MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 28, 2015

A. ROLL CALL/POSTING OF AGENDA

At 4:36 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 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 Maria Hurtado, Assistant City Manager; Stephen Fischer, Interim City Attorney; Scott Whitney, Interim Assistant City Manager; Michael More, Financial Services Manager; Martin Erickson, Deputy City Manager; Ashley Golden, Development Services Director; Daniel Rydberg, Interim Public Works Director; Grant Dunne, Management Analyst and Lyn McGraw, Deputy City Clerk.

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 by Plyometric Fusion Track Club (Kathleen Nelson, Finagalo Nelson, Robert Hernandez, Desiree Hernandez and Santino Aina), followed by a moment of silence

E. CEREMONIAL CALENDAR

1. SUBJECT: Resolution Commending Vickie Swainson for 31 Years of Outstanding Service to the City of Oxnard. (001)
   DISCUSSION: Grant Dunne, Management Analyst, remarked on the career of Ms. Swainson commented on her career activities and joy of working at the City.
   ACTION: Moved to approve **Resolution No. 14,854** (Perello/Padilla) unanimously.

2. SUBJECT: Special Olympics Gifts.
   DISCUSSION: Mayor Pro Tem Ramirez presented gifts that were received from teams participating in Special Olympics and being assisted by local Oxnard organizations.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Jim Nelson; Larry Stein; Steve Nash; Felipe Flores and Miguel Lopez.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim City Attorney (I-1) and Financial Services Manager (I-3(c)).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments received from: Larry Stein (I-3(c)), (I-4) and (I-5).

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Attorney Services Agreement for Special Counsel for Mladen Buntich Construction Company Litigation. (003)
RECOMMENDATION: Approve and authorize the Mayor to execute an Attorney Services Agreement ("Agreement") in a sum not to exceed $500,000 with Hunt Ortmann Palffy Nieves Darling & Mah, Inc. ("Hunt Ortmann") (A-7795) for services relating to litigation with Mladen Buntich Construction Company.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for May 12 and 19, 2015. (029)
RECOMMENDATION: Approve.

City Manager Department

3. SUBJECT: Agreements for City Council Review. (041)
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

4. SUBJECT: Second Reading of **Ordinance No. 2892** of the City Council of the City of Oxnard adding Section 14-80 of Article XXIV to the Municipal Code relating to expedited permitting procedures for small residential rooftop solar systems. (045)
RECOMMENDATION: Second reading and adoption.

5. SUBJECT: Second Reading of **Ordinance No. 2893** Amending Chapter 19, Article III, Section 220 of the Oxnard City Code Relating to Waiver of Encroachment and Inspection Fees for Replacement of Parkway Turf. (051)
RECOMMENDATION: Second reading and adoption.

6. SUBJECT: Planning & Zoning Permit No. 05-300-8 (Final Map for Phase 1 of Tract No. 5592-01) to Subdivide 37.5-acres of the 90.26 acres of Tract 5592 for Property Located at the Northeast Corner of West Fifth Street and Harbor Boulevard. Filed by John Mellon with MPL Property Holdings, LLC. (055)
RECOMMENDATION: Adopt **Resolution No. 14,855** approving Planning and Zoning Permit No. 05-300-08 (Final Map for Phase 1 of Tract No. 5592-01), for property located at the northeast corner of Harbor Boulevard and West Fifth Street.

Police Department

7. SUBJECT: Approval of Agreements with participants in the Oxnard Police Tow Program. (109)
RECOMMENDATION: Authorize the City Manager to sign agreements for Towing Services with the participants in the Oxnard Police Garage program: Airport Towing (A-7799), Bob's Towing (A-7800), McCarty and Sons Towing (A-7801), McCulloch Towing (A-7802), Nachos Towing (A-7803), Owl Towing (A-7804), Oxnard Towing (A-7805) and Payless Towing (A-7806).

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

K. APPOINTMENT ITEMS

L. REPORTS

City Manager Department

1. SUBJECT: License Agreement for Temporary Storage of Parking New Automobiles at Del Norte. (553)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a month-to-month License Agreement for up to a one year period with Global Auto Processing Services, Incorporated (GAPS) (A-7818) for the temporary storage of new automobiles on a City vacant lot at the southeast corner of Del Norte Boulevard and Fifth Street next to the Del Norte Regional Recycling and Transfer Station (Del Norte Facility); and 2) Approve a budget appropriation recognizing revenue from permit fees for the temporary storage of parking new automobiles by GAPS in the amount of $203,040 to the Environmental Resources Operating Fund.
ACTION: Approved as recommended. (MacDonald /Padilla). Ayes: Ramirez, MacDonald, Padilla and Perello. Absent: Flynn.

Utilities Department

2. SUBJECT: Agreement with Calleguas Municipal Water District for Construction and Use of Salinity Management Pipeline Temporary Discharge Service Connection for City of Oxnard. (569)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Calleguas Municipal Water District (A-7814) for use of the Salinity Management Pipeline as a recycled water conveyance distribution system to agricultural users on the Oxnard Plain.
DISCUSSION: The Interim Public Works Director reviewed projected "water" use/costs including agricultural use and mixed "use" from several "water" sources.

Susan Mulligan, General Manager of Calleguas Water District, discussed Oxnard "water" activities and being "open" to future activities.

Public comments received from: Larry Stein and Steve Nash.

The City Council discussed representation of the City, water costs and future potable "water" use from recycled water.

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

3. SUBJECT: Agreement with the County of Ventura for the Proposition 84, 2014 Drought Round Integrated Regional Water Management Subgrant for the Groundwater Replenishment and Reuse Project. (705)
   RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Proposition 84, 2014 Drought Round Integrated Regional Water Management Subgrant Agreement for the Groundwater Replenishment and Reuse Project (A-7813) in the amount of $1,730,050; and 2) Approve a budget appropriation in the amount of $1,730,050, recognizing the grant award of $1,109,250 and providing matching funds from the Water Operating Fund Balance in the amount of $620,800 to the GREAT ASR Well Project 116505.
   DISCUSSION: The Interim Public Works Director remarked on the process of "water" pumping into the ground.

   Public comment received from: Larry Stein.

   The City Council discussed funding sources and water recovery.

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

At 5:50 p.m., Councilmember Perello left the meeting due to possible conflict of interest.

4. SUBJECT: Approval of Responsible Responsive Bid and Authorization to Issue and Execute a Contract for UD15-09- South Bank Neighborhood Street Resurfacing Project. (785)
   RECOMMENDATION: Award contract to the responsible and responsive bidder, All American Asphalt, (A-7812) in the amount of $911,020 for UD15-South Bank Neighborhood Street Resurfacing Project, and authorize the purchasing agent to execute the contract upon receipt of final documents.
   DISCUSSION: The Interim Public Works Director reviewed the "bidding" process and schedule of other projects.

   Public comment received from: Jackie Tedeschi.

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

At 5:56p.m. Councilmember Perello returned to meeting.

5 SUBJECT: First Amendment to Agreement for Professional Services with Prousys, Inc. for Supervisory Control and Data Acquisition Systems Support Services for the Water, Wastewater and Recycled Water Systems. (843)
   RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to Agreement with Prousys, Inc. (A-7612) increasing the contract amount from $600,000 to a total not to exceed amount of $900,000, for three years of Supervisory Control and Data Acquisition (SCADA) systems support services for the Water, Wastewater and Recycled Water Systems.
   DISCUSSION: The Interim Public Works Director commented on upgrading of equipment at the Utility Plant creating more efficiency.

   Public comment received from: Larry Stein.

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

6. SUBJECT: Agreement for Consulting Services with AECOM Technical Services, Inc. for the Wastewater Treatment Plant Improvements Design Project. (857)
RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement for Consulting Services with AECOM Technical Services, Inc. (A-7815) in the amount of $218,475 for the Wastewater Treatment Plant Improvements Design Project Initial Phase.
DISCUSSION: The Interim Public Works Director stated this would be to start the design work and an upgrade of equipment at the Utility Plant creating more efficiency.

Public comment received from: Larry Stein.

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

RECESS

At 6:09 p.m., the City Council recessed and at 6:16 p.m., the City Council reconvened.

O. PUBLIC COMMENTS ON REPORTS

J. PUBLIC HEARINGS

ACTION: Mayor Pro Tem Ramirez declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and that there were one written communications received.

Development Services Department

1. SUBJECT: Planning and Zoning Permit (PZ) Nos. 11-300-07 (Tentative Subdivision Map for Tract No. 5745); 13-670-01 (First Amendment to Development Agreement Amendment); and Certification of Final Supplemental Environmental Impact Report (SEIR) No. 2014-01 for property bounded by Highway 101, Oxnard Boulevard, Union Pacific Railroad and North Ventura Road, commonly referred to as Wagon Wheel and/or The Village. Filed by Oakwood Communities, Inc., 64 Maxwell, Irvine, California 92618. (287)
RECOMMENDATION: 1) Adopt **Resolution No. 14,856** certifying Supplemental Environmental Impact Report (SEIR) No. 2014-01 for Tentative Subdivision Map for Tract No. 5745; 2) Adopt **Resolution No. 14,857** approving Planning and Zoning Permit No. 11-300-07 (Tentative Subdivision Map for Tract No. 5745), subject to certain findings and conditions; and 3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2894** approving Planning and Zoning Permit No. 13-670-01 (First Amendment to Development Agreement A-7122) for the Village Specific Plan.
DISCUSSION: The Development Services Director outlined the approved development plan, site design, "water" supply, river "levee" improvements, EIR improvement and development amendment requests.

Carl Renezeder and Tony Talamante, Wagon Wheel Project, reviewed development "amendments" requests and community improvements including parks, roads and the river "levee" and future vision of the project.

Public comments were received from: Pat Brown and Larry Stein.

ACTION: Close the public hearing. (Perello/MacDonald) unanimously.

DISCUSSION: Gerard Kapuscik, Ventura County Public Works Agency, reviewed future "map" revision and closing of the "levee" gap.

The City Council commented on: Planning Commission actions; river "levee" improvements (flood protection); golf course fees; EIR update requirements; Rio School District's "development" position and the former Wagon Wheel signage.

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

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

Utilities Department

1. SUBJECT: Verbal Presentation of Utilities Rate Options.
RECOMMENDATION: Receive the Report and provide staff with direction on the rate setting process.
DISCUSSION: The Interim Public Works Director reviewed possible "utilities" rate options and possible implementation "rate" schedule.

Steve MacDonald, Project Manager (Carollo Engineers), outlined two wastewater rehabilitation options, benefits of construction of new wastewater plants, cost comparison between rehabilitation and construction, possible rate increase and comparison with other State communities.

Public comments were received from: Larry Stein; Pat Brown; Jim Lavery; Steve Nash and George Miller.

The City Council discussed: past management actions, providing "safe" water to the community, and having a "water" assistance program.

The City Manager reviewed current situation due to past practices.

ACTION: The City Council provided comments to staff.

M. REPORT OF CITY MANAGER

1. SUBJECT: Verbal Report of Implementation Action Plan Agreements.
RECOMMENDATION: Receive the report on an agreement with NBS in the amount of $100,000 for landscape maintenance district analysis executed by the City Manager pursuant to the authority delegated through City Council Resolution No. 14,743.

DISCUSSION: The City Manager reported that funds were used for landscape districts, Downtown improvements, use of recycled "water" at golf course and supporting community events.

Public comment received from: Larry Stein.

ACTION: The City Council received the report.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: local activities including Sister City Visitation, Salsa Festival, Special Olympics events, upcoming Cowboys Camp and Disaster preparedness program.

R. ADJOURNMENT

At 8:59 p.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

CARMEN RAMIREZ
Mayor Pro Tem

Lyn McGraw

LYN MCGRAW
Deputy City Clerk