MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 10, 2015

A. ROLL CALL/POSTING OF AGENDA

At 6:07 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Oxnard Community Development Commission Successor Agency, Oxnard Housing Authority and Oxnard Financing Authority. 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; Scott Whitney, Assistant City Manager; Stephen Fischer, Interim City Attorney; Jeri Williams, Police Chief; Eric Sonstegard, Assistant Police Chief; Arturo Castillo, Housing Director; Daniel Rydberg, Interim Utilities Director; Todd Vasquez-Housley, Interim Deputy Public Works Director; Ashley Golden, Development Services Director; Trish Honigsberg, Outreach & Education Specialist and Cynthia Daniels, Project Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: Oxnard Police Departments Receipt of the California Law Enforcement Challenge Certificate.
DISCUSSION: The Police Chief recognized California Highway Patrol Coastal Division Chief Reginald Chappelle who presented the California Law Enforcement Challenge Certificate to Tom Martin, Oxnard Police Traffic Officer.

2. SUBJECT: Presentation of a Proclamation Designating November 15, 2015 as "Oxnard Recycles Day"
DISCUSSION: The Outreach & Education Specialist invited the public to recycle and updated the community on upcoming collecting program.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Inez Tuttle (PAC "Dracula" performance); Nancy Pedersen ("Dracula" performance & Oxnard Boulevard, Halloween in Park); Larry Stein (financial numbers, public records request); Lee Cobb ("smoking" policy); Brett Munoz (U.S. banking system); Morey Navarro (river bottom dredging, selling of redevelopment properties, Oxnard Boulevard); Frank Nilsen (redesign of Oxnard Boulevard); George Miller (sea rise issues); Patrick Barrios (highway signs); Patrick Barrios (housing and street maintenance); Pat Brown (truck routes) and Harold Ceja (Colonia streets).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Public comments were received regarding: correction of minutes (Perello); Inter-Neighborhood Council "mission statement" needed (I-2 Flynn & Perello) and Interim Deputy Public Works Director (I-5).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment was received from: Len Shulman (I-2).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for October 6 and 13, 2015; and Minutes of the Special Meeting of the Oxnard City Council for October 14, 2015. (001)
RECOMMENDATION: Approve.

City Attorney Department

2. SUBJECT: Change to the Inter-Neighborhood Council Organization Bylaws. (033)
RECOMMENDATION: Adopt **Resolution No. 14,867** approving amended bylaws for the Inter-Neighborhood Council Organization to allow newly elected executive boards to take office in December.

Development Services Department

3. SUBJECT: Special Budget Appropriations Totaling $585,630 for Three Transportation Development Act (TDA) Article 3 Bicycle and Pedestrian Improvement Projects. (057)
RECOMMENDATION: Appropriate funds in the following amounts for three TDA Article 3 bicycle and pedestrian projects. 1) Appropriate $66,630 from the Traffic Safety Fund No. 182 Fund Balance for Ramona, Chavez, and Lemonwood Schools pedestrian improvements new project No. 163103 as the local match; 2) Appropriate $100,000 from the Traffic Safety Fund No. 182 Fund Balance for Cloyne Street bicycle and pedestrian improvements new project No. 163101 as the local match; 3) Appropriate $142,000 from the Air Pollution Buy-down Fee Fund 118 Fund Balance for Vineyard and Esplanade bicycle and pedestrian improvements new project No. 163102 as the local match; and 4) Appropriate a total of $277,000 from Transportation Development Act Article 3 Fund No. 214 in the amounts of $60,000 for Ramona, Chavez, and Lemonwood Schools pedestrian improvements; $75,000 for the Cloyne Street bicycle project, and $142,000 for the Vineyard and Esplanade bicycle and pedestrian improvements.

Finance Department

4. SUBJECT: Budget Appropriations - Various Community Facilities Districts. (063)
RECOMMENDATION: Removed from agenda.

General Services Division

5 SUBJECT: First Amendment to Agreement with Safety Striping Services, Inc., for Street Striping and Marking Services. (135)

RECOMMENDATION: Approve and authorize the Mayor to execute First Amendment to Agreement for Trade Services with Safety Striping Service, Inc. (A-7716), to increase the agreement from $150,000 to $300,000 and extend the expiration date to September 16, 2016 for street striping and marking services.

Public Works Department

6. SUBJECT: First Amendment with Solenis, LLC for Supply and Delivery of Polymer to the Wastewater Treatment Plant. (147)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment with Solenis, LLC (A-7720) in the amount of $658,000 for supply and delivery of an additional polymer to the Wastewater Treatment Plant for a total contract amount not to exceed $987,000 and extending the term of the Agreement to October 7, 2017.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with change to minutes adding City of Fillmore inspection program and removal of I-4 from the agenda. (Perello/ Ramirez) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

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.

Development Services Department

1. SUBJECT: Review of One Year Trial for Free Electric Vehicle Charging at City-Owned Charging Stations and Change User Fee for Electric Vehicle Charging. (171)
RECOMMENDATION: 1) Receive a report on usage from the second-year trial suspending the user fee for electric vehicle charging until November 14, 2015; 2) Conduct a public hearing on the recommendation to change the hourly user fee for electric vehicle charging at city-owned chargers; 3) Adopt **Resolution No. 14,868** rescinding the user fee; and 4) Provide direction to staff regarding retention of existing electric vehicle chargers at least until November 13, 2018.
DISCUSSION: The Development Services Director and Project Manager reviewed the use of current "electric" parking system, system costs and provided options.

Public comments were received from: James Reach; Russell Sydney; Pat Brown; Warren Matsui and Steve Nash.

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

DISCUSSION: The City Council discussed: user "parking" options; cost comparison of other cities; "time" of parking use when non-charging; parking "limit" within municipal garage and downtown benefits.

ACTION: Moved to approve as recommended (Ramirez/Perello), Perello moved to amend the motion which died. Moved to re-open public hearing (Perello/Padilla) Ayes: Padilla, Perello and Flynn. Noes: MacDonald and Ramirez.

DISCUSSION: Public comment was received from: George Miller.

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

Moved to approve as recommended (1, 2 & 3) of recommendation (Ramirez/MacDonald) Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla. Approved leaving current equipment (4) until 2018 (Padilla/Ramirez) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

K. APPOINTMENT ITEMS

Development Services Department

1. SUBJECT: Transportation Demand Management (TDM) Plan. (193)
RECOMMENDATION: Adopt a resolution approving the Transportation Demand Management Plan and direct staff to implement the recommendations, excluding Appendix A, consistent with available funding.
DISCUSSION: Brian Canepa, Nelson/Nygaard, reviewed supporting transportation options including community outreach, school (educational) programs and reduction of vehicle trips.

   Public comments were received from: Frank Nilsen and George Miller.

   The City Council discussed transportation challenges with possible options such as bike riding, walking, taking a train or bus.

   ACTION: Approved as recommended **Resolution No. 14,869** and direct staff to place the "removal of truck traffic" from Oxnard Boulevard and Rose Avenue on a future agenda (Perello/ Ramirez) Ayes: Perello, Flynn, Ramirez MacDonald and Padilla.

L. REPORTS

City Attorney Department

1. SUBJECT: First Amendment to Attorney Services Agreement for Special Counsel in Proceedings Related to Electrical Generating Facilities at Mandalay and Ormond Beach. (271)
RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to Attorney Services Agreement with Shute Mihaly and Weinberger, LLP (7002-15-CA) to increase the amount by $150,000 for a total not to exceed amount of $350,000.
DISCUSSION: The Interim City Attorney reviewed the current process of the legal proceeding and need for additional funding.

   Public comments were received from: Michael Stubblefield; Diane Delaney; Julie Pena; George Miller; Steve Nash and Pat Brown.

   ACTION: Approved as recommended and have a close session to discuss all legal matters brought forward. (Ramirez/Flynn) Ayes: Flynn, Ramirez MacDonald, Padilla and Perello.

RECESS

At 9:28 p.m., the City Council recessed and at 9:34 p.m., the City Council reconvened.

Police Department

3. SUBJECT: Supplemental Law Enforcement Services Fund. (461)
RECOMMENDATION: 1) Recognize $322,229 in grant revenue from the State Supplemental Law Enforcement Services Fund (SLESF) for Citizens Option for Public Safety (COPS) Program; and 2) Approve a budget appropriation in the amount of $322,229 for foundational infrastructure for a body-worn camera program as well as computer hardware replacement in the Police Department.
DISCUSSION: The Police Chief commented on the efforts of having community "trust" and funding for equipment.
ACTION: Approved as recommended (MacDonald/Perello) Ayes: MacDonald, Padilla and Perello and Flynn.

Public Works Department

4. SUBJECT: Approval of Lowest Responsible and Responsive Bid and Authorization to Issue and Execute a Contract for UD15-38 Orchard Park Neighborhood Street Resurfacing Project. (465)
RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, Granite Construction Company (A-7839), in the amount of $895,343.00 for UD15-38 Orchard Park Neighborhood Street Resurfacing Project, and authorize the purchasing agent to issue and execute the contract upon receipt of final documents.
DISCUSSION: The Interim Public Works Director reviewed the proposed street maintenance, resurfacing projects, community outreach and "alley" maintenance options.

   Public comments were received from: Pat Brown and George Miller.

   The City Council discussed: the selection process of the contractor(s).

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

5. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for PW13-15R2 (Rebid) Localized Pavement Maintenance Project. (549)
RECOMMENDATION: 1) Award contract to the lowest responsible and responsive bidder, Berry General Engineering Contractors, Inc. (A-7843) in the amount of $1,281,840 for PW13-15R2 (Rebid) Localized Pavement Maintenance Project, and authorize the purchasing agent to issue and execute the contract upon receipt of final documents; and 2) Approve a budget appropriation in the amount of $1,600,025 to new Localized Pavement Maintenance Project 163101.*
DISCUSSION: The Interim Public Works Director reviewed the proposed street maintenance and resurfacing projects.
ACTION: Approved as recommended. (MacDonald/Padilla). Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez. Abstain: MacDonald (only for his neighborhood.)*

6. SUBJECT: Approval of Lowest Responsible and Responsive Bid and Authorization to Issue and Execute a Contract for UD15-07- Pleasant Valley Estates Neighborhood Street Resurfacing Project. (607)

RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, Toro Enterprises, Inc. (A-7834) in the amount of $1,868,511.00 for UD15-07 Pleasant Valley Estates Neighborhood Street Resurfacing Project, and authorize the purchasing agent to issue and execute the contract upon receipt of final documents.
DISCUSSION: The Interim Public Works Director reviewed the proposed street maintenance and resurfacing projects.
ACTION: Approved as recommended. (MacDonald/Padilla). Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: 2016 Meeting Schedule for Legislative Bodies. (659)
RECOMMENDATION: Meet on the following dates during the calendar year 2016: January 5, 12 and 26, February 2, 9 and 23, March 1, 15, and 22, April 5, 12, 19 and 26*, May 3, 10, 17 and 24*, June 7, 14, 21 and 28*, July12, 19 and 26, August NO MEETINGS, September 6, 13 and 20, October 4, 11, 18 and 25, November 1, 8, and 15, and December 6, 13 and 20.
DISCUSSION: The City Councilmembers discussed "not" having a meeting on election night, November 8, 2016 and other possible meeting dates.
ACTION: Approved as recommended with November 8, 2016 (election night) removed from schedule and scheduling the fifth Tuesday of the month for a meeting except after a holiday. (Ramirez/MacDonald). Ayes: MacDonald, Padilla, Flynn and Ramirez. Noes: Perello (stated his belief that more meetings should be scheduled.)

RECESS

At 10:02 p.m., the City Council recessed while the Housing Authority held a meeting and at 10:37 p.m., the City Council reconvened.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY AND HOUSING AUTHORITY

At 10:41 p.m. the joint meetings with the Oxnard Community Development Commission Successor Agency, Oxnard Financing Authority and Oxnard Housing Authority concluded.

M. REPORT OF CITY MANAGER

The City Manager commented on the Standard & Poor's credit rating and Assistant City Manager (Whitney) updated Council that the "winter warming shelter" would located at the Oxnard Armory.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council commented on: Veteran's Day's event; possible proposal at Halaco site (MacDonald); update of the selection process for a City Attorney (Padilla); future "utility ballot" discussion (Perello); Robert's Rules of Order (call for the question and point of order procedures) (Flynn); direct staff to place the truck routes issue on Transportation Policy Task Force meeting and the need for a legal briefing from City legal counsel regarding the legal position to defend the position "not to have a fourth power plant" on the beach and removal of the older beach (Mandalay and Ormond Beach) power plants.

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 10:57 p.m., the City Council concurred to adjourn the meeting.

Daniel Martinez

DANIEL MARTINEZ
City Clerk

Tim Flynn

TIM FLYNN
Mayor