MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 16, 2013

A. ROLL CALL/POSTING OF AGENDA

At 5:02p.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; Rahsaan Tilford, Deputy City Attorney; and Martin Erickson, Special Assistant to the City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Steve Nash.

C. CLOSED SESSION

At 5:05 p.m., the City Council recessed to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The titles and case numbers of the litigations being discussed are: The Estate of Alfonso Limon, Jr., et al. v. City of Oxnard, et al. United States District Court, Case No. CV13-01961SS; and City of Oxnard v. Procter & Gamble, et al. VCSC Case No. 56-2012-00428233-CU-BC-VTA.

At 6:07 p.m., the City Council reconvened and recessed.

D. OPENING CEREMONIES

At 6:08 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: Jeri Williams, Police Chief; Rob Roshanian, Interim Public Works Director; James Cameron, Chief Financial Officer; William "Bill" Wilkins, Housing Director; Michael Henderson, General Services Manager; Kymberly Horner, Interim Redevelopment Services Manager.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Mary Anne Rooney; Martin Glatt; Ken Robinson; Francine Castanon; Armando Vazquez; Eileen Tracy; Steve Nash; Lupe Anguiano; William Terry; Gloria Roman; Larry Stein; Ventura Fernandez; Vince Behrens; Franz Lopez; Dan Lechlter; and Tony Correl.

J. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Measure O Half-Cent Sales Tax Appropriation for Additional Street Repair, Advanced Funding of Fire Station #8 Training Academy Funding, Recreational Programming at College Park. (087)
RECOMMENDATION: 1) Appropriate additional Measure O funding for street repair, advanced funding for the Fire Station #8 Training Academy, and Recreational Programming at College Park; and 2) Authorize the City Manager to approve the necessary Special Budget Appropriations in the amounts approved by Council.
DISCUSSION: The Special Assistant to the City Manager outlined: 1) the Measure "O" program and proposed uses of funds; 2) the oversight committee, preparing a new community survey; and 3) leverage of other grant funds. The Chief Financial Officer reviewed revenues, expenditures (road maintenance, Fire academy), approved annual costs, additional proposed appropriations and long termed goals. The Fire Chief review Fire Academy costs, SAFER grant program and Fire training options. The Interim Public Works Director outlined future grant fund requests and proposed road work which could include road maintenance, proposed alley work, and work on along Fifth Street. The Police Chief commented on the hiring of personnel, loss of personnel and hiring of Code Compliance Officers.

Public comments were received from: Eileen Tracy; William Terry; Steve Nash; Dan Lechlter; Larry Stein; Harold Ceja, Gloria Roman; Woodrow Thomas and Sandra Sudac.

The Council discussed: committed annual Measure "O" funds and future proposed used of funds included Fire Department training options costs, funding for road repair and maintenance, possible "Life Line" funding; community issues; river levee, Ormond Beach, Planning Commission training and the oversight role of the community.

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

Finance Department

2. SUBJECT: Golf Fund Debt Restructuring. (095)
RECOMMENDATION: Receive a presentation and provide direction on Golf Fund financial restructuring options.
DISCUSSION: The Chief Financial Officer reviewed the need to discuss the golf course debt service.

The Council commented on differences between operating golf courses at Oxnard and San Buenaventura, financing differences and having a golf commission as in the past.

Public comments were received from: Michael Smith; Eileen Tracy; Patrick Barrios; Dan Lechlter; Dan Piedo and Francine Castanon.

ACTION: The Council concurred to table this item.

I. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 12-535-01 (Density Bonus) and 12-500-06 (Special Use Permit), Located at 900 W. Ninth Street. Filed by Albert Group Architects on behalf of the Property Owner Press-Courier Lofts, LLC. (007)
RECOMMENDATION: 1) Adopt a resolution approving the Density Bonus No. 12-535-01 for the Press-Courier Lofts 115-unit senior affordable housing project, subject to the conditions set forth in Planning Commission Resolution No. 2013-15; and 2) Adopt a resolution upholding the Planning Commission's approval of Special Use Permit No. 12-500-06, subject to the conditions set forth in Planning Commission Resolution No. 2013-14.
DISCUSSION: Comments received from: David O'Mallary.
ACTION: Move to continue to July 23, 2013 (Ramirez/Flynn) Ayes: Padilla, Perello, Flynn and Ramirez. Absent: MacDonald.

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 no written communications were received.

City Manager Department

1. SUBJECT: Establishment of Fees for Parks Services and Permits for East Park, Vineyards Park and Windrow Park. (001)
RECOMMENDATION: 1) Hold a public hearing to receive public testimony regarding proposed new fees for the use of the barbeque areas in East Park, Vineyards Park and Windrow Park; and 2) Adopt a resolution establishing the proposed fees.
DISCUSSION: The General Services Manager reviewed: 1) the pilot program of having a deposit cost to reserve park tables; 2) reasons for having a pilot reservation program; 3) working with the neighborhood and 4) to report to Council in six months.

The Council discussed: the deposit amount; questioned the reasons for this pilot program and schedule of the program.

Public comments were received from: Dan Frost; Justin Glenn; Matt Klingfelter; Daniel Lechliter; Woodrow Thomas; and Darlene Miller.

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

K. REPORTS

Housing Department

1. SUBJECT: Modifications to Promissory Note and Extension of Affordability Period for Villa Solimar Apartments and Cypress Court. (159)

RECOMMENDATION: 1) Provide direction to staff on possible modifications to the terms of the City's Promissory Note, approved on September 1, 1994, for the housing development known as Villa Solimar (904-930 Donlon Avenue), and for the City's September 10, 2002 Promissory Note for the housing development known as Cypress Court (490 East Pleasant Valley Road, and 5135-5155 Cypress Road); and 2) That the Community Development Commission Successor Agency provide direction to staff on possible modifications to the terms of the Community Development Commission Successor Agency's Promissory Note approved on September 1, 1994, for the housing development known as Villa Solimar (904-930 Donlon Avenue).
DISCUSSION: The Housing Director reviewed the proposed modification of promissory note and extension of affordability period including terms of the loans and review of State and Oversight Agency. The Interim Redevelopment Services Manager also reviewed the approval process and Successor Agency.

Public comments were received from: Eileen Tracy, Karen Flock, Jodie Solorlo, Barbara Macri-Ortiz and Woodrow Wilson.

The Council questioned the responsible of the City, any loss the City may incur, and project being on the ROPS list.

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

Public Works Department

2. 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. (187)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Agreement for Consulting Services with Gershman, Brickner & Bratton, Inc. (GBB) (A-7593) for an amount not-to-exceed $284,100 for the development of a business plan for the City to manage, operate and maintain the Del Norte Regional Recycling and Transfer Station (Del Norte Facility); and 2) Approve a Special Budget Appropriation in the amount of $284,100 from the Solid Waste Enterprise Fund Balance to provide funding for the development of a business plan for the City to manage, operate and maintain the Del Norte Facility as specified in Agreement with GBB.
ACTION: The Council concurred to table this item.

J. APPOINTMENT ITEMS

3. SUBJECT: FYs 2013-14 & 2014-15 Two Year Operating and Capital Budget Adoption. (103)
RECOMMENDATION: 1)That 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; and 2) That the Board of Commissioners of the Housing Authority adopt a resolution approving the Housing Authority's Fiscal Year 2013-14 Operating and Capital Budget.

DISCUSSION: The Chief Financial Officer outlined the proposed budget, past presentations to Council and requested approval by City Council.

The Council discussed the approval of the budget including setting priorities, training of Planning Commissioners, staffing of EDCO and Council staffing assistance.

Public comments were received from: Eileen Tracy and George Miller.

ACTION: Moved to approve (Ramirez/MacDonald) Ayes: Flynn, Ramirez, MacDonald and Padilla. Noes: Perello.

HOUSING AUTHORITY

At11:47 p.m. the concurrent meeting with the Housing Authority concluded.

O. STUDY SESSION

P. PUBLIC COMMENTS ON 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. (213)
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: Second Reading of **Ordinance No. 2870** Establishing the AAHOP with Implementing Regulations, and Establishing the "–AH" Additive Zone Designation; and Adoption of Ordinance No. 2869 Applying the "–AH" Additive to AAHOP-Designated Parcels (PZ 13-570-02). (215)
RECOMMENDATION: Second reading and adoption.*

Public Works Department

3. SUBJECT: Balancing Change Order No. 5 to Contract with Toro Enterprises, Incorporated (231)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 5 with Toro Enterprises, Incorporated (Toro) (A-7529) to increase the amount of construction cost of the Tierra Vista Neighborhood/Alley Resurfacing Project from $4,149,671.27 to $4,477,960.04 for an increase of $328,288.77.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (MacDonald/ Perello) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. *Abstain: Flynn only Sycamore Village (site A-06 (S-2)).

L. 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 reported on status including ROPS 4 & 5, approved of contracts, outstanding contracts and use of common area at Heritage Square. The Deputy City Attorney commented on the posting of ad hoc committees.

   ACTION: Received update from staff.

The Interim City Manager announced that the Dallas Cowboys would begin summer training camp on July 21, 2013.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 11:52 p.m. the concurrent meeting with the Community Development Commission Successor Agency concluded.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Report of Ad Hoc Committee Regarding Status of City Manager Recruitment. (Mayor Pro Tem Ramirez, Councilman MacDonald)
   DISCUSSION: The City Council reviewed the status of ad hoc selection of City Manager including selection of recruitment firm and having public input.

   Public comments received from: Steve Nash and Sandra Sudac.

   ACTION: Received information from ad hoc committee and proved comments.

T. ADJOURNMENT

At 12:01 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

Tim Flynn
TIM FLYNN
Mayor