MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 27, 2015

A. ROLL CALL/POSTING OF AGENDA

At 4:41 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. . Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Greg Nyhoff, City Manager; Scott Whitney, Interim Assistant City Manager; Stephen Fischer, Interim City Attorney and Dr. Chris Williamson, Principal Planner.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Martin Jones and Steve Nash.

C. CLOSED SESSION

At 4:47 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(d)(1) to confer with its attorneys. The title and case number of the litigation being discussed City of Oxnard v. Dale Belcher, et al., Ventura County Superior Court, Case No. 56-2014-00450216-CU-CO-VTA.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(2). Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

At 6:15 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:18 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. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; James Williams, Fire Chief; Matthew Winegar, Development Services Director; Carrie Sabatini, Interim Housing Director; Martin Erickson, Deputy City Manager; Michael Henderson, General Services Manager; Daniel Rydberg, Interim Utilities Director; Kymberly Horner, Interim Redevelopment Services Manager; Dr. Chris Williamson, Principal Planner and Karl Lawson, Compliance Services Manager

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Harry D. Cortez for Twenty Years of Exemplary Service on the Oxnard Police Chiefs Advisory Board.
   DISCUSSION: The City Council, Police Chief and Mike Frawley, District Attorney Office, recognized Mr. Cortez for his service to the community. Mr. Cortez provided insight of changes he has seen in the Police Department.

2. SUBJECT: Presentation of a Commendation to Hugo Centeno Jr. for his outstanding athletic achievements.
   DISCUSSION: The Council recognized Mr. Centeno for his athletic skills as a boxer and contributions to the community.

3. SUBJECT: Presentation of a Check to City Corps from Black American Political Association of California - VC Chapter for the Juneteenth Celebration.
   DISCUSSION: Vincent Steward, Don Montgomery and Willie Clayton presented a check to the representatives of the City Corps. for their assistance in helping at this event.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ed Ellis; Harold Ceja; Steve Nash; Martin Jones; Patrick Barrios and Pat Brown.

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim Housing Director (S-2(c)); Councilmember Padilla (S-3); Compliance Services Manager (S-5) and Interim Utilities Director (S-8).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment was received from: Pat Brown.

J. APPOINTMENT ITEMS

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for December 2, 2014 and Minutes of the Special Meetings of the Oxnard City Council for November 25, 2014 and December 3, 2014. (001)
   RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (013)
   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.

Development Services Department

3. SUBJECT: Authorization to Disburse and Appropriate Revenue from the Public Art Fund. (017)
   RECOMMENDATION: 1) Authorize the disbursement of Public Art Fund revenues in the amount of $150,000 for the purpose of providing funding to various cultural arts organizations, programs, and artists; and 2) Approve a one-time appropriation of revenue in the amount of $150,000 from the Public Art Fund.

Fire Department

4. SUBJECT: Accept a Grant Award from the U.S. Department of Homeland Security for the 2014 Emergency Management Performance Grant. (019)
RECOMMENDATION: 1) Approve the City Manager to accept a grant from the U.S. Department of Homeland Security administered through the California Office of Emergency Services grant in the amount of $47,824, and; 2) Authorize the Finance Director to appropriate grant award and perform all other required financial actions, and; 3) The Fire Chief or designee to submit non-financial reports.

Housing Department

5. SUBJECT: Restructuring of Commission on Homelessness. (023)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 2 of the City Code related to the Commission on Homelessness (COH) to reduce the size of the COH from eleven to seven Commissioners, reduce the quorum requirement for the conduct of COH business from six to four Commissioners, and allow for the Commissioners' two-year terms of office to commence in March of odd-numbered years.

Library Department

6. SUBJECT: Second Reading of Ordinance No. 2888 for Public Library Rules of Conduct and Exclusion Process. (029)
RECOMMENDATION: Second reading and adoption.

Utilities Department

7. SUBJECT: Agreement for Professional Services with Pavement Engineering Inc. (PEI) for Pavement Management System (PMS) Update. (037)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement for professional services with PEI (A-7723) for a four year term in an amount not to exceed $451,740 for the PMS Update; and 2) Approve the appropriation of funds in the amount of $451,740 from the Gas Tax Fund Balance.

8. SUBJECT: Agreement for Developing Green Alleys Program. (081)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with SWA Group (A-7739) in the amount of $300,000 for developing Oxnard's Green Alleys Program.

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

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

Finance Department

9. SUBJECT: Comprehensive Annual Financial Report for Fiscal Year 2013-14. (117)
RECOMMENDATION: Receive and file the City of Oxnard Comprehensive Annual Financial Report (CAFR) for Fiscal Year (FY) 2013-14.
DISCUSSION: The Acting Chief Financial Officer and Bob Callanan, (Engagement Partner) White Nelson Diehl Evans LLP, reviewed the "audit" findings and opinions which included the "use of" estimates, changes in pension reporting; the need for a capital plan and "rate" study. The Interim Housing Director commented on Housing "revenues" recovered.

The City Manager commented on the need to examine utility rates and costs.

Public comments were received from: Martin Jones; Larry Stein; George Miller; Orlando Dozier and Aaron Starr.

The Council discussed various issues: the financial position of the City including revenue and expenses; "vacation cap" policies; Enterprise Funds and pension liabilities.

ACTION: The City Council provided comments and directions to staff.

K. REPORTS

City Manager Department

1. SUBJECT: Support for City's Legislative Program for 2015/16. (131)
RECOMMENDATION: 1) Adopt an update of the Legislative Program for 2015/16; and authorize the City Manager to prepare letters in support of or in opposition to, as appropriate, legislative matters outlined in the Legislative Program with such letters to be signed by the Mayor, or the Mayor Pro Tem in the Mayor's absence; and 2) Receive an update on the Ormond Beach Concept Master Plan and Halaco Superfund site remediation, elements of the Legislative Program.
DISCUSSION: The Deputy City Manager (Erickson) updated Council regarding support of legislative programs which include programs such as bicycling programs; elimination of power plants; Ormond Beach area and Halaco remediation.

Public comment was received from: Pat Brown.

The City Council discussed: the flexible of this process to provide "support or oppose" on State and federal issues including issues such as: elimination of Redevelopment Agency; removal of power plants. The Council also discussed the use of consultants and promoting partnerships between other agencies.

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

L. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

1. SUBJECT: Verbal Report on FY 2015-2016 Budget Priority Setting and Budget Development Calendar.
   RECOMMENDATION: Receive Verbal Report.
   DISCUSSION: The City Manager commented on the tentative budget schedule and the process to establish budget priorities.

   The City Council commented on community ideas and establishing budget priorities.

   ACTION: The City Council provided comments and directions to staff.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Development Services Department

1. SUBJECT: Opposition Letter to the San Luis Obispo County Planning Commission Regarding the Proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project. (141)
   RECOMMENDATION: Authorize the Mayor to sign and transmit a letter to the San Luis Obispo County Planning Commission expressing the City Council's opposition to the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project.
   DISCUSSION: The Principal Planner outlined the reasons to act on this issue and requests made by cities.

   Public comments were received from: George Miller and Steve Nash

   The City Council discussed issues of moving of oil by train in the community.

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

City Clerk Department

2. SUBJECT: Appointments of Councilmembers to Various Boards, Commissions, and Committees. (145)
   RECOMMENDATION: 1) That the Mayor, with the approval of the City Council, appoint or move members and alternates from the City Council to the following boards, commissions and committees; 2) That the City Council, as a whole, appoint two Councilmembers to the Oxnard Airport Authority and one Councilmember as an alternate; and 3) That the City Council , as a whole, dissolve the following committee(s), board(s) and commission(s), for several reasons including completion of objectives and not meeting: (a) City Wide Enhancement Program and (b) City Manager Recruitment Ad Hoc Committee.
   DISCUSSION: The City Council discussed having representation on the Carnegie Board and need to "report on work" of various boards, commissions and committees.

   Public comment was received from: Larry Stein.

   ACTION: Moved to have all Councilmembers be reappointed to the same Boards, Commissions and Committees. (Flynn/MacDonald). Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla.

3. SUBJECT: Appointments of Citizen Advisory Groups. (157)
RECOMMENDATION: 1) That the Mayor, with approval of the City Council, appoint: (a) Seven (7) members to the Commission on Homelessness; (b) Five (5) members to the Library Board; (c) Seven (7) members to the Parks, Recreation and Community Services Commission; (d) Four (4) members to the Planning Commission; (e) Nine (9) members to the Senior Services Commission; and 2) That the City Council appoint: (a) Seven (7) members to the Community Relations Commission, and (b) Two (2) members to the Housing Authority Board of Commissioners.
DISCUSSION: The Council discussed: reading of applications; the need for applications to have more information; attending meetings; being involved and possibility of forming Athletic Commission and City Oversight Commission.

Public comments received from: Larry Stein and Dan Pinedo.

ACTION: The Mayor, with approval of the City Council, appoint to the Commission on Homelessness: Susan Brinkmeyer; Lucy Cartagena Martinez; Francine Castanon; Felipe Flores; Francisco V. Jaena; Darlene Miller and Peggy Rivera.

The Mayor, with approval of the City Council, appoint to the Library Board: Michelle Ascension; Rudy Durias; Mark Kupperman; John Ragan and Kenneth Reuter.

The Mayor, with approval of the City Council, appoint to the Parks, Recreation and Community Services Commission: Johnnie Barber; Edgar L Cobb; Cherie Greene Moraga; Aurelio Ocampo Jr.; Roger Poirier; Gloria Postel and Dale Sumersille.

The Mayor, with approval of the City Council (by polling Councilmembers), appoint to the Planning Commission: Orlando Dozier; Deirdre Frank; Stephen H. Huber and Vincent Stewart.

The Mayor, with approval of the City Council, appoint to the Senior Services Commission: Kay Brainard; Ron Fischer; Jean Joneson; Kathie Lanker; Alice Madrid; Clark Owens; Alice Sweetland; Donald Thiebault and Lourdes Villareal Yu.

The City Council appoint by polling to the Community Relations Commission: Theadora Davitt-Cornyn; Travis Kelly; Jamie Moreno; Mario Quintana; Juan A. Reynoso; George Sorkin and Robert Stewart.

The City Council appointed to the Housing Authority: Jose Andrade and Francisco Vega. (Flynn/Ramirez) unanimously.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: City Manager (S-1(h)).

S. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (165)
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.

Development Services Department

2. SUBJECT: Agreement with WKE, Inc. (169)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with WKE Inc., (6944-14-DS) in an amount not to exceed $975,081, for environmental and preliminary engineering services for the Rice Avenue grade separation at Fifth Street project.

Utilities Department

3. SUBJECT: Project Specification UD 15-17 Electrical Rehabilitation for Wells No. 30, 32, 33 and 34 (235)
RECOMMENDATION: Approve Project Specification UD 15-17 for the electrical rehabilitation of Well No. 30 at Blending Station No. 3, located at 1700 Solar Drive , and Wells No. 32, 33 and 34 at Blending Station No. 1 located at 251 South Hayes, and authorize staff to solicit bids for the project.

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

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: community plan for Campus Park; better local train service; local cultural activities and facilities.

T. ADJOURNMENT

At 10:29 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

Tim Flynn

TIM FLYNN
Mayor