

CITY OF
OXNARD
CALIFORNIA

City Council Chambers, 305 West Third Street, Oxnard
Teleconference Location: Philadelphia Marriott Downtown,
 1201 Market Street, Room 1274,
 Philadelphia, Pennsylvania
 July 27th, 2016
4:00 P.M. - Regular Session

Phone: 385-7483

City of Oxnard internet address: www.oxnard.org

3. SUBJECT: Resolution Authorizing the Filing of a Written Argument and a Rebuttal Argument on Behalf of the City Council regarding Measure "L" (5/5)
RECOMMENDATION: 1) That the City Council determine whether it is for or against Measure "L"; and 2) (a) That City Council adopt the resolution authorizing the filing of a written argument and a rebuttal argument by (a) Councilmember(s) on behalf of the City Council for Measure "L," which appears on the November 8, 2016, ballot; or (b) That City Council adopt the resolution authorizing the filing of a written argument and a rebuttal argument by (a) Councilmember(s) on behalf of the City Council against Measure "L," which appears on the November 8, 2016, ballot.
 Legislative Body: CC Contact: Stephen M. Fischer Phone: 385-7483

D. 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

E. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – LABOR NEGOTIATIONS

CC Agency designated representatives: Maria Hurtado, Assistant City Manager/Interim Director of Human Resources; and Jon Holtzman, City's labor attorney. Employee organizations: International Association of Firefighters, AFL-CIO (**IAFF**), Local No. 1684; 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 (**OMMA**); **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, Economic Development Director, I.T. Director, Library Director, Police Chief, Utilities Director (**Department Directors**); Assistant City Attorney, Assistant Director of Human Resources, Community Relations and Public Affairs Manager, Deputy City Attorney, Law Office Manager, Human Resources Manager, Workers' Compensation Manager, Management Analyst III (C) (**Confidential Mid-Managers**); 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 Benefits Coordinator (C75), Senior Human Resources Coordinator (C75), Workers' Compensation Specialist (C69) (**Confidential Employees**); unrepresented Limited Benefit Employees.

The Interim Human Resources Director requested that this item be discussed in closed session pursuant to Government Code section 54957.6(a). 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.

F. ADJOURNMENT



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: C-1

DATE: July 27, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Stephen M. Fischer, City Attorney

SUBJECT: Resolution Authorizing the Filing of a Written Argument and a Rebuttal
Argument on Behalf of the City Council against the Wastewater Rates Repeal
Ballot Measure (Measure "M") (5/5)

CONTACT: Shiri Klima, Assistant City Attorney
shiri.klima@oxnard.org, 385-7483

RECOMMENDATION

That City Council adopt a resolution authorizing the filing of a written argument and a rebuttal argument by a Councilmember or Councilmembers on behalf of the City Council against Measure "M," which appears on the November 8, 2016, ballot.

BACKGROUND

According to the California Elections Code, for ballot measures placed on the ballot by voter petition, the petition's proponent may file a written argument in favor of the measure, and the City Council may submit an argument against the measure. For the November 8, 2016, election, the Ventura County Elections Office has set the deadline for submitting written arguments to August 4, 2016. When arguments in favor and against a measure have been submitted, the elections official sends a copy of each argument to the opposing argument's author. The author or a majority of the authors of an argument relating to a ballot measure may prepare and submit a rebuttal argument or may authorize in writing any other person(s) to prepare, submit, or sign the rebuttal argument. According to the Ventura County Elections Office, for this election, the deadline for submitting these rebuttal arguments is August 14, 2016.

In the month of August, the entire City Council will likely not be able to draft and authorize the filing of a written argument and a rebuttal argument. If the Council wishes to file a written argument and later a rebuttal argument regarding Measure "M," the Council needs to authorize a resolution, which states that: (a) a Councilmember may file on behalf of the City Council a written argument against Measure

“M”; (b) the same or a different Councilmember may file on behalf of the City Council a rebuttal argument against Measure “M”; and (c) the Councilmember or Councilmembers filing the written argument and/or the rebuttal argument against Measure “M” may sign those documents on behalf of the City Council.

If the Council opts not to adopt the resolution or otherwise prepare the argument against Measure “M,” the ballot will not include an argument against Measure “M” as the Elections Code does not allow anyone else to draft such an argument.

FINANCIAL IMPACT

The attached resolution has no financial impact.

ATTACHMENT

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE FILING OF A WRITTEN ARGUMENT AND A REBUTTAL ARGUMENT BY (A) COUNCILMEMBER(S) ON BEHALF OF THE CITY COUNCIL AGAINST THE WASTEWATER RATES REPEAL BALLOT MEASURE (MEASURE “M”)

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD AUTHORIZING THE FILING OF A WRITTEN
ARGUMENT AND A REBUTTAL ARGUMENT BY A
COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF
THE CITY COUNCIL AGAINST THE WASTEWATER RATES
REPEAL BALLOT MEASURE (MEASURE "M")**

WHEREAS, a General Municipal Election, which is consolidated with the County, is to be held in the City of Oxnard, California, on November 8, 2016; and

WHEREAS, at that election, there will be submitted to the voters a measure to repeal the City's wastewater rates adopted this past January (Measure "M").

NOW THEREFORE, the City Council of the City of Oxnard, California does resolve, declare, determine and order as follows:

- 1) That the City Council is opposed to Measure "M."
- 2) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a written argument against Measure "M."
- 3) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a rebuttal argument against Measure "M."
- 4) That the Councilmember filing the written argument may be, but does not necessarily have to be, the same Councilmember filing the rebuttal argument against Measure "M."
- 5) That the Councilmember(s) filing the written argument and rebuttal argument against Measure "M" shall sign those documents with his or her printed name, his or her signature, and the organization of the "City Council of the City of Oxnard."

PASSED AND ADOPTED this 27th day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: C-2

DATE: July 27, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Stephen M. Fischer, City Attorney

SUBJECT: Resolution Authorizing the Filing of a Written Argument and a Rebuttal
Argument on Behalf of the City Council regarding Extending the SOAR Ordinance
Expiration Date to 2030 (Measure "K") (5/5)

CONTACT: Shiri Klima, Assistant City Attorney
shiri.klima@oxnard.org, 385-7483

RECOMMENDATIONS

1. That City Council determine whether it is for or against Measure "K"; and
2. That City Council:

(a) Adopt the resolution authorizing the filing of a written argument and a rebuttal argument by a Councilmember or Councilmembers on behalf of the City Council for Measure "K," which appears on the November 8, 2016, ballot; or

(b) Adopt the resolution authorizing the filing of a written argument and a rebuttal argument by a Councilmember or Councilmembers on behalf of the City Council against Measure "K," which appears on the November 8, 2016, ballot.

BACKGROUND

According to the California Elections Code, for measures placed on the ballot by the City Council, the Council, any Councilmember(s) authorized by the Council, any individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of voters and associations, may file a written argument for or against the measure. For the November 8, 2016, election, the Ventura County Elections Office has set the deadline for submitting written arguments to August 4, 2016. When arguments in favor and against a measure have been submitted, the elections official sends a copy of each argument to the opposing argument's author. The author or a majority of the authors of an

argument relating to a ballot measure may prepare and submit a rebuttal argument or may authorize in writing any other person(s) to prepare, submit, or sign the rebuttal argument. According to the Ventura County Elections Office, for this election, the deadline for submitting these rebuttal arguments is August 14, 2016.

In the month of August, the entire City Council will likely not be able to draft and authorize the filing of a written argument and a rebuttal argument. If the Council wishes to file a written argument and later a rebuttal argument regarding Measure "K," the Council needs to first determine whether it is for or against Measure "K." One attached resolution is provided if the Council determines it is for Measure "K"; the other attached resolution is provided if the Council determines it is against Measure "K." According to appropriate resolution, the Council will then (a) authorize a Councilmember to file on behalf of the City Council a written argument regarding Measure "K"; (b) authorize the same or a different Councilmember to file on behalf of the City Council a rebuttal argument regarding Measure "K"; and (c) authorize the Councilmember or Councilmembers filing the written argument and/or the rebuttal argument regarding Measure "K" to sign those documents on behalf of the City Council.

If the Council opts not to adopt one of the resolutions or otherwise prepare an argument for or against Measure "K," any individual voter, a bona fide association of citizens, or any combination of voters and associations may file a written argument for or against the measure.

FINANCIAL IMPACT

The attached resolution has no financial impact.

ATTACHMENTS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE FILING OF A WRITTEN ARGUMENT AND A REBUTTAL ARGUMENT BY A COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF THE CITY COUNCIL FOR EXTENDING THE SOAR ORDINANCE EXPIRATION DATE TO 2030 (MEASURE "K")
- B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE FILING OF A WRITTEN ARGUMENT AND A REBUTTAL ARGUMENT BY A COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF THE CITY COUNCIL AGAINST EXTENDING THE SOAR ORDINANCE EXPIRATION DATE TO 2030 (MEASURE "K")

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD AUTHORIZING THE FILING OF A WRITTEN
ARGUMENT AND A REBUTTAL ARGUMENT BY A
COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF
THE CITY COUNCIL IN FAVOR OF EXTENDING THE SOAR
ORDINANCE EXPIRATION DATE TO 2030 (MEASURE "K")**

WHEREAS, a General Municipal Election, which is consolidated with the County, is to be held in the City of Oxnard, California, on November 8, 2016; and

WHEREAS, at that election, there will be submitted to the voters a measure to extend the City's SOAR ordinance to the year 2030 (Measure "K").

NOW THEREFORE, the City Council of the City of Oxnard, California does resolve, declare, determine and order as follows:

- 1) That the City Council is in favor of Measure "K."
- 2) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a written argument for Measure "K."
- 3) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a rebuttal argument for Measure "K."
- 4) That the Councilmember filing the written argument may be, but does not necessarily have to be, the same Councilmember filing the rebuttal argument for Measure "K."
- 5) That the Councilmember(s) filing the written argument and rebuttal argument for Measure "K" shall sign those documents with his or her printed name, his or her signature, and the organization of the "City Council of the City of Oxnard."

PASSED AND ADOPTED this 27th day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD AUTHORIZING THE FILING OF A WRITTEN
ARGUMENT AND A REBUTTAL ARGUMENT BY A
COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF
THE CITY COUNCIL AGAINST EXTENDING THE SOAR
ORDINANCE EXPIRATION DATE TO 2030 (MEASURE "K")**

WHEREAS, a General Municipal Election, which is consolidated with the County, is to be held in the City of Oxnard, California, on November 8, 2016; and

WHEREAS, at that election, there will be submitted to the voters a measure to extend the City's SOAR ordinance to the year 2030 (Measure "K").

NOW THEREFORE, the City Council of the City of Oxnard, California does resolve, declare, determine and order as follows:

- 1) That the City Council is opposed to Measure "K."
- 2) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a written argument against Measure "K."
- 3) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a rebuttal argument against Measure "K."
- 4) That the Councilmember filing the written argument may be, but does not necessarily have to be, the same Councilmember filing the rebuttal argument against Measure "K."
- 5) That the Councilmember(s) filing the written argument and rebuttal argument against Measure "K" shall sign those documents with his or her printed name, his or her signature, and the organization of the "City Council of the City of Oxnard."

PASSED AND ADOPTED this 27th day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: C-3

DATE: July 27, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Stephen M. Fischer, City Attorney

SUBJECT: Resolution Authorizing the Filing of a Written Argument and a Rebuttal
Argument on Behalf of the City Council regarding Extending the SOAR Ordinance
Expiration Date to 2050 (Measure "L") (5/5)

CONTACT: Shiri Klima, Assistant City Attorney
shiri.klima@oxnard.org, 385-7483

RECOMMENDATIONS

1. That City Council determine whether it is for or against Measure "L"; and
2. That City Council:

(a) Adopt the resolution authorizing the filing of a written argument and a rebuttal argument by a Councilmember or Councilmembers on behalf of the City Council for Measure "L," which appears on the November 8, 2016, ballot; or

(b) Adopt the resolution authorizing the filing of a written argument and a rebuttal argument by a Councilmember or Councilmembers on behalf of the City Council against Measure "L," which appears on the November 8, 2016, ballot.

BACKGROUND

According to the California Elections Code, for measures placed on the ballot by the City Council, the Council, any Councilmember(s) authorized by the Council, any individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of voters and associations, may file a written argument for or against the measure. For the November 8, 2016, election, the Ventura County Elections Office has set the deadline for submitting written arguments to August 4, 2016. When arguments in favor and against a measure have been submitted, the elections official sends a copy of each argument to the opposing argument's author. The author or a majority of the authors of an

argument relating to a ballot measure may prepare and submit a rebuttal argument or may authorize in writing any other person(s) to prepare, submit, or sign the rebuttal argument. According to the Ventura County Elections Office, for this election, the deadline for submitting these rebuttal arguments is August 14, 2016.

In the month of August, the entire City Council will likely not be able to draft and authorize the filing of a written argument and a rebuttal argument. If the Council wishes to file a written argument and later a rebuttal argument regarding Measure "L," the Council needs to first determine whether it is for or against Measure "L." One attached resolution is provided if the Council determines it is for Measure "L"; the other attached resolution is provided if the Council determines it is against Measure "L." According to appropriate resolution, the Council will then (a) authorize a Councilmember to file on behalf of the City Council a written argument regarding Measure "L"; (b) authorize the same or a different Councilmember to file on behalf of the City Council a rebuttal argument regarding Measure "L"; and (c) authorize the Councilmember or Councilmembers filing the written argument and/or the rebuttal argument regarding Measure "L" to sign those documents on behalf of the City Council.

If the Council opts not to adopt one of the resolutions or otherwise prepare an argument for or against Measure "L," any individual voter, a bona fide association of citizens, or any combination of voters and associations may file a written argument for or against the measure.

FINANCIAL IMPACT

The attached resolution has no financial impact.

ATTACHMENTS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE FILING OF A WRITTEN ARGUMENT AND A REBUTTAL ARGUMENT BY A COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF THE CITY COUNCIL FOR EXTENDING THE SOAR ORDINANCE EXPIRATION DATE TO 2050 (MEASURE "L")
- B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE FILING OF A WRITTEN ARGUMENT AND A REBUTTAL ARGUMENT BY A COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF THE CITY COUNCIL AGAINST EXTENDING THE SOAR ORDINANCE EXPIRATION DATE TO 2050 (MEASURE "L")

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING THE FILING OF A WRITTEN ARGUMENT AND A REBUTTAL ARGUMENT BY A COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF THE CITY COUNCIL IN FAVOR OF EXTENDING THE SOAR ORDINANCE EXPIRATION DATE TO 2050 (MEASURE "L")

WHEREAS, a General Municipal Election, which is consolidated with the County, is to be held in the City of Oxnard, California, on November 8, 2016; and

WHEREAS, at that election, there will be submitted to the voters a measure to extend the City's SOAR ordinance to the year 2050 (Measure "L").

NOW THEREFORE, the City Council of the City of Oxnard, California does resolve, declare, determine and order as follows:

- 1) That the City Council is in favor of Measure "L."
- 2) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a written argument for Measure "L."
- 3) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a rebuttal argument for Measure "L."
- 4) That the Councilmember filing the written argument may be, but does not necessarily have to be, the same Councilmember filing the rebuttal argument for Measure "L."
- 5) That the Councilmember(s) filing the written argument and rebuttal argument for Measure "L" shall sign those documents with his or her printed name, his or her signature, and the organization of the "City Council of the City of Oxnard."

PASSED AND ADOPTED this 27th day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD AUTHORIZING THE FILING OF A WRITTEN
ARGUMENT AND A REBUTTAL ARGUMENT BY A
COUNCILMEMBER OR COUNCILMEMBERS ON BEHALF OF
THE CITY COUNCIL AGAINST EXTENDING THE SOAR
ORDINANCE EXPIRATION DATE TO 2050 (MEASURE "L")**

WHEREAS, a General Municipal Election, which is consolidated with the County, is to be held in the City of Oxnard, California, on November 8, 2016; and

WHEREAS, at that election, there will be submitted to the voters a measure to extend the City's SOAR ordinance to the year 2050 (Measure "L").

NOW THEREFORE, the City Council of the City of Oxnard, California does resolve, declare, determine and order as follows:

- 1) That the City Council is opposed to Measure "L."
- 2) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a written argument against Measure "L."
- 3) That the City Council hereby authorizes the highest-ranking available City Councilmember to file on behalf of the City Council a rebuttal argument against Measure "L."
- 4) That the Councilmember filing the written argument may be, but does not necessarily have to be, the same Councilmember filing the rebuttal argument against Measure "L."
- 5) That the Councilmember(s) filing the written argument and rebuttal argument against Measure "L" shall sign those documents with his or her printed name, his or her signature, and the organization of the "City Council of the City of Oxnard."

PASSED AND ADOPTED this 27th day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney