

MINUTES

OXNARD CITY COUNCIL Regular Meeting June 3, 2014

A. ROLL CALL/POSTING OF AGENDA

At 4:32 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; Stephen Fischer, Interim City Attorney; James Cameron, Chief Financial Officer and Jeri Williams, Police Chief.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 4:33 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).

At 6:15 p.m. the City Council reconvened.

K. REPORTS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending April 30, 2014. (001)
RECOMMENDATION: Receive Report.
DISCUSSION: The Chief Financial Officer briefly reviewed comparison from last year regarding: General Fund revenues and expenditures; Utility Operating revenues and expenditures; and cash positions (General Fund, Measure O, Water, Wastewater and Environmental Resources).
ACTION: The City Council received report and provided comments.
2. SUBJECT: Fiscal Year 2014-15 Recommended Budget Study Session. (019)
RECOMMENDATION: Hold a study session on the recommended budget for Fiscal Year (FY) 2014-15.
DISCUSSION: The Chief Financial Officer outlined the total budget, "priority based" budget schedule; purchase of water; General Fund Balance; Golf course budget; PACC budget; refund of former Community Development Commission and development of the next two-year budget..

The Council discussed several issues including revenues; performance/priority based budgeting; street repaving plan, saving plan and citizen engagement.

ACTION: The City Council received report and provided comments.

D. OPENING CEREMONIES

At 6:32 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Housing Authority. 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: Matthew Winegar, Development Services Director; Rob Roshanian, Interim Public Works Director; William "Bill" Wilkins, Housing Director; Grace Magistrale Hoffman, Deputy City Manager; Martin Erickson, Deputy City Manager; Michael Henderson, General Services Manager; Karl Lawson, Compliance Services Manager; Terrel Harrison, Recreation Supervisor/PAL Co-Director and Juliette Dang, Grants Coordinator.

E. CEREMONIAL CALENDAR**F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Public comments were received from: Manuel M. Lopez; Irma Lopez; Jeff Maulhardt; Lucy Cartagena; Ed Ellis; Lee Cobb; Daniel Lechlitter; Dan Pinedo; Teresa Ramirez; Elliott Gabriel; Cyndi Hooksta; Mary Diamond; Josepina Hernandez; Patrick Barrios; Jacinta Garcia; Al Velasquez; Larry Stein, Octovio Esqueda and Jess Gutierrez.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS**J. APPOINTMENT ITEM****City Manager Department**

1. **SUBJECT:** Consideration of Resolution Revising City Council and Housing Authority Procedures and of a Proposal from the Procedures Committee to form an Ethics Advisory Committee. (021)
RECOMMENDATION: 1) Approve **Resolution No. 14,596** containing revisions to City Council Procedures; 2) Consider a recommendation from the Council Procedures Committee to form an Ethics Advisory Committee to review Council Ethics Workshops and District Attorney's Report;
DISCUSSION: The Deputy City Manager (Erickson), reviewed the proposed revising procedures. The Interim City Attorney reviewed appointments to citizen committees and changes to the proposed provisions.

Public comments were received from: Nancy Pedersen, Pat Brown, Larry Stein, Dan Pinedo, Steve Nash, Al Velasquez and Daniel Lechlitter.

The Council discussed the proposed changes including "meeting" procedures, proposed speaking limits for public and creating an "ethics advisory" committee.

ACTION: Moved to approved parts 2 to 9 of the resolution as flexible guidelines and forming of Ethics Advisory Committee. (Padilla/Ramirez) Ayes: Ramirez, Padilla, Perello and Flynn.
Noes: MacDonald.

HOUSING AUTHORITY

At 8:44 p.m. the joint meetings with the Housing Authority concluded.

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.

Police Department

1. SUBJECT: Edward Byrne Memorial Justice Assistance Grant Formula Program (JAG): FY 2014 Local Solicitation. (029)

RECOMMENDATION: Adopt **Resolution No. 14,597**: 1) Authorizing the City Manager to execute and submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of \$112,980 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2014 Local Solicitation; 2) Authorizing the City Manager to execute a Memorandum of Understanding (A-7674) with the County of Ventura and the Cities of San Buenaventura, Thousand Oaks and Simi Valley, designating the City of Oxnard as the lead agency and fiscal agent for the JAG; 3) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 4) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of JAG funds; and 5) Authorizing the Chief of Police or designee to submit all program related progress or status reports.

DISCUSSION: The Police Chief briefly reviewed the grant application.

ACTION: Close the public hearing. (MacDonald/Perello) approved unanimously. Approved as recommended. (MacDonald/Ramirez) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

I. PUBLIC HEARINGS

Mayor Flynn opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

Housing Department

1. SUBJECT: Public Hearing to Consider Oxnard's Fiscal Year 2014-2015 Annual Action Plan (AAP) including Applications to the U.S. Department of Housing and Urban Development (HUD). (051)

RECOMMENDATION: 1) Conduct a Public Hearing to receive comments and provide direction to staff on changes to the Annual Action Plan (AAP), and approve the AAP with recommended use of funds.; 2) Authorize the City Manager to make any changes and appropriate grant funding to the AAP as directed and approved; 3) Authorize the City Manager to execute the required applications, certifications, and other pertinent documents for the submission of the AAP to the United States Department of Housing and Urban Development (HUD); and 4) Authorize the City Manager to sign any documents or agreements required by HUD for the implementation of the AAP.

DISCUSSION: The Housing Director reviewed: 1) recommendations by the Parks, Recreation & Community Services Commission and Commission on Homelessness; 2) modification and review by HUD and 3) application by Housing for "warming" shelter.

The Police Chief and Interim City Attorney commented on the funding Code Compliance services and eligibility of HUD funding.

The Recreation Supervisor/PAL Co-Director commented on the senior technical program and PAL program.

The Interim Public Works Director and Grants Coordinator discussed eligible HUD funding of street work.

The Compliance Services Manager commented on the regulations of mobile home parks and actions of the State to solve violations.

The Chief Financial Officer reported on funding recommendations of Measure "O".

Public comments were received from: Nancy Pedersen; Asención Romero; Eileen Tracy; Lynne Marstson; Marc Wilde; Pat Brown; Samuel Gallucci; Cyndi Hookstra; Peggy Rivera; Bonnie Weigel; Barbara Marci-Ortiz; Tina McDonald; Karol Schulkin; Ron Mulvihill; Juan Delgado and Francine Castanon.

At 10:38 p.m., Councilman MacDonald left the meeting due to possible conflict of interest. At 10:42 p.m., Councilman MacDonald returned to the meeting.

ACTION: Close the public hearing. (Padilla/Ramirez) approved unanimously.

DISCUSSION: The Council discussed: use of HUD funds; the funding of non-profit organizations, providing funding from Measure "O" funds; HUD funding of street work; relationship of Code Compliance; realignment funding proposed organizations and HUD funding schedule.

ACTION: Open public hearing. (Ramirez/Padilla) approved unanimously.

DISCUSSION: Public comment was received from Peggy Rivera.

ACTION: Close the public hearing. (MacDonald/Padilla) approved unanimously. Approved as recommended with directions to staff to fund \$10,000 to Livingston Memorial Visiting Nurse Association and review of HUD funding for Code Compliance services. (Padilla/Ramirez)
Ayes: Padilla, Flynn, Ramirez and MacDonald. Noes: Perello (due to lack of funding for senior services).

K. REPORTS

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 Meeting of the Oxnard City Council for May 6 and 13, 2014. (109)
RECOMMENDATION: Approve.

City Manager Department

2. **SUBJECT:** Agreements for City Council Review. (121)
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.
3. **SUBJECT:** Fourth Amendment to the Agreement for Gang Intervention Street Outreach. (125)
RECOMMENDATION: Approve and ratify the Mayor's execution of the Fourth Amendment to the Agreement for Gang Intervention Street Outreach with City Impact, Inc. (5508-11-PO) to increase the agreement value by \$99,000 to a total agreement value of \$456,197.
4. **SUBJECT:** Blanket Purchase Order for Shell Fleet Card Services for Cardlock Fuel and Car Wash Service for FY 2014-15. (141)
RECOMMENDATION: Approve and authorize the Mayor to sign a blanket purchase order (No. 4864) with Shell Fleet Card Services, contract administrator for Oxnard Airport Shell and MacValley Oil Company, for the period from July 1, 2014, to June 30, 2015, in an amount not to exceed \$3,000,000 for gasoline, diesel, and car wash service at Shell stations through a fuel card system.
5. **SUBJECT:** Blanket Purchase Order for DeWitt Petroleum for Bulk Fuel Delivery for FY 2014-15. (145)
RECOMMENDATION: Approve and authorize the Mayor to sign a blanket purchase order (No. 4865) with DeWitt Petroleum for the period from July 1, 2014, to June 30, 2015, in an amount not to exceed \$350,000 for bulk fuel delivery to various City sites.

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

L. REPORT OF CITY MANAGER**M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS**

The Council discussed: welcomed the new City Manager; creating new neighborhood council; proposed electrical (Edison) rate increase; Public Access Channel; Arts in Public Places display and possible funding of the Cultural Arts in the community.

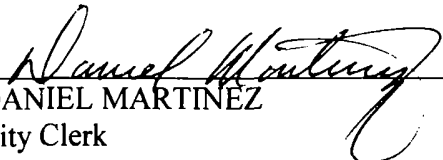
C. CLOSED SESSION

At 11:16 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 The Estate of Alfonso Limon, Jr., et al. v. City of Oxnard, et al.; United States District Court, Case No. CV13-01961 SS.

At 11:45 p.m. the City Council reconvened and recessed to the evening session.

T. ADJOURNMENT

At 11:45 p.m. the City Council concurred to adjourn the meeting.



DANIEL MARTINEZ
City Clerk



TIM FLYNN
Mayor