MINUTES

OXNARD CITY COUNCIL
Regular Meeting
October 15, 2013

A. ROLL CALL/POSTING OF AGENDA

At 6:04 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; Karen Burnham, Interim City Manager; Stephen Fischer, Acting City Attorney; Jeri Williams, Police Chief; Rob Roshanian, Interim Public Works Director; Matthew Winegar, Development Services Director; Michelle Tellez, Human Resources Director; James Cameron, Chief Financial Officer; Martin Erickson, Deputy City Manager: Todd Housley, Environmental Resources Manager; Christina Aerenlund, Public Information Officer; Michael Henderson, General Services Manager; and Cynthia Daniels, Project Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation by Food Share to the City of Oxnard Wastewater Division.
   DISCUSSION: Karen Jensen, Food Share, recognized the City for contributions to Oxnard Food Share program and especially the Oxnard Wastewater Division.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ed Ellis; Donald Thibeault; Aurelio Ocampo; Martin Jones; Joseph Castasana; Al Perez; Margot Palcios; Claudia Lozano; Gabriela Rodriguez; Johnny Vasquez; Melissa Cantu; Zaira Miranda; Steve Kinney; Frank Lopez; Angela Whitecomb; Paris Whitecomb; Steve Nash; Harry Cortez; Peggy Rivera; Denny Nickerson; and Joseph Lopez.

The Acting City Attorney briefly outlined the reporting of closed session items.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

Public Works Department

1. SUBJECT: Agreements for Waste Disposal at the Simi Valley Landfill between the City of Oxnard and Waste Management of California, Incorporated. (001)
   RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Agreement with Waste Management of California, Incorporated for Closure of Terms and Conditions of Previous Landfill Agreement for a total amount not-to-exceed $1,700,000 (A-7622); and 2) Approve and authorize the Mayor to execute an Agreement for Waste Disposal at the Simi Valley Landfill with Waste Management of California, Incorporated for an estimated annual amount of $4,696,900 based on 130,000 tons disposed per year (A-7618).
   DISCUSSION: The Environmental Resources Manager reviewed the proposed contract, solid waste hauling process, option of rail use, possible use of Chiquita Land-Fill (in Los Angeles County); and types of material hauled to landfill(s). The Interim Public Works Director commented on driving distance to land-fill(s) and need to analyze total costs of all possible land-fill sites.

   Public comments were received from: Steve Cassulo, Chiquita Land-Fill; Scott Tignac, Simi Valley Landfill; Gerard Kapuscik and Darlene Miller.

   The City Council discussed several issues including: adding conditions to the proposed contract; use of hauling trucks; negotiating with Simi Valley Landfill and contract clause regarding closure of County landfill site.

   ACTION: Approved Agreement No. 7622 (part "a" of the recommendation) and have staff negotiate Agreement No. 7618 (part "b" of the recommendation) (Ramirez/Perello). Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

K. REPORTS

Development Services Department

1. SUBJECT: Parking Ordinance and Hourly Fee for Electric Vehicle Charging. (041)
   RECOMMENDATION: 1) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2874** establishing parking regulations for electric vehicle charging on city-owned and operated parking facilities; and 2) Provide direction to staff about changing the hourly rate for electric vehicle charging on city-owned property.
   DISCUSSION: The Project Manager reviewed the selected electric charging system, comparison of other cities systems and parking options.

   Public comments received from: Russell Sydney; Frank Lopez; James Reach; Abel Magana and Steve Nash.

At 9:24 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 9:29 p.m., Mayor Flynn returned to the Council meeting and presided.

The City Council discussed the projected rate fee; benefits to downtown; number of electric vehicles users; and parking locations.

ACTION: Approved as recommended part "a" of **Ordinance No. 2874** and have staff return to Council to report "use" of the system and the "no cost" policy (Padilla/Ramirez). Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

Public Works Department

2. SUBJECT: Verbal Report on the Materials Recycling Facility and Approval of a Resolution Amending Resolution Number 14,427, Authorizing Full-Time Positions in the City Service. (049)
   RECOMMENDATION: Receive a verbal report on the Materials Recycling Facility and approve **Resolution No. 14,439** amending Resolution Number 14,427, authorizing regular full-time positions and the creation of new full-time positions in the City service.
   DISCUSSION: The Environmental Resources Management Superintendent outlined the proposed staffing levels, staff duties and hiring of experienced workers. The Interim City Manager and Human Resources Director reviewed the hiring and selection process.

   Public comments received from: Dan Pinedo; Elizabeth Wolfel and Juan Delago.

   The City Council discussed: the time period to hire personnel; the hiring of experienced workers; and job descriptions.

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

L. PUBLIC COMMENTS ON REPORTS

M. REPORT OF CITY MANAGER

N. CITY COUNCIL

1. SUBJECT: Oxnard College Application for a National Science, Technology, Engineering and Mathematics (STEM) Grant.
   RECOMMENDATION: Receive a verbal report and consider sending a letter of support signed by each Councilmember for Oxnard College's application for a national Science, Technology, Engineering and Mathematics (STEM) grant.
   DISCUSSION: Councilman MacDonald reviewed the proposed letter supporting Oxnard College application and minor assistance from City staff.

   Public comments received from: Frank Lopez; William Terry and Abel Magana.

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

2. SUBJECT: Upcoming Ethics Training Sessions and discussion of times and dates of Workshops
RECOMMENDATION: Discuss the upcoming ethics training session and the times and dates of the workshops.
DISCUSSION: Mayor Flynn commented on the objections of "ethics training" sessions. The Deputy City Manager reviewed possible meeting schedule and the working structure of sessions including posting and public taping of meetings. The Public Information Officer stated the meeting can be streamed "live" and placed for viewing on the local "government" channel.

Public comments received from: Dan Pinedo; William Terry and Darlene Miller.

The Council discussed several issues including: the ethics training workshop process; structure of meeting, involvement of public, Council and staff; taping of meeting; and having public participation.

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

3. SUBJECT: City Attorney Recruitment. (053)
RECOMMENDATION: 1) Name an interim City Attorney and provide appropriate temporary upgrade pay; and 2) Work with Human Resources to either establish a recruitment protocol for a new City Attorney or Council appoint a new City Attorney.
DISCUSSION: The Human Resources Director outlined: 1) the hiring process of a City Attorney; 2) possibility of hiring another (Deputy) attorney within the City Attorney Office; and 3) salary structure.

The Council discussed: various options of the City Attorney appointment; hiring a new Deputy Attorney; and the hiring process.

ACTION: Moved to appoint Stephen Fischer, Acting City Attorney to be Interim City Attorney with staff returning with salary information (Flynn/Ramirez). Ayes: Flynn, Ramirez, MacDonald, Padilla. Noes: Perello.

Moved to start hiring process of City Attorney and an unfilled Deputy City Attorney position (Perello/Flynn). Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

The Council concurred to appoint Mayor Pro Tem Ramirez and Councilman MacDonald to an Ad Hoc committee regarding the appointment of City Attorney.

Moved not to hire a City Attorney until a permanent City Manager is selected (Perello/Flynn). Ayes: Padilla, Perello, Flynn and Ramirez. Noes: MacDonald.

O. STUDY SESSION

P. PUBLIC COMMENTS ON STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from City Clerk (S-1); Development Services Director (S-4), (S-6) & (S-7); Police Chief (S-7); Chief Financial Officer (S-4) and General Services Manager (S-3). Comments were also received from Mayor Pro Tem Ramirez and Councilmember Padilla (S-6).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments received from: Dan Pinedo (S-3) & (S-4); Fran Lopez (S-3), (S-6) & (S-7); and Dan Lechliter (S-7).

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for September 24, 2013; and October 1, 2013. (055)
RECOMMENDATION: Approve.*

City Manager Department

2. SUBJECT: Agreements for City Council Review. (067)
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.

3. SUBJECT: Second Amendment to Agreement with Genuine Parts Company for On-Site Fleet Parts Program. (069)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with Genuine Parts Company dba NAPA Auto Parts (6212-13-CM) from November 1, 2013, to June 30, 2016, for vendor to provide on-site repair parts and tires to City for an estimated amount of $5,370,000, for a total contract amount of $6,000,000 for the three-year contract period from July 1, 2013, to June 30, 2016.

Development Services Department

4. SUBJECT: Change Order No. 8 with Sully-Miller Contracting Co. for Project Specification No. DS12-01, Intelligent Transportation System (ITS) Construction Integration. (073)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute Change Order No. 8 for Project Specification No. DS12-01 with Sully-Miller Contracting Co. (A-7475) to increase the contract amount by $349,167.91 to a total of $3,532,202.03, and extend the expiration date to October 30, 2013 for the ITS Construction Integration Project; and 2) Approve a special budget appropriation in the amount of $174,584 from the Wastewater Operating Fund.

5. SUBJECT: Project Specification No. DS14-04 for Ventura Boulevard Park & Ride Lot, Pedestrian Facilities. (077)
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. DS14-04 to construct a park and ride lot and pedestrian crossing at Ventura Boulevard between Santa Clara Avenue and Nyeland Avenue.

6. SUBJECT: Authorization to Appropriate Revenue from the Public Art Fund. (079)
RECOMMENDATION: Approve the appropriation of $20,000 from the Public Art Fund Balance to hire a Cultural Arts Assistant.**

Police Department

7. SUBJECT: Lease for Police Storefront in the Collections Shopping Center. (081)
RECOMMENDATION: Authorize the Interim City Manager to execute a lease for the establishment of a Police storefront in the Collections shopping center in RiverPark.

Public Works Department

8. SUBJECT: Purchase Order No. 4195 with Aqua-Metric Sales Company. (121)
RECOMMENDATION: Approve and authorize the Mayor to increase the purchase order with Aqua-Metric Sales Company in the amount of $800,000 for Fiscal Year 2013-14 and $800,000 for Fiscal Year 2014-15 for the purchase of water meters and related parts (Purchase Order No. 4195) to cover the costs of the second and third year of the agreement.

9. SUBJECT: Second Amendment to Agreement for Trade Services with Ecology Auto Parts, Inc. for Supplemental Waste Transfer Hauling Services. (127)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Second Amendment to the Agreement with Ecology Auto Parts, Incorporated (A-7380) to increase the amount by $1,300,000 from an agreement value of $1,650,000 to $2,950,000 and to extend the expiration date from February 15, 2014 to February 15, 2015, for supplemental waste transfer hauling services; and 2) Approve a Special Budget Appropriation of $300,000 from the Solid Waste Operating Fund Balance to provide sufficient funding in 2013-14 for supplemental waste transfer hauling service.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with corrections to October 1, 2013 (K-3) minutes* (Ramirez/Padilla). Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald. Noes: MacDonald only S-6.**

N. CITY COUNCIL

The Council discussed several items including activation of Youth Commission; Lifeline funding; information regarding recent residential fire near Five Points intersection; EDCO meeting (recruitment of members and filming issues); Homeless Task Force issues; and "water overdraft" issues.

T. ADJOURNMENT

At 12:29 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem