MINUTES

OXNARD CITY COUNCIL
Regular Meeting
January 14, 2014

A. ROLL CALL/POSTING OF AGENDA

At 5:02 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission Successor Agency. 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; and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:03 p.m. the City Council and Successor Agency 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 City of Bellflower, et al. v. Ana Matosantos, et al., Sacramento County Superior Court Case No. 34-2012-80001269.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.

At 6:02 p.m. the City Council and Successor Agency reconvened and the Interim City Attorney reported on directions received from the City Council and Successor Agency.

D. OPENING CEREMONIES

At 6:03 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission Successor Agency and 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: James Cameron, Chief Financial Officer; James Williams, Fire Chief; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Jason Benites, Assistant Police Chief; Lou Balderrama, City Engineer; Chris Williamson, Principal Planner; Todd Housley, Environmental Resources Manager and Ruth Hopkins, Housing Project Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Steve Nash; Jim Mitstead; Terry Rosinson; Mario Quintana; Derek Doler; Ralph James; Theadora Daritt-Cornyn; Orlando Dozier; George Sorkin; Dan Pinedo; Darlene Miller and Juan Delgado.

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: Issuance of Housing Authority Multifamily Housing Revenue Bonds for Terraza de Las Cortes Project. (019)
RECOMMENDATION: 1) Hold a public hearing regarding the issuance of up to $12,000,000 of multifamily housing revenue bonds by the Housing Authority to finance the construction and development by Terraza de Las Cortes, L.P., of the Terraza de Las Cortes Project; and 2) Adopt **Resolution No. 14,451** approving the issuance of bonds by the Housing Authority for the purpose of financing the Terraza de Las Cortes Project.
DISCUSSION: The Housing Project Manager outlined the request of "issuing bonds" for Los Cortes Project; "in-lieu" account balance; and stated there was "no" City liability for bonds.

   Public comments were received from Butch Gray.

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

S. INFORMATION/CONSENT AGENDA

Housing Department

8. SUBJECT: Property Exchange Agreement between the City of Oxnard and the Housing Authority of the City of Oxnard exchanging City Property commonly referred to as APN 201-0-090-115 ("City Property") for a portion of Housing Authority Property commonly referred to as APN 201-0-080-020 and APN 201-0-100-020 ("Authority Property"). (225)
RECOMMENDATION: Approve the Property Exchange Agreement and authorize the Mayor and the Chairperson to execute the Property Exchange Agreement between the City and the Housing Authority.

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

HOUSING AUTHORITY

At 6:59 p.m., the joint meeting with the Housing Authority concluded.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

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.

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 13-580-03 (Zone Text Amendment), Amendment to City Code Section No. 16-177 of the Business and Research Park Zone. Filed by Colby Young, Pacifica L32, LLC, 1775 Hancock Street, Suite 200 San Diego, California 92110. (001)
   RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance approving Planning and Zoning Permit No. 13-580-03 (Zone Text Amendment) amending City Code Section 16-177 to allow "Residential Care Facilities for the elderly when compatible with the surrounding land uses" as a related use within the Business and Research Park (BRP) zone.
   DISCUSSION: The Principal Planner reviewed the proposed amendment zone change for a "residential care facility" at the site.

   Colby Young, Pacifica Senior Living, commented on security of the proposed facility, estimated cost to live at the proposed facility and other aspects of living at the facility.

   The Council discussed several issues including zoning of proposed site, the entities of the living facility (security and medical assistance) and being near the highway.

   Public comments were received from George Miller.

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

J. APPOINTMENT ITEMS

K. REPORTS

Development Services Department

1. SUBJECT: Review of Northeast Community Specific Plan (NECSP) Environmental Impact Report (EIR) Fire Station Mitigation. (025)
   RECOMMENDATION: Receive and file a report reviewing the sequence of California Environmental Quality Act (CEQA) documents and actions related to NECSP EIR mitigation measure PS-1, construction of a fire station.
   DISCUSSION: The Principal Planner outlined the NSCSP development and changes to Fire Station requirements.

   The Fire Chief commented on the response of Firefighters; housing building requirements and the success of the smoke/CO detector program.

   Public comments were received from: Larry Stein.

   The Council discussed: location of fire stations; cost of building a fire station; services provided by Fire Department and future community development.

   ACTION: Receive report and provided comments.

Finance Department

2. SUBJECT: Comprehensive Annual Financial Report for Fiscal Year 2012-13. (067)
RECOMMENDATION: Receive and file the City of Oxnard Comprehensive Annual Financial Report (CAFR) for Fiscal Year (FY) 2012-13.
DISCUSSION: The Chief Financial Officer reviewed the CAFR including local job data, credit card use, grant receivables, use of service fund, past actions of Councils and improvements in national economy.

Public comments were received from: Larry Stein, Jim Lavery and George Miller.

The Council discussed: the service level to the community; funding of the golf course and PAC; City liabilities; bond rating and the time to have a "public" report available.

Councilmember Perello stated for the record "the auditor was not present during the report."

ACTION: The City Council provided comments and directions to staff.

L. PUBLIC COMMENTS ON REPORTS

1. SUBJECT: Verbal Update on the Materials Recycling Facility (MRF).
RECOMMENDATION: Receive and consider verbal report.
DISCUSSION: The Environmental Resources Manager updated the MRF transformation process including hiring of personnel, evaluation of equipment, data information and updating the lighting of facility.

The Council discussed several issues including: 1) the need to have community educational goals (more high school & college degrees within the community); 2) providing information to the community; and 3) receiving new equipment at MFR.

ACTION: The City Council provided comments and directions to staff.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 9:52 p.m., the joint meeting with the Community Development Commission Successor Agency concluded.

L. REPORT OF CITY MANAGER

1. SUBJECT: Correspondence from the Mayor. (Mayor Flynn). (073)
DISCUSSION: Mayor Flynn discussed several issues including services provided to community, City Manger/City Attorney selection process, and District Attorney's investigation findings.

The City Attorney cautioned Mayor Flynn regarding any "action" that may be taken by the City Council.

Public comments were received from: Larry Stein, Francine Castanon and Juan Delgado.

The Council discussed: the selection process of the City Manager/City Attorney; educational issues (including meetings with school agencies), and working with staff to move issues forward.

ACTION: Councilmembers provided comments to staff.

O. STUDY SESSION

P. PUBLIC COMMENTS ON STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: City Clerk (S-1); Community Development Director (S-4); Human Resources Director/Chief Financial Officer (S-9) and City Engineer (S-12).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Pat Brown (S-4).

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for November 19, December 3 and 10, 2013; Minutes of the Special Meeting of the Oxnard City Council for July 23, and December 2, 2013. (075)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (105)
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

3. SUBJECT: Vacation of a Public Service Easement within the Artisan Apartment Project Located at the Southeast Corner of Gonzales Road and Williams Drive. (109)
RECOMMENDATION: Adopt **Resolution No, 14,452** vacating the public service easement for waterline purposes recorded as document 20120813-00142116-0.

4. SUBJECT: Planning and Zoning Permit No. 13-682-01 (Ventura County Point of Interest No. 10) Former Colonial House Motel and Restaurant site, 701-747 N. Oxnard Blvd. Filed by Coastal Architects 505 S. A Street, Suite 200 Oxnard, CA 93030. (113)
RECOMMENDATION: Adopt **Resolution No, 14,453** upholding the City of Oxnard Cultural Heritage Board's recommendation to designate property known as the former Colonial House Motel and Restaurant site, located at 701-747 North Oxnard Boulevard, as Ventura County Point of Interest No. 10.

5. SUBJECT: Request for Cooperative Work Agreement with the California Department of Finance (DOF) for Funding for the Rice Avenue/Santa Clara Avenue Interchange Improvements at U.S. Highway 101. (149)
   RECOMMENDATION: Approve and authorize the Mayor to execute the request for a time extension to June 30, 2016 as a cooperative work agreement (CWA) with the California Department of Finance (DOF) in the amount of $1,611,941 for the Rice Avenue/Santa Clara Avenue Interchange Improvements at U.S. Highway 101.

6. SUBJECT: Agreement for On-Call Traffic Engineering Services. (153)
   RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with RBF Consulting, A Baker Company (6332-13-DS) in an amount not to exceed $700,000 for on-call traffic engineering services.

7. SUBJECT: Ordinance Regarding Building Regulations. (171)
   RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No 2879** repealing and reenacting Articles II through XI, XV, and XVI of Chapter 14 of the Oxnard City Code, pertaining to the California Building Code, California Residential Code, California Green Building Standards Code, International Property Maintenance Code, Uniform Code for the Abatement of Dangerous Buildings, California Historical Building Code, California Electrical Code, California Existing Buildings Code, California Mechanical Code, California Referenced Standards Code, California Plumbing Code, Fire Codes, and Fire Sprinklers.

Human Resources Department

9. SUBJECT: Inclusion of Pay Rates for City Manager and City Attorney in Posted Compensation Plan. (235)
   RECOMMENDATION: Approve and authorize the inclusion of the pay rates for the City Manager and the City Attorney in the City's posted compensation plan beginning with fiscal year 2009-10 as attached.

Police Department

10. SUBJECT: Police Storefront Project at 5240 Seaglass Way (RiverPark/Collections). (241)
    RECOMMENDATION: 1) Approve and authorize the City Manager to execute a contract in the amount of $187,020 for tenant improvements to a police substation located at 5240 Seaglass Way, Oxnard, pursuant to the terms in the existing lease agreement (A-7623); and 2) Approve a special budget appropriation in the amount of $335,000 from fund balance in Riverpark Community Facilities District to cover expenditures for tenant improvements and purchases of infrastructure, equipment, and furnishings.

Public Works Department

11. SUBJECT: Watersheds Coalition of Ventura County Proposition 84 Integrated Regional Water Management Plan Implementation Grant Round 1 Ventura County Regional Urban Landscape Efficiency Project. (245)
    RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Proposition 84 Integrated Regional Water Management Subgrant Agreement (Agreement No. A-7634) in the amount of $1,462,418 with the County of Ventura on behalf of the Watersheds Coalition of

Ventura County for the component project Ventura County Regional Urban Landscape Efficiency Program; 2) Approve and authorize the Mayor to execute the Proposition 84 Ventura County Regional Urban Landscape Efficiency Program Project Participant Agreement (A-7531) with the City of Camarillo, City of Simi Valley/Ventura County Waterworks District Number 8, Camrosa Water District, Casitas Municipal Water District, and Ventura County Water Works Districts Numbers 1, 17 19 and the Lake Sherwood Community Services District; and 3) Authorize the City Manager to appropriate the required budgets consistent with the grant requirements including $228,000 from the Water Fund Balance.

12. SUBJECT: Approval of Award of Contract to Granite Construction Company for PW13-08 Victoria Avenue Improvement Project. (357)
RECOMMENDATION: Approve and authorize the Mayor to execute Contract with Granite Construction Company (A-7626) in the amount of $867,399 for Project Specification No. PW13-08 for the construction of sidewalk and drainage improvements and modification of striping to provide for three Northbound through lanes and a bike lane along Victoria Avenue from Gonzales Road to Gum Tree Street.

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

L. REPORT OF CITY MANAGER

The Interim City Manager stated that staff would investigate having a ribbon-cutting ceremony for the MRF and updated the Council on "utility assistance" program.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Councilmembers commented on: upcoming Martin Luther King Jr. march/event; future discussion of funding "cultural arts" activities; train service along coast (MacDonald); visit to the former Halaco site; information needed on Agromin site at Ormond Beach; and needed information on "waste" injection well on the Oxnard plain.

T. ADJOURNMENT

At 11:07 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor