

MINUTES  
OXNARD CITY COUNCIL  
Regular Meeting  
January 19, 2016

A. ROLL CALL/POSTING OF AGENDA

At 6:10 p.m., the regular meeting of the Oxnard City Council concurrently with the Oxnard Community Development Successor Agency convened in the Council Chambers. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Gregg Nyhoff, City Manager; Maria Hurtado, Assistant City Manager; Scott Whitney, Assistant City Manager; Stephen Fischer, Interim City Attorney; Bryan Brice, Fire Chief, Daniel Rydberg, Utilities Director; Todd Housley, Environmental Resources Manager; Ashley Golden, Development Services Director; Kymberly Horner, Economic Development Director and Lyn McGraw, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

E. CEREMONIAL CALENDAR

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments received from: George Miller (Medical Marijuana); Woodrow Thomas (Social Security Administration/Governmental Cartels and tax increases); Martin Glatt (CFD –Seabridge) Morey Navarro (pot holes and re-routing of trucks); Al Velasquez (addressing point of order rules/update on agreement between City and Board of Supervisors regarding the Harbor and finances); Dale Dean, (Assessment Districts); Ventura Fernandez, (illegal parking issues - Southwinds); Larry Barbarene (introduced his journalism students who are doing article on tonight's meeting); Pete Placencia (Support for La Colonia Boxing Gym) and Lawrence Stein (public records requests).

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

J. PUBLIC HEARINGS

ACTION: Mayor Flynn declared the public hearing open.

DISCUSSION: The Deputy City Clerk reported on publication and that there were 41 written communications received.

Utilities Department

1. SUBJECT: Utility Enterprise Financial Policy, Utility Rate Assistance Program and Public Hearing on Ordinances to Continue and Establish Water, Wastewater and Solid Waste User Fees and Charges. (001)

**RECOMMENDATION:** 1) Hold a public hearing to receive public testimony and consider all protests concerning the adoption of ordinances continuing and establishing certain water, wastewater and solid waste user fees and charges; 2) Adopt Resolution No. 14,887 setting financial policy for the Environmental Resources (Solid Waste), Water, and Wastewater Utility Enterprises; 3) Receive a report on the options for a potential program to provide financial assistance on City utility bills and provide direction to staff on which option to pursue; 4) Approve the first reading by title only and subsequent adoption of Ordinance No. 2900 continuing and establishing water user fees and charges; 5) Approve the first reading by title only and subsequent adoption of Ordinance No. 2901 continuing and establishing wastewater user fees and charges; and 6) Approve the first reading by title only and subsequent adoption of Ordinance No. 2902 continuing and establishing solid waste user fees and charges.

**DISCUSSION:** The City Manager and Utilities Director commented on: the need for the proposed rate increase; reviewing facilities (including debt coverage, operations & maintenance; capital improvements); future master planning of municipal facilities; use of imported water and presentation of current facilities conditions.

Phillip Curls, First Southwest Company (City's Financial Advisor), explained the City's bond (S&P) rating and that interest rates would increase for future bonds if the bond rates were downgraded including possible call of bonds.

Public Comments Received from: George Miller; Woodrow Thomas Sr.; Olga Gabrie; Elaine Alarcon-Totten; John Jay; Harold Ceja; Aaron Starr; Alicia Percell; Darrell Harvey; Angel Hernandez; Terry Judge; Aldo Cecena; John Adamson; Manuel Herrera; Lyle Elliot; Al Velasquez; Ventura Fernandez; Steve Klinger; Larry Ullrich; David Morman; Patricia Ramirez; David Littell; Adel Eldakar; Jose Zecua; Kellie Morse; Clarence Reeves; Larry Stein; Francine Castanon; Torch Rivera; Diana Goulet; Jorge Bernal; Debra Taylor; Walter Ontiveros; Lenin Perez; Pete Weinerth; Senaida Hernandez; Albert Valentini; Bryan Patino; Robert Cruz; Wayne Dey and Edward Castillo.

The Environmental Resources Manager reviewed the City's management of the Environmental Resources Facility.

Robert Saperstein, City's Special Counsel on Water Issues, commented on the value of "water credits", current rules and development of market for "water" allocations.

The City Council discussed several issues including: implementation of an assistance program; adjustment of contract/rates for Camarillo residents receiving utility service; adjusting proposed "utility" rate increases; creating a "ceiling" for rate increases; municipal credit ratings and the level of municipal "utility service" that should be provided to the community.

**ACTION:** Close the public hearing (Flynn/Ramirez) unanimously. The City Clerk reported that not enough protest letters were received to stop the establishment of Water, Wastewater and Solid Waste User Fees and Charges.

Adopt **Resolution No. 14,887** setting financial policy for the Environmental Resources (Solid Waste), Water, and Wastewater Utility Enterprises (MacDonald/Ramirez). Moved to have quarterly reports and rescinding of utility rate increases if goals are "not" met (Perello). Motion died due to lack of second. Moved to amend motion to add "that a report (performance plan) be provided within a month on how the goals and objections of the utility rates are being measured" (completion), (Flynn/Ramirez) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

Approve the first reading by title only and subsequent adoption of **Ordinance No. 2900** continuing and establishing water user fees and charges (Padilla/Ramirez) Ayes: Padilla, Perello, Flynn and Ramirez. Noes: MacDonald.

Approve the first reading by title only and subsequent adoption of **Ordinance No. 2901** continuing and establishing wastewater user fees and charges (Ramirez/Perello) Ayes: Perello, Flynn, Ramirez and Padilla. Noes: MacDonald.

Approve the first reading by title only and subsequent adoption of **Ordinance No. 2902** continuing and establishing solid waste user fees and charges. (Padilla/Ramirez) Ayes: Flynn, Ramirez, Padilla and Perello. Noes: MacDonald.

At 11:48 p.m. Councilman MacDonald left the meeting.

ACTION: The City Council voted to act on the remaining item L-1, unanimously with Councilman MacDonald absent.

#### K. APPOINTMENT ITEMS

#### RECESS

At 11:49 p.m., the City Council recessed while the Oxnard Community Development Successor Agency held a meeting and at 12:01 a.m. the City Council reconvened.

#### REPORTS

#### M. REPORT OF CITY MANAGER

1. SUBJECT: Receive Verbal Report on Oxnard Community Development Commission Successor Agency and Update Status of Redevelopment Activities in the City of Oxnard.

RECOMMENDATION: Receive and consider report.

DISCUSSION: The Economic Development Director invited the public to attend the Downtown Vision Plan (January 29 to February 2) which includes a public charrette, walking tour and new Urbanism Film Festival.

ACTION: The City Council received the report.

#### COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 12:07 a.m., the joint meeting with the Commission Development Commission Successor Agency concluded.

#### N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed: the Martin Luther King march; Downtown Vision Plan; SOAR presentation; taping of Fiscal Task committee and the ramification of accepting State and federal grants.

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 12:15 a.m. the City Council concurred to adjourn the meeting.

  
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DANIEL MARTINEZ  
City Clerk  
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TIM FLYNN  
Mayor