and install a bicycle lane on the northbound side of Santa Clara Avenue north of Ventura Boulevard as part of a public work contract with the County of Ventura.

Public Works Department

5. SUBJECT: First Amendment to Agreement No. 6676-14-CM with Jordan Gilbert & Bain Landscape Architects, Inc. for On-Call Landscape Architectural Design Services (5/5)

RECOMMENDATION: Approve the First Amendment to Agreement No. 6676-14-CM with Jordan Gilbert Bain for on-call Landscape Architectural Design Services. This amendment is to extend the expiration date to June 30, 2018, and increase the agreement in an amount of \$200,000 for a total amount not to exceed \$450,000.

6. SUBJECT: Amendment Four to the Encroachment Protection Agreement Between the Department of Navy, the Nature Conservancy, the Trust for Public Land, and the City of Oxnard (A-7734)

RECOMMENDATION: Approve and authorize the Mayor to execute a Fourth Amendment to the Encroachment Protection Agreement between the United States Department of the Navy, The Nature Conservancy, the Trust for Public Land and the City of Oxnard (A-7734).

7. SUBJECT: Purchase Ten (10) Ford Police Interceptor Utility Vehicles.

RECOMMENDATION: Approve and authorize the Mayor to execute Purchase Order No. 5900 in the amount of \$435,061.17 with National Auto Fleet Group for the purchase of ten (10) Ford Police Interceptor Utility Vehicles for the Police Department.

8. SUBJECT: Camino Del Sol Street Resurfacing Project, Specification UD15-34
RECOMMENDATION: Approve project plans and specifications and authorize staff to solicit bids for the Camino Del Sol Street Resurfacing Project, UD15-34.

Recreation and Community Service Department

9. SUBJECT: Recognize Revenue and Appropriate Augmented Funds for the Retired and Senior Volunteer Program (RSVP), Fiscal Year 2016/2017
RECOMMENDATION: 1) Recognize revenue in the amount of \$54,510 and appropriate matching funds for the Retired and Senior Volunteer Program grant augmentation; and 2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds.

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

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 8:05 p.m. the joint meeting with the City Council concluded.

M. PUBLIC HEARINGS

Housing Department

1. SUBJECT: First Amendment to the FY 2014-2015 Annual Action Plan to Execute Loan Agreements with Habitat for Humanity of Ventura County
RECOMMENDATION: Continue to July 26, 2016 (Ramirez/Flynn) unanimously.

N. REPORTS

Police Department

1. SUBJECT: Memoranda of Understanding Between the Oxnard Police Department and School Districts for FY 16-17.
RECOMMENDATION: Approve and authorize the City Manager to execute the FY 16-17 School Resource Officer (SRO) Program cost sharing Memoranda of Understanding (MOU) between the Oxnard Police Department and the Rio School District (RSD); Hueneme School District (HSD); Oxnard School District (OSD), and the Oxnard Union High School District.
DISCUSSION: The Assistant Police Chief reviewed the program, the proposed partnership with schools, funding and negotiation process.

Public comments received from: Jackie Tedeschi and Daniel Chavez.

The Council discussed the school interaction with Police Officers, the negotiation process and safety of students at schools.

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

Public Works Department

2. SUBJECT: Approve South Oxnard Branch Library Settlement Appropriation.
RECOMMENDATION: Approve a budget appropriation in the amount of \$905,000 from the General Fund – Fund Balance for the remediation of water damage and skylight at the South Oxnard Branch Library via Capital Outlay Fund - South Oxnard Improvement Capital Project.

DISCUSSION: The Public Works Director commented on the use of General Funds for repairs.

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

3. SUBJECT: Ordinance Continuing and Establishing Water User Fees and Charges.
RECOMMENDATION: That City Council introduce the ordinance continuing and establishing fees and charges for the use of and for services relating to City water services, and approve the first reading and further reading by title only.
DISCUSSION: The Public Works Director outlined maintenance issues, reduction of revenues, current reserves, debt issues, compliance with regulations, staffing issues, GREAT program benefits and “water” rate structure.

The Chief Financial Officer reviewed the revenue stream and funding restrictions.

Public comments received from: Daniel Chavez; Shirley Godwin; Larry Godwin; Larry Stein; Phillip Molina; Larry Barbarine; Barbara Macri-Ortiz; Alicia Percell; Aaron Starr and Al Velasquez.

The City Manager discussed maintenance issues and reserve policy.

The City Attorney commented on using the “rate study” to bring this ordinance to the community in the future.

The City Council commented on revenue streams, maintenance of facilities, bond requirements, staff levels, public outreach and “rate” assistance program,

ACTION: Councilmember Perello moved to reject the ordinance, lack of second (failed). Move to approve as recommended. (Padilla/Ramirez) Ayes: Padilla and Ramirez. Noes: Perello, Flynn and MacDonald (failed). The City Council directed staff to return within 90 days to address questions of City Councilmembers and having community public outreach regarding this issue.

ACTION: At 11:03 p.m., the Council concurred to address items 4 and 5 after 10:00 p.m., unanimously.

4. SUBJECT: Ordinance to Amend Certain Portions of Ordinance 2,901 for Regional Wastewater Users.
RECOMMENDATION: That City Council introduce the **Ordinance 2907** amending the wastewater system’s regional treatment and disposal facility user charges, and approve the first reading and further reading by title only.
DISCUSSION: The Public Works Director discussed the regional rate increase and past history of the “service” arrangements.
ACTION: Approved as recommended. (Ramirez/Perello) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

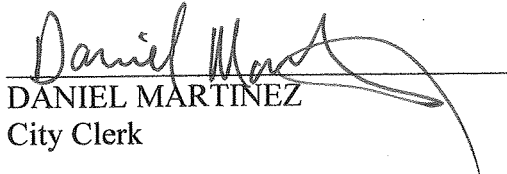
5. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract (A-7884) for UD13-13 – Recycled Waterline Project at Perkins Road (5/10)
RECOMMENDATION: 1) Award contract A-7884 to the lowest responsible and responsive bidder, Sam Hill and Sons, Inc., in the amount of \$555,198 for UD13-13 - Recycled Waterline Project, and authorize the purchasing agent to execute the contract upon receipt of final documents; and 2) Approve a Budget Appropriation to establish Project No. 176001 Recycled Waterline Project and appropriate funds in the amount of \$601,165 from the Water Connection Fees Fund Balance for the project.

DISCUSSION: The Public Works Director discussed the “recycled” water pipeline to supply recycled water within City of Oxnard and regulation changes.

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

- O. PUBLIC COMMENTS ON REPORTS
P. PUBLIC COMMENTS ON STUDY SESSION
Q. STUDY SESSION
R. ADJOURNMENT

At 11:18 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


TIM FLYNN
Mayor