

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the Library, 251 South "A" Street and the City Clerk's Office, 305 West Third Street during customary business hours. Any materials to be presented at this meeting will be made available electronically 24 hours prior to the meeting, at the end of this agenda. The agenda reports are on the City of Oxnard web site at www.ci.oxnard.ca.us.



AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
***OXNARD FINANCING AUTHORITY**
***OXNARD HOUSING AUTHORITY**
Regular Meetings
City Council Chambers, 305 West Third Street, Oxnard
February 10, 2015
4:30 P.M. Closed Session

A. ROLL CALL/POSTING OF AGENDA

*** The Oxnard Financing Authority and the Oxnard Housing Authority will not meet because there are no items requiring consideration on this date.**

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION – (Please see Page 5 for a description of closed session items)

D. OPENING CEREMONIES – 6:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the City Manager/ Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing. The presiding officer shall limit public comments to three minutes.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

City of Oxnard internet address: www.ci.oxnard.ca.us.

I. PUBLIC HEARINGSJ. APPOINTMENT ITEMSK. REPORTSL. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

M. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY
BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Appointments to the Cultural Arts Commission. (001)
RECOMMENDATION: That the Mayor, with approval of the City Council, appoint nine (9) members to the newly created Cultural Arts Commission.
Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803
2. SUBJECT: Measure O Citizen Oversight Committee Appointments. (007)
RECOMMENDATION: Appoint nine (9) members of the Measure O Citizen Oversight Committee (COC).
Legislative Body: CC Contact: Martin Erickson Phone: 385-7870

N. PUBLIC COMMENTS ON REPORTS

At this time, a person may address the legislative body only on matters appearing on the reports. The presiding officer shall permit a person to address the legislative body after the staff presentation on the report and before the consideration of the report by the legislative body. The presiding officer shall limit public comments to three minutes.

O. PUBLIC COMMENTS ON STUDY SESSION

At this time, a person may address the legislative body only on matters appearing on the study session agenda. The presiding officer shall permit a person to address the legislative body after the staff presentation on the item and before the consideration of the item by the legislative body. The presiding officer shall limit public comments to three minutes.

P. STUDY SESSIONQ. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for December 9 and 16, 2014; Minutes of the Special Meeting of the Oxnard City Council for December 23, 2014; and Minutes of the Oxnard Community Development Commission Successor Agency for December 2, 9 and 16, 2014 (011)

RECOMMENDATION: Approve.

Legislative Body: CC/SA

Contact: Daniel Martinez

Phone: 385-7803

City Manager Department

2. SUBJECT: Agreements for City Council Review. (029)

RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, 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.

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

3. SUBJECT: (I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers Association and (III) Salary Resolution for Unrepresented City Employees. (031)

RECOMMENDATION: Adopt resolutions; (i) Approving the successor agreement between the City and the Oxnard Public Safety Manager's Association – Fire Unit ("OPSM – Fire"); (ii) Approving the successor agreement between the City and the Oxnard Public Safety Manager's Association – Police Unit ("OPSM – Police" and together with OPSM – Fire "OPSM"); (iii) Approving an agreement between the City and the Oxnard Peace Officers' Association ("OPOA") related to treatment of excess leave balances; (iv) Approving salary and benefits for unrepresented employees; and (v) Authorizing the Interim Director of Human Resources, the Interim Chief Financial Officer, and City Manager to take the necessary administrative action to implement these resolutions.

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

Community Development Department

4. SUBJECT: Approval of Contract Amendment for Professional Services with Thomas E. Figg, Consulting Services. (053)

RECOMMENDATION: Approve and authorize the Chairperson to execute a Second Amendment to Agreement for Consulting Services with Thomas E. Figg (6399-13-CD) to assist in winding down the affairs of the former Redevelopment Agency, to increase the amount by \$200,000 for a total of \$314,000, and extend the term to June 30, 2017.

Legislative Body: SA

Contact: Kymberly Horner

Phone: 385- 7407

General Services Department

5. SUBJECT: Endorse Submittal of California Department of Water Resources (DWR) Grant for the 2014 Water Energy Grant Program Anticipated to be \$2.5 million. (057)
RECOMMENDATION: Adopt a resolution: 1) Endorsing the General Services Director's submittal of a grant application for 2014 Water-Energy grant funds which are anticipated to be \$2.5 million and which will be used for implementation of City water efficiency projects at Colonia and Del Sol Parks to reduce water and energy usage at these specific parks; 2) Authorizing the City Manager to execute a grant agreement if grant funds are awarded to the City; 3) Authorizing the Chief Financial Officer to appropriate the funds and perform all other required financial actions in accordance with the parameters of the grant application; and 4) Directing the General Services Director or designee to submit non-financial reports to DWR.
Legislative Body: CC Contact: Kathleen Mallory Phone: 385-7858
6. SUBJECT: Landscape Maintenance Districts Walkway Globe Replacement. (063)
RECOMMENDATION: Approve the one time appropriation of funds in the amount of \$ 15,753 from the fund balance of Special District #39 El Sueno/Promesa and \$12,973 from the fund balance of Special District #46 Daily Ranch for walkway globe replacement.
Legislative Body: CC Contact: Michael Henderson Phone: 385-7950
7. SUBJECT: Project Plans and Specification No. GS15-23 for Oxnard Beach Park Site Improvements. (065)
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS15-23 for Oxnard Beach Park to make repairs and resurface three (3) parking lot areas; install new electrically operated gate at the maintenance area; install three (3) permit parking ticket machines and authorize staff to conduct a public bid solicitation.
Legislative Body: CC Contact: Michael Henderson/
Patricia Friend Phone: 385-7821

Police Department

8. SUBJECT: Federal and State Asset Forfeiture Funds. (067)
RECOMMENDATION: Approve a special budget appropriation in the amount of \$113,250 for the use of Federal and State Asset Forfeiture funds allocated to the City of Oxnard Police Department for training and equipment purchases.
Legislative Body: CC Contact: Eric Sonstegard Phone: 385-7801

Utilities Department

9. SUBJECT: Plans and Specifications No. UD 15-24 Aquifer Storage and Recovery (ASR) Well No. 1 Project – River Ridge Golf Club. (069)
RECOMMENDATION: Approve Project Specifications No. UD 15-24 for the construction of ASR (aquifer storage and recovery) and monitoring wells as part of the Groundwater Replenishment Reuse Project and authorize staff to solicit bids.
Legislative Body: CC Contact: Jay Duncan Phone: 385-8387

10. SUBJECT: Plans and Specification No. UD13-02 Recycled Water Retrofit and Connection Project – River Ridge Golf Club. (073)

RECOMMENDATION: Approve Project Specification No. UD13-02 for the connection and retrofit of the recycled water line to the River Ridge Golf Club to provide irrigation of recycled water to golf course and landscape areas and authorize staff to solicit bids.

Legislative Body: CC

Contact: Grant Dunne

Phone: 385-7956

C. CLOSED SESSION – Continued from Page 1

1. **CONFERENCE WITH LABOR NEGOTIATORS**

CC Agency designated representatives: Greg Nyhoff, City Manager; Dania Torres Wong, and Burke Dunphy, City's labor attorneys. Employee organizations: International Association of Firefighters, AFL-CIO (IAFF), Local No. 1684; the Oxnard Peace Officers' Association (OPOA); Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); Oxnard Public Safety Management Employees' Association (Police Unit); Oxnard Public Safety Management Employees' Association (Fire Unit); and Oxnard Mid-Managers' Association. Unrepresented employees: Assistant City Manager, Chief Financial Officer, City Clerk, City Treasurer, Deputy City Manager, Development Services Director, Fire Chief, Housing Director, Human Resources Director, Redevelopment Services Manager, Library Director, Police Chief, Utilities Director (Executive Directors); Assistant City Attorney, Deputy City Attorney, Law Office Manager, Human Resources Manager, Workers' Compensation Manager, Management Analyst III (Confidential Mid-Managers); and Accountant II (C80), Accounting Technician (C67), Administrative Assistant (C70), Administrative Legal Assistant (C70), Administrative Legal Secretary I (C25), Administrative Legal Secretary II (C35), Administrative Legal Secretary III (C50), Administrative Secretary I (C15), Administrative Secretary II (C30), Administrative Secretary III (C40), Administrative Services Assistant (C70), Administrative Technician (C60), Employee Relations Coordinator (C67), Executive Assistant I (C80), Executive Assistant II (C85), Human Resources Technician (C70), Office Assistant I (C10), Office Assistant II (C20), Paralegal (C75), Safety Specialist (C72), Senior Administrative Secretary (C55), Senior Benefits Coordinator (C75), Senior Human Resources Coordinator (C75), Workers' Compensation Specialist (C69) (Confidential Employees).

The City Manager requested that this item be discussed in closed session pursuant to Government Code section 54957.6. The purpose of the closed session is for the City Council to review the status of negotiations and to provide instructions to the City's negotiators regarding salaries, salary schedules and compensation paid in form of fringe benefits for employees represented by the employee organizations identified above and for employees unrepresented, and other matters within the scope of representation for represented employees.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.

- CC On the advice of the Interim City Attorney, based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case, pursuant to Government Code section 54956.9(d)(4).

The City Manager and Interim City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Anticipated Litigation.

T. ADJOURNMENT



Meeting Date: 02/10/2015

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☒ Other: Council Business

Prepared By: Daniel Martinez, City ClerkAgenda Item No. M-1Reviewed By: City Manager [Signature]City Attorney [Signature]Finance [Signature]

Other N/A

DATE: January 27, 2015**TO:** City Council**FROM:** Daniel Martinez, City Clerk [Signature]**SUBJECT:** Appointment to the Cultural Arts Commission**RECOMMENDATION**

That the Mayor, with approval of the City Council, appoint nine members to the newly created Cultural Arts Commission.

DISCUSSION

The Cultural Arts Commission was established on October 28, 2014, by Ordinance 2886. This commission has several powers and duties to enhance cultural arts in the community. Therefore, staff recommends that the Mayor, with approval of the City Council, appoint nine members to the Cultural Arts Commission.

FINANCIAL IMPACT

None.

Attachment 1 – Vacancy Lists
2 – Ord. No. 2886

VACANCY LIST
CULTURAL ARTS COMMISSION
9 Members with 2-year terms
Need to fill 9 Positions to Expire 12/31/16

<u>INCUMBENT NAME</u>	<u>TERM NUMBER</u>	<u>EXPIRATION DATE</u>
1.		12-31-16
2.		12-31-16
3.		12-31-16
4.		12-31-16
5.		12-31-16
6.		12-31-16
7.		12-31-16
8.		12-31-16
9.		12-31-16

APPLICANTS

1. Akin, Debra (2)
2. Cortese, Margaret
3. De Vries, Dr. Deborah
4. Gomez, Javier
5. Gonzales, Jesus
6. Hirata, Oneita
7. Kelly, Autumn
8. Moreno, Jaime (2)
9. Moria, Christine
10. Placencia, Peter R.
11. Ramirez, Jose Manuel
12. Smith, Susan
13. Woodland, Mary Ann

Note: Members appointed by the Mayor, with approval of the City Council per O-2886. Adopted on 11/18/14.

* Incumbent; (1) represents first choice; (2) second choice; (3) third choice

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2886

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, ADDING DIVISION 11 TO ARTICLE II OF CHAPTER 2 OF THE OXNARD CITY CODE, ESTABLISHING A CULTURAL ARTS COMMISSION AND AMENDING SECTION 2-30 OF THE OXNARD CITY CODE PERTAINING TO CITIZEN ADVISORY GROUPS

THE CITY COUNCIL OF THE CITY OF OXNARD DOES ORDAIN AS FOLLOWS:

Part 1. Section 2-30 of the City Code is hereby amended to read as follows:

"SEC. 2-30 APPLICATION.

The following provisions shall apply to the following citizen advisory groups: senior services commission, commission on community relations, library board, parks and recreation commission, youth commission, and cultural arts commission."

Part 2. Division 11 is hereby added to Article II of Chapter 2 of the City Code to read as follows:

"DIVISION 11. CULTURAL ARTS COMMISSION

SEC. 2-130. ESTABLISHED; QUALIFICATIONS.

(A) There is hereby established a cultural arts commission composed of nine members.

(B) A member shall serve without compensation, shall reside in the city, shall be at least 18 years of age, and shall have a special knowledge or interest in the arts.

SEC. 2-131. APPOINTMENT; TERMS; VACANCY.

(A) The mayor, with the approval of the city council, shall appoint the members of the cultural arts commission. Members shall be appointed at the first meeting of the city council in every December after a general election involving the office of mayor.

(B) The term of a member of the cultural arts commission shall be two years and shall begin in January.

(C) In the event of a vacancy, the mayor, with the approval of the city council, shall appoint a replacement to complete the term of the member creating the vacancy.

SEC. 2-132. SECRETARY.

The city manager shall designate a city staff member to serve as a nonvoting secretary to the cultural arts commission.

SEC. 2-133. RULES OF PROCEDURE; QUORUM.

(A) The cultural arts commission shall follow rules of procedure approved by the city council.

(B) Five members shall constitute a quorum for the transaction of business by the cultural arts commission.

SEC. 2-134. POWERS AND DUTIES.

The powers and duties of the cultural arts commission shall be as follows:

- (A) Advise the city council on all matters pertaining to the cultural arts in the community;
- (B) Recommend to the city council the adoption, amendment or repeal of ordinances regarding public art, and /or art related projects and proposals;
- (C) Assist the cultural arts community in raising funds through grants or other sources for the development, growth, incorporation, and expansion of the arts;
- (D) Provide a local, state and national network of support and supporters of the local arts;
- (E) Build a growth continuum of education, training and arts to develop an incubator for home grown evaluators and evaluation training tools so that congruity among mission, vision and requirements of requests for proposals matches skills assessed by evaluators in the review process;
- (F) Develop public arts projects that include developing written materials for soliciting participation, appointing and training selection panels, and reviewing and recommending funding to ensure integrity of such processes;
- (G) Receive recommendations from ad-hoc local panels to review art actions in conjunction with the commission;
- (H) Recommend to the city council the distribution of revenues collected through fund raising, grants and public art funds consistent with the needs of the community, including solicitation and analysis of cultural arts grant proposals
- (I) Participate in the development of the strategic annual public art plan and longer-ranged strategic public art plans;
- (J) Cooperate with other commissions and civic organizations in order to promote, market, and publicize the arts in order to increase and foster public interest in the arts; and
- (K) Perform other art, cultural and arts education duties as may from time to time be prescribed by the city council."

Part 3. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the city. Ordinance No. 2886 was first read on October 28, 2014 and finally adopted on November 18, 2014 to become effective thirty days thereafter.

AYES: Councilmembers Flynn, Ramirez, MacDonald, Padilla and Perello.

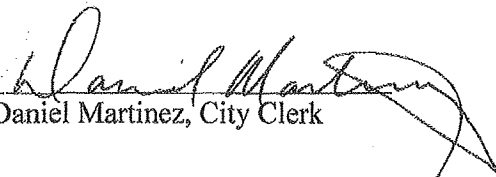
NOES: None.

ABSENT: None.



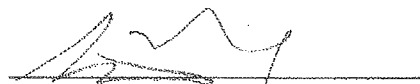
Tim Flynn, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney



ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☒ Other <u>Council Business</u>

Prepared By: Martin R. EricksonAgenda Item No. M-2Reviewed By: City Manager [Signature]City Attorney [Signature]Finance [Signature]

Other (Specify) _____

DATE: January 30, 2015

TO: City Council

FROM: Martin R. Erickson, Deputy City Manager
Office of the City Manager

SUBJECT: Measure O Citizen Oversight Committee Appointments

RECOMMENDATION

That City Council appoint nine members of the Measure O Citizen Oversight Committee (COC).

DISCUSSION

On November 4, 2008 Measure O was approved by Oxnard voters by 65.10% (although it only required a 50% plus one as a general purpose sales tax). The basis for the COC is contained in the Measure O enabling ordinance and "citizen oversight" was also listed as a provision in the ballot language, listed below:

"City of Oxnard Vital Services Measure: To protect, maintain, and enhance vital services including police, fire, emergency response, increasing street paving/pothole repair to improve traffic flow, expanding youth recreation, after school and anti-gang prevention programs, acquiring property for parks/open space preservation, upgrading stormwater drains, improving senior services, increasing code compliance, and other general services -- shall the sales tax be increased by one half percent for twenty years only, with citizen oversight and independent financial audits?"

The nine-member COC was created by resolution of the City Council on March 3, 2010 and its composition is as follows:

- One (1) member representing and/or active in a business organization representing the business community located in the City of Oxnard.
- One (1) member representing and/or active in a senior citizen organization providing senior services in the City of Oxnard.
- One (1) member representing and/or active in a Neighborhood Council, or Neighborhood Association located in the City of Oxnard.
- One (1) member representing and/or active in a City youth organization providing services to youth between the ages of 5 and 18 years of age in the City of Oxnard.
- Five (5) at-large members of the public, one appointed by each member of the City Council.

- Five (5) at-large members of the public, one appointed by each member of the City Council.

The current committee consists of the following individuals:

1. Nancy Lindholm (business community member) REAPPLYING
2. Don Thibeault (senior organization member) REAPPLYING
3. Steve Cripps (Neighborhood Council member) NOT REAPPLYING
4. Chuck Hookstra (Youth organization member) NOT REAPPLYING
5. Joseph William Milligan (at-large member) NOT REAPPLYING
6. Deirdre Frank (at-large member) REAPPLYING
7. Joseph M. Munoz (at-large member) REAPPLYING
8. Kay Larae Brainard (at-large member) REAPPLYING
9. David Garcia (at-large member) REAPPLYING

The COC has reviewed Measure O expenditures approved by the City Council. Additionally, the COC has received presentations from the Oxnard Police Department, Oxnard Fire Department and Public Works Department on various Measure O funded projects, from enhanced public safety services to street repairs. The COC also played a role in providing input and review for the Measure O Community Reports, which are mailed to Oxnard residents in the utility bill and details Measure O expenditures. The COC also reviewed and approved the independent audit of Measure O funding.

While the scope of the COC is clearly defined to review Measure O expenditures, and not set policy or determine how funds are expended, the COC committee members have expressed a desire to explore how their oversight role might be expanded, perhaps by the creation of sub-committees, to examine specific issues that have arisen concerning the Measure O expenditures. Moreover, over the past few years the COC expressed their concerns to Council, through letters and testimony at Council meetings. Staff will work with the COC to place this issue on the agenda for the next meeting, which will be scheduled for March/April, 2015.

FINANCIAL IMPACT

There is no financial impact at this time.

Attachment #1 COC committee applicants by category (including incumbents and new applicants).

MEASURE O CITIZEN OVERSIGHT COMMITTEE

INCUMBENT SERVING CURRENT TERMS

EXPIRATION DATE

1. Deirdre Frank	12-31-14
2. Steve Cripps	12-31-14
3. Joseph William Milligan	12-31-14
4. Charles Hookstra	12-31-14
5. Nancy Lindholm	12-31-14
6. Joseph M. Munoz	12-31-14
7. David Garcia	12-31-14
8. Dr. Donald W. Thibeault	12-31-14
9. Kay Larae Brainard	12-31-14

APPLICATIONS:

Business Organization (1)

Nancy Lindholm *

Neighborhood Council/Association (1)

Len Shulman

Senior Citizen Organization (1)

Dr. Donald W. Thibeault *

Youth Organization (1)

Juan Reynoso

Member at-large - Each Councilmember makes one appointment

Brainard, Kay*

Durias, Ruby

Frank, Deirdre*

Garcia, David H.*

Munoz, Joseph M.*

Note:

*Incumbent re-applying

ATTACHMENT 1
PAGE 1 OF 1

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 9, 2014

AGENDA ITEM NO.

5-1

A. ROLL CALL/POSTING OF AGENDA

At 5:31 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 Tim 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: Greg Nyhoff, City Manager; Stephen Fischer, Interim City Attorney; Grace Magistrale Hoffman, Deputy City Manager and Lyn McGraw, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:32 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. Southern California Gas Co., et al., Ventura County Superior Court, Case No. 56-2013-00439270-CU-BC-VTA.

At 6:09 p.m. the City Council reconvened and recessed to the evening session. The Interim City Attorney announced the instructions provided by Council.

D. OPENING CEREMONIES

At 6:12 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers concurrently with the Community Development Commission Successor Agency, Housing Authority and Finance Authority. The meeting opened with the pledge of allegiance to the flag of the United States followed by a moment of silence for Ester Sorrano and Victor Nose. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; Marty Meyers, Police Commander; Daniel Rydberg, Interim Utilities Director; Gregory Barnes, Interim Recreation Supervisor; Michael Henderson, General Services Manager; Chris Williamson, Principal Planner; Carrie Sabatini, Interim Housing Director; Karl Lawson, Compliance Services Manager and Kymberly Horner, Interim Redevelopment Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: A Visitor From the North Pole

DISCUSSION: Santa Claus, Ms. Claus and helpers wished everyone a Merry Christmas.

2. SUBJECT: Employee of the Fourth Quarter

DISCUSSION: The Police Chief introduced Officer Dale McAlpine and commented on his work with the community. Officer McAlpine thanked his family and his work team for their support. He commented on his desire to continue working for the City of Oxnard.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Steve Nash; Joseph Contaoi; Elias Banales; Dan Lechlitter; Linda Calderon; Maricela Atlatorre; Tomas Rebecchi; Lupe Anguiano; George Miller; Larry Stein; Juan Jose Rangel; Martin Jones; Vince Behrens and Al Velasquez.

J. APPOINTMENT ITEM**City Attorney Department****1. SUBJECT: Verbal Report on Proposition 218.**

RECOMMENDATION: Receive verbal report on the background and procedures regarding Proposition 218, "Right to Vote on Taxes Act," and its implementing legislation.

DISCUSSION: The Interim City Attorney introduced Holly O. Whatley, Colantuono, Highsmith, & Whatley, PC.; who commented on the history of Proposition 218, purpose of the proposition and restrictions (local elections for special taxes; limited tax restrictions; fees and charges; and special benefit to real property.) She outlined commented on: 1) the election process; 2) what services may be included; 3) enforcement options and 4) the use of streets by municipal vehicles including trash pick-up.

Public comment were received from: Larry Stein, Joseph Contaoi, William Terry and George Miller.

The Council commented on: the 218 process; use of funds and the levy of Proposition 218 fees.

ACTION: Received and provided comments to staff.

H. INFORMATION/CONSENT PUBLIC HEARINGS**I. PUBLIC HEARINGS**

Mayor Flynn opened the public hearing. The City Clerk reported on publication, posting and three written communications received.

Planning Department

1. **SUBJECT:** Appeal of Planning and Zoning Permit No. 14-400-01 (Coastal Development Permit to amend Planned Development Permit No. 42), to Uphold Planning Commission Denial to Convert RV and Parking to Three Mobile Home Sites Located at 5540 West Fifth Street, Oxnard Shores Mobile Home Park. Filed by Mike Marlow on behalf of Oxnard Shores Co., LLC. (001)
RECOMMENDATION: Adopt a resolution upholding the Planning Commission's denial of Planning and Zoning Permit No. 14-400-01 to modify Planned Development (PD) Permit 42.
DISCUSSION: The Principal Planner reviewed the appeal of the Planning Commission and the requested changes to the mobile home park.

Public comments were received from: Frank McCafferty; Jeffery Geist; Debe Bloom and Judy Pena.

The Council discussed: parking within the park; actions of the Planning Commission and requested changes within the Mobile Home park.

ACTION: Moved to close public comments (Perello/MacDonald) unanimously. Moved to return item to Planning Commission (MacDonald/Perello) Ramirez, MacDonald, Padilla, Perello and Flynn.

Mayor Flynn opened the public hearing. The City Clerk reported on publication and that three written communications received.

2. **SUBJECT:** Planning and Zoning Permit (PZ) Nos. 14-620-02 (General Plan Amendment), 14-630-02 (Specific Plan Repeal), 14-500-07 (Special Use Permit - Planned Residential Group), and 14-300-06 (Tentative Subdivision Map for Tract No. 5952) for property bounded by Rose Avenue, East First Street, Marquita Street, and Del Sol Park. Filed jointly by the City of Oxnard Housing Authority, 435 South "D" Street, Oxnard, CA 93030 and Urban Housing Communities, LLC, 2000 East Fourth Street, Santa Ana, CA 92705. (033)

RECOMMENDATION: 1) Adopt **Resolution No. 14,407** approving Planning and Zoning Permit No. 14-620-02 (General Plan Amendment) to reflect the repeal of the Las Cortes Specific Plan and adopting Subsequent Mitigated Negative Declaration (S-MND) No. 2014-04; 2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2808** approving Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal) to repeal the Las Cortes Specific Plan in its entirety; 3) Adopt **Resolution No. 14,408** approving Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map for Tract No. 5952), subject to certain findings and conditions; and 4) Adopt **Resolution No. 14,409** upholding the decision of the Planning Commission approving Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group) to establish development standards and future administrative entitlement procedures for the Las Cortes replacement public housing project on approximately 25 acres bounded by Rose Avenue, East First Street, Marquita Street, and Del Sol Park, subject to certain findings and conditions.

DISCUSSION: The Principal Planner and Interim Housing Director reviewed the building plan and reasons for requested actions.

Public comments were received from: George Miller; Larry Stein; Pat Brown; Sandra Sudac and Daniel Lechlitter.

The Council discussed: HUD requirements; affordable housing needs and need to make amendments of Los Cortes plan.

ACTION: Moved to close public comments (Perello/Ramirez) unanimously. Moved to approve (MacDonald/ Perello) MacDonald, Padilla, Perello, Flynn and Ramirez.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. REPORTS

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

L. REPORT OF CITY MANAGER

1. **SUBJECT:** 2015 Meeting Schedule for Legislative Bodies. (187)

RECOMMENDATION: Meet on the following dates during the calendar year 2015: January 13 and 27; February 3, 10 and 24; March 3, 17 and 24; April 7, 14, 21* and 28; May 5, 12 and 19; June 2, 9, 16* and 23; July 7, 14, 21* and 28; August NO MEETINGS; September 1, 15 and 22; October 6, 13, 20* and 27; November 3, 10 and 17; and December 1, 8, and 15, 2015. * Potential Work Session dates.

DISCUSSION: The Deputy City Manager presented a proposed schedule

Public comment received from: George Miller.

The Council commented on: having scheduled vacation; the number of scheduled meetings and having efficient meetings.

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

The City Manager commented on: the Oxnard Christmas Parade; Water Purification scheduled for February; City assessment; and Harbor Agreement being approved by County.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Police Chief and Police Commander (S-2); Police Chief (S-3); Interim Recreation Supervisor (S-4) and Interim Utilities Director (S-5).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Sandra Sudac and Abel Magana (S-2).

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for October 14, 21 and 28; November 18, 2014; and Minutes of the Special Meeting of the Oxnard City Council for November 17, 2014. (191)

RECOMMENDATION: Approve.

Police Department

2. SUBJECT: Central Business District Security Contract. (233)
RECOMMENDATION: Approve and authorize the Mayor to execute a three-year agreement for security services in the Central Business District and Centennial Plaza with Professional Security Consultants (A-7735) in the amount of approximately \$933,000, with an option to exercise two one-year extensions.
3. SUBJECT: Supplemental Law Enforcement Services Fund. (257)
RECOMMENDATION: 1) Recognize \$321,598 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 \$321,598 for Records improvements and computer equipment.

Recreation and Community Services Department

4. SUBJECT: Senior Services Contribution Awards to Agencies. (261)

RECOMMENDATION: 1) Approve the Senior Services Commission's (SSC) recommended distribution of \$44,600 from the General Fund for Senior Services Contribution Awards to ten agencies providing services to seniors; 2) Direct the Interim Recreation Supervisor to notify recipients of Senior Services Contribution Awards; 3) Authorize the Interim Recreation Supervisor to execute a letter of agreement for each recipient in the format set forth in the attachment #2; and 4) Authorize the Chief Financial Officer to make disbursements in accordance with the letter agreements.

Utilities Department

5. SUBJECT: Project Specification UD 14-15 Wells 23 and 31 Repairs Project. (269)

RECOMMENDATION: Approve Project Specification UD 14-15 for the repairs of Well 23 at Blending Station No. 1, located at 251 South Hayes, and Well 31 at Blending Station No. 3, located at 1700 Solar Drive, and authorize staff to solicit bids for the project.

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

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY, FINANCING AUTHORITY AND HOUSING AUTHORITY

At 10:14 p.m. the joint meetings with the Community Development Commission Successor Agency, Financing Authority and Housing Authority concluded.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council commented on: the Christmas parade; letter regarding possible placement of a power plant at the beach; filming on City property; the Santa Clara Waste incident and the Anterra (oil field disposal site).

T. ADJOURNMENT

At 10:31 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 16, 2014

A. ROLL CALL/POSTING OF AGENDA

At 4:33 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Tim Flynn, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Mayor Pro Tem Carmen Ramirez was absent. 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 and Stephen Fischer, Interim Acting City Attorney. At 4:34 p.m., Mayor Pro Tem Carmen Ramirez and Greg Nyhoff, City Manager was present.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comment was received from: Joseph Contaoi.

C. CLOSED SESSION

At 4:37 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 is Edmund Sotelo v. City of Oxnard, United States District Court, Case No. CV13-6039 FMO(MRWx).

The City Council also recessed to a closed session, pursuant to Government Code Section 54957.6 to review the status of labor negotiations and to provide instructions to the City's negotiators, Greg Nyhoff, City Manager; Dania Torres Wong, and Burke Dunphy, City's labor attorneys. Employee organizations: International Association of Firefighters, AFL-CIO (IAFF), Local No. 1684; the Oxnard Peace Officers' Association (OPOA); Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); Oxnard Public Safety Management Employees' Association (Police Unit); Oxnard Public Safety Management Employees' Association (Fire Unit); and Oxnard Mid-Managers' Association. Unrepresented employees: Assistant City Manager, Chief Financial Officer, City Clerk, City Treasurer, Deputy City Manager, Development Services Director, Fire Chief, Housing Director, Human Resources Director, Redevelopment Services Manager, Library Director, Police Chief, Utilities Director (Department Directors); Assistant City Attorney, Deputy City Attorney, Law Office Manager, Human Resources Manager, Workers' Compensation Manager, Management Analyst III (C) (Confidential Mid-Managers); and Accountant II (C80), Accounting Technician (C67), Administrative Assistant (C70), Administrative Legal Assistant (C70), Administrative Legal Secretary I (C25), Administrative Legal Secretary II (C35), Administrative Legal Secretary III (C50), Administrative Secretary I (C15), Administrative Secretary II (C30), Administrative Secretary III (C40), Administrative Services Assistant (C70), Administrative Technician (C60), Employee Relations Coordinator (C67), Executive Assistant I (C80), Executive Assistant II (C85), Human Resources Technician (C70), Office Assistant I (C10), Office Assistant II (C20), Paralegal (C75), Safety Specialist (C72), Senior Administrative Legal Secretary (C65), Senior Administrative Secretary (C55), Senior Human Resources Coordinator (C75), Workers' Compensation Specialist (C69) (Confidential Employees).

At 6:14 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:22 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Jim McComb. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; James Williams, Fire Chief; Barbara Murray, Library Director; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; Carrie Sabatini, Interim Housing Director; Martin Erickson, Deputy City Manager; Michael Henderson, General Services Manager; Daniel Rydberg, Interim Utilities Director; Christina Aerenlund, Public Information Officer; Kymberly Horner, Interim Redevelopment Services Manager; Todd Housley, Environmental Resources Manager; Susan Duenas, Disaster Preparedness Coordinator and Eric S. Sonstegard, Police Commander.

E. CEREMONIAL CALENDAR

1. SUBJECT: Recognition of Community Emergency Response Team (CERT) Graduates (J. Williams)
DISCUSSION: The Fire Chief and Disaster Preparedness Coordinator commented on the CERT Program and the contributions of the volunteers.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Morey Navarro; Ed Ellis; Lee Cobb; Jim Milstead; Dan Pinedo; Daniel Lechlitter; Mike Barber; Dick Jaquez; Michael Stubblefield and George Miller.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT 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: Planning and Zoning Permit No. 13-300-03 (Tentative Parcel Map), for Property Located at 701 Mandalay Beach Road. Filed by Kath McCunney with M3 Civil, Inc. on Behalf of Property Owners Bruce and Carolyn Matthias. (001)
RECOMMENDATION: Adopt **Resolution No. 14,710** approving Planning and Zoning Permit No. 13-300-03 (Tentative Parcel Map), subject to certain findings and conditions.
DISCUSSION: The Development Services Director reported that Planning Commission approved this item unanimously.
ACTION: Close the public hearing. (MacDonald/Ramirez) unanimously. Approved as recommended. (MacDonald/Ramirez) Ayes: Ramirez; MacDonald, Padilla, Perello and Flynn.

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

K. REPORTS

L. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

1. SUBJECT: Internal Control Over Financial Reporting Related to Employee Leave Balances. (025)

RECOMMENDATION: Receive a report and provide comments.

DISCUSSION: The City Manager and Donna Torres-Wong reviewed internal findings, proposed corrections and definitions of types of leaves.

Public comments were received from: Joseph Contaoi; Mike Johnson; Jim Lavery; Daniel Lechlitter; Roger Brooks; Steve Nash and Aaron Starr.

The City Council discussed: past "leave" policy; being a transparent organization; the need for future changes and having the possible office of "controller/auditor" for the City.

ACTION: Received report and provided comments to staff.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Verbal Update on Southern California Edison (SCE) Request for Offer Selection of NRG and Energy Commission Siting Permit Process.

RECOMMENDATION: Receive and file

DISCUSSION: The Principal Planner reviewed: 1) the selection of the NRG to place a power plant at Mandalay Beach; 2) California Public Utility Commission (CPUC) process; 3) the process for the NRG application to be certified; 4) finding to be made by CPUC; 5) roles of Commissioners/regulations; and 6) possible options including a letter of "Protest" and discussions with NRG.

Public comments were received from: Katharine Merrill; Dawn Gleriter NRG; Francine Castanon; Norm Bernstein; Howard Krevtzing; Chris Curry, NRG; Ron Whitehurst; Tony Skinner; Mike Barber; Janis McCormick; Michael Stubblefield, Sierra Club; Lupe Anguiano; Nancy Lindholm; Steve Huber; Lucas Zucker; Shirley Godwin; Daniel Lechlitter; George Miller; Larry Godwin; Steve Nash and Sandra Sunc.

The Council discussed several issues including: ability for public participation; moratorium of placing Power Plants along coast; other possible siting locations; local regulation; Coastal Commission authority regarding coastal site; sending a protest letter by December 31, 2014 and possible need to negotiate with NRG.

The City Manager stated he would contact Southern California Edison and NRG regarding the position of the City Council.

ACTION: Received report and directed staff to return to Council with a letter of "protest" and have staff contact Southern California Edison and NRG regarding this matter.

At 10:27 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. The Council concurred to act on the Information/Consent Agenda.

N. PUBLIC COMMENTS ON REPORTSO. PUBLIC COMMENTS ON STUDY SESSIONP. STUDY SESSIONQ. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim Redevelopment Services Manager (S-1(c)); City Manager (S-2); Environmental Resources Manager (S-3); Development Service Director (S-4); General Services Manager (S-7); Library Director (S-9); Police Commander (S-11) and Interim Utilities Director (S-12).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDAS. INFORMATION/CONSENT AGENDACity Manager Department

1. SUBJECT: Agreements for City Council Review. (031)
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.
2. SUBJECT: First Amendment to Agreement with Management Partners, Inc., for Interim Chief Financial Officer. (035)
RECOMMENDATION: Approve and authorize the City Manager to execute a First Amendment to the Agreement for Consulting Services with Management Partners, Inc. (6926-14-CM), in the amount of \$70,000 for an Interim Chief Financial Officer bringing the total amount of the contract to a not to exceed amount of \$195,000.
3. SUBJECT: Purchase Order with Accent Wire for Supply and Delivery of Material Recovery Facility Baling Wire. (045)
RECOMMENDATION: Approve and authorize the Mayor to execute a purchase order with Accent Wire in an amount not to exceed \$420,000 for supply and delivery of baling wire for recyclables for a three year term from December 16, 2014 to December 16, 2017.

Development Services Department

4. SUBJECT: Modification to Two Declarations of Restrictive Covenants on Properties Located at; 1) 561 Kinetic Drive (APN 216-0-231-01) and; 2) 2100 Solar Drive (APN 213-0-052-02) to Facilitate the Owners Obtaining Small Business Administration Loans. (049)
RECOMMENDATION: Approve and authorize the Mayor to execute modifications to the terms of two Declaration of Restrictive Covenants executed by previous owners in favor of the City of Oxnard.
5. SUBJECT: Planning and Zoning Permit No. 14-300-01 (Final Map for Tract 5796) The Colonial House Mixed-Use Project, Located at 705 N. Oxnard Boulevard (Southwest Corner of Oxnard Boulevard and Roderick Avenue). Filed by Caleb Roope on Behalf of Oxnard Pacific Associates. (061)

RECOMMENDATION: Adopt **Resolution No. 14,711** approving Planning and Zoning Permit No. 14-300-01 (Final Map for Tract 5796) for the subdivision of an improved 2.187-acre mixed-use development, located at 705 N. Oxnard Boulevard, into two parcels: one parcel for seven commercial condominium units and one parcel for forty-four rental apartments located at 705 N. Oxnard Boulevard and to authorize the Mayor to sign Final Tract Map 5796 on behalf of the City of Oxnard as beneficiary under deeds of trust recorded June 26, 2012.

6. SUBJECT: Second Reading of **Ordinance No. 2887** Approving Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal) to repeal the *Las Cortes Specific Plan* in its entirety. (071)
RECOMMENDATION: Second reading and adoption.

General Services Department

7. SUBJECT: Specification GS13-14 - Oxnard Transportation Center (OTC)-Heating and Air Conditioning System (HVAC) Upgrade and Solicitation of Public Bid. (073)
RECOMMENDATION: 1) Approve project Specification GS13-14 and plans for the upgrade of the Oxnard Transportation Center Heating and Air Conditioning System and authorize staff to solicit bids for the project; and 2) Approve a budget appropriation in the amount of \$600,000 from the fund balance of the TDA/LTF4-TRANS.FND-99400c to the Oxnard Transportation Center Heating and Air Conditioning System Upgrade Project No. 143105.
8. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for GS11-06 Campus Park Gym North Wing Tenant Improvements. (077)
RECOMMENDATION: 1) Award contract to the lowest responsible and responsive bidder, SBS Corporation (A-7737) in the amount of \$1,257,828.78 for GS11-06 Campus Park Gym North Wing Tenant Improvements, and authorize the purchasing agent to execute the contract upon receipt of final documents; and 2) Approve a budget appropriation in the amount of \$131,000 from Community Development Block Grant (CDBG) funds.

Library Department

9. SUBJECT: Ordinance for Public Library Rules of Conduct and Exclusion Process. (119)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2888** establishing the Oxnard Public Library Rules of Conduct and Exclusion Process.
10. SUBJECT: Approval of Five-Year Agreement with Polaris Library Systems for an Integrated Library System. (129)
RECOMMENDATION: Approve and authorize the Mayor to execute a five-year agreement with Polaris Library Systems (6962-14-LI) in the amount of \$397,733.00 for the purchase and maintenance of an integrated library system.

Police Department11. SUBJECT: Gang Injunction Prosecutor Contract. (169)

RECOMMENDATION: Approve and authorize the City Manager to execute a one-year agreement to fund one-half the cost of a full-time deputy district attorney with the Ventura County District Attorney's Office (A-7697). This deputy district attorney would prosecute virtually all gang injunction violation cases arising from the two injunctions in effect in the city. The cost of funding one-half of the full-time deputy district attorney position is approximately \$98,667.50.

Utilities Department12. SUBJECT: Second Amendment to Water Supply Agreement between the City of Oxnard and Procter & Gamble Paper Products Company. (183)

RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Water Supply Agreement between the City of Oxnard and Procter & Gamble Paper Products Company (A-6168) to extend the expiration date to December 31, 2015.

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

T. ADJOURNMENT

At 10:52 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem

MINUTES
OXNARD CITY COUNCIL
Special Meeting
December 23, 2014

A. ROLL CALL/POSTING OF AGENDA

At 6:11 p.m., the special 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 Monday 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; Rahsaan Tilford, Deputy City Attorney and Chris Williamson, Principal Planner.

B. OPENING CEREMONIES

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

C. PUBLIC COMMENTS

D. CITY COUNCIL/BUSINESS/COMMITTEE REPORTS

Development Services Department

1. SUBJECT: Protest of the City of Oxnard to the Application of Southern California Edison Company for Approval of the Results of its 2013 Local Capacity Requirements Request for Offerors for the Moorpark Sub-Area (U-338-E) (Application No. A.14-11-016) and Motion to Become a Party to the Proceedings.

RECOMMENDATION: That City Council adopt **Resolution No. 14,712** authorizing: (i) City staff, at the direction of City Council, to make any necessary revision to the City of Oxnard Protest to Application No. A.14-11-016; (ii) the Mayor to execute the Protest to Application No. A.14-11-016 on behalf of the City of Oxnard; (iii) City staff to prepare a motion for the City of Oxnard to become a party in the proceedings related to Application No. A.14-11-016; (iv) the Mayor to execute the Motion to Become a Party on behalf of the City of Oxnard; and (v) City staff to file the City Protest and Motion to Become a Party with the California Public Utilities Commission and serve all appropriate parties in the proceedings.

DISCUSSION: The Project Manager reviewed the issue of the possible locating of a power plant at the beach; "Protest" letter deadline of Jan 12, 2015; being a party of motion; reviewed the local coastal plan and possible restrictions that may be placed on power plant.

Public comments were received from: Dayane Zuniga; Marcos Vargas; William Terry; Sandra Delgado (Congresswoman Julia Brownley Office); Carla Castilla (CA Senator Hannah Beth Jackson Office); Nancy Pedersen; Kevin Ward; Lauraine Effress; Taylor Canfield; Joseph Contaoni; Helen Conley; Karen Brooks (NRG); Julie Pena; Diane Delaney; Martin Jones; Joann Olivares; Robert Murphy; Lupe Anguiano; Ron Whitehurst; Jan Dietrick; Susan Biergum; Janis McCormick; Michael Stubbfield; Judy Dugan; Elizabeth Lamar; Tomas Morales Reecchi; Bob Jefferson; Werner Keller; Steve Nash; Dan Lechlitter; Inez Tuttle and George Miller.

The Deputy City Attorney commented on possible legal strategic information.

The Council discussed: planning a proper location; beach location; update of power systems; relationship between SCE and NRG; removal of current power plants and update/amendment of local coastal plan;

The City Manager stated staff would investigate questions of the City Council including: 1) the status of the power facilities after 2020; 2) responsibilities of removing current power plants; 3) the local coastal plan and 4) legal information.

ACTION: Approve protest letter and becoming Party to the Proceeding. (MacDonald/Perello)
Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

E. ADJOURNMENT

At 7:79 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
Regular Meeting
December 2, 2014

A. ROLL CALL/POSTING OF AGENDA

At 6:07 p.m., the regular meeting of the Oxnard Community Development Commission Successor Agency convened in the Council Chambers concurrently with the City Council. Commissioners Timothy B. Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Greg Nyhoff, Executive Secretary; Stephen Fischer, Interim General Counsel; Kymberly Horner, Interim Redevelopment Services Manager and Todd Moody, Special Counsel.

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

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

Q. REVIEW OF INFORMATION/CONSENT AGENDA

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

S. INFORMATION/CONSENT AGENDA

K. REPORTS

L. REPORT OF EXECUTIVE DIRECTOR/SECRETARY

1. SUBJECT: Verbal Report on Oxnard Community Development Commission Successor Agency and Status of Redevelopment Activities in the City of Oxnard.

RECOMMENDATION: Receive and consider report.

DISCUSSION: The Interim Redevelopment Services Manager reviewed the actions of Oversight Board to the Oxnard Community Development Commission Successor Agency and that a "State" information link will be place on the City's web site.

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

The Executive Secretary commented on the hiring of a company to evaluate the sale of former Redevelopment properties.

The Commissioners discussed several issues including: the information sent to Sacramento; the process to capture any project funds of the former Redevelopment Agency and the sale of former Redevelopment properties.

At 9:06 p.m., Chairperson Flynn left the meeting and Vice-Chairperson Ramirez presided.

ACTION: Received report and provided comments.

At 9:14 p.m., Chairperson Flynn was present and presided.

M. COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BUSINESS/COMMITTEE REPORTSN. PUBLIC COMMENTS ON REPORTSO. PUBLIC COMMENTS ON STUDY SESSIONP. STUDY SESSIONCITY COUNCIL

At 9:44 p.m., the joint meeting with the City Council concluded.

T. ADJOURNMENT

At 9:44 p.m., the Community Development Commission Successor Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

CARMEN RAMIREZ
Vice-Chairperson

MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
Regular Meeting
December 9, 2014

A. ROLL CALL/POSTING OF AGENDA

At 6:12 p.m., the regular meeting of the Oxnard Community Development Commission Successor Agency convened in the Council Chambers concurrently with the City Council, Financing Authority and Housing Authority. Commissioners Timothy B. Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Greg Nyhoff, Executive Director; Stephen Fischer, Interim General Counsel and Grace Magistrale Hoffman, Deputy Executive Secretary.

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

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

K. REPORTS

L. REPORT OF EXECUTIVE DIRECTOR/SECRETARY

M. COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
BUSINESS/COMMITTEE REPORTS

1. SUBJECT: 2015 Meeting Schedule for Legislative Bodies. (187)

RECOMMENDATION: Meet on the following dates during the calendar year 2015: January 13 and 27; February 3, 10 and 24; March 3, 17 and 24; April 7, 14, 21* and 28; May 5, 12 and 19; June 2, 9, 16* and 23; July 7, 14, 21* and 28; August NO MEETINGS; September 1, 15 and 22; October 6, 13, 20* and 27; November 3, 10 and 17; and December 1, 8, and 15, 2015. * Potential Work Session dates.

DISCUSSION: The Deputy City Manager presented a proposed schedule

Public comment received from: George Miller.

The Commissioners commented on: having scheduled vacation; the number of schedule meetings and having efficient meetings.

ACTION: Moved to approve as recommendation (MacDonald/Ramirez) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard Community Development Successor Agency for November 18, 2014. (191)

RECOMMENDATION: Approve.

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

CITY COUNCIL/FINANCING AUTHORITY/HOUSING AUTHORITY

At 10:14 p.m., the joint meetings with the City Council, Financing Authority and Housing Authority concluded.

T. ADJOURNMENT

At 10:14 p.m., the Community Development Commission Successor Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
Regular Meeting
December 16, 2014

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson



Meeting Date: 02/10/2015

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Greg Nyhoff, City Manager

Agenda Item No. S-2

Reviewed By: City Manager MM City Attorney SMF Finance SP Other (Specify) _____

DATE: February 3, 2015

TO: City Council

FROM: Greg Nyhoff, City Manager
City Manager's Office

SUBJECT: Agreements for City Council Review

RECOMMENDATION

That City Council, pursuant to Ordinance 2835, and Resolution No. 13,932, 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.

DISCUSSION

On November 16, 2010, the City Council approved changes to the City's Purchasing Procedures reducing the threshold for City agreements/contracts and change orders/amendments requiring City Council approval to \$25,000. The agreements/contract and change orders/amendments described on the attached list involve amounts above \$25,000 and up to \$250,000.

FINANCIAL IMPACT

Funding information is included on the attached list.

Attachment - #1 – List of Agreements/Contracts and/or Change Orders/Amendments

NOTE: Copies of the agreement/contracts and change orders/amendments on the list are available in the City Clerk's Office prior to the Council meeting.

City Manager Contract List for 02/10/2015

Item	Type	Department/Contact	Vendor/Agreement Number	Description/Purpose	Amount
A	Purchase Order	IT Tom Clock 385-7558	Selectron Technologies, Inc. Purchase Order No. 1955	Annual Maintenance for software To purchase annual software maintenance from Selectron Technologies, Inc. The software has been used by the City since 2004 to allow the City's Utility customers to pay their bills by phone, and enables the Development Services customers to schedule permit inspections via the phone. The software support and maintenance must be purchased through the vendor Selectron Technologies, Inc. Total Contract Amount: \$25,380 FundingSource: Internal Service Funds	\$25,380
B	Amendment	City Manager Greg Nyhoff 385-7430	William Avery & Associates, Inc. Agreement No. 6947-14-HR Amendment 2	Agreement for Consulting Services Second Amendment to Consulting Service Agreement in the amount of \$39,800 for executive recruitment services for the positions of Chief Financial Officer and Development Services Director. A Request for Proposals was issued in October, 2014 to solicit proposals for executive recruiting services. The City received a total of 6 proposals. William Avery & Associates, Inc., was selected as the firm providing the best proposal at the lowest total cost. Total Contract Amount: \$138,675 FundingSource: General Fund	\$39,800

ATTACHMENT
PAGE 1 OF 1



Meeting Date: 02/10/2015

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Greg Nyhoff, City Manager Agenda Item No. S-3Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: February 2, 2015

TO: City Council

FROM: Greg Nyhoff, City Manager

SUBJECT: (I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officer's Association and (III) Salary Resolution for Unrepresented City Employees

RECOMMENDATION

That the City Council adopt resolutions (i) approving the successor agreement between the City and the Oxnard Public Safety Manager's Association – Fire Unit ("OPSM – Fire"), (ii) approving the successor agreement between the City and the Oxnard Public Safety Manager's Association – Police Unit ("OPSM – Police" and together with OPSM – Fire "OPSM") (iii) approving an agreement between the City and the Oxnard Peace Officers' Association ("OPOA") related to treatment of excess leave balances, (iv) approving salary and benefits for unrepresented employees and (v) authorizing the Interim Director of Human Resources, the Interim Chief Financial Officer, and City Manager to take the necessary administrative action to implement these resolutions.

DISCUSSION

I. Background

A. Agreements with Public Safety Managers for Successor Memoranda of Understanding

As discussed during both the Council's November 18, 2014, meeting and its December 16, 2014, meeting, City staff has been engaged in negotiations with all of its bargaining units concerning excess annual and vacation leave balances that were accrued by City employees above the City Council approved caps on such leave. At the same time City staff has been conducting negotiations over excess leave balances, they have also been engaged in negotiations over successor memoranda of understanding with the City's employee groups who are currently out of contract.

Given the City's ongoing review of its overall finances, the City proposed extending the contract terms with its public safety managers to June 30, 2015, with no economic increases. This will allow the new City management team and the City Council the opportunity to gain a firm grasp on the City's finances

(I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and (ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers' Association and (III) Salary Resolution for Unrepresented City Employees
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to ensure that any future negotiated increases are properly funded and sustainable. City staff reached tentative agreements with both OPSM – Fire, and OPSM – Police that extend these contracts until June 30, 2015, and, importantly, do not include any economic increases for the period of July 1, 2014, through June 30, 2015. Additionally, these units agreed to make immediate changes to provisions related to annual leave in order to both address employees' current excess balances and prevent the accrual of excess leave going forward. In light of the limited management staffing in the City's police and fire departments, compelling public safety managers to use all of their excess annual leave within a compressed time frame would have a negative impact on service to the public and likely would drive up overtime costs.

Under the agreements outlined below, both OPSM units have agreed to extend their contracts without any increase to their salaries or medical insurance contributions. They have also agreed to end the use of "reserve leave accounts," which were authorized under their previous agreements with the City. Prior to the discontinuance of the reserve leave program, the public safety managers have agreed to limit transfers to reserve leave accounts solely to excess leave. Under the prior contracts between the public safety managers and the City, employees could move all annual and/or vacation leave into a reserve leave account, up to a cap of 1,560 hours. Under the proposed agreement, transfers would be limited to excess annual leave and, for certain employees, a portion of vacation leave accrued before the City converted employees' leave accruals from separate vacation and sick leave to annual leave. At the time the excess leave balances were frozen effective November 8, 2014, OPSM – Fire members were carrying approximately \$38,000 in excess accrued annual leave and OPSM – Police members did not have any excess annual leave balances. Lastly, the OPSM units agreed that the City's prior practice of permitting employees to convert accrued leave into cash for deposit into a Section 457(k) deferred compensation plan would continue for calendar year 2015 but would be subject to negotiation going forward.

a. Summary of Terms of OPSM – Fire Agreement

The City's contract with the Oxnard Public Safety Manager's Association – Fire Unit ("OPSM – Fire") expired on June 30, 2014. The following describes the primary terms of the proposed successor agreement. The full agreement is included as Attachment 1 to this report and the proposed resolution adopting this agreement is included as Attachment 2 to this report.

- 1) The term of the contract would be extended to June 30, 2015.
- 2) Employees will only be permitted to move excess annual leave into their reserve leave banks, subject to the exception in (5) below. Employees agree that they will not exercise their rights under their prior MOU to move additional annual leave accruals to their reserve leave banks.
- 3) Following completion of the transfers described in paragraphs (2) and (5), the parties agree that employees will no longer be permitted to move annual leave, or any other unused accrued leave, over to their reserve leave banks. Employees either hired or promoted into OPSM – Fire after ratification of the successor agreement by the OPSM – Fire membership and adoption by the City Council will not be eligible to create reserve leave banks. Reserve leave balances currently

(I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and (ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers' Association and (III) Salary Resolution for Unrepresented City Employees
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held by employees (including hours transferred pursuant to paragraphs (2) and (5)), will remain eligible for use by employees consistent with the terms of their MOU. Nothing in this agreement should be construed as eliminating employees' previously accrued reserve leave balances.

- 4) Employees will be permitted to convert annual or vacation leave into cash for deferred compensation during 2015. Conversion of annual or vacation leave to deferred compensation in future years will be subject to negotiation in a successor MOU.
- 5) In consideration for the modifications to their terms and conditions of employment discussed in paragraphs (2), (3) and (4), the City will permit employees who have grandfathered vacation leave balances in excess of 600 hours to move up to 500 hours of this grandfathered vacation leave time to the employees' reserve leave banks.
- 6) In no event shall the transfers contemplated in paragraphs (2) or (5) cause an employees' reserve leave balance to exceed 1,560 hours.
- 7) No salary or benefit increases are provided for during the term of this contract.

Pursuant to Meyers, Milias, Brown Act (the "MMBA"), the City and OPSM – Fire met in good faith to reach this agreement. By adopting this agreement, the City Council will also authorize the Interim Director of Human Resources, the Interim Chief Financial Officer, and the City Manager or designee to take the necessary administrative action to implement this extension, including authorizing the City's chief negotiator to execute the agreement on behalf of the City.

b. Summary of Terms of OPSM – Police Agreement

The City's contract with the Oxnard Public Safety Manager's Association – Police Unit ("OPSM – Police") expired on September 5, 2014. The following describes the primary terms of the proposed successor agreement. The full agreement is included as Attachment 3 to this report and the proposed resolution adopting this agreement is included as Attachment 4 to this report.

- 1) The term of the contract would be extended to June 30, 2015.
- 2) Employees will only be permitted to move excess annual leave into their reserve leave banks, subject to the exception in (5) below. Employees agree that they will not exercise their rights under their prior MOU to move additional annual leave accruals to their reserve leave banks.
- 3) Following completion of the transfers described in paragraphs (2) and (5), the parties agree that employees will no longer be permitted to move annual leave, or any other unused accrued leave, over to their reserve leave banks. Employees either hired or promoted into OPSM – Fire after ratification of the successor agreement by the OPSM – Fire membership and adoption by the City Council will not be eligible to create reserve leave banks. Reserve leave balances currently held by employees (including hours transferred pursuant to paragraphs (2) and (5)), will remain eligible for use by employees consistent with the terms of their MOU. Nothing in this agreement should be construed as eliminating employees' previously accrued reserve leave balances.

(I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and (ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers' Association and (III) Salary Resolution for Unrepresented City Employees
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- 4) Employees will be permitted to convert annual or vacation leave into cash for deferred compensation during 2015. Conversion of annual or vacation leave to deferred compensation in future years will be subject to negotiation in a successor MOU.
- 5) In consideration for the modifications to their terms and conditions of employment discussed in paragraphs (2), (3) and (4), the City will permit employees who have grandfathered vacation leave balances in excess of 1,000 hours to move up to 500 hours of this grandfathered vacation leave time to the employees' reserve leave banks.
- 6) In no event shall the transfers contemplated in paragraphs (2) or (5) cause an employees' reserve leave balance to exceed 1,560 hours.
- 7) No salary or benefit increases are provided for during the term of this contract.

Pursuant to the MMBA, the City and OPSM – Police met in good faith to reach this agreement. By adopting this agreement, the City Council will also authorize the Interim Director of Human Resources, the Interim Chief Financial Officer, and the City Manager or designee to take the necessary administrative action to implement this extension, including authorizing the City's chief negotiator to execute the agreement on behalf of the City.

B. Agreement with OPOA Related to Excess Leave

The City and OPOA remain in negotiations over the terms of a successor memorandum of understanding. However, at the request of the City to address the accrued leave issue immediately, the parties have reached a tentative agreement related to the treatment of OPOA members' excess annual leave balances. A copy of the tentative agreement between the parties is attached as Attachment 5 to this report and the proposed resolution adopting this agreement is included as Attachment 6 to this report. As discussed in greater detail below, the parties' agreement would limit the City's liability related to excess leave and would ensure that leave caps are enforced going forward while still permitting OPOA members to use excess leave time. Additional changes to the leave provisions of the City's agreement with OPOA will be the subject of negotiations for a successor memorandum of understanding. The OPOA agreed to discount the value of the excess annual leave held by its members, as requested by the City, as follows:

- 1) Employees' excess leave banks will be split into two portions:
 - a) 80% Excess Leave Bank
 - i) 80% of employees' excess leave will be placed in this account. These hours will be available for use by employees, on an hour for hour basis, during employees' term of service with the City consistent with the terms of the contract between the City and OPOA. These hours will also have cash value as follows:
 - x) Consistent with the terms of the contract between the City and OPOA, and subject to the limits in that agreement, employees were allowed to redeem excess leave hours for cash prior to December 31, 2014.
 - y) Once per year for the next three calendar years (2015, 2016 and 2017), employees will be permitted to convert leave from this 80% excess leave

(I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and (ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers' Association and (III) Salary Resolution for Unrepresented City Employees
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bank into cash for deposit into a Section 457(k) deferred compensation plan, subject to the applicable IRS limits.

- z) Any remaining balance in this 80% excess leave bank at the time of separation from City service will be converted to cash at the employee's pay rate applicable as of December 4, 2014, which includes the employee's hourly rate as of December 4, 2014, and any longevity pay, educational and incentive pay and bilingual pay being earned as of December 4, 2014.

b) 20% Excess Leave Bank

- i) 20% of employees' excess leave (up to a maximum of 200 hours) will be placed in this account and will have no cash value, subject to the below exceptions:

- x) Employees may use these hours, on an hour for hour basis, as paid time off during employees' term of service with the City.

- y) Employees who, prior to December 15, 2017 (i) retire from City service or (ii) separate from City service as a result of an industrial or non-industrial injury will be permitted to cash out this 20% excess leave bank at the rate provided for in the contract in force between the City and OPOA at the time of separation. Similarly if an employee dies in the line of duty prior to December 15, 2017, his or her estate will be permitted to receive the value of this 20% excess leave bank, calculated based on the rate provided for in the contract in force between the City and OPOA at the time of the employee's death.

- z) Once during calendar year 2015, OPOA members will be permitted to convert leave from this 20% excess leave bank into cash for deposit into a Section 457(k) deferred compensation plan, subject to the applicable IRS limits.

- 2) Employees have until March 14, 2015, to reduce the balance of their on-going annual leave bank below the applicable cap. Employees who have annual leave balances in excess of the applicable cap as of March 15, 2015, will immediately cease accruing additional annual leave until they bring their accruals below the cap, subject to section III(C)(1)(c) of the parties' existing contract.

C. Salary Resolution for Unrepresented Employees

As part of its ongoing review of the City's employee compensation and benefits, City staff and consultants discovered that compensation and benefits for the City's unrepresented employees were not clearly and transparently set forth in any document that had been presented to the City Council for review and approval. There is evidence that the City Council was presented with and approved compensation and benefits for unrepresented employees during the 1980s and 1990s. However, this practice was discontinued at some point and it appears that benefits for unrepresented employees were set by the City Manager's office without City Council review and approval, contrary to best practices.

(I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and (ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers' Association and (III) Salary Resolution for Unrepresented City Employees

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In order to adhere to best practices, which provide for transparency and accountability for all involved, including the impacted employees, City staff and the City Council, attached as Attachment 7 to this report is a draft salary resolution. This resolution sets forth the various forms of compensation, including wages, paid leaves, health insurance and retirement benefits, for unrepresented executive and confidential employees. The proposed initial salary resolution does not include any compensation increases or any increases to medical benefits. Other benefits set forth in the salary resolution are consistent with what unrepresented executives and confidential employees are currently receiving, with the exception of changes to certain paid leaves. As discussed on December 16, 2014, during the City Council's open session, City staff recommended that it return to City Council with a draft salary resolution, which would include modifications to paid leave accruals, and that Administrative Policy E-5 be eliminated. The salary resolution provides that executive employees' administrative leave accruals will be reduced from 100 hours annually to 80 hours annually and that exempt confidential employees' administrative leave accruals be reduced from 56 hours to 40 hours annually. Further, the salary resolution eliminates the use of reserve leave banks, which, under Administrative Policy E-5, allowed employees to maintain up to 1,560 hours of leave while still accruing annual leave in their regular leave banks.

As part of the December 16, 2014 presentation to the City Council, City staff discussed the concept of converting annual leave accruals back to separate vacation and sick leave accruals for both represented and unrepresented groups. City staff is currently discussing this concept with its bargaining units whose contracts are open. As these discussions progress, City staff will return to the City Council for further discussion and direction, including whether to separate out vacation and sick leave accruals for unrepresented employees. Pending further consideration of this concept, the salary resolution provides that employees will continue to accrue annual leave at their current rates.

Further, as has been discussed during prior City Council meetings, the City is undertaking a full review of its personnel policies and procedures, including those related to compensation and benefits for unrepresented employees. While the salary resolution includes a majority of the benefits being earned by unrepresented employees, it is expected that additional benefits will be identified through this review process. To the extent additional benefits are discovered, City staff will return to the City Council with an amended salary resolution, seeking City Council's determination as to whether to continue, eliminate, or modify these benefits.

FINANCIAL IMPACT

The proposed agreements between the City and (i) OPSM – Fire, (ii) OPSM – Police and (iii) OPOA do not include any increases to compensation. Likewise the salary resolution applicable to unrepresented employees does not include any increases to compensation or other benefits. It is anticipated that the modifications to leave policies will reduce the City's unfunded liability associated with compensated absences into the future. It is also anticipated that the City will realize savings in the current fiscal year that would arise if employees in OPSM or OPOA were compelled to use a

(I) Successor Memoranda of Understanding between the City and (i) Oxnard Public Safety Manager's Association – Fire Unit and (ii) Oxnard Public Safety Manager's Association – Police Unit, (II) Agreement Related to Treatment of Excess Leave Balances between the City and the Oxnard Peace Officers' Association and (III) Salary Resolution for Unrepresented City Employees
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significant amount of annual leave in a short period of time. The City has not been funding the liability associated with paid leave accruals and has not included this expense in department budgets.

As has been discussed at length with the City Council, the responsibility for advising and seeking authorization from the City Council with respect to employee compensation and benefits, as well as administering and ensuring contract compliance lies with the City Manager's office, the Finance Department, and the Human Resources Department. Past administrations did not meet these responsibilities. We are continuing the process of fixing past mistakes and moving forward in a transparent manner. The agreements and salary resolution being presented for your consideration are another step forward for the City.

The contract extensions with the City's public safety managers and the OPOA represent a sharing of the burden for past failures to enforce leave caps, and we appreciate their leadership in the City's efforts to move forward. These agreements limit, and in some cases reduce, the City's liability with respect to excess leave balances and ensure that leave caps will be enforced on a going forward basis. Likewise, the salary resolution ensures that all parties in interest, including the impacted employees, the City Council and, importantly, the City's residents, understand the benefits applicable to unrepresented employees and that these benefits will not be modified without approval by the City Council as part of its open session agenda. Each of the recommended actions is consistent with the City's commitment to transparency and accountability and will allow the City, its employees and its residents to continue moving forward.

Attachment #1 – Agreement with Oxnard Public Safety Manager's Association – Fire Unit

Attachment #2 – Resolution Adopting Agreement with Oxnard Public Safety Manager's Association – Fire Unit

Attachment #3 – Agreement with Oxnard Public Safety Manager's Association – Police Unit

Attachment #4 – Resolution Adopting Agreement with Oxnard Public Safety Manager's Association – Police Unit

Attachment #5 – Agreement with Oxnard Peace Officers' Association

Attachment #6 – Resolution Adopting Agreement with Oxnard Peace Officers' Association

Attachment #7 – Draft Salary Resolution for Unrepresented Executive and Confidential Employees

Letter of Agreement between the City of Oxnard, California and Oxnard Public Safety Managers' Association (Fire Unit) Extending Memorandum of Understanding Through June 30, 2015

This Letter of Agreement ("Agreement") has been jointly prepared by the designated representatives of the City of Oxnard (the "City"), a public agency within the meaning of Section 3501(c) of the Government Code of the State of California, and the Oxnard Public Safety Managers' Association (Fire Unit) ("OPSM – Fire"), a recognized employee organization within the meaning of Section 3501(b) of the Government Code of the State of California, with reference to the following facts:

WHEREAS, the contract between the City and OPSM – Fire expired on June 30, 2014; and

WHEREAS, the City and OPSM – Fire have a mutual desire to extend terms and conditions contained in the contract dated July 1, 2008 through June 30, 2014 through June 30, 2015, without any salary or health insurance premium increases and subject to the amendments related to compensated absences described below,

NOW, THEREFORE, the City and OPSM – Fire after meeting and conferring in good faith, understand and agree to the following terms:

- 1) Article 1: The term of the July 1, 2008 through June 30, 2014 shall be extended from September 5, 2014 to June 30, 2015.
- 2) Article 11 will be replaced in its entirety as follows:

Following the effective date of this Agreement, new Unit members will no longer be permitted to establish a Reserve Leave Fund (RLF). Current Unit members who have previously established an RLF will be permitted to maintain the balance of their RLF and will only be permitted to transfer annual leave identified as "Excess Leave" as of November 8, 2014 to their RLF. Employees must submit requests to transfer this "Excess Leave" to their RLF to the City's payroll department no later than thirty (30) calendar days following adoption of this agreement by the City Council. To the extent employees have previously submitted requests to transfer "Excess Leave" to their RLFs, these requests will be processed following adoption of this Agreement by the City Council. Subject to this exception and the exception described in Article 12(2), employees will not be permitted to move any additional accrued leave into their RLFs following the effective date of this Agreement. In no event shall the transfers permitted under this section, Article 12(2), or the combination of such transfers cause an employee's RLF balance to exceed the previously-authorized maximum of 1,560 hours.

An employee has the option to use his or her RLF balance to cover leaves of absence, consistent with the restrictions placed on the use of annual leave set forth in Article 12. In addition, an employee may cash out 100% of the balance of his or her RLF upon separation from City service, provided that the employee has a minimum of five (5) years of regular full time service with the City.

- 3) The following provision will be added to the parties agreement as Article 12(1)(e):

The City Manager may waive the maximum amount of annual leave authorized to be carried forward under extraordinary circumstances, subject to such conditions as the City Manager may deem appropriate.

- 4) Article 12(2) will be replaced in its entirety as follows. The remaining provisions of Article 12 shall remain unchanged:

The City will redeem fifty percent (50%) of such current unused unredeemed sick leave and one hundred percent (100%) of such current unused unredeemed vacation leave accruals not to exceed 600 hours for each account, upon separation from service to those employees with a minimum of five (5) years of regular full-time service, at time of separation, at the employee's base rate of pay being earned as of the effective date of separation from City service. Effective following ratification of this Agreement by OPSM – Fire and adoption by the City Council, employees will not be permitted to transfer vacation or sick leave to their RLFs.

Notwithstanding the foregoing, two members of the bargaining unit who currently hold accrued and unused vacation leave balances in excess of six hundred (600) hours will be permitted to transfer not more than five hundred (500) hours of accrued and unused vacation leave to their RLFs. These employees must request this transfer within thirty (30) calendar days following adoption of this Agreement by the City Council. To the extent employees have previously submitted requests to transfer vacation as permitted by this section to their RLFs, these requests will be processed following adoption of this Agreement by the City Council.

- 5) The following provision will be added to the parties' contract as Article 21:

Bargaining unit members may elect to convert accrued and unused annual leave or vacation leave into cash for transfer into a City-sponsored Section 457(k) deferred compensation plan during calendar year 2015. The amount of annual leave and/or vacation leave that may be transferred to the employee's Section 457(k) deferred compensation plan shall be limited to the contribution amounts set forth in the Internal Revenue Code. An employee electing to transfer annual leave and/or vacation leave to the deferred compensation plan must enroll in the plan before any leave can be transferred. Employees must request such transfer using the City-approved form, which is available from the City's payroll department.

This provision shall sunset as of December 31, 2015. The ability of bargaining unit members to convert annual leave and/or vacation leave in subsequent calendar years shall be subject to future negotiations between the parties.

- 6) Unless specifically modified by this Agreement, the terms and conditions of the parties' contract shall remain in full force and effect.

- 7) This Agreement shall take effect following ratification by the membership of OPSM – Fire and adoption by the City Council.

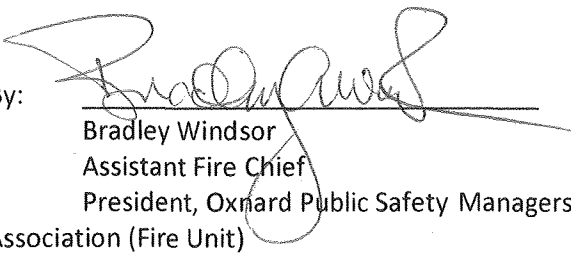
Dated: _____

Dated: 2-2-15

By: _____

Dania Torres Wong
Chief Negotiator
City of Oxnard, California

By: _____


Bradley Windsor
Assistant Fire Chief
President, Oxnard Public Safety Managers'
Association (Fire Unit)

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. []

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF OXNARD AND THE OXNARD PUBLIC SAFETY MANAGERS' ASSOCIATION (FIRE UNIT) EXTENDING THE TERM OF THE PARTIES MEMORANDUM OF UNDERSTANDING THROUGH JUNE 30, 2015; AND AUTHORIZING THE CITY MANAGER, INTERIM CHIEF FINANCIAL OFFICER, INTERIM HUMAN RESOURCES DIRECTOR OR DESIGNEE TO TAKE THE NECESSARY ADMINISTRATIVE ACTION TO IMPLEMENT THE AGREEMENT.

WHEREAS, the Oxnard Public Safety Managers' Association (Fire Unit) ("OPSM-Fire") the recognized representative for identified job classes in the Fire Management unit within the City of Oxnard (the "City"); and

WHEREAS, the current memorandum of understanding ("MOU") between the City and the OPSM-Fire expired on June 30, 2014; and

WHEREAS, representatives of the City and OPSM-Fire have met and conferred in good faith concerning wages, hours, terms and conditions of employment for employees in said bargaining unit consistent with their obligations under the Meyers-Milias-Brown Act; and

WHEREAS, the City and OPSM – Fire have reached an agreement (the "Agreement"), attached as Exhibit 1, to extend the term of the parties' MOU through June 30, 2015, subject to the modifications to paid leave accrual banks set forth in the Agreement.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

That the Agreement is adopted and the City Manager and/or his designee is directed to perform all acts necessary to implement its terms.

PASSED AND ADOPTED THIS _____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

J

Letter of Agreement between the City of Oxnard, California and Oxnard Public Safety Managers' Association (Police Unit) Extending Memorandum of Understanding Through June 30, 2015

This Letter of Agreement ("Agreement") has been jointly prepared by the designated representatives of the City of Oxnard (the "City"), a public agency within the meaning of Section 3501(c) of the Government Code of the State of California, and the Oxnard Public Safety Managers' Association (Police Unit) ("OPSM – Police"), a recognized employee organization within the meaning of Section 3501(b) of the Government Code of the State of California, with reference to the following facts:

WHEREAS, the contract between the City and OPSM – Police expired on September 5, 2014; and

WHEREAS, the City and OPSM – Police have a mutual desire to extend terms and conditions contained in the contract dated September 6, 2008 through September 5, 2014 through June 30, 2015, without any salary or health insurance premium increases and subject to the amendments related to compensated absences described below,

NOW, THEREFORE, the City and OPSM – Police after meeting and conferring in good faith, understand and agree to the following terms:

- 1) Article 1: The term of the September 6, 2008 through September 5, 2014 shall be extended from September 5, 2014 to June 30, 2015.
- 2) Article 11 will be replaced in its entirety as follows:

Following the effective date of this Agreement, new Unit members will no longer be permitted to establish a Reserve Leave Fund (RLF). Current Unit members who have previously established an RLF will be permitted to maintain the balance of their RLF and will only be permitted to transfer annual leave identified as "Excess Leave" as of November 8, 2014 to their RLF. Employees must submit requests to transfer this "Excess Leave" to their RLF to the City's payroll department no later than thirty (30) calendar days following adoption of this agreement by the City Council. To the extent employees have previously submitted requests to transfer "Excess Leave" to their RLFs, these requests will be processed following adoption of this Agreement by the City Council. Subject to this exception and the exception described in Article 12(d), employees will not be permitted to move any additional accrued leave into their RLFs following the effective date of this Agreement. In no event shall the transfers permitted under this section, Article 12(d), or the combination of such transfers cause an employee's RLF balance to exceed the previously-authorized maximum of 1,560 hours.

An employee has the option to use his or her RLF balance to cover leaves of absence, consistent with the restrictions placed on the use of annual leave set forth in Article 12. In addition, an employee may cash out 100% of the balance of his or her RLF upon separation from City service, provided that the employee has a minimum of five (5) years of regular full time service with the City.

- 3) The following provision will be added to the parties' contract as Article 12(a)(ii):

The City Manager may waive the maximum amount of annual leave authorized to be carried forward under extraordinary circumstances, subject to such conditions as the City Manager may deem appropriate.

- 4) Article 12(d)(iii) will be replaced in its entirety as follows. The remaining provisions of Article 12 shall remain unchanged:

The City will redeem fifty percent (50%) of such current unused unredeemed sick leave and one hundred percent (100%) of such current unused unredeemed vacation leave accruals not to exceed 600 hours for each account, upon separation from service to those employees with a minimum of five (5) years of regular full-time service, at time of separation, at the employee's base rate of pay being earned as of the effective date of separation from City service. Effective following ratification of this Agreement by OPSM – Police and adoption by the City Council, employees will not be permitted to transfer vacation or sick leave to their RLFs.

Notwithstanding the foregoing, two members of the bargaining unit who currently hold accrued and unused vacation leave balances in excess of one thousand (1,000) hours will be permitted to transfer not more than five hundred (500) hours of accrued and unused vacation leave to their RLFs. These employees must request this transfer within thirty (30) calendar days following adoption of this Agreement by the City Council. To the extent employees have previously submitted requests to transfer vacation as permitted by this section to their RLFs, these requests will be processed following adoption of this Agreement by the City Council.

- 5) The following provision will be added to the parties' contract as Article 21:

Bargaining unit members may elect to convert accrued and unused annual leave or vacation leave into cash for transfer into a City-sponsored Section 457(k) deferred compensation plan during calendar year 2015. The amount of annual leave and/or vacation leave that may be transferred to the employee's Section 457(k) deferred compensation plan shall be limited to the contribution amounts set forth in the Internal Revenue Code. An employee electing to transfer annual leave and/or vacation leave to the deferred compensation plan must enroll in the plan before any leave can be transferred. Employees must request such transfer using the City-approved form, which is available from the City's payroll department.

This provision shall sunset as of December 31, 2015. The ability of bargaining unit members to convert annual leave and/or vacation leave in subsequent calendar years shall be subject to future negotiations between the parties.

- 6) Unless specifically modified by this Agreement, the terms and conditions of the parties' contract shall remain in full force and effect.

- 7) This Agreement shall take effect following ratification by the membership of OPSM – Police and adoption by the City Council.

Dated: _____

Dated: 2/2/15

By: _____

Dania Torres Wong
Chief Negotiator
City of Oxnard, California

By: _____


Eric S. Sonstegard
Acting Assistant Chief of Police
President, Oxnard Public Safety Managers'
Association (Police Unit)

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. []

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF OXNARD AND THE OXNARD PUBLIC SAFETY MANAGERS' ASSOCIATION (POLICE UNIT) EXTENDING THE TERM OF THE PARTIES MEMORANDUM OF UNDERSTANDING THROUGH JUNE 30, 2015; AND AUTHORIZING THE CITY MANAGER, INTERIM CHIEF FINANCIAL OFFICER, INTERIM HUMAN RESOURCES DIRECTOR OR DESIGNEE TO TAKE THE NECESSARY ADMINISTRATIVE ACTION TO IMPLEMENT THE AGREEMENT.

WHEREAS, the Oxnard Public Safety Managers' Association (Police Unit) ("OPSM-Police") the recognized representative for identified job classes in the Police Management unit within the City of Oxnard (the "City"); and

WHEREAS, the current memorandum of understanding ("MOU") between the City and the OPSM-Police expired on September 5, 2014; and

WHEREAS, representatives of the City and OPSM-Police have met and conferred in good faith concerning wages, hours, terms and conditions of employment for employees in said bargaining unit consistent with their obligations under the Meyers-Milias-Brown Act; and

WHEREAS, the City and OPSM – Police have reached an agreement (the "Agreement"), attached as Exhibit 1, to extend the term of the parties' MOU through June 30, 2015, subject to the modifications to paid leave accrual banks set forth in the Agreement.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

That the Agreement is adopted and the City Manager and/or his designee is directed to perform all acts necessary to implement its terms.

PASSED AND ADOPTED THIS _____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

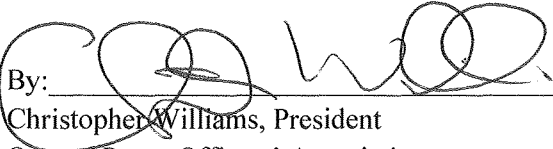
**TENTATIVE AGREEMENT BETWEEN THE OXNARD POLICE OFFICERS ASSOCIATION
("OPOA") AND THE CITY OF OXNARD ("CITY")**

- 1) On a one-time basis in January 2015, the City will split employees' excess leave bank into two portions:
 - a. Except as provided below, 80% of the value of excess leave will be placed in a grandfathered excess leave bank.
 - b. 20% of excess leave, not to exceed 200 hours, (hereinafter referred to as "the 20% excess leave bank"), will be placed in a separate bank and will have no cash value, except as provided below. Any hours in excess of 200 will be deposited in the grandfathered excess leave bank described in subsection (a) above.
 - i. This 20% time off excess leave bank will be available for employees to use as paid time off, on an hour for hour basis, consistent with the MOU between the City and OPOA during employees' term of service with the City.
 - ii. Except as provided below in subsections iii, iv and v, if employees do not utilize this 20% of annual leave time prior to retirement or separation from the City, this leave will not be eligible for cash out and will have no other cash value
 - iii. If, prior to December 15, 2017, an employee retires from City service, or separates from City service as the result of an industrial or non-industrial injury, such employee will be permitted to cash out the balance of this 20% bank at the rate provided for in the MOU in effect at the time of separation.
 - iv. If, prior to December 15, 2017, an employee dies in the line of duty, the employee's estate will be permitted to receive the balance of this 20% bank, if any, at the rate provided for in the MOU in effect at the time of employee's death.
 - v. Once during calendar year 2015, OPOA members will be permitted to convert excess leave into cash for deposit into a Section 457(k) deferred compensation plan. The amount of any deposits into an employees' deferred compensation plan will be subject to the limitations set forth by the Internal Revenue Service. Employees will not be permitted to convert annual leave other than excess leave into a deferred compensation plan.
- 2) The 80% grandfathered excess leave bank will be available for use and will have cash value as follows:
 - a. OPOA members will be permitted to use the balance of their grandfathered excess leave bank as paid time off, on an hour for hour basis, consistent with the MOU between the City and OPOA during employees' term of service with the City.
 - b. On or before December 31, 2014, OPOA members will be allowed to redeem hours from their grandfathered excess leave bank, consistent with the terms of the MOU between the City and OPOA, and these redeemed hours will be deducted from the employees' grandfathered excess leave balance.
 - c. Once per year for the following three years (2015, 2016 and 2017), OPOA members will be permitted to convert excess leave into cash for deposit into a Section 457(k) deferred compensation plan. The amount of any deposits into an employees' deferred compensation plan will be subject to the limitations set forth by the Internal Revenue

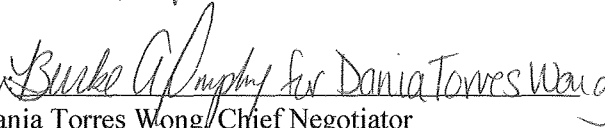
Service. Employees will not be permitted to convert annual leave other than excess leave into a deferred compensation plan.

- d. Upon separation from City service, employees will be permitted to cash out the remaining balance of their grandfathered excess leave bank. The cash value of the balance of the grandfathered excess leave bank will be calculated at the pay rate applicable as of December 4, 2014 which includes the employee's hourly rate as of December 4, 2014 and any longevity pay, educational and incentive pay and bilingual pay being earned as of December 4, 2014.
- 3) Consistent with the letter sent by the City Manager, Greg Nyhoff to OPOA on November 12, 2014, employees who have accrued up to the maximum allowable annual leave will have until March 14, 2015 to use sufficient annual leave to bring their accruals below the cap. Employees will continue to accrue leave time between November 8, 2014 and March 14, 2015. However, any employees who are at, or in excess of, the applicable cap on March 15, 2015 will immediately not be permitted to accrue additional annual leave unless and until they bring their accrual levels below the applicable cap, subject to the provisions of Article III C 1 c of the existing MOU between the parties.
- 4) This agreement remains subject to adoption by the Oxnard City Council during a regularly scheduled open session meeting in accordance with the Brown Act. Following adoption of this agreement by City Council, its terms will take full force and effect and no longer be treated as a tentative agreement.

Dated: 2/3/15

By: 
Christopher Williams, President
Oxnard Peace Officers' Association

Dated: 2/3/15

By: 
Dania Torres Wong, Chief Negotiator
City of Oxnard, California

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. []

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF OXNARD AND THE OXNARD PEACE OFFICERS' ASSOCIATION REGARDING TREATMENT OF EXCESS LEAVE BALANCES; AND AUTHORIZING THE CITY MANAGER, INTERIM CHIEF FINANCIAL OFFICER, INTERIM HUMAN RESOURCES DIRECTOR OR DESIGNEE TO TAKE THE NECESSARY ADMINISTRATIVE ACTION TO IMPLEMENT THE AGREEMENT.

WHEREAS, the Oxnard Peace Officers' Association ("OPOA") the recognized representative for identified job classes in the Police Unit within the City of Oxnard (the "City"); and

WHEREAS, the current memorandum of understanding ("MOU") between the City and the OPOA expired on June 30, 2014; and

WHEREAS, by letter transmitted to OPOA's exclusive bargaining representative on November 12, 2014, the City informed OPOA that the annual leave accrual caps set forth in its MOU with the City were not being enforced and requested the parties meet and confer over treatment of this excess leave;

WHEREAS, subject to continued negotiations with respect to a successor MOU, the City and OPOA determined that it was in both parties' best interest to reach an agreement over the treatment of excess annual leave balances;

WHEREAS, representatives of the City and OPOA have met and conferred in good faith concerning treatment of excess annual leave balances in the OPOA bargaining unit consistent with their obligations under the Meyers-Milias-Brown Act; and

WHEREAS, the City and OPOA have reached an agreement (the "Agreement"), attached as Exhibit 1, providing for the treatment of excess annual leave balances.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

That the Agreement is adopted and the City Manager and/or his designee is directed to perform all acts necessary to implement its terms.

PASSED AND ADOPTED THIS _____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. []

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF OXNARD ESTABLISHING RULES FOR THE
APPLICATION OF COMPENSATION RATES AND BENEFIT LEVELS FOR
UNREPRESENTED EXECUTIVE, UNREPRESENTED MID-MANAGEMENT
AND UNREPRESENTED CONFIDENTIAL EMPLOYEES FOR FISCAL YEAR 2014-15

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

Section I. Applicability

- A. General. The provisions of this Resolution shall be applicable to both classified and unclassified services of the City of Oxnard, provided, however, that if any provisions of a Memorandum of Understanding or employment contract adopted and approved by the City Council under chapter 3, Article II, sections 3-50 and 3-76 of the Code of the City of Oxnard, California (the "City Code") and currently in effect are clearly and specifically in conflict with any rule contained in this resolution, the provision in such Memorandum of Understanding or employment contract shall prevail.
- B. Council Authority Necessary to Amend Resolution. Any exception to these provisions must be authorized by the City Council prior to the action, or in the case of a bona fide emergency, at the next scheduled City Council meeting following the action. Actions are submitted through the agenda process by the City Manager or the Human Resources Director, as applicable, in open session or through the City Attorney in closed session as permitted under the Brown Act and ultimately placed on the City Council's open agenda prior to final approval. California Constitution Article XI incorporates the concept derived from principles of public accountability that government employees should not be paid for time not worked, for services not performed or authorized due to the need to be accountable to the taxpayers for the expenditure of public funds. (Contravention of this provision is referred to as a "gift of public funds.") Therefore, the City, as a subdivision of the State, must abide by the provisions of this Section in its compensation policies and practices.
- C. Unrepresented Employees. Sections IV through XIII of this Resolution apply only to Unrepresented Executive Employees, Unrepresented Mid-management Employees, Unrepresented Confidential Employees and/or all other positions not represented by any recognized employee organization. "Unrepresented Executive Employee(s)" shall have the same meaning as the term "Employee, Management" in chapter 3, Article II sections 3-37(E) and 3-63(E) of the City Code. "Unrepresented Confidential Employee(s)" shall have the same meaning as the term "Employee, Confidential" in chapter 3, Article II sections 3-37(D) and 3-63(D) of the City Code. "Unrepresented Mid-Management

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Employee(s)” shall be defined as employees whose job classifications are listed on Exhibit 2 to this Resolution. The term “employees” as used in Sections IV through XIII of this Resolution shall be defined to include Unrepresented Confidential Employees, Unrepresented Mid-Management Employees and Unrepresented Executive Employees.

Section II. Hours of Work

A. Core Business Hours

- i. The City’s core business hours are 8:00 a.m. to 6:00 p.m., Monday through Friday, with City offices being closed on alternating Fridays. Employees who work in departments with 24-hour operations shall be excluded from this section. Employees subject to this section are expected to be on-site during core business hours, regardless of their status as exempt or non-exempt employees.

B. Work Schedules

- i. The City work schedules include 3/12, 4/10, and 9/80. The City shall establish and modify work schedules for all employees based on operational necessity to provide services to the public.

C. Full time employees are employees who are regularly scheduled to work forty (40) hours per workweek. Part time employees are employees who are regularly scheduled to work less than forty (40) hours per workweek.

D. Recording of Time

- i. Employees are required to record all hours worked and leave taken on City-provided time sheets. This provision applies to both exempt and non-exempt employees. Any exempt employee working less than eighty (80) hours in a given pay period must utilize accrued paid leave time in order account for such shortfall in hours. Employees shall be required to sign their timesheets, and timesheets of employees who report to them, under penalty of perjury and may be subject to discipline in the event that they sign an inaccurate timesheet.

Section III. Nepotism

- A. No person shall be employed in any position in which the employee will directly or indirectly supervise, or in which the employees will be directly or indirectly supervised by, the employee’s spouse, domestic partner, parent, stepparent, brother, sister, child, stepchild, grandchild, step-grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, or any person with whom the employee has a relationship *in loco parentis*. Employees are obligated to disclose any such relationship to the Director of Human Resources.

Section IV. Salaries

- A. Salary ranges for Unrepresented Confidential Employees, Unrepresented Mid-Management Employees, and Unrepresented Executive Employees are set forth on Exhibits 1, 2 and 3 respectively. The rates in Exhibit 1 are listed in dollars per hour. The rates in Exhibits 2 and 3 are listed in dollars per hour, as well as bi-weekly, monthly and annual rates.
- B. Salary ranges for represented employee groups are listed in their respective memoranda of understanding.
- C. Wages for Temporary and Part-Time Employees
- i. Temporary and part-time employees shall be paid on an hourly basis for hours actually worked, subject to the provisions of section IV.E and/or the Fair Labor Standards Act, which provides for overtime compensation for hours worked in excess of 40 per workweek.
 - ii. Unrepresented temporary and/or part-time employees who are employed in classifications that are represented shall be paid on the same salary scale as listed for the represented employee in the same class.
 - iii. Any such employee in a class having a monthly salary rate shall be paid an hourly rate that is converted from the monthly salary for that class.
- D. Pay Periods
- i. Each pay period shall cover fourteen (14) consecutive calendar days and there shall be twenty-six pay periods per calendar year.
- E. Exempt Employees
- i. Employees in classes that have been deemed "exempt" shall not be entitled to payment or compensatory time off for overtime as provided for in the rules and regulations of the Fair Labor Standards Act.
 - ii. In accordance with the rules and regulations of the Fair Labor Standards Act, the base salary of exempt employees shall not be reduced due to variations in the quality or quantity of the work performed. Any reduction in wages that are a result of discipline will comply with the Fair Labor Standards Act.
 - iii. Employees exempt from overtime are subject to the requirements related to recording of time worked and time spent on paid leave set forth in section II.C.
- F. Salary Upon Employment

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- i. When an appointment is made to a budgeted position, the starting pay will normally be the minimum rate set forth in the applicable salary range and advancement to rates greater than the minimum rate shall be within the limits of the salary range for the applicable classification.
- ii. In exceptional cases after reasonable effort has been made to obtain employees for a particular class at the minimum rate, employment of individuals who possess special qualifications higher than the minimum qualifications prescribed for the particular class may be authorized at a higher rate than the minimum upon recommendation from the Department Head with the approval of the City Manager. In no event shall an individual's salary rate exceed the maximum limit of the salary range for the applicable classification.

G. Salary Upon Reinstatement Following Voluntary Separation

- i. An Unrepresented Confidential Employee or an Unrepresented Mid-Management Employee who has resigned from City service in good standing may apply for reinstatement within one year of his or her resignation to the position he or she left, if vacant, by means of a written request. If the City Manager approves reinstatement, the applicant may be reemployed in the same job classification as occupied upon resignation at the same or in a lower salary range as paid at the time of resignation. Such employee will have no other rights, privileges, or benefits accrued by him/her in his/her previous employment. This section will not apply to reinstatement after military service.
- ii. This provision shall not apply to Unrepresented Executive Employees or any other employee who is employed on an "at will" basis.

H. Salary and Benefits Upon Restoration or Reemployment Following Reduction in Force

- i. An Unrepresented Confidential Employee or an Unrepresented Mid-Management Employee who is demoted as a result of a reduction in force shall have the employee's name placed on a classification reinstatement list, in the order of the City Length of Service. Vacant positions within a classification shall be first offered to employees on this reinstatement list.
- ii. An Unrepresented Confidential Employee or an Unrepresented Mid-Management Employee who has been laid off shall have his or her name placed on a reemployment list for classifications in which the employee previously held and for classifications at the same or lower salary range for which the employee qualifies in the order of the City Length of Service. Vacant positions in such classifications will be offered to employees on the reemployment list after employees on the reinstatement list have been reinstated, and prior to an open or promotional recruitment to fill vacant positions in that classification.

- iii. Upon reemployment following a layoff due to a reduction in force, an individual will have the following benefits restored:
 - a. Seniority at time of layoff for purposes of determining step increases, annual leave accrual and future layoff priority.
 - b. Base wages paid to an employee who is reemployed in the same classification he/she held at time of layoff shall be the base wages then in effect for the salary range and step the employee held at the time of layoff. If the employee chooses to be reemployed in a classification which has a salary range lower than the classification from which he/she was laid off, then the base wages shall be those at the step in the lower salary range that is closest to his/her base wages immediately prior to layoff, then the employee shall receive the maximum base wages provided in such salary range.
- iv. This provision shall not apply to Unrepresented Executive Employees or any other employee who is employed on an "at will" basis.

I. Duration of Lists

- i. The name of an Unrepresented Confidential Employee or an Unrepresented Mid-Management Employee shall remain on the reinstatement list and reemployment list for a period of two (2) years from the date of demotion or layoff. Such an employee who does responding to written notification of an opening within nine (9) working days shall have the employee's name removed from either the reemployment list or reinstatement list.
- ii. This provision shall not apply to Unrepresented Executive Employees or any other employee who is employed on an "at will" basis.

J. Salary Upon Promotion

- i. The beginning base wage for promotions shall be the next highest step on the applicable step range or, shall place the employee at the bottom of the range of the position into which the employee is promoted.

Section V. Overtime and Compensatory Time Off for Unrepresented Confidential Employees

- A. Unrepresented Confidential Employees who are not designated as "exempt" for purposes of the Fair Labor Standards Act shall be eligible to receive overtime payment if an employee is required by his or her supervisor to work in excess of forty (40) hours in a single FLSA work period. Overtime compensation shall be paid at one-and-one half times his or her regular rate of pay, which includes base wages, bilingual pay, longevity pay, confidential pay and educational incentive pay, as applicable.

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- B. Unrepresented Confidential Employees who are not designated as “exempt” for purposes of the Fair Labor Standards Act may elect to receive compensatory time off in lieu of payment for overtime worked. Such employees shall accrue compensatory time off at the rate of one and one half hours for each overtime hour worked, up to a maximum accumulation of eighty (80) hours. The request for compensatory time off in lieu of payment for overtime worked shall be made at the time the overtime is worked. The City shall automatically cash out any compensatory time off accruals in excess of eighty (80) hours during the month of July.

Section VI. Other Compensation Provisions

A. Mileage for Travel Outside City Limits

- i. When employees are required by City to use their personal vehicle to perform their assigned duties for City, and they so utilize their own vehicles in traveling directly and uninterruptedly from one assigned work location to another assigned work location, at least one of which is located outside of the City limits, City shall compensate the employee. Employees shall make claims for mileage compensation that are consistent with current IRS rates on City designated forms.

B. Confidential Pay

- i. Unrepresented Confidential Employees shall be entitled to a specialty pay equal to 5% of their base wages.

C. Bilingual Pay

- i. Rate of Bilingual Pay
- a. A regular, full-time Unrepresented Confidential Employee may receive bilingual pay at the rate of twenty dollars (\$20.00) biweekly to the extent the employee is required to provide bilingual services as determined by the City Manager or designee.

ii. Conditions for Receipt

- a. Bilingual pay shall be paid subject to the employee satisfying the following conditions:
1. The employee’s position has been designated by the City Manager or designee as one qualifying for bilingual pay on the basis that:
- i. The predominant and primary focus of the position is to communicate in person or by telephone with members of the public in connection with providing City services and the employee on a regular ongoing basis in the course of

carrying out usual job duties, is called upon to utilize a language other than English in communicating with the members of the public, or

- ii. On a regular, daily basis the employee is called upon by the City to provide a language other than English interpretation or translation services for other City employees in connection with the performance of the usual job duties of such other employees; or
- iii. The employee is determined by the City Manager or designee to be fluent in a language other than English and the employee possesses and displays a sensitivity for the cultural needs of the City's other than English speaking population.

D. Longevity Pay

- i. Unrepresented Confidential Employees who have completed five (5) regular full-time years of service shall be paid a sum equal to one (1%) percent of the base wages paid to the employee. Unrepresented Confidential Employees who have completed ten (10) regular full-time years of service shall be paid a sum equal to an additional one (1%) percent, making a total of two (2%) percent of the base wages paid to the employee. Unrepresented Confidential Employees who have completed fifteen (15) regular full-time years of service shall be paid a sum equal to an additional one (1%) percent, making a total of three (3%) percent of the base wages paid to the employee. The additional payment for longevity of service shall be made at each time any installment of base wages is made to the employee.

Section VII. Holidays

A. Observed holidays include:

New Year's Day (January 1st)
Martin Luther King's Day (the third Monday in January)
Presidents' Day (the third Monday in February)
Cesar Chavez Day (March 31)
Memorial Day (the last Monday in May)
Independence Day (July 4th)
Labor Day (the first Monday in September)
Veterans' Day (November 11th)
Thanksgiving Day
Christmas Day (December 25th)

Employees shall be entitled to holiday pay if an observed holiday falls on an employee's regularly scheduled workday and if the employee is in paid status on the day before or the day after an observed holiday.

B. Work on Holidays

- i. Unrepresented Confidential Employees required to work on a City-observed holiday shall be paid one and one-half their regular rate of pay for hours actually worked, or receive compensatory time off, subject to the accrual cap set forth in Section V, at the rate of one and one half times hours actually worked on the holiday, in addition to receiving straight time pay for said holiday. In order for such an employee to qualify for overtime pay under this section, such employee's regularly scheduled workday must fall on the day before and/or the day after such holiday.

C. Holidays on Weekends

- i. City observed holidays that fall on Sunday shall be observed on the following Monday. City observed holidays that fall on Saturday shall be observed on the preceding Friday.

Section VIII. Paid Leaves

A. Annual Leave

- i. **Accrual Levels**

Unrepresented Confidential Employees and Unrepresented Mid-Management Employees will accrue annual leave based on the following schedule:

Years of Service	Months of Service	Biweekly Accruals	Annual Accrual	Maximum Accrual
< 5	0-59	6.24	162.24	324.48
5-6	60-71	7.47	194.22	388.44
6-7	72-83	7.78	202.28	404.56
7-8	84-95	8.09	210.34	420.68
8-9	96-107	8.40	218.40	436.80
9-10	108-119	8.70	226.20	452.40
10-11	120-131	9.54	248.04	496.08
11-12	132-143	9.85	256.10	512.20
12-13	144-155	10-16	264.16	528.32
13-14	156-167	10.46	271.96	543.92
14-15	168-179	10.77	280.02	560.04
> 15	180+	11.78	306.28	612.56

Unrepresented Executive Employees will accrue annual leave based on the following schedule:

Years of Service	Months of Service	Biweekly Accruals	Annual Accrual	Maximum Accrual
<2	0-23	6.24	162.24	324.48
2-5	24-59	7.47	194.22	388.44
5+	60+	7.78	202.28	404.56

ii. Usage

- a. Accrued annual leave may be taken at one day at a time, or it may be taken several days at a time. The annual leave is to be scheduled between the employee and his or her supervisor in such a manner that such employee's absence will not impair division operations.

iii. Maximum Annual Leave Accrual

- a. Once an employee reaches his or her maximum annual leave accrual, he or she will not be permitted to accrue any additional annual leave until he or she uses sufficient annual leave so as to bring his or her annual leave balance below the applicable cap. Accrual will recommence in the following pay period.

iv. Redemption

- a. After five (5) years of regular full-time service, an Unrepresented Confidential Employee or an Unrepresented Mid-Management Employee may receive pay in lieu of up to forty (40) hours of annual leave provided that funds are allocated to cover these costs in the employee's department's budget and that such employee has taken at least forty (40) hours of annual leave in the preceding twelve (12) months.
- b. After ten (10) years of regular full-time service, an Unrepresented Confidential Employee or an Unrepresented Mid-Management Employee may receive pay in lieu of up to eighty (80) hours of annual leave provided that funds are allocated to cover these costs in the employee's department's budget and that such employee has taken at least eighty (80) hours of annual leave in the preceding twelve (12) months.
- c. Any Unrepresented Executive Employee, regardless of full-time years of service, may receive pay for redemption of up to 120 hours of annual leave during each calendar year.
- d. All requests for annual leave redemption must be made by the employee, in writing, using a City form and, said requests must be submitted to the

City's payroll department during the months of July and December for the employee to receive the redemption.

- e. Pay under this subsection shall be calculated based on base wages, longevity pay, educational incentive pay, confidential pay, and bilingual pay, as applicable.

v. **Payment Upon Separation**

- a. Any employee who leaves the service of the City shall be paid for accrued annual leave to which such employee is otherwise entitled at his/her then current base wages plus longevity pay, educational incentive pay, confidential pay, and bilingual pay, as applicable, as of the effective date of separation from City service.

vi. **Discontinuance of Reserve Leave Program and Treatment of Accrued Reserve Leave.**

- a. If an employee were previously permitted to create and maintain a reserve leave bank, such employee's reserve leave bank balance will remain available for use by employees as annual leave, subject to the conditions for use set forth in this section. Employees will no longer be permitted to add additional hours to their reserve leave banks and new employees will not be permitted to create reserve leave banks.

B. Administrative Leave

- i. Full time Unrepresented Mid-Management Employees in permanent positions who classified as "exempt" for purposes of the Fair Labor Standards Act, such that they are not eligible for payment of overtime or an equivalent amount of compensatory time off shall be granted administrative leave. At the start of each fiscal year, such employees will be granted forty (40) hours of administrative leave.
- ii. Full time Unrepresented Executive Employees in permanent positions who classified as "exempt" for purposes of the Fair Labor Standards Act, such that they are not eligible for payment of overtime or an equivalent amount of compensatory time off shall be granted administrative leave. At the start of each fiscal year, such employees will be granted eighty (80) hours of administrative leave.
- iii. Administrative leave not taken during the fiscal year in which it is granted shall not be carried over to the subsequent fiscal year; employees shall not be permitted to maintain an administrative leave balance in excess of forty (40) hours for Unrepresented Mid-Management Employees or eighty (80) hours for Unrepresented Executive Employees.

- iv. Administrative leave shall be scheduled at the convenience of the employee's department and must be approved by the employee's supervisor prior to its use.

C. Bereavement Leave

- i. The Department Director/ Division Supervising Manager may grant up to three (3) days leave of absence with pay to any eligible employee on the death of any member of the employee's immediate family.
- ii. Immediate family shall include the following individuals related to the employee or the employee's spouse by reason of blood line, marriage, adoption or foster care: parents, grandparents, spouse, spouse's parents, brother(s), sister(s), child(ren), son(s)-in-law, daughter(s)-in-law, grandchild(ren), great grandchild(ren), registered domestic partner, and any blood relative(s) living in the immediate household.
- iii. Immediately upon return from bereavement leave, the employee shall furnish to the Department Director/ Division Supervising Manager some evidence of the death, e.g., a newspaper clipping, obituary notice, funeral card, or other record of death. If such evidence is not provided, the bereavement leave shall be converted to leave without pay.

D. Workers' Compensation

- i. Employees who are injured or become ill in the course of employment shall be paid in accordance with the applicable workers' compensation laws of the State of California.

E. Military Leave

- i. Employees shall be entitled to the military leave benefits as provided in the California Military and Veterans Code, or as otherwise enhanced by City Council action.

F. Jury Duty and Court Appearances Within Scope of Duties

- i. Conditions

If an employee is called for jury duty or is subpoenaed as a witness in litigation as a result of the employee's official duties with the City, he/she shall be granted a leave of absence with pay provided that:

- a. The employee's supervisor has been notified by the employee of the jury duty summons or witness subpoena.

b. The employee refunds to City fees received for jury duty or witness service except travel and actual expense reimbursement as follows:

1. An employee summoned for and assigned jury duty for five (5) days or less may retain the jury service fee paid for jury service.
2. An employee summoned for and assigned jury duty for five days or less may decline payment of the jury service fee.
3. An employee summoned for and assigned jury duty for six (6) or more days is required to accept the payment for jury service and to refund to the City Treasurer all fees for jury service except travel reimbursement.

ii. Amount Limited

a. The leave of absence with pay for witness duty is limited to twenty-four (24) hours in any calendar year.

Section IX. Health and Welfare Benefits

A. Health Insurance

- i. The City offers affordable health coverage that meets minimum value standards under the Patient Protection and Affordable Care Act (PPACA) to all eligible employees. An eligible employee is one who qualifies under the Look Back Measurement Safe Harbor (average of 30 hours per week), as adopted by Resolution and implemented under the City's implementation plan.
- ii. The City offers health coverage under the Public Employees' Medical and Hospital Care Act ("PEMHCA"). In accordance with the requirements of PEMHCA, the City shall make a direct contribution of \$122 per month towards active employees' health care costs in calendar year 2015. This amount is equal to the statutory minimum contribution set by CalPERS and is subject to change as further required by CalPERS.
- iii. In addition to the direct PEMHCA contribution described above, the City will make an additional contribution towards a cafeteria plan for active employees. The City's cafeteria plan contribution for Unrepresented Executive Employees shall equal \$242.31 per bi-weekly pay period and shall equal \$200.00 per bi-weekly pay period for Unrepresented Confidential Employees and Unrepresented Mid-Management Employees.

B. Dental Insurance

- i. The City shall contribute the sum of thirty dollars and eighty three cents (\$30.83) biweekly to the employee's dental insurance cafeteria plan for dental programs provided by the City. Regular full time employees that are employees for more than ninety (90) days and who "opt-out" of dental coverage will receive \$30.83 bi-weekly additional taxable income.

C. Flex Spending Plan

- i. Employees may participate in the voluntary Flex Spending Plan so long the plan is offered by the City and permitted under IRS rules and regulations.

D. Wellness Program

- i. Employees may participate in the City wellness program for so long as the City maintains a wellness program.

Section X. Deferred Compensation

Employees shall be permitted to participate in the City's section 457 deferred compensation plan for as long as such a plan is maintained by the City. Unrepresented Confidential Employees and Unrepresented Mid-Management Employees will also have the option to convert up to forty (40) hours of accrued vacation or annual leave for deposit into a section 457 deferred compensation plan each calendar year. Unrepresented Executive Employees will have the option to convert up to eighty (80) hours of accrued vacation or annual leave for deposit into a section 457 deferred compensation plan each calendar year.

Section XI. Family and Medical Leave

Employees shall be permitted to request leave pursuant to, and consistent with, the Family and Medical Leave Act and any applicable City policy.

Section XII. Retirement

A. CalPERS Retirement for Miscellaneous Employees Hired before January 1, 2013

- i. The City's contract with CalPERS provides for the two percent (2%) at age fifty-five (55) retirement formula.
- ii. The City's contract with CalPERS provides for the "Single Highest Year" retirement benefit.
- iii. The City shall pay the 7% percent employee contribution directly to CalPERS in FY2014-15. The City shall report to PERS as compensation earnable pursuant to

California Government Code section 20636(c)(4) the City's payment of required employee retirement contributions to PERS.

B. CalPERS Retirement for Miscellaneous Employees Hired on or after January 1, 2013

- i. "New Members", as defined by the Public Employees' Pension Reform Act ("PEPRA") are covered by the two percent (2%) at age sixty two (62) retirement formula.
- ii. New Members' retirement benefit will be based on the highest 36 consecutive months of compensation earnable.
- iii. New Members will pay an employee contribution to PERS at the rate of fifty percent (50%) of the total "normal cost" of the plan as defined by CalPERS. This amount may change from year to year, as determined by CalPERS. This employee contribution will be paid through a payroll deduction.
- iv. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.
- v. The City's contract with CalPERS contains the Fourth Level Survivor Benefit and Military Service Credit for all employees.

C. CalPERS Retirement for Safety Employees Hired before January 1, 2013

- i. The City's contract with CalPERS provides for the three percent (3%) at age fifty (50) retirement formula.
- ii. The City's contract with CalPERS provides for the "Single Highest Year" retirement benefit.
- iii. City shall pay the 9% percent employee contribution directly to CalPERS in FY2014-15. The City shall report to PERS as compensation earnable pursuant to California Government Code section 20636(c)(4) the City's payment of required employee retirement contributions to PERS.

D. CalPERS Retirement for Safety Employees Hired on or after January 1, 2013

- i. The City's contract with CalPERS provides for the two point seven percent (2.7%) at age fifty-seven (57) retirement formula.
- ii. New Members retirement benefit will be based on the highest 36 consecutive months of compensation earnable.

ATTACHMENT 7
PAGE 14 OF 19

- iii. New Members of the City's police retirement plan will pay an employee contribution to PERS at the rate of fifty percent (50%) of the total "normal cost" of the plan as defined by CalPERS. This amount may change from year to year, as determined by CalPERS. This employee contribution will be paid through a payroll deduction.

E. PARS Contribution

- i. City shall provide to all miscellaneous Unrepresented Confidential Employees, miscellaneous Unrepresented Mid-Management Employees and miscellaneous Unrepresented Executive Employees Public Agency Retirement System (PARS) supplemental retirement benefits to include the three percent (3%) at age sixty (60) supplemental retirement formula and the highest consecutive twelve-month period retirement formula.
- ii. The employees' contribution to PARS shall be eight percent (8%) of the wages upon which the employee's retirement contributions are computed. The City shall pay three percent (3%) of the employee contribution in FY2014-15, in addition to the actuarially calculated employer contribution. Employees shall contribute the remaining five percent (5%) in FY2014-15.
- iii. City shall report to PARS as compensation earnable pursuant to California Government Code section 20636(c)(4) the City's payment of the required employee retirement contributions to PERS.
- iv. Employees hired on or after January 1, 2013, who are "new members" as defined in PEPR, including "classic" employees coming from another CalPERS jurisdiction, shall not be eligible to receive any PARS benefit.

Section XIII. City Rights

The City has and will continue to retain, whether exercised or not, the unilateral and exclusive right to operate, administer and manage its municipal services and workforce performing those services in all respects. The exclusive rights of City shall include, but not be limited to, the right to determine the organization of City government and the purpose and mission of its constituent agencies, to set standards of services to be offered to the public, and, through its City Manager and department directors to exercise control and discretion over its organization and operations, to establish and implement administrative regulations and employment rules and regulations consistent with law, to direct employees, to classify and reclassify positions, to take disciplinary action for just cause, to relieve employees from duty because of lack of work or for other legitimate reasons, to determine whether goods or services shall be made, purchased or contracted for, to determine the methods, means and numbers and kinds of personnel by which City's services are provided, including the right to schedule and assign work and overtime, and to otherwise act in the interest of efficient service to the community.

Section XIV. Severability

It is understood and agreed that this Resolution is subject to all current and future applicable Federal and State laws and regulations and the current provisions of the City Municipal Code. If any part or provision of this Resolution is in conflict or inconsistent with such applicable provisions of those Federal, State, or City enactments or is otherwise held to be invalid or unenforceable by any court of competent jurisdiction, such part or provisions shall be suspended and superseded by such applicable law or regulations, and the remainder of this Resolution shall not be affected. If any part or provision of this Resolution is suspended or superseded part or provision with the understanding that the total compensation to employees under this Resolution shall not be reduced or increased as a result of this Section.

Section XV. Conflicting Resolutions

All resolutions, parts of resolutions, or City policies and procedures in conflict with this resolution, except as such resolutions or parts thereof approve a Memorandum of Understanding, are hereby repealed.

Section XVI. Effective Date

This resolution shall become effective following adoption by the City Council in accordance with the Brown Act. This resolution shall remain in full force and effect unless and until amended, repealed or otherwise modified by the City Council in accordance with the Brown Act.

PASSED AND ADOPTED THIS _____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

ATTACHMENT 7
PAGE 16 OF 19

16

CLASSIFICATIONS AND SALARY RANGES
CONFIDENTIAL
EFFECTIVE 1/1/14

	Steps											
	1	2	3	4	5	6	7	8	9	10	11	12
C10	13.1757	13.8345	14.5262	15.2525	16.0151	16.8159	17.6567	18.5395	19.4665	20.4398	21.4618	22.5349
C15	14.2871	15.0015	15.7515	16.5391	17.3661	18.2344	19.1461	20.1034	21.1086	22.1640	23.2722	24.4358
C20	14.7632	15.5014	16.2764	17.0902	17.9448	18.8420	19.7841	20.7733	21.8120	22.9026	24.0477	25.2501
C25	15.2873	16.0517	16.8542	17.6970	18.5818	19.5109	20.4864	21.5108	22.5863	23.7156	24.9014	26.1465
C30	15.8745	16.6682	17.5016	18.3767	19.2956	20.2603	21.2733	22.3370	23.4539	24.6266	25.8579	27.1508
C35	16.9857	17.8350	18.7267	19.6631	20.6462	21.6785	22.7625	23.9006	25.0956	26.3504	27.6679	29.0513
C40	17.6383	18.5202	19.4462	20.4185	21.4395	22.5114	23.6370	24.8189	26.0598	27.3628	28.7309	30.1675
C50	18.873	19.8167	20.8075	21.8479	22.9402	24.0873	25.2916	26.5562	27.8840	29.2782	30.7421	32.2792
C55	19.0493	20.0018	21.0019	22.0519	23.1545	24.3123	25.5279	26.8043	28.1445	29.5517	31.0293	32.5808
C60	19.2756	20.2394	21.2513	22.3139	23.4296	24.6011	25.8311	27.1227	28.4788	29.9028	31.3979	32.9678
C65	20.6106	21.6411	22.7232	23.8593	25.0523	26.3049	27.6202	29.0012	30.4512	31.9738	33.5725	35.2511
C67	21.0736	22.1273	23.2336	24.3953	25.6151	26.8958	28.2406	29.6527	31.1353	32.6921	34.3267	36.0430
C67	21.0736	22.1273	23.2336	24.3953	25.6151	26.8958	28.2406	29.6527	31.1353	32.6921	34.3267	36.0430
C69	22.3719	23.4905	24.6650	25.8983	27.1932	28.5528	29.9805	31.4795	33.0535	34.7062	36.4415	38.2635
C70	24.1008	25.3058	26.5711	27.8997	29.2947	30.7594	32.2974	33.9122	35.6079	37.3883	39.2577	41.2205
C72	24.0558	25.2586	26.5215	27.8476	29.2400	30.7020	32.2371	33.8489	35.5414	37.3184	39.1844	41.1436
C75	24.6393	25.8713	27.1648	28.5231	29.9492	31.4467	33.0190	34.6700	36.4035	38.2236	40.1348	42.1416
C80	26.5108	27.8363	29.2282	30.6896	32.2240	33.8352	35.5270	37.3034	39.1685	41.1270	43.1833	45.3425
C85	27.8363	29.2281	30.6895	32.2240	33.8352	35.5270	37.3033	39.1685	41.1269	43.1832	45.3424	47.6095

C80	Accountant II
C67	Accounting Technician
C70	Administrative Assistant
C70	Administrative Legal Assistant
C25	Administrative Legal Secretary I
C35	Administrative Legal Secretary II
C50	Administrative Legal Secretary III
C15	Administrative Secretary I
C30	Administrative Secretary II
C40	Administrative Secretary III
C70	Administrative Services Assistant
C60	Administrative Technician

C67	Employee Relations Coordinator
C80	Executive Assistant I
C85	Executive Assistant II
C70	Human Resources Technician
C10	Office Assistant I
C20	Office Assistant II
C75	Paralegal
C72	Safety Specialist
C55	Sr. Administrative Secretary
C75	Sr. Benefits Coordinator
C75	Sr. Human Resources Coordinator
C69	Workers' Comp Specialist

ATTACHMENT 7

EXHIBIT 1

REVISED 11/26/2013

52.17

**CLASSIFICATIONS AND SALARY RANGES
T SCHEDULE (TOP MANAGEMENT)
Fiscal Year 09/10**

CLASSIFICATION TITLE	SALARY RANGE	HOURLY			BI WEEKLY			MONTHLY			ANNUAL		
		BOTTOM	CP	TOP	BOTTOM	CP	TOP	BOTTOM	CP	TOP	BOTTOM	CP	TOP
City Manager	E-13			131,062.9			104,850.3			22,717.57			\$272,611
City Attorney	E-12			97,596.1			78,076.9			16,916.66			\$203,000
Assistant City Manager	E-11	78,504.6	98,130.7	107,943.9	62,803.7	78,504.6	86,355.51	13,607.47	17,009.33	18,710.27	\$163,290	\$204,112	\$224,523
Chief Financial Officer	E-8	61,715.7	77,144.7	84,859.1	49,372.6	61,715.7	67,887.3	10,697.40	13,371.75	14,708.91	\$128,369	\$160,461	\$176,507
City Clerk	E-3	48,238.7	60,298.2	66,328.1	38,590.9	48,238.6	53,062.5	8,361.37	10,451.69	11,496.87	\$100,336	\$125,420	\$137,962
City Treasurer	E-3	48,238.7	60,298.2	66,328.1	38,590.9	48,238.6	53,062.5	8,361.37	10,451.69	11,496.87	\$100,336	\$125,420	\$137,962
Deputy City Manager	E-8	61,715.7	77,144.7	84,859.1	49,372.6	61,715.7	67,887.3	10,697.40	13,371.75	14,708.91	\$128,369	\$160,461	\$176,507
Development Services Director	E-9	64,768.8	80,961.0	89,057.2	51,815.1	64,768.8	71,245.8	11,226.60	14,033.25	15,436.58	\$134,719	\$168,399	\$185,239
Fire Chief	E-10	67,410.0	84,262.5	92,688.8	48,000.0	67,410.0	66,000.0	11,684.40	14,605.50	16,066.05	\$140,213	\$175,266	\$192,793
Housing Director	E-8	61,715.7	77,144.7	84,859.1	49,372.6	61,715.7	67,887.3	10,697.40	13,371.75	14,708.91	\$128,369	\$160,461	\$176,507
Human Resources Director	E-8	61,715.7	77,144.7	84,859.1	49,372.6	61,715.7	67,887.3	10,697.40	13,371.75	14,708.91	\$128,369	\$160,461	\$176,507
Library Director	E-6	55,310.9	69,138.8	76,052.3	44,248.7	55,311.1	60,841.9	9,587.22	11,984.07	13,182.41	\$115,047	\$143,809	\$158,189
Police Chief	E-11	78,504.6	98,130.7	107,943.9	62,803.7	78,504.6	86,355.51	13,607.47	17,009.33	18,710.28	\$163,290	\$204,112	\$224,523
Public Works Director	E-10	67,410.0	84,262.5	92,688.8	53,928.0	67,410.0	74,151.0	11,684.40	14,605.50	16,066.05	\$140,213	\$175,266	\$192,793



Meeting Date: 2-10-2015

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Kymberly Horner, Interim Redevelopment Services Manager ^{KH} Agenda Item No. 5-4
 Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other N/A

DATE: January 28, 2015

TO: Community Development Commission Successor Agency

FROM: Kymberly Horner
 Interim Redevelopment Services Manager Kymberly Horner

SUBJECT: Approval of Contract Amendment for Professional Services with Thomas E. Figg, Consulting Services

RECOMMENDATION

That the Community Development Commission Successor Agency ("Successor Agency") approve and authorize the Chairperson to execute a Second Amendment to Agreement for Consulting Services No. 6399-13-CD ("Agreement"), with Thomas E. Figg ("Consultant") to assist in winding down the affairs of the former Redevelopment Agency, to increase the amount by \$200,000 for a total of \$314,000, and extend the term to June 30, 2017.

DISCUSSION

Since the dissolution of the Redevelopment Agency in 2012 under AB 1x26, the Consultant has provided a variety of project management, strategic planning, program administration and analytical services. Prior to this, the Consultant has assisted the Department dating back to 1999 in a variety of endeavors including the amendment of Project Area Boundaries and Redevelopment Plans, negotiation of Owner Participation and Disposition/Development Agreements, preparation of 5-Year Redevelopment Implementation Plans, and implementation of Affordable Housing initiatives.

Since 2012, the Consultant's role has changed from proactive project development to program "wind-down." In this particular capacity, the Consultant is expressly listed in the current Recognized Obligation Payment Schedule ("ROPS 14-15B") and has been approved by the Successor Agency, Oversight Board and the State Department of Finance ("DOF"). The current Agreement (with a cap of \$114,000) has a term of 18 months and terminates on June 30, 2015, which coincides with the term of the ROPS. Actual expenditures have been considerably less than authorized insofar as the Consultant is only compensated for time and materials actually incurred.

In view of the Consultant's level of expertise and familiarity with projects specific to Oxnard, staff requests that the Consultant's contract be extended for an additional two years and add an additional \$200,000 to the value of the contract. This compensatory threshold is for a maximum "not to exceed" sum and will not likely be reached given the history of previous engagements. However, for purposes of the ROPS process, it's important to build-in financial flexibility.

FINANCIAL IMPACT

Expenditures related to this Agreement will be paid for with Redevelopment Property Tax Trust Funds ("RPTTF").

Attachment 1 – Contract Amendment

SECOND AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES

This Second Amendment ("Second Amendment") to the Agreement for Consulting Services ("Agreement") is made and entered into in the County of Ventura, State of California, this 1st day of January, 2015, by and between the Oxnard Community Development Commission Successor Agency, ("Successor Agency"), and Thomas E. Figg ("Consultant"). This Second Amendment amends the Agreement entered into on January 10, 2014, by Successor Agency and Consultant. The Agreement previously has been amended on June 17, 2014, by a First Amendment.

Successor Agency and Consultant agree as follows:

1. In Section 12 of the Agreement, the date "June 30, 2015" is replaced by the date "June 30, 2017."
2. Section 14 of the Agreement is amended as follows:
 - a. The figure "\$114,000" is replaced by the figure "\$314,000."
3. As so amended, the Agreement remains in full force and effect.

SUCCESSOR AGENCY

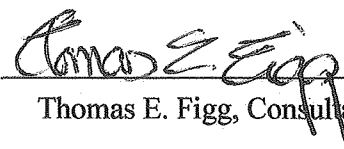
CONSULTANT

OXNARD COMMUNITY DEVELOPMENT
COMMISSION SUCCESSOR AGENCY,
a public body, corporate and politic

CITY OF OXNARD

CONSULTANT

Tim Flynn, Chairperson



Thomas E. Figg, Consultant

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, General Counsel

APPROVED AS TO INSURANCE:



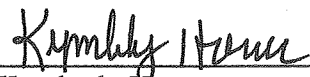
,Risk Manager

APPROVED AS TO CONTENT:



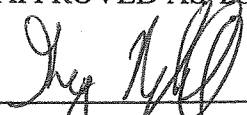
Kymberly Horner
Interim Redevelopment Services Manager

APPROVED AS TO CONTENT:



Kymberly Horner
Project Manager

APPROVED AS TO AMOUNT:



Greg Nyhoff, Executive Director



Meeting Date: 02 / 10 / 15

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Kathleen Mallory, AICP, LEED Project Planner *K. Mallory* Agenda Item No. 5-5

Reviewed By: City Manager *SM* City Attorney *SMF* Finance *JB* Other (Specify) _____

DATE: January 21, 2015

TO: City Council

FROM: Michael Henderson, General Services Director
City Manager Department

SUBJECT: Endorse Submittal of California Department of Water Resources (DWR) Grant for the 2014 Water Energy Grant Program Anticipated to be \$2.5 million

RECOMMENDATION

That City Council adopt a resolution:

1. Endorsing the General Services Director's submittal of a grant application for 2014 Water-Energy grant funds which are anticipated to be \$2.5 million and which will be used for implementation of City water efficiency projects at Colonia and Del Sol Parks to reduce water and energy usage at these specific parks;
2. Authorizing the City Manager to execute a grant agreement if grant funds are awarded to the City;
3. Authorizing the Chief Financial Officer to appropriate the funds and perform all other required financial actions in accordance with the parameters of the grant application; and
4. Directing the General Services Director or designee to submit non-financial reports to DWR.

DISCUSSION

In accordance with the State of California, Department of Water Resources (DWR), the City of Oxnard is eligible to submit a grant application for 2014 DWR Water-Energy grant funds. To be eligible for 2014 Water-Energy grant funding, proposals must implement residential, commercial, or institutional water-efficiency programs or projects that reduce greenhouse gas (GHG) emissions and also reduce water and energy use. Additionally, DWR designates funding priority to projects that provide direct, meaningful, and assured benefits to disadvantaged community (DAC) Census tracts^a.

maintenance costs. Reduction in chemical use on the athletic fields will also be environmentally friendly.

Grant funds are restricted to be used exclusively for the projects outlined within the grant application.

FINANCIAL IMPACT

Approval of the Resolution will allow the State of California, DWR to consider the City's application for approximately \$2.5 million in DWR Water-Energy grant funds for turf replacement at two City parks located in DAC areas of the City as identified under DWR guidelines. Turf replacement with synthetic turf in the two parks will save the City approximately \$27,950 per year in water and electricity expense, and \$15,000 per year in maintenance cost (mowing, fertilizer, aeration, sod replacement, etc.).

Upon contract execution, the award would be appropriated to the Colonia and Del Sol Park Turf Replacement projects. No local match is required nor would this grant project impact the City's General Fund.

KM:KM

Attachment #1 - Resolution

^a Census tracts with CalEnviroScreen 2.0 scores exceeding 81 percent.

On December 11, 2014, the General Services Department submitted a grant application for DWR funds. The City's application identified water-saving improvements in two City parks that are located within identified DAC Census tracts and would substantially benefit residents within the DAC. These two parks are Colonia and Del Sol Parks. Within the application, the City proposes to replace the existing turf with synthetic turf on existing ball fields within these two city parks.

DWR limits the maximum grant award to \$2.5 million per proposal. Based on review of applicable project costs and requirements, the City is requesting approximately \$2,499,845 in Water-Energy grant funds for the turf replacement. This amount may be more or less based upon DWR staff's final calculation and verification.

The following is a description of the turf replacement projects in the two parks:

- Project 1, Colonia Park Turf Replacement: Colonia Park is an existing 10 acre park and contains a recreation building, playground, picnic tables, basketball courts, and two baseball diamonds with bleachers. The proposed project would remove and replace the grass on the existing 43,200 square-foot ball field with sport field quality synthetic turf. The project involves removal of approximately 1,600 cubic yards of field and sublayer, and installation of a drainage layer (sub base), and a multi-layer synthetic turf system. The project also includes ADA improvements, in accordance with federal law. Replacement will result in water savings of 7.3 million gallons and energy savings of approximately 63,262 kWh over the life of the project. The total project cost is estimated to be \$1,053,205.
- Project 2, Del Sol Park Turf Replacement: Del Sol Park is an existing 13.5 acre park and contains a recreation building, playground, picnic tables, and two soccer fields with bleachers. The proposed project would remove and replace the grass on an existing 57,600 square-foot soccer field with sport field quality synthetic turf. The project involves removal of approximately 2,133 cubic yards of field and sublayer, and installation of a drainage layer (sub base), and a multi-layer synthetic turf system. The project also includes ADA improvements, in accordance with federal law. Replacement will result in water savings of 43.4 million gallons and energy savings of approximately 376,104 kWh over the life of the project. The total project cost is estimated to be \$1,446,640.

Both turf replacement projects are anticipated to have a 10-year synthetic turf lifespan and save the City a substantial amount of money in both water and associated utility bill (Edison) rate charges. Since synthetic grass does not require downtime for recovery, replacement will also increase playing and practice time for community teams by approximately 25 additional hours per week.

Over the anticipated 10 year life span of the synthetic turf retrofit projects, water savings is anticipated to represent approximately 50.7 million gallons, associated energy savings is anticipated to represent approximately 439,366 kWh (including energy savings for import of water), and GHG emission reductions are anticipated to represent 122,144 kg of Carbon dioxide equivalent (Co2e). Turf replacement will also eliminate the need for fertilizer and weed control on the two fields, and reduce

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
AUTHORIZING SUMMITTAL OF 2014 WATER-ENERGY GRANT
APPLICATION

WHEREAS, The State of California, Department of Water Resources (DWR) issued a Proposal Solicitation Package dated October 10, 2014 (PSP), under its 2014 Water-Energy Grant Program;

WHEREAS, the City of Oxnard (Applicant) desires to apply for water-energy grant funds and submit the 2014 Water-Energy Grant Program Application Package released by DWR for the Program;

WHEREAS, DWR is authorized to approve funding allocations for the DWR Program, subject to the terms and conditions of the PSP, 2014 Water-Energy Grant Program Guidelines, Application Package, and Standard Agreement; and

WHEREAS, the General Services Department of the City of Oxnard has requested that City Council approve the submittal of a grant application to DWR for the Water-Energy Grant Program grant funds to be used for water efficiency projects at Colonia and Del Sol Parks to reduce water and energy usage at these specific parks located within identified disadvantaged community (DAC) Census tracts as identified under DWR guidelines.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL THAT:

1. Applicant is hereby authorized and directed to apply for and submit an application to California Department of Water Resources to obtain 2014 Water-Energy Grant funds pursuant to Senate Bill No. 103 Section 11 (2013-2014 Regular Session), and enter into an agreement to receive a grant for replacement of existing turf with synthetic turf on existing ball fields at Colonia and Del Sol Parks. The City Manager of the City of Oxnard or designee is hereby authorized and directed to prepare the necessary data, conduct investigations, file application, and enter into an agreement and any amendments thereto, with the California Department of Water Resources.

2. The City Council further resolves that the Finance Director or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the General Services Director or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED this ____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn
Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney



Meeting Date: 02 / 10 / 15

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Cyndi Hookstra, Management Analyst III *CH*Agenda Item No. 5-6Reviewed By: City Manager *M*City Attorney *SMF*Finance *[Signature]*

Other (Specify) _____

DATE: February 10, 2015**TO:** City Council**FROM:** Michael Henderson, Director
General Services Department *MHA***SUBJECT:** Landscape Maintenance Districts Walkway Globe Replacement**RECOMMENDATION**

That the City Council approve the one time appropriation of funds in the amount of \$ 15,753 from the fund balance of Special District #39 El Sueno/Promesa and \$12,973 from the fund balance of Special District #46 Daily Ranch for walkway globe replacement.

DISCUSSION

Between 2001 and 2003, developers for two residential tracts installed a multi-use path with theme lighting and landscaping east of the Union Pacific Railroad tracks on the east side of Oxnard Blvd., south of Gonzales Road and north of Camino Del Sol. The new Oxnard Boulevard Bicycle and Pedestrian path connects to this path. Two landscape maintenance assessment districts (No. 39 for Promesa/Sueno and No. 46 for Daily Ranch) were formed to provide perpetual maintenance of the amenities. The walkway lights have been damaged and do not provide adequate lighting for public use of the pathway. The request will fund a project to repair and replace the damaged lights along the walkway. The estimate to replace the lighting is \$28,726 for twenty-nine (29) globes at the top of the light fixtures.

FINANCIAL IMPACT

The fund balance for Special District #39 El Sueno/Promesa/D.R. Horton (fund 160) is \$433,632 as of June 30, 2014. The appropriation of funds for the replacement will result in a one- time decrease in fund balance of \$15,753.

The fund balance for Special District #46 Daily Ranch (170-8003) is \$478,398 as of June 30, 2014. The appropriation of funds for the replacement will result in a one- time decrease in fund balance of \$12,973.

Funding in amount of \$15,753 and \$12,973 will be appropriated to Walkway Globe Replacement Project No. from LMD#39-El SUENO/PROMESA (160-5702) and DAILY RANCH-46 (170-8003) respectively to replace lighting for the landscape maintenance districts.

(CLH/clh)

Attachment #1 - Budget appropriation form

REQUEST FOR BUDGET APPROPRIATION

Department: General Services

Date: February 10, 2015

Project/Program

Manager: Michael Henderson

Phone: _____

Reason for Appropriation:

Appropriation from the fund balance of Special District #39 El Sueno/Promesa and Special District #46 Daily Ranch for walk way globe replacement

Accounts and Descriptions

AMOUNT

Fund: **LMD #39-EL SUENO/PROMESA (160)**

Expenditures/Transfers Out

LMD Walk Way Globe Replacement (Project I57410)

160-5702-804.81-04 MATERIALS AND SUPPLIES / SUPPLIES-SHOP & FIELD 15,753

Sub-total Expenditures 15,753

Net Change to Fund Balance (15,753)

Fund: **L/M DIST.-COMBINING FUNDS (170)**

Expenditures/Transfers Out

LMD Walk Way Globe Replacement (Project I57410)

170-8003-899.81-04 MATERIALS AND SUPPLIES / SUPPLIES-SHOP & FIELD 12,973

Sub-total Expenditures 12,973

Net Change to Fund Balance (12,973)

Net Appropriation Change 28,726

Approvals

Department Director

Chief Financial Officer

City Manager

ATTACHMENT 1

PAGE 1 OF 1

BA# (Finance Use Only) _____

BA Doc# (Finance Use Only) _____

Revised : 2/23/2012

REQUIRES CITY COUNCIL AUTHORIZATION

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Patricia Friend

Agenda Item No. S-7

Reviewed By: City Manager

City Attorney

Finance

Other

DATE: January 26, 2015**TO:** City Council**FROM:** Michael Henderson, Director
General Services Department**SUBJECT:** Project Plans and Specification No. GS15-23 for Oxnard Beach Park Site Improvements**RECOMMENDATION**

That City Council adopt plans, specifications, and working details for Project Specification No. GS15-23 for Oxnard Beach Park to make repairs and resurface three (3) parking lot areas; install new electrically operated gate at the maintenance area; install three (3) permit parking ticket machines and authorize staff to conduct a public bid solicitation.

DISCUSSION

The project is to make much needed repairs to three parking areas associated with the Oxnard Beach Park located at 1601 So. Harbor Blvd. The work will include applying Type I slurry seal with some areas of asphalt overlay, some areas of dig out, some areas require replacing concrete; and add parking stall striping to all three parking areas. Work will include the installation of a 28-foot gate with electrical operation on the maintenance equipment area. Will also be adding three (3) ticket machines for permit parking.

FINANCIAL IMPACT

The Oxnard Beach Park site improvements are to be paid for from Park Fees and Quimby Reserve funds in project 135713.

Note: Copy of Project Specification No. GS15-23 and plans are available for review at the Contract Procurement Office, 1060 Pacific Avenue, Bldg. 2, Oxnard after 8:00 a.m. on Monday, February 2nd.

MH/pcf



Meeting Date: 2 /10 /15

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Assistant Chief Eric Sonstegard

Agenda Item No. 5-8

Reviewed By: City Manager

City Attorney

Finance

Police Chief

DATE: January 29, 2015

TO: City Council

FROM: Jeri Williams, Chief of Police
Police Department

SUBJECT: Federal and State Asset Forfeiture Funds

RECOMMENDATION

That City Council approve a special budget appropriation in the amount of \$113,250 for the use of Federal and State Asset Forfeiture funds allocated to the City of Oxnard Police Department for training and equipment purchases.

DISCUSSION

The Oxnard Police Department participates with outside agencies in the investigation and prosecution of narcotics related crimes. Assets seized are proportionately shared among the agencies. These equitably shared funds must be used by law enforcement agencies for law enforcement purposes only and cannot replace or supplant existing resources. The funds have been received for over 20 years and the current year's appropriation will be used for training, equipment, repairs, upgrades and video storage.

FINANCIAL IMPACT

Of the \$113,250, \$87,650 will be for the acquisition of equipment and \$25,000 for training. Approval of this recommendation will have no impact on the General Fund.

Attachment #1 - Budget Appropriation

REQUEST FOR BUDGET APPROPRIATION

Department: Police
Project/Program _____
Manager: Eric Sonstegard

Date: February 10, 2015

Phone: ext. 7801

Reason for Appropriation:

Appropriation of Asset Forfeiture funds for FY2014-15 operations.

Accounts and Descriptions

AMOUNT

Fund: **ASSET SEIZURE - STATE (191)**

Expenditures/Transfers Out

SUPPORT SERVICES (2103)

191-2103-802-81-34	MINOR EQP - SHOP/FIELD	5,000
191-2103-802-86-06	CAPITAL OUTLAY/ MACHINERY AND EQUIP NEW	45,000
Sub-total Expenditures		50,000

Net Change to Fund Balance (50,000)

Fund: **ASSET SEIZURE - VCAT FEDERAL (230)**

Expenditures/Transfers Out

SUPPORT SERVICES (2103)

230-2103-802-81-34	MINOR EQP - SHOP/FIELD	17,650
230-2103-802-83-43	TRAINING/WORKSHOP/MEETINGS	25,600
230-2103-802-86-06	CAPITAL OUTLAY/ MACHINERY AND EQUIP NEW	20,000
Sub-total Expenditures		63,250

Net Change to Fund Balance (63,250)

Net Appropriation Change 113,250

Approvals

Department Director

Chief Financial Officer

City Manager

ATTACHMENT NO. 1

PAGE 1 OF 1

BA# (Finance Use Only) _____

BA Doc# (Finance Use Only) _____

Revised : 2/23/2012

REQUIRES CITY COUNCIL AUTHORIZATION



Meeting Date: 2/10/15

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
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☐ Other _____	☐ Other _____

Prepared By: Jay Duncan, Contract & Grant Coordinator *[Signature]* Agenda Item No. 5-9Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Public Works**DATE:** January 28, 2015**TO:** City Council**FROM:** Daniel Rydberg, P.E., Interim Utilities Director *[Signature]*
Utilities Department**SUBJECT:** Plans and Specifications No. UD 15-24 Aquifer Storage and Recovery (ASR) Well
No. 1 Project – River Ridge Golf Club**RECOMMENDATION**

That City Council approves Project Specifications No. UD 15-24 for the construction of ASR (aquifer storage and recovery) and monitoring wells as part of the Groundwater Replenishment Reuse Project and authorize staff to solicit bids.

DISCUSSION

The City of Oxnard has been actively participating in the countywide Integrated Regional Water Management (IRWM) effort since 2002. In September 2008, the Council approved a Memorandum of Understanding (MOU) with the County of Ventura, the cities of the County and numerous other agencies, collectively known as the Watersheds Coalition of Ventura County (WCVC), in order to pursue grant funding available for regional water projects.

In April 2014, Draft RWM Drought Grant Program Guidelines were issued by the California Department of Water Resources (DWR). A competitive grant application needs to include a group of projects that cover the entire WCVC region. The construction of ASR and monitoring wells as part of the Groundwater Replenishment Reuse Project fit these guidelines. In May 2014 the WCVC general membership ratified the final suite of projects chosen to be included in its application and will submit its grant application to the California Department of Water Resources (CDWR) on July 3, 2014.

In September 2014, staff received notification that the City could be awarded a \$1,125,000 grant to Oxnard for the ASR Well at the golf course. The project consists of the construction of an aquifer storage and recovery (ASR) well and monitoring wells to demonstrate effectiveness of groundwater replenishment with recycled water from Oxnard's Advanced Water Purification Facility (AWPF). In the near term the project will result in indirect potable reuse of approximately 1,500 acre-feet per year; in the long-term the project will result in reuse of 7,000 acre-feet per year. These factors will allow the City to store water in times of low demand and use in high demand peaks. This is the first of six to nine wells for an ASR facility producing 7,000 acre feet per year.

FINANCIAL IMPACT

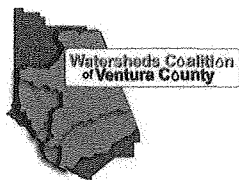
The IRWM Drought Grant and Water Enterprise Funds are available to meet the anticipated costs of the project. After the project bids are received and evaluated, staff will return to City Council to recommend approval of the lowest responsible bidder and appropriate funding.

JD:jd

Attachment #1 - County of Ventura Notification of Grant Awards on Behalf of The Watershed Coalitions of Ventura County

Attachment #2 – Project Site Map

Note: Plans and specifications for UD 15-24 for the Aquifer Storage and Recovery Project are available for review at the City of Oxnard Corporation Yard, General Services Department, Building No. 2, 1600 Pacific Avenue, from 8:00 a.m. on Thursday prior to the City Council Meeting.



Media Release



FOR IMMEDIATE RELEASE
November 12, 2014

CONTACT: Sue Hughes, Deputy Executive Officer
County of Ventura
Chair, WVCV
(805) 654-3836
Cell (805) 218-6513

COUNTY OF VENTURA, ON BEHALF OF THE WATERSHEDS COALITION OF VENTURA COUNTY, AWARDED \$8.4 MILLION FOR SIX PROJECTS ACROSS VENTURA COUNTY

Ventura County, California – The County of Ventura, on behalf of the Watersheds Coalition of Ventura County, is pleased to announce the receipt of an \$8.4 million Proposition 84, 2014 Drought Funding Implementation Grant from the California Department of Water Resources for the implementation of integrated water management projects focused on helping the region cope with drought.

The Watersheds Coalition of Ventura County, a diverse group of stakeholders representing more than 60 agencies and organizations, was formed in 2006 to address water supply, water quality, environmental and habitat protection, and flood control and stormwater issues through Integrated Regional Water Management Planning in the Calleguas Creek, Santa Clara and Ventura River Watersheds.

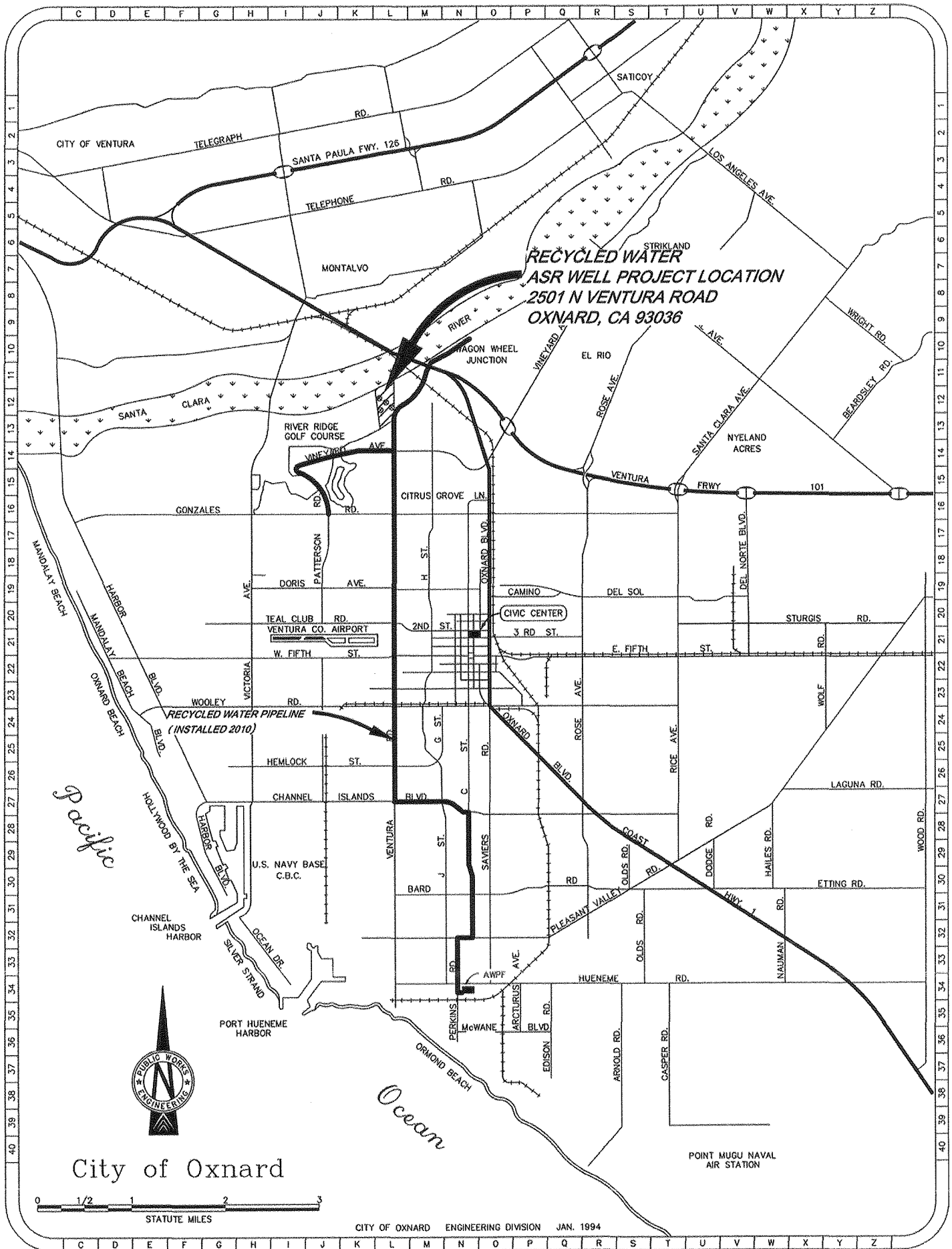
The \$8.4 million grant, with a local match of more than \$9 million, will provide funding for the following important water management projects in Ventura County:

- ◆ Ventura County Agricultural Water Use Efficiency Program – Ventura County Watershed Protection District (\$1.71 M)
- ◆ Salinity Management Pipeline, Phase 2D – Calleguas Municipal Water District (\$1.88 M)
- ◆ Pleasant Valley Well – Camrosa Water District (\$.90 M)
- ◆ El Rio Retrofits for Groundwater Recharge – County of Ventura (\$.96 M)
- ◆ Groundwater Recharge and Reuse – City of Oxnard (\$1.13 M)
- ◆ Lake Casitas Aeration – Casitas Municipal Water District (\$.89 M)
- ◆ San Antonio Creek Arundo Removal Project – Ojai Valley Land Conservancy – (\$.90 M)

Information regarding the Watersheds Coalition of Ventura County is available on the Coalition's website at www.watershedscoalition.org. A copy of the grant application containing details regarding these seven projects can be found at:
http://www.ventura.org/wcvc/prop84/submitted_implementation_grants.htm

Funding for this project is being provided in full or in part through an agreement with the California Department of Water Resources

ATTACHMENT #1
PAGE 1 OF 1





Meeting Date: 02/10/15

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Grant Dunne, Management Analyst III

Agenda Item No. S-10

Reviewed By: City Manager

City Attorney

Finance

Other (Specify)

DATE: January 28, 2015**TO:** City Council**FROM:** Daniel Rydberg, Interim Utilities Director
Utilities Department**SUBJECT:** Plans and Specification No. UD13-02 Recycled Water Retrofit and Connection
Project – River Ridge Golf Club

RECOMMENDATION

That City Council approve Project Specification No. UD13-02 for the connection and retrofit of the recycled water line to the River Ridge Golf Club to provide irrigation of recycled water to golf course and landscape areas and authorize staff to solicit bids.

DISCUSSION

This project connects the recycled water system from the Advanced Water Purification Facility (AWPF) to the golf course greens and landscape areas of the River Ridge Golf Club located at 2401 West Vineyard Avenue in Oxnard. The golf course currently uses groundwater. Project work includes the installation of recycled water piping (purple pipes), system isolation valves, backflow devices, meters, receiving structures, spillways into the golf course irrigate lakes, air-gaps, recycled water signage, and modification of the piping at Well Nos. 18 and 27 located to the River Ridge Golf Club. The State Division of Drinking Water, formerly known as the Department of Public Health, has reviewed the plans and approved the work for construction as designed.

The River Ridge Golf Club is the first entity to utilize recycled water produced from the City's Advanced Water Purification Facility. The River Ridge Golf Club will begin receiving recycled water by July 2015. Recycled water is projected to save approximately 800 acre-feet or 260,000,000 million gallons of potable water each year at the River Ridge Golf Club.

FINANCIAL IMPACT

Funding for this project is provided by the 2010 Series Water Revenue Bonds and the Water Operating Fund under the Recycled Water Retrofits Project No. 116503. After the project bids are received and evaluated, staff will return to City Council to recommend approval of the lowest responsible bidder.

Plans and Specification No. UD13-02 Recycled Water Line Retrofit and Connection Project River Ridge Golf Course Club
January 28, 2015
Page 2 of 2

Attachment #1 - Project Site Map

Note: Plans and specifications for UD 13-02 for the Recycled Water Retrofit and Connection Project – River Ridge Golf Club are available for review at the City of Oxnard Corporation Yard, General Services Department, Building No. 2, 1600 Pacific Avenue, From 8:00 a.m. on Thursday prior to the City Council Meeting.

