

MINUTES
OXNARD CITY COUNCIL
Regular Meeting

Meeting Location: City Council Chambers, 305 West Third Street, Oxnard

Teleconference Location: The Mayflower Hotel, 1127 Connecticut Avenue NW, Washington DC 20036
(Mezzanine Level)

February 23, 2016

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Carmen Ramirez, Bryan A. MacDonald and Dorina Padilla were present. Councilmember Bert Perello was present at The Mayflower Hotel, 1127 Connecticut Avenue NW, Washington DC 20036. Mayor Tim Flynn was absent. 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, Assistant City Manager and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 4:38 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6 to review the status of labor negotiations and to review its available funds and funding priorities for the purpose of providing instructions to the City's negotiators, J Tabin Cosio, Director of Human Resources, and Jon Holtzman, City's labor attorney, regarding the position titles specified in Unrepresented Employee: City Attorney and Employee organizations: International Association of Firefighters, AFL-CIO (IAFF), Local No. 1684; Oxnard Peace Officers' Association (OPOA); Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); Oxnard Public Safety Management Employees' Association (Police Unit); Oxnard Public Safety Management Employees' Association (Fire Unit); and Oxnard Mid-Managers' Association (OMMA); **Unrepresented employees:** Assistant City Manager, Chief Financial Officer, City Clerk, City Treasurer, Deputy City Manager, Development Services Director, Fire Chief, Housing Director, Human Resources Director, Economic Development Director, I.T. Director, Library Director, Police Chief, Utilities Director (**Department Directors**); Assistant City Attorney, Assistant Director of Human Resources, Community Relations and Public Affairs Manager, Deputy City Attorney, Law Office Manager, Human Resources Manager, Workers' Compensation Manager, Management Analyst III (C) (**Confidential Mid-Managers**); Accountant II (C80), Accounting Technician (C67), Administrative Assistant (C70), Administrative Legal Assistant (C70), Administrative Legal Secretary I (C25), Administrative Legal Secretary II (C35), Administrative Legal Secretary III (C50), Administrative Secretary I (C15), Administrative Secretary II (C30), Administrative Secretary III (C40), Administrative Services Assistant (C70), Administrative Technician (C60), Employee Relations Coordinator (C67), Executive Assistant I (C80), Executive Assistant II (C85), Human Resources Technician (C70), Office Assistant I (C10), Office Assistant II (C20), Paralegal (C75), Safety Specialist (C72), Senior Administrative Legal Secretary (C65), Senior Administrative Secretary (C55), Senior Benefits Coordinator (C75), Senior Human Resources Coordinator (C75), Workers' Compensation Specialist (C69) (**Confidential Employees**); unrepresented Limited Benefit Employees.

At 4:51p.m., Mayor Flynn was present and presided.

At 6:22 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:23 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 Flynn presided. Additional staff members present were: Maria Hurtado, Assistant City Manager; Jeri Williams, Police Chief; Bryan Brice, Fire Chief; Ashley Golden, Development Services Director; Tabin Cosio, Human Resources Director; Keith Brooks, IT Director and David Millican, Special Financial Counsel.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating February 27, 2016, as "Volunteer Income Tax Assistance Program" Day.
DISCUSSION: Mayor Flynn presented a proclamation to Councilman MacDonald recognizing Income Tax Assistance Program and the volunteers who assist in this program.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Jim Carr (Ed Hunt Rehab Point); Gloria Delgado (low flying aircraft); Ed Ellis (dogs on Ormond Beach (Coastal Commission looking into jurisdiction)); Larry Stein (CAGs & Task Force reports); Steve McNaughten (public safety concerns); Dan Nahmias (public safety concerns); Bob Kerman (public safety concerns); Dan Kalbacher (public safety concerns including life guards); Julie Mills (public safety concerns, red light signal); Woodrow Thomas (medical marijuana); Martin Jones (City finances); Bill Weilman (Grand Jury information); Mike Johnson (public safety concerns); Irene Pinkard (Black History Month); Elma del Aguila & Alexis Juarez (beach mural); Pat Brown (traffic on Oxnard Blvd, signal lights); Michael Gleason (Councilmembers listening to comments of speakers) and Greg Runyon (respecting the rights of community individuals).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were provided by: the Interim City Attorney (I-1); City Manager and Assistant City Manager (Hurtado) (I-3(e)).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Julie Miller (I-3(e)); Daniel Kalbacher (I-3(e)); Michael Gleason (I-3(e)); Jeff Donabedian (I-3) and Steve Nash (I-3(e)).

At 8:02 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 8:04 p.m., Mayor Flynn returned and presided.

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Conflict of Interest Code Amendment. (001)
RECOMMENDATION: Adopt **Resolution No. 14,898** repealing Resolution No. 14,456 and adopting an amended Conflict of Interest Code pursuant to the Political Reform Act.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for January 12, 19, and 26, and February 2, 2016. (028)
RECOMMENDATION: Approve.

City Manager Department

3. SUBJECT: Agreements for City Council Review. (051)
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.*#

Public Works Department

4. SUBJECT: Department of Resources Recycling and Recovery (CalRecycle) Payment Programs. (056)
RECOMMENDATION: 1) Adopt **Resolution No. 14,899** authorizing the City Manager or designee to submit to CalRecycle applications for various payment programs to encourage and enhance recycling in Oxnard; and 2) Authorize the City Manager or designee to appropriate the funds upon receipt.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended (Ramirez/Padilla) with removal of (I-3 (b)(c)(d)) to after L-1 of the agenda. Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. *Abstain: Perello I-3(e) only. #Noes: MacDonald I-3(e) only.

RECESS

At 8:09 p.m., the City Council recessed and at 8:21 p.m., the City Council reconvened.

J. 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. 15-681-01 (Historical Landmark No. 175) J.A. Swartz Residence, 636 West Fifth Street. Filed by Cynthia Thompson on Behalf of Daryl S. Crusier, Property Owner. (059)
RECOMMENDATION: Adopt a resolution upholding the City of Oxnard Cultural Heritage Board's recommendation to designate property known as J.A. Swartz Residence, located at 636 West Fifth Street, as Ventura County Historical Landmark No. 175.
DISCUSSION: The Development Services Director commented on designation of the Swartz Residence due to its historical significant and the process to establish a historical district.

Cynthia Thompson, Landmark Historic Designation, commented on the accomplishments of Mr. Swartz.

ACTION: Close the public hearing (MacDonald/Ramirez) unanimously. Approved as recommended, **Resolution No. 14,900**. (MacDonald/Ramirez) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

K. APPOINTMENT ITEMS

L. REPORTS

City Manager Department

1. SUBJECT: Amendment #2 to Agreement for Accounting Services with Eadie & Payne, LLP. (116)

RECOMMENDATION: 1) Amendment 2 of the Agreement for Accounting Services with Eadie & Payne, LLP (A-7819), based on the scope of services described in Attachment A in the amount of \$194,000; and 2) An appropriation of \$194,000 from the General Fund balance. Audit costs will be distributed to other funds as part of the indirect cost allocation currently being prepared by Revenue and Cost Specialists.

DISCUSSION: The City Manager and Assistant City Manager (Hurtado) reviewed the financial tasks needed including hiring of consultants to complete financial reports.

Don Ecker, Enterprise Risk Consultant, and Eden Casareno, Engagement Partner (Eadie & Payne), explained: the process to gather financial information; the questions from the State Controller's Office; the need to establish financial policies and procedures.

The Special Financial Counsel explained that an "audit" needed financial information but that normal municipal financial information was difficult to find and that several financial issues were found.

Public comments received from: Larry Stein; Jeff Donabedian; George Miller, Steve Nash and Sandra Sudac.

The City Council commented on the frustration of not completing financial tasks, need to complete the financial audit and poor financial record keeping.

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

I. INFORMATION/CONSENT AGENDA

City Manager Department

3. SUBJECT: Agreements for City Council Review. (051)

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, item (b)(c) and (d).

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

L. REPORTS

Fire Department

2. SUBJECT: Regional Emergency Response Operations Agreement. (125)
RECOMMENDATION: 1) Approve and authorize the Fire Chief to execute a Regional Emergency Response Operations Agreement (A-7863) for countywide emergency response operations between the City of Oxnard, the cities of Ventura, Fillmore, Santa Paula and Ventura County Fire Protection District ; 2) Authorize the Fire Chief to sign any future amendments to Agreement No. A-7863 that may arise from time to time, provided that they do not increase the cost of Agreement to the City of Oxnard; and 3) Authorize the Fire Chief, or designee, to enter into an Operational Plan, referred to in the Agreement, and to update it annually, as needed, pursuant to the terms of the Agreement.
ACTION: The Council concurred to continue to future date.

ACTION: Moved to continue the Council meeting past 10:00 p.m. (Ramirez/Padilla) unanimously.

Development Services Department

3. SUBJECT: Exception to CalPERS 180 Day Wait Period for Appointment of a Retired Annuitant to Perform Limited Term Specialized Project Work. (136)
RECOMMENDATION: Adopt a resolution approving an exception to the CalPERS 180 day wait period for Cynthia Daniels.
DISCUSSION: The City Manager and Human Resources Director reviewed the need to hire a retired individual.

Public comment received from: Steve Nash.

ACTION: Approved as recommended, **Resolution No. 14,901** (Ramirez/MacDonald). Ayes: Perello (requested a report on application form), Flynn, Ramirez, MacDonald and Padilla.

City Manager Department

4. SUBJECT: Summary of 2015 Dallas Cowboys Training Camp and Approval of Lease Agreement A-7866 for 2016 Los Angeles Rams Spring Practice. (141)
RECOMMENDATION: 1) Receive a report summarizing the 2015 Dallas Cowboys Training Camp; and 2) Approve agreement A-7866 with the Los Angeles Rams to hold Spring Practice at River Ridge Fields.
DISCUSSION: The Assistant City Manager (Whitney) outlined the agreement with the Dallas Cowboys and the proposed lease agreement with Los Angeles Rams including parking and spring practice activities.

Public comment received from: Pat Brown.

The City Council discussed condition of the athletic fields, normal community use of the fields and how both teams (Cowboys and Rams) may use the fields.

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

Police Department

5. SUBJECT: Verbal Report on Citywide Gang Violence Prevention Efforts.

RECOMMENDATION: Receive a verbal report on the various enforcement, intervention, and prevention efforts being utilized by the Police Department and Recreation Department to address

ACTION: The Council concurred to continue to future date.

M. REPORT OF CITY MANAGER

The City Manager commented on the effort of the City Council to establish financial standard and future issues to be presented to the City Council.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed having a status report on traffic system (Flynn); newly placed street crossing lights within the City (Padilla); getting truck traffic off Rose Avenue (Perello) and process of reporting problems on City web site (Flynn).

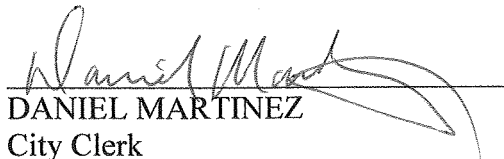
O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION


Q. STUDY SESSION

R. ADJOURNMENT

At 11:53 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


TIM FLYNN
Mayor


CARMEN RAMIREZ
Mayor Pro Tem