MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 9, 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 and Dorina Padilla were present. Councilmembr Bert Perello was absent. 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: Karen Burnham, Interim City Manager; Stephen M. Fischer, Assistant City Attorney; James Cameron, Chief Financial Officer; Martin Erickson, Special Assistant to the City Manager; Christina Aerenlund, Public Information Officer; Tara Watson, Systems Administrator; David Endelman, GIS Coordinator and Lyn Bennett, Deputy City Clerk. At 6:15 p.m., Councilmember Perello was present.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

J. APPOINTMENT ITEMS

Finance Department

1. SUBJECT: Budget Study Session – FYs 2013-14 & 2014-15 Two Year Operating Budget. (001)
RECOMMENDATION: Receive a presentation on the FYs 2013-14 & 2014-15 Two Year Operating Budget for the City Council and City Manager's Office.
DISCUSSION: The Interim City Manager reviewed the activities of the City Manager's Office including staff vacancies, Public Information Services, Neighborhood Services, GIS services and legislative information. The Special Assistant to the City Manager outlined reason to response to legislative and grant requests. The Public Information Officer reviewed communications to the community including Spanish translation in the Council Chamber, Community Relations Commission, Neighborhood Services and Government Access Channel. The Systems Administrator and GIS Coordinator commented on computer functions including: the storing of data, creating maps for City activities, maintenance of inter-city computer network, graphic design services, City phone services and review of current computer systems for possible updates.

   Public records were received from: Pete Placencia, William "Bill" Terry, Elliott Gabriel, Eileen Tracy, Larry Stein; Steve Nash; Lucy Cartagena; Rebecca Ralph; Harold Ceja; George Miller; and Jim Lavery.

   The City Council discussed: activity of Neighborhood councils, Spanish translation of Council meetings, use of City's phone/computer systems; maps records requests; flood zone data information; future financial situation of City; staffing of City personnel; community participation on "ad hoc" committees and an evaluation of providing staffing for Councilmembers.

   ACTION: Received report and provided comments to staff.

D. OPENING CEREMONIES

At 7:59 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers convened in the Council Chambers concurrent with 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: Daniel Martinez, City Clerk; Jeri Williams, Police Chief; Rob Roshanian, Interim Public Works Director; Michelle Tellez; Human Resources Director; William "Bill" Wilkins, Housing Director; Michael More, Financial Resources Manager; and Chris Williamson, Principal Planner.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Larry Stein; Patrick Barrios; Dan Pinedo; John Jay; Gloria Roman; and Rebecca Ralph.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

Finance Department

1. SUBJECT: FYs 2013-14 & 2014-15 Two Year Operating and Capital Budget Public Hearing and Consideration for Adoption. (003)
RECOMMENDATION: 1) Conduct a public hearing on the Fiscal Year 2013-14 operating and capital budgets for the City of Oxnard; 2) At the conclusion of the public hearing, at the discretion of City Council, adopt resolutions: (a) approving the City's Fiscal Year 2013-14 Operating and Capital Budgets; (b) authorizing full-time equivalent positions in the City effective July 1, 2013; (c) authorizing the Classification and Salary Schedule effective July 1, 2013; (d) approving the Appropriation Limit for Fiscal Year 2013-14; and (e) approving Financial Management Policies.
DISCUSSION: The Chief Financial Officer reviewed the proposed Fiscal Year 2013-14 budget including sales tax/comparison of other Ventura County cities, revenue projections, staffing levels, internal funds and general fund balance.

   The Interim City Manager commented on factors reviewed regarding the staffing levels of the City. The Financial Resources Manager reviewed membership in Big Independent Cities Excess Pool Joint Powers Authority. The Human Resources Director commented on the recruitment process, staff replacement process, agreement requirements with unions and the time schedule of the hiring progress.

The Council commented on various issues including: staffing levels; management of emergencies (natural disasters); evaluation of vacant positions; priorities of the City Council; insurance liabilities; and use of Measure "O" funds.

Public comments received from: Eileen Tracy; Pat Brown; Sandra Sudac and Patrick Barrios.

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

DISCUSSION: The Council discussed: funding of Performing Arts Center and golf course; Measure "O" funding; employees' salaries; Financial Management Policies; and the Council's 18% reserve policy.

ACTION: The Council concurred to continue to July 16, 2013.

J. APPOINTMENT ITEMS

2. SUBJECT: Oxnard Downtown Management District
RECOMMENDATION: Continue to future date.
ACTION: Council concurred to continue to future date.

K. REPORTS

Public Works Department

1. 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. (157)
RECOMMENDATION: Continue to future date.
ACTION: Council concurred to continue to future date.

I. PUBLIC HEARINGS

Development Services Department

2. SUBJECT: Planning and Zoning Permit Nos. 13-620-01 (General Plan Amendment), 13-580-02 (Zone Text Amendment), and 13-570-02 (Zone Change): Request to Amend the All-Affordable Housing Opportunity Program (AAHOP) Section within the 2006-2014 Housing Element and Supplement Part II, Establish the AAHOP and–AH Additive Zone Designation by Uncodified Ordinance, and add the "–AH" Designation to AAHOP-Designated Parcel Zone Designations. (047)
RECOMMENDATION: 1) Adopt **Resolution No. 14,424** amending Chapter 8 of the 2030 General Plan (PZ 13-620-01); 2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2869** adopting an uncodified ordinance establishing the AAHOP with implementing regulations, and establishing the "–AH" additive zone designation (PZ 13-580-02); and 3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2870** applying the "–AH" additive to AAHOP-designated parcels (PZ 13-570-02).

DISCUSSION: The Principal Planner outlined AAHOP requirements, future projected affordable housing and requested zone designations.

Public comments received from: Eileen Tracy; Pat Brown; Jodie Solorio; Karen Flock; Barbara Macri-Ortiz; Rebecca Ralph; Steve Nash and George Miller.

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

DISCUSSION: The City Council discussed: public outreach, increasing affordable housing stock and responsibilities of landlords.

ACTION: Moved to approve as recommended with direction for additional community outreach (INCF and area community meetings). (MacDonald/Ramirez) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

At 11:02 Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided.

Moved as to the recommended action as to the designation of the Sycamore Village (site A-06) property (Perello/ Padilla) Ayes: Ramirez, MacDonald, Padilla and Perello Abstain Flynn.

At 11:05 p.m., Mayor Flynn returned to the meeting and presided.

HOUSING AUTHORITY

At 11:33 p.m. the joint meeting with Housing Authority concluded.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Council

1. SUBJECT: Discuss and Determine whether to Include on a Future Agenda Closed Sessions for Performance Evaluations of the Interim City Manager and City Attorney.
   DISCUSSION: The Council commented on: the evaluation process of Interim City Manager and City Attorney and possible need to have a closed session regarding the matter.

   The City Attorney discussed legal issues including legal description of Brown Act's "safe harbor", the employee evaluation/disciplinary process.

   Public comments were received from: Ralph James; Greg Runyon Dan Pinedo, Eileen Tracy; Greg Runyon; Steve Nash; and Rebecca Ralph.

   ACTION: Moved to have the City Manager's performance evaluation discussed (Perello/Flynn) Noes: Ramirez, MacDonald and Padilla. Ayes: Flynn and Perello.

2. SUBJECT: Discuss and Determine whether to Include on a Future Agenda Items to Consider Legal Actions Regarding $300 Per Month Supplemental Post-Retirement Benefit and Personal Loan made to Former City Manager in 1998.

DISCUSSION: Councilmember Perello requested that past closed session discussions regarding the $300 benefit be made public.

The Assistant City Attorney reviewed the legal (Brown Act) guidelines

Public comments were received from: Steve Nash.

The Council debated the issue of discussing the $300 retirement benefit during a closed session.

ACTION: Move to have the Assistant City Attorney start the process to collect the $300 retirement benefit. Ayes: Perello and Flynn. Noes; MacDonald and Padilla. Abstain: Ramirez (motion failed). Moved to have a closed session to discuss the $300 retirement benefit. (Ramirez/Flynn) Ayes: Padilla, Perello, Flynn and Ramirez. Noes; MacDonald

City Clerk Department

3. SUBJECT: Agreement for Publication of Legal Notices and Legal Advertisements. (183)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Ventura County Star Newspaper (A-7599) for the publication of legal notices and legal advertisements for fiscal year (FY) 2013-14.
DISCUSSION: The City Clerk outlined the selection process and the recommendation by the committee to select the Ventura County Star Newspaper. The Housing Director commented on requirements of having a daily newspaper by HUD.

Public comments were received from: Margie Cochrone and Pat Brown

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

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 Manager Department

1. SUBJECT: Agreements for City Council Review. (193)
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.

Development Services Department

2. SUBJECT: Appropriate Funds for the "Victoria Route Transit Stops" Project. (197)
RECOMMENDATION: 1) Recognize and appropriate the federal Congestion Mitigation and Air Quality Impact Mitigation (CMAQ) grant in the amount of $375,000 to "Victoria Route Transit Stops" Project No. 133108; and 2) Reverse the appropriation of $264,700 from the Transportation Development Act Capital Improvement Project (TDA) Fund for transit stops serving the three-year demonstration bus route on Victoria Avenue and Channel Islands Boulevard operated by Gold Coast Transit.

3. SUBJECT: Overweight Vehicle Ordinance. (201)
RECOMMENDATION: Approve first reading by title only and subsequent adoption of an ordinance adding Division 3 of Article III of Chapter 19 to the Oxnard City Code concerning use of City streets by overweight vehicles.

Finance Department

4. SUBJECT: First Amendment to Agreement with York Risk Services Group – California, Inc. (209)
RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to Agreement with York Risk Services Group – California, Inc. No. (5868-12-FN) for claims adjustment services to increase the contract amount by $180,000 to a total of $360,000 and extend the contract term to June 30, 2014.

Public Works Department

5. SUBJECT: Project Specification PW03-18 Hueneme Road Improvement Project. (229)
RECOMMENDATION: 1) Approve Project Specification No. PW03-18 for the design and construction of road widening and pavement resurfacing, sidewalk, curb and gutter, replacing street name signs, storm drain repair, railroad crossing upgrades, and water main replacement along Hueneme Road from Saviers Road to Arcturus Avenue and to authorize staff to solicit bids; and 2) Approve an appropriation in the amount of $3,805,268 for the construction of the Hueneme Road Improvement Project per the attached Special Budget Appropriation (SBA).

6. 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. (235)
RECOMMENDATION: Remove from agenda.

7. SUBJECT: Second Amendment to Agreement for Yard Trimmings and Wood Waste Processing Services between the City of Oxnard and Republic Services of Oxnard, Inc. (239)
RECOMMENDATION: Remove from agenda.

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

L. REPORT OF CITY MANAGER

The Interim City Manager announced "WiFi" service at all City libraries and received letter from FEMA that flood insurance policies would be lower due to a recent rating from the National Flood Insurance Program (community rating system).

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed: the status of the selection process of the City Manager; Curtis Cannon, former Redevelopment Director; dust at the Dallas Cowboy camp; and placement of the "ethics" agenda item.

T. ADJOURNMENT

At 1:01 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem