MINUTES

OXNARD CITY COUNCIL
Regular Meeting
January 8, 2013

A. ROLL CALL/POSTING OF AGENDA

At 5:32 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers Councilmembers Tim Flynn, Bryan A. MacDonald, and Dorina Padilla were present. Mayor Pro Tem Carmen Ramirez 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: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; Grace Magistrale Hoffman, Deputy City Manager; and James Cameron, Chief Financial Officer.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:33 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957(b)(1), to discuss action to be taken with respect to the position of the City Manager due to the expiration of the City Manager Edmund F. Sotelo's contract on February 28, 2013.

At 5:45 p.m., Mayor Pro Tem Ramirez was present.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(a), to confer with its attorneys. The title and case number of the litigation discussed is James Blanchard v. Edmund Sotelo, Oxnard Fire Department, Chief Randy Milligan [sic], et al. Ventura County Superior Court Case No. 56-2011-00403332-CU-WM-VTA

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(b)(3)(c), 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 number 155 on file with the City Clerk, which is available for inspection at the City

D. OPENING CEREMONIES

At 7:07p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission Successor Agency. 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: Jeri Williams, Police Chief; Rob Roshanian, Interim Public Works Director; William "Bill" Wilkins, Housing Director; Eric Sonstegard, Police Commander; Lou Balderrama, City Engineer; Grant Dunne, Environmental Resources Management Analyst; Anthony Emmert, Water Resources Manager; Sue Martin, Planning and Environmental Services Manager; and Kymberly Horner, Interim Redevelopment Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Employee of the Fourth Quarter 2012
   ACTION: Mayor Flynn presented a plaque and check to Barbara Wulf

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Inez Tuttle; Martin Jones; Saul Medina; Pedro Vazquez; William Terry; Sergio Lagunas; Dick Jaquez; Harold Ceja; Morey Navarro; Mario Quintana; Dan Pinedo; Lizette Cuevas; Rudy Salvio; Jaime Melgoza; and Pat Brown.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from Interim City Manager and City Attorney (L-1); Police Commander (I-G, H, I); Interim Public Works Director and Environmental Resources Management Analyst (I-2, & I-3); City Engineer (I-4); and Water Resources Manager (I-5 & I-6).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: William Terry (I-2, I-6); Steve Nash (I-1, I-2, I-3, I-4, I-5, I-6); Inez Tuttle (I-4); Jeanne Benitez (I-2, I-3); Orlando Dozier (I-2 & I-4); Patty Brown (I-2); Bert Perello (I-6); Pat Brown (I-4 & I-6); and Gerard Kapusck (I-2 & I-3).

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (001)
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.

Public Works Department

2. SUBJECT: Second 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. (005)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement for the management and operation of the Del Norte Facility with Republic Services of Oxnard, Inc. (A-7465) to extend the contract expiration date to January 31, 2014.

3. SUBJECT: First Amendment to Agreement for Yard Trimmings and Wood Waste Processing Services between the City of Oxnard and Republic Services of Oxnard, Inc. (009)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement for Yard Trimmings and Wood Waste with Republic Services of Oxnard, Inc., (A-7517) to extend the contract expiration date to January 31, 2014.

4. SUBJECT: Approval of Award to All American Asphalt for PW 10-05 Wooley Road Arterial Resurfacing Project. (013)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute Contract with All American Asphalt (A-7555) in the amount of $3,920,000 for Project Specification Number 10-05 for pavement resurfacing, sidewalk, curb and gutter repair, replacing street name signs and improvement to railroad crossings on Wooley Road from Victoria Avenue to Rose Avenue; and 2) Approve a Special Budget Appropriation recognizing Caltrans for Surface Transportation Act (STA) federal aid grant funding in amount of $3,488,834.

5. SUBJECT: Agreement with Layne Christensen Co. for Well Nos. 22, 32, & 33 Repair and Maintenance. (041)
RECOMMENDATION: Approve and authorize the Mayor to execute Contract with Layne Christensen Co. (A-7553) in the amount of $489,041 for Project Specification Number 12-16 for Well Nos. 22, 32 and 33-Repair and Maintenance.

6. SUBJECT: First Amendment to Water Supply Agreement between the City of Oxnard and Procter & Gamble Paper Products Company. (081)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Water Supply Agreement between the City of Oxnard and Procter & Gamble Paper Products Company (A-6168) to extend the expiration date to December 31, 2014.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with I-2 and I-3 being six month agreements. (MacDonald/Ramirez) Ayes: Ramirez, MacDonald, Padilla, and Flynn.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending November 30, 2012. (085)
RECOMMENDATION: Receive Report.
DISCUSSION:
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 12-580-01 (Zone Code Text Amendment), Regulations Concerning Operation of Mobile Food Facilities, Citywide.
RECOMMENDATION: Continue to February 26, 2013.
DISCUSSION: The Planning and Environmental Services Manager review the process of contacting the community including restaurants, mobile truck operators and neighborhoods.

Comments were received from: Steve Nash; Abel Magana; Bert Perello; Morey Narvarro; Saul Medina; and Alejandro Rivera.

The Council discussed the option to send issue back to the Planning Commission, information needed to make a discussion, and the need for County involvement.

ACTION: The Council concurred to return to Planning Commission.

ACTION: Mayor Flynn declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and no written communications were received.

Housing Department

2. SUBJECT: Extremely Low- to Low-Income Needs Assessment – FY 2013-2018 Consolidated Plan and FY 2013-2014 Annual Action Plan. (103)
RECOMMENDATION: Conduct a public hearing to receive comments and provide direction to staff concerning unmet needs of extremely low to low-income persons for housing, community development, and homelessness.
DISCUSSION: The Housing Director reviewed the Annual Action Plan including the goals, available funds, use of resources and public outreach programs.

Comments were received from: Ron Mulvihill; Karen Flock; Peggy Rivera; Monica De La Haya; and Eileen Tracy.

Councilmembers discussed several issues including property zoning, density issues, individuals with mental health issues, homeless individual(s)/families and the need to work with other public agencies.

ACTION: Close the public hearing. (MacDonald/Ramirez). The City Council conducted a public hearing to receive comments and provide directions to staff.

M. REPORT OF CITY MANAGER

1. SUBJECT: Verbal Report on Oxnard Community Development Commission Successor Agency and Status of Redevelopment Activities in the City of Oxnard.
RECOMMENDATION: Receive and consider report.
DISCUSSION: The Interim Redevelopment Services Manager updated the status of Wagon Wheel project, housing funds, and other ROPS items being reviewed by the State. She commended on Successor Agency staffing, administration costs, project costs and impact of past redevelopment transactions.

Comments were received from: Bert Perello; Jim Lavery; Eileen Tracy; and Steve Nash.

The Council discussed staffing, administration costs, audit report and impact to community.

ACTION: Received verbal report.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 11:27 p.m., the concurrent meetings with the Community Development Commission Successor Agency concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Clerk Department

1. SUBJECT: Filling a City Council Vacancy. (109)
RECOMMENDATION: 1) Adopt **Resolution No. 14,292** appointing a person to fill the City Council vacancy; or 2) Adopt a resolution calling for a special election for the position of City Council member to be held on June 4, 2013; and 3) Adopt **Resolution No. 14,293** establishing rules to govern submission by candidates of candidate statements calling for a special election to be held on June 4, 2013.

DISCUSSION: The City Clerk and City Attorney commented briefly on the options of appointing or electing a Councilmember.

Councilmembers discussed the importance of having an election rather than an appointment of a Councilmember.

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

City Council

2. SUBJECT: Mayor's Letter on Fiscal Management for City Council Consideration - Mayor Flynn (117)
DISCUSSION: Councilmembers provided comments regarding the Mayor's letter.

Comments received from: Bert Perello.

ACTION: The selection of January 29, 2013 and February 19, 2013 as strategic workshop dates (Flynn/Ramirez) Ayes: Ramirez, MacDonald, Padilla and Flynn.

O. REPORTS

City Manager Department

1. SUBJECT: Update on 2012 City Council Strategic Planning Workshop Initiatives. (119)
RECOMMENDATION: Receive a report and provide comments on the tactical plans, implementation and status of the strategic initiatives identified by the Members of the City Council during the City Council Strategic Planning Workshop held on February 28-29, 2012.
ACTION: Continue to future date.

Finance Department

2. SUBJECT: Annual Report for Development, Connection and Improvement Fees for the Year Ended June 30, 2012. (157)
RECOMMENDATION: Receive and file the Annual Report for Development, Connection and Improvement Fees for the year ended June 30, 2012 in accordance with Government Code Section 66006.
DISCUSSION: The Chief Financial Officer reviewed fees report regarding parks, storm drains, traffic impact, capital growth (residential/non-residential), water system, and waste water.

ACTION: Received, filed and provided comments.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

1. SUBJECT: Oxnard Convention and Visitors Bureau (OCVB) Annual Report and Dallas Cowboys Economic Impact.
RECOMMENDATION: Receive verbal report and provide comments.
ACTION: Continue to future date.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council requested future information regarding: a possible "gun buy-back" program, Lifeline program, procedure for recruitment of a City Manager and changing the start time of Council meetings.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 12:32 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor