MINUTES
OXNARD CITY COUNCIL
Regular Meeting
May 12, 2015

A. ROLL CALL/POSTING OF AGENDA

At 5:23 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: Daniel Martinez, City Clerk; Greg Nyhoff, City Manager; Scott Whitney, Interim Assistant City Manager and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comment received from: Martin Jones.

C. CLOSED SESSION

At 5:26 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 City of Oxnard v. Dale Belcher, et al., Ventura County Superior Court, Case No. 56-2014-00450216-CU-CO-VTA.

At 5:59 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:04 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 Pro Tem Ramirez presided. Additional staff members present were: Jeri Williams, Police Chief; J. Tobin Coscio, Human Resources Director; David Millican, Finance Director; Martin Erickson, Deputy City Manager; Michael Henderson, General Services Manager; Lou Balderrama, City Engineer; Terrel Harrison, Recreation Supervisor/PAL Co-Director and Kymberly Horner, Redevelopment Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Week of May 11, 2015, as Women's Lung Health Week.
   DISCUSSION: Mayor Pro Tem Ramirez commented on the proclamation.

2. SUBJECT: Presentation of Certificates of Appreciation to the City of Oxnard and Staff for Support of Second Annual "Celebrating Children's Day" Event.
   DISCUSSION: Comments were received from Leo Alvarez, Jane Lemont Alvarez and Pauline Daerr regarding the event.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Martin Jones; Roland Handy; Armando Vazquez; Jane Alvarez; Greg Runyon; Dan Pinedo and Al Velasquez.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: City Engineer (S-1(a)) and Recreation Supervisor/PAL Co-Director; (S-1(b)).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (001)
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: Planning and Zoning Permit No. 15-300-02 (Final Subdivision Map for Tract No. 5862). Filed by Raul Orozco, Strawberry Fields Estates, LLC, 312 Camarillo Drive, Camarillo, California 93010. (005)
RECOMMENDATION: Adopt **Resolution No. 14,742** approving Planning and Zoning Permit No. 15-300-02 (Final Subdivision Map for Tract No. 5862) for the property located at 1041, 1051, 1061, and 1071 Oneida Court (APN: 181-0-191-275), subject to certain findings and conditions.

3. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for DS14-21 Bus Pullouts at Esplanade Drive. (051)
RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, Berry General Engineering Contractors, Inc. (A-7774) in the amount of $255,465.10 for bus pullouts at Esplanade Drive and sidewalk improvements at Wagon Wheel Road, and authorize the purchasing agent to execute the contract upon receipt of final documents.

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

At 6:46 p.m., Mayor Flynn was present and presided.

J. PUBLIC HEARINGS

General Services Department

1. SUBJECT: Levy of 2015-2016 Assessments in Mandalay Beach Maintenance District.
RECOMMENDATION: Continue to May 19, 2015.
ACTION: Moved to continue to future date. (Ramirez/Perello). Ayes: Padilla, Perello, Flynn Ramirez and MacDonald.

K. APPOINTMENT ITEMS

L. REPORTS

City Treasurer Department

1. SUBJECT: Quarterly Investment Report for the Third Quarter Fiscal Year 2014-2015. (089)
RECOMMENDATION: Accept the Quarterly Investment Report for the Third Quarter Fiscal Year 2014-2015
ACTION: The City Council provided comments and directions to staff.

General Services Department

2. SUBJECT: Blanket Purchase Order to Extend Agreement with Shell Fleet Card Services for Gas Station Fuel and Car Wash Service for Fiscal Year 2015-16. (097)
RECOMMENDATION: Approve and authorize the Mayor to sign a blanket purchase order (No. 5334) to extend the agreement a fourth year of a possible five-year agreement with Shell Fleet Card Services, contract administrator for Oxnard Airport Shell and MacValley Oil Company. The agreement period is from July 1, 2015, to June 30, 2016, in an amount not to exceed $3,000,000. The blanket purchase order is for the purchase of gasoline, diesel, and car wash service at Shell stations through a fuel card system.
DISCUSSION: The General Services Manager reviewed the fuel contract, future use of cleaner vehicles and working with other agencies to get best price.

Public comments were received from: Larry Stein and George Miller.

The City Council discussed the use of "clean fuel" vehicles and having partnerships with other agencies.

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

3. SUBJECT: Approval of Low Responsible Responsive Bid and Authorization to Issue and Execute a Contract for GS15-23 Oxnard Beach Park Parking - Lot Improvements Project. (103)
RECOMMENDATION: Award contract to the low responsive bidder, Torres Construction Corp., (A-7773) in the amount of $195,280 for 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 the purchasing agent to execute the contract upon receipt of final documents.
DISCUSSION: The General Services Manager commented on schedule to make repairs and improvements including walking path.

Public comments were received from: Jim Milstead, Martin Jones and Al Velasquez.

The City Council provided comments on several issues including wheel chair accessibility, collection of parking fees and improvements to parking lot.

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

Community Development Department

4. SUBJECT: Third Amendment to Agreement with the Oxnard Downtown Management District Inc. for Downtown Services. (131)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a Third Amendment to Agreement No. 4192-07-CD between the City of Oxnard and the Oxnard Downtown Management District Inc., to extend the Agreement to December 31, 2019 and 2) Approve and authorize a Budget Appropriation in the amount of $107,699 from General Fund Operating Reserves to fund the City's assessment levied by the Oxnard Downtown Management District to pay its Property-Based Business Improvement District Assessment for Fiscal Year 2014-2015.
DISCUSSION: The Redevelopment Services Manager outlined past actions of the Council and requested approval for payment of assessments.

   The Interim City Attorney commented on past action of the Council regarding payment of assessment fee.

   The City Manager commented on the past action of the City Council to "invest" in the downtown.

   Abel Magana reviewed the downtown management plan including beautification projects, public arts projects, raising of "private" funding and downtown management budget.

   Public comment was received from: Al Velasquez

   The City Council discussed: reasons for the requested payment; services provided by Downtown Management District, fee terms agreed to and use of General Fund Reserves.

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

Utilities Department

5. SUBJECT: Second Amendment to Agreement with KEH & Associates, Inc. for Wastewater and Stormwater Operations, Management and Assessment. (179)
RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment to the Agreement with KEH & Associates, Inc., (A-7672) for Wastewater and Stormwater Operations, Management and Assessment in the amount of $1,389,699 to bring the total agreement amount to $4,537,241 for the provision of Phase 1 and Phase 2 services.
DISCUSSION: The City Engineer reviewed 1) the work process, 2) operation needs, 3) staffing needs and 4) update of plans.

   The City Manager commented on: staffing needs; use of consultants and the "good" work of current City employees.

   The Human Resources Director reviewed the hiring process of the Water Department.

   Public comments were received from: Steve Nash and Al Velasquez.

   The City Council discussed: use of consultants; hiring of future "qualified" personnel; public health issues and training of personnel.

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

6. SUBJECT: First Amendment to Agreement with AECOM Technical Services, Inc. for Water Operations Support. (205)
   RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to the Agreement with AECOM Technical Services, Inc., (A-7700) for Water Operations Support in the amount of $2,702,304 to bring the total amount to $4,263,693 to implement Phase 2 services.
   DISCUSSION: The City Engineer reviewed: the need for plant operations coordination; staffing needs; having an internship program; testing "water" quality and "desalter" use.

   Public comments were received from: Al Velasquez and George Miller.

   The City Council discussed: testing of "water" quality, use of consultants; hiring of future personnel and training of personnel.

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

7. SUBJECT: Ratify General Information Package Form for Clean Water State Revolving Fund, Water Recycling Funding. (233)
   RECOMMENDATION: Approve and ratify the City Manager's signature, dated May 4, 2015, on the General Information Package form submitted to the State of California as the initial submittal for potential grant funding under the Clean Water State Revolving Fund, Water Recycling Funding Program.
   DISCUSSION: The City Engineer commented on request to ratify grant application and search for matching funds.

At 9:58 p.m. Councilman MacDonald left the meeting due to possible conflict of interest. At 10:05 p.m., Councilman MacDonald returned to the meeting.

   Public comment was received from: Al Velasquez.

   The City Council discussed: use of recycled water; partnership with other cities and use of Campus Park site.

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

City Manager Department

ACTION: The City Council concurred to proceed with agenda item (S-8) unanimously.

8. SUBJECT:. Approval of Limited Delegation of Contracting Authority and Appropriation to Analyze and Implement Recommendations of the City's Consultants. (237)
   RECOMMENDATION: 1) Adopt **Resolution No. 14,743** approving delegation of purchasing authority to the City Manager for the purpose of implementing the recommendations of the City's consultants: Management Partners Inc. and the Public Law Group (Renne, Sloan, Holtzman, Sakai, LLP) and 2) Approve an appropriation of $500,000 from the General Fund Balance for the professional service costs analyzing issues and implementing recommendations in Fiscal Year 2014-2015 and Fiscal Year 2015-2016.

DISCUSSION: The Interim Finance Director reviewed several issues including "impact" fees; "use" fee studies and update of financial systems.

The City Manager commented on several issues including: the need to review consultant findings and follow-up actions to be taken; update of "user" fees; consultant's costs and need to comply with State law.

Public comments were received from: Al Velasquez, Cyndi Hookstra and Steve Huber.

The City Council discussed: use of consultants; the consultants' accomplishments; receiving "budget" reports during the year; budget "funding" sources: future City workforce and having confidence in the City Manager.

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

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: Cultural Arts Commission and Youth Commission meetings (Padilla); Rose Avenue improvements; community involvement to improve the City; efforts to promote local tourist opportunities: upcoming ECDO meeting (Perello) and local "peace" march.

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 11:17 p.m. the City Council concurred to adjourn the meeting.

Daniel Martinez

DANIEL MARTINEZ
City Clerk

Tim Flynn

TIM FLYNN
Mayor

Carmen Ramirez

CARMEN RAMIREZ
Mayor Pro Tem