MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 23, 2013

A. ROLL CALL/POSTING OF AGENDA

At 5:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Timothy B. Flynn, Bryan A. MacDonald, Carmen Ramirez, Dorina Padilla and Bert Perello were present. The Deputy 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: Grace Magistrale Hoffman, Deputy City Manager; Stephen Fischer, Assistant City Attorney; and Lyn Bennett, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Shirley Godwin.

C. CLOSED SESSION

At 5:06 p.m. the City Council 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 based upon a claim for damages (City Clerk's Log #103), which is available for inspection at the City Clerk's office during normal business hours.

The City Council also recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide Whether to initiate litigation to potential cases.

At 6:26 p.m. the City Council reconvened and recessed to the evening session. At 6:29 p.m., the City Council reconvened and the Assistant City Attorney announced the rejection of a claim by Edmund E. Sotelo and the Council directed the Assistant City Attorney to draft letters for recipients of the $300 retirement policy to request repayment of monies received under this policy.

D. OPENING CEREMONIES

At 6:29 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission Successor Agency and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States by the Ventura County Junior Fair Board followed by a moment of silence. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Human Resources Director; James Cameron, Chief Financial Officer; Michael Henderson, General Services Manager; Cynthia Daniels, Project Manager; Rob Roshanian, Interim Public Works Director; Martin Erickson, Deputy City Manager; Anthony Emmert, Water Resources Manager; Jason M. Samonte, Traffic Engineer; Kymberly Horner, Interim Redevelopment Services Manager; and Gregory Barnes; Interim Recreation Supervisor.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of the Ventura County Fair Poster
DISCUSSION: Nolan Woodruff, Jared Lozano, and Justin Coert of the Junior Fair Board presented a Ventura County Fair poster to the Council and provided other information regarding the Ventura County fair.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Octavio Esqueda; Cyndi Hookstra; Christina Aerenlund; Mary Diamond; Ventura Fernandez; Dan Pinedo; Bruce Dandy; Larry Stein; Doug Mahoney; Pat Brown; Daniela Garcia; Elliott Gabriel; Harold Ceja.

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: Fees for Public Use of Electric Vehicle Charging Stations and for Overweight Vehicles on Designated Heavy Container Corridors. (001)
RECOMMENDATION: 1) Hold a public hearing and receive comments on the proposed fees for public use of electric vehicle charging stations at City-owned property and for the use of overweight vehicles on designated heavy container corridors; 2) Adopt **Resolution No. 14,431** establishing a fee of $2.25 per hour for electric vehicle charging at city-owned electric vehicle charging stations and a fee schedule for permits for overweight vehicles on designated City Streets; and 3) Approve a special budget appropriation of $7,550 for "Electric Vehicle Chargers" to operate the electric vehicle charging stations and allocate payment for electricity used at the parking lots.
DISCUSSION: The Project Manager commented that the vehicle charger "use" fee would be only for cost recovery and that there would be parking signage.

Public comments were received from: Kristin Decas; Doug Kraft; Bob Warner; Robert Carr; and Pat Brown.

ACTION: Close the public hearing. (MacDonald/Perello) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

The Traffic Engineer reviewed the future maintenance of Heavy Container Corridors routes and road use within the City.

Mary Ann Rooney, Vice-President of the Oxnard Harbor District, stated that the City is welcome to have meetings with the Harbor District to discuss ways to build relationships to create a better community. She also stated that discussions regarding "use of railroads" were taking place.

The Council discussed road maintenance of "Heavy Container Corridors" routes and cost recovery of vehicle charging stations.

ACTION: Approved as recommended with clarification that the fee relating to overweight vehicle permit shall take effect after the effective date of the "fee" ordinance. (MacDonald/ Perello) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

J. APPOINTMENT ITEMS

Recreation and Community Services Department

1. SUBJECT: Senior Center Master Plan. (091)
RECOMMENDATION: Receive a report on the Senior Center Master Plan.
DISCUSSION: The Interim Recreation Supervisor reviewed the community survey's desired for services (health and fitness services); proposed site plan, estimated costs and future community outreach.

Public Comments were received from: Donald Thibeault; Alice Madrid; Ellsworth Shinarar; Nancy Rowe; and Adamelia Esparza.

The Council discussed bus services, cost of the study, condition of current senior centers, possibility of a pool, the different site plans and use of Measure "O" for current centers.

ACTION: Received report and provided comments to staff.

I. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 12-535-01 (Density Bonus) and 12-500-06 (Special Use Permit), Located at 900 W. Ninth Street. Filed by Albert Group Architects on behalf of the Property Owner Press-Courier Lofts, LLC. (011)
RECOMMENDATION: 1) Adopt a resolution approving the Density Bonus No. 12-535-01 for the Press-Courier Lofts 115-unit senior affordable housing project, subject to the conditions set forth in Planning Commission Resolution No. 2013-15; and 2) Adopt a resolution upholding the Planning Commission's approval of Special Use Permit No. 12-500-06, subject to the conditions set forth in Planning Commission Resolution No. 2013-14.
ACTION: Approved to continued to September 10, 2013. (Ramirez/Perello) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

J. APPOINTMENT ITEMS

Finance Department

2. SUBJECT: Golf Fund Debt Restructuring. (169)
RECOMMENDATION: Receive a presentation and provide direction on Golf Fund financial restructuring options.
DISCUSSION: The Chief Financial Officer commented on past discussions golf course financial situation, financial differences between Oxnard and Ventura golf courses and outlined possible funding options

Otto Kinney, River Ridge Golf Course Superintendent, reviewed rounds played at River Ridge Golf Course and differences of the San Buenaventura golf courses.

Public Comments were received from: Terry Williams; Bruce Dandy; Jim Lavery; Daniel Lechliter; Patrick Barrios; Pat Brown; Lupe Anguiano; and George Miller.

The Council reviewed the restructuring the loan; selling of golf course; marketing of the golf course; having a golf commission and restructure of operating agreement.

ACTION: Moved to have staff work with golf course management to restructure the golf agreement with performance measures (Flynn/Ramirez) Ayes: Padilla, Perello, Flynn and Ramirez. Noes: MacDonald. Moved that staff pursue having the golf course as a "general fund" rather than an "enterprise fund" and not restructure the debt. (Perello/Flynn) Ayes: Flynn, Padilla and Perello. Noes: Ramirez and MacDonald.

HOUSING AUTHORITY

At 10:34 p.m. the joint meeting with the Housing Authority concluded.

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for June 4, 2013; Minutes of the Special Meeting of the Oxnard City Council for June 11, 2013. (283)
RECOMMENDATION: Approve.
ACTION: Approved has recommended. (Ramirez/Padilla) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

K. REPORTS

City Manager Department

1. SUBJECT: Joint Use Agreement between the City of Oxnard and the Rio School District. (177)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a Joint Use Agreement for the Construction, Operation and Use of the East Village Park and a Ground Lease with the Rio School District for the Joint Use of a Park Site in the Northeast Community Specific Plan; 2) Approve the appropriation of Measure O funds in the amount of $2,674,000 and Quimby Fees in the amount of $675,775 per the attached Special Budget Appropriation; and 3) Authorize the use of Measure O funds for future annual maintenance costs of $120,000.
ACTION: Concurred to continue to July 30, 2013.

Community Development Department

2. SUBJECT: Preliminary Review of Long-Range Property Management Plan and Designation of Successor Agency Properties Under Permissible Classifications. (221)
RECOMMENDATION: Receive report and provide direction to staff on the designation of Successor Agency properties to be classified under one of the following permissible

classifications: 1) the retention of the property for governmental use pursuant to subdivision (a) of Health and Safety Code Section 34181; 2) the retention of the property for future development; 3) the sale of the property; or 4) the use of the property to fulfill an enforceable obligation.
DISCUSSION: The Interim Redevelopment Services Manager outlined 1) the process to recover initial loans made to the Redevelopment Commission by City, 2) identify governmental purpose property, 3) indentify non-governmental properties, and 4) submit a plan to the State within six months and timeline to sell properties.

Dave Schey, property tax consultant (Coren & Cone), reviewed how properties would be held by City, purpose of property, how to dispose of property and proper transfer of property.

Public Comments were received from: Jim Gilmore; Pat Brown; Abel Magana and Jeff Burgh.

The Council discussed: the need to identify properties for government use, proper use of properties, State guidelines and use of properties to be kept by the City.

ACTION: Received report and provided comments to staff. (Ramirez/Perello). Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 11:43 p.m. the joint meeting with the Community Development Commission Successor Agency concluded.

Public Works Department

3. SUBJECT: Agreement with Gershman, Brickner & Bratton, Inc. (A-7593) for the Development of a Business Plan for the City to Manage, Operate and Maintain the Del Norte Regional Recycling and Transfer Station. (257)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Agreement for Consulting Services with Gershman, Brickner & Bratton, Inc. (GBB) (A-7593) for an amount not-to-exceed $284,100 for the development of a business plan for the City to manage, operate and maintain the Del Norte Regional Recycling and Transfer Station (Del Norte Facility); and 2) Approve a Special Budget Appropriation in the amount of $284,100 from the Solid Waste Enterprise Fund Balance to provide funding for the development of a business plan for the City to manage, operate and maintain the Del Norte Facility as specified in Agreement with GBB.
DISCUSSION: The Interim Public Works Director review past directions of the City Council and actions of staff including selection of Gershman, Brickner & Bratton, Inc.

Public Comments were received from: William Terry; Dan Pinedo; Jim Gilmore, George Sorkin; Greg Runyon, Juan Delgado and Pat Brown.

Anthony Bertrand, Republic General Manager, outlined the Republic's six, twelve and eighteen month options and support of the RFP process for the recycling facility.

The Council discuss the bidding process, past consult advise of HRH, cost of hiring consultant, to bid on RFP, possibility of the City running the facility, City staff being capability to run the facility and staff recommendations.

ACTION: Moved to denied agreement. (Perello/Flynn). Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla. The Council directed staff to return to City Council with business plan and outlook regarding labor issues in September.

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: City Manager Recruitment.
RECOMMENDATION: 1) Consider Proposals Submitted to City Manager Recruitment Ad Hoc Committee; and 2) Select Recruitment Firm and Direct City Attorney to Negotiate Professional Services Agreement for City Council's Future Consideration and Approval.
DISCUSSION: Councilmembers MacDonald and Ramirez recommended Bob Murray & Associates as the recruitment firm.

Public Comments were received from: Edward Castillo request for qualifications

Councilmembers discussed selection process, qualifications and public input.

ACTION: Selection of Bob Murray & Associates (MacDonald/Ramirez) Flynn, Ramirez, MacDonald, Padilla and Perello.

RECESS

At 12:58 p.m., the City Council recessed to a special meeting and at 1:07 a.m., the regular City Council reconvened.

O. STUDY SESSION

P. PUBLIC COMMENTS ON STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public Comments were received from: Jim Gilmore (S-9); Greg Ruyon (S-9); Elizabeth Wolfel (S-9) and Abel Magana (S-9).

S. INFORMATION/CONSENT AGENDA

Development Services Department

3. SUBJECT: Second Reading of Ordinance No. 2871, Adding Division 3 of Article III of Chapter 19 to the Oxnard Code Concerning Use of City Streets by Overweight Vehicles. (309)
RECOMMENDATION: Remove from the agenda.

Public Works Department

6. SUBJECT: Agreement with Penfield & Smith to Provide Construction Management Services for the Hueneme Road and Ventura Boulevard Resurfacing Projects. (337)
RECOMMENDATION: Remove from the agenda.

7. SUBJECT: Project Specification PW13-05 Alleyways Reconstruction Project. (361)
RECOMMENDATION: Remove from the agenda.

8. SUBJECT: Special Budget Appropriation for GREAT Phase I - Recycled Water Projects. (365)
RECOMMENDATION: Remove from the agenda.

11. SUBJECT: Second Amendment to Agreement with Channel Islands Beach Community Services District for Transportation and Treatment of Wastewater. (383)
RECOMMENDATION: Remove from the agenda.

Recreation and Community Services Department

12. SUBJECT: Acceptance of Senior Nutrition Grant Funds from the Ventura County Area Agency on Aging ("VCAAA") for FY 2013-2014. (419)
RECOMMENDATION: Remove from the agenda.

INFORMATION CONSENT ACTION: The City Council concurred to remove items 3,6,7, 8, 11 and 12 from the agenda.

Public Works Department

9. SUBJECT: Third Amendment to Agreement for the Management and Operation of the Del Norte Regional Recycling and Transfer Station (Del Norte Facility) between the City of Oxnard and Republic Services of Oxnard, Inc. (369)
RECOMMENDATION: Approve and authorize the Mayor to execute the Third Amendment in the amount of $2,307,671 to the Agreement with Republic Services of Oxnard, Inc. (A-7465) for the management and operation of the Del Norte Facility to extend the contract expiration date to January 31, 2014.
ACTION: Approved as recommended for six months. (Ramirez/Flynn) Ayes: MacDonald, Perello, Flynn and Ramirez. Noes: Padilla.

10. SUBJECT: Second Amendment to Agreement for Yard Trimmings and Wood Waste Processing Services between the City of Oxnard and Republic Services of Oxnard, Inc. (375)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement for Yard Trimmings and Wood Waste with Republic Services of Oxnard, Inc., (A-7517) that provides for the transport of yard trimmings and wood material to one or more processing centers available to receive, compost and market this material and to extend the term six months to January 31, 2014.
ACTION: Approved as recommended for six months. (Ramirez/Flynn) Ayes: MacDonald, Perello, Flynn and Ramirez. Noes: Padilla.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (305)
   RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than $25,000 but less than $250,000.
   ACTION: Approved as recommended with removal of C & D. (MacDonald/Flynn) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

Fire Department

4. SUBJECT: Authorization to Enter into Contract for the Purchase of an Aerial Ladder Truck. (317)
   RECOMMENDATION: Approve the purchase of an aerial ladder truck from Pierce Manufacturing, Inc. in the amount of $1,250,000.
   ACTION: Approved as recommended. (MacDonald/Flynn) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Sandra Sudac and Edward Castillo.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed: Wilson Rose Garden; Relay for Life, Cowboys Camp and that the "Mid Manager's Association" be placed on a future agenda.

T. ADJOURNMENT

At 1:45 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor