

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

July 14, 2015

A. ROLL CALL/POSTING OF AGENDA

At 4:37 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 Flynn was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and 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; Scott Whitney, Interim Assistant City Manager and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Steve Nash and Larry Stein.

C. CLOSED SESSION

At 4:46 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 title and case number of the litigation being discussed was California Public Utilities Commission Application 14-11-016

The City Council also 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 was In the Matter of: Application of the Puente Power Project, California Energy Commission Docket No. 15-AFC-01

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(2). Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case relating to construction activity adjacent to property located at 2460 South Center Drive, Oxnard, California.

At 6:06 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:07 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Pro Tem Ramirez presided. Additional staff members present were: Danielle Navas, City Treasurer; Daniel Rydberg, Interim Utilities Director; Carrie Sabatini, Interim Housing Director; Ashley Golden, Planning and Environmental Services Manager; Jason M. Samonte, Traffic Engineer; Todd Housley, Environmental Resources Manager; Karl Lawson, Compliance Services Manager; Robert Silverstein, Code Compliance Manager and Chris Williamson, Principal Planner.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of 2015 Ventura County Fair Poster.
DISCUSSION: Garrett Newman, Nolan Woodruff, Kristen Harvey and Emily Inez presented a poster for the Ventura County Fair and invited the public to attend the Fair.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Len Shulman; William Terry; Larry Stein; Miguel Lopez; George Miller; Pat Brown; Sandra Sudac and Dan Pinedo.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments received from: Interim Utilities Director (S-2(f)); Interim Housing Director and Compliance Services Manager (S-5).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comment was received from: Larry Stein

I. INFORMATION/CONSENT AGENDACity Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for March 17 and 24, 2015. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (011)
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

3. SUBJECT: Cooperative Agreement with the California Transportation Department (CALTRANS). (015)
RECOMMENDATION: Approve a Cooperative Agreement with CALTRANS for the development of a project initiation document (PID) that will result in improvements at the Fifth Street (State Route 34) and Rice Avenue intersection within the State Highway System (SHS) and authorize the City Manager to execute the same.

Fire Department

4. SUBJECT: Memorandum of Agreement with Oxnard Firefighters Foundation, Inc. and Acceptance of Equipment in the Amount of \$25,000. (025)
RECOMMENDATION: Adopt **Resolution No. 14,847** accepting a donation of a Rescue Water Craft and associated equipment and authorizing the Mayor to execute a Memorandum of Agreement with the Oxnard Firefighters Foundation, Inc. (7149-15-FI) relating to the City's use of the same.

Housing Department

5. SUBJECT: Approval of Memorandum of Agreement Relating to the Distribution of Surplus Funds Resulting from Trustee's Sale of Property at 226 East Seventh Street. (033)
RECOMMENDATION: 1) Approve a Memorandum of Agreement (A-7808) between the City and Cabrillo Economic Development Corporation regarding distribution of \$66,164.78 of surplus funds resulting from the Trustee's sale of 226 East Seventh Street; 2) Authorize a budget appropriation recognizing distribution of funds from the Trustee; and 3) Authorize and direct the Mayor to execute the Memorandum of Agreement and authorize the City Manager or his designee to execute any documents necessary to effectuate the distribution of funds.

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

J. PUBLIC HEARINGSK. APPOINTMENT ITEMSDevelopment Services Department

2. SUBJECT: City Council Position Letter to the California Public Utilities Commission (CPUC), California Energy Commission (CEC), California Coastal Commission (CCC), Southern California Edison (SCE), and California Independent System Operation (ISO) Regarding the Oxnard NRG "Puente" Energy Facility Application. (039)
RECOMMENDATION: 1) Approve a position letter regarding the proposed NRG "Puenete" Energy Facility Application; 2) Direct the City Manager to transmit the letter to the CPUC, CEC, CCC, SCE, and ISO; and 3) Authorize Councilmember(s) to present the City's position at the CEC Public Hearing on July 15, 2015 and at subsequent hearings related to the NRG application process.
DISCUSSION: The Principal Planner reviewed the proposed placement of a power plant by NRG, risk of "sea level" rise, proposed "letter" wording and revised "letter" wording.

Public comments were received from: Larry Stein and Mike Stubblefield.

The City Council discussed: position letter wording and proposed word changes.

ACTION: Moved to approve letter with revised wording (Padilla/Perello) Ayes: Padilla, Perello, Ramirez and MacDonald. Absent: Flynn.

1. SUBJECT: Verbal Presentation by Energy Commission Public Advisor Alana Mathews.
RECOMMENDATION: Receive a verbal presentation regarding the proposed NRG Puente power plant Energy Commission (CEC) permitting process from the CEC Public Advisor.
DISCUSSION: Alana Matthews, State Public Information Advisor, reviewed several issues including permitting process procedures, timeline of the process, jurisdiction of the California Energy Commission and appropriate questions to be asked.

Public comment was received from: Larry Stein

The City Council discussed: the timeline of the process and the jurisdiction of the California Energy Commission.

ACTION: The City Council provided comments to staff.

L. REPORTS

City Manager Department

1. SUBJECT: Third Amendment to Agreement for Trade Services with Select Staffing for Contract Labor Services at the Del Norte Regional Recycling and Transfer Station. (045)
RECOMMENDATION: Approve and authorize the Mayor to execute a Third Amendment to Agreement for Trade Services with Select Staffing (A-7632) to increase the amount by \$375,000 to a not to exceed amount of \$2,775,000 for contract labor services at the Del Norte Regional Recycling and Transfer Station (Del Norte Facility).
DISCUSSION: The Environmental Resources Manager outlined the timeline for staffing.
ACTION: Approved as recommended. (MacDonald/Perello). Ayes: Padilla, Perello, Ramirez and MacDonald. Absent: Flynn.

Development Services Department

2. SUBJECT: Sixth Amendment to Agreement with Iteris, Inc. (049)
RECOMMENDATION: Approve and authorize the Mayor to execute a Sixth Amendment to Agreement for Engineering Consulting Services with Iteris, Inc. (5217-10-DS) to increase the amount by \$146,779 to a not to exceed amount of \$2,808,358 for design, construction support, and integration services connecting the Wastewater Division Supervisory Control and Data Acquisition (SCADA) system to the City's fiber optic backbone as part of the Intelligent Transportation System (ITS) Master Plan project.
DISCUSSION: The Traffic Engineer commented on the optic backbone project.
ACTION: Approved as recommended. (Padilla/MacDonald). Ayes: Ramirez, MacDonald, Padilla and Perello. Absent: Flynn.
3. SUBJECT: Expedited and Streamlined Permitting Process for Small Residential Rooftop Solar Systems. (061)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an **Ordinance No. 2892** relating to an expedited, streamlined permitting process for small residential rooftop solar systems and determining that the project is exempt from the California Environmental Quality Act pursuant to Section 15061 (b)(3).
DISCUSSION: The Planning and Environmental Services Manager outlined the proposed changes and fees.

Public comment was received from: Larry Stein

The City Council discussed fees

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

Utilities Department

4. SUBJECT: Approval of Lowest Responsible and Responsive Bid and Authorization to Issue and Execute a Contract for UD15-17- Electrical Rehabilitation-Water Well Nos. 30, 32, 33 and 34 Project and Budget Appropriation. (069)

RECOMMENDATION: 1) Award contract to the lowest responsible and responsive bidder, Taft electric Company (A-7792), in the amount of \$869,800 for UD15-17-Electrical Rehabilitation-Water Well Nos. 30, 32, 33 and 34 Project, and authorize the purchasing agent to issue and execute the contract upon receipt of final documents; and 2) Approve a budget appropriation in the amount of \$1,032,890 from Water Operating Fund balance to UD15-17-Electrical Rehabilitation-Water Well Nos. 30, 32, 33 and 34 Project 156004 to fund the work.

DISCUSSION: The City Manager and Interim Utilities Director commented on the bidding process.

Public comment was received from: George Miller

Councilmember Perello expressed concern with only having a "single" bid for this project.

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

K. APPOINTMENT ITEMS

City Manager Department

3. SUBJECT: "Community Cats" Presentation on Strategies for Reducing Feral Cats in Oxnard. (043)

RECOMMENDATION: Receive a report entitled "Community Cats" from Jon Cicerelli, Director of San Jose Animal Care focusing on strategies to reduce the numbers of feral cats in Oxnard and thereby limit the intake of cats to the Ventura County Animal Shelter.

DISCUSSION: The Code Compliance Manager; Tara Diller, Director of Ventura County Animal Services and Jon Cicerelli, Director Animal Care and Services (San Jose, CA) presented information on a program that works to "rescue healthy" cats in a community.

Public comment was received from: Pat Brown

The City Council questioned strategies to reduce or keep a "cat" population stable.

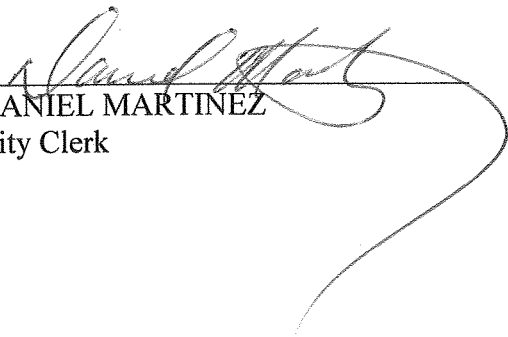
ACTION: The City Council provided comments and directions to staff.

M. REPORT OF CITY MANAGERN. CITY COUNCIL BUSINESS/COMMITTEE REPORTS


The City Council discussed: Downtown Management meeting (Padilla); update on Public Access process; use of Campus Park (former Oxnard High School) grant funds; "spill" information near Wooley Road; status of Anterra violations; sewer spill in El Rio; Utility Task Force Meeting (committee to review possible "utility" rates) and placement of washers and dryers at the Los Cortes development.

O. PUBLIC COMMENTS ON REPORTSP. PUBLIC COMMENTS ON STUDY SESSIONQ. STUDY SESSIONR. ADJOURNMENT

At 9:09 p.m. the City Council concurred to adjourn the meeting.



DANIEL MARTINEZ
City Clerk



CARMEN RAMIREZ
Mayor Pro Tem