

MINUTES

AGENDA ITEM NO.

K-2

OXNARD CITY COUNCIL
Regular Meeting
July 10, 2012

A. ROLL CALL/POSTING OF AGENDA

At 5:34 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; James Cameron, Chief Financial Officer; Jeri Williams, Police Chief; Michael O'Malia, Interim Fire Chief; Rob Roshanian, Interim Public Works Director; Grace Magistrale Hoffman, Deputy City Manager; Julie Doi, Deputy City Attorney; and Martin Erickson, Special Assistant to the City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were provided by: Larry Stein and Bert Perello.

C. CLOSED SESSION

At 5:39 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(a) to confer with its attorneys. The title and case number of the litigation being discussed was Morillo v. Oxnard Police Dept. et al., U.S. District Court, Case No. CV11-8930-PA (PCAx).

The City Council also recessed to a closed session, pursuant to Government Code section 54959 and 54957.6, to give instructions to negotiators, Karen Burnham, Interim City Manager, and Michelle Tellez, Human Resources Director, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721 and other matters within the scope of representation.

At 6:08 p.m. the City Council reconvened.

O. REPORTS

Finance Department

1. SUBJECT: Fiscal Year 2012-13 Budget Balancing Discussion. (001)

RECOMMENDATION: 1) Receive Departmental presentations by Fire, Recreation and Community Services, Public Works, and General Services; and 2) Consider options for balancing the Fiscal Year 2012-13 General Fund Budget and provide direction to staff.

DISCUSSION: The Interim Public Works Director reviewed: current and future street maintenance projects; concurrent construction of infrastructure at the same time; Measure "O" projects; alleyway repair; and possible other compared to other cities streets.

The Interim Fire Chief reviewed: personnel staffing issues; responses to emergencies; inspections; and public education issues.

The Council commented on: funding of street maintenance; effects of truck use on streets; and Fire Department response to emergencies.

Public comments were provided by: Larry Stein; Jim Lavery; Bert Perello; and Harold Ceja.

ACTION: Received budget presentations.

D. OPENING CEREMONIES

At 7:16 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission Successor Agency. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Pinkard. Mayor Holden presided. Additional staff members present were: William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Curtis P. Cannon, Community Development Director; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; and Richard Arias, Recreation Program Supervisor; and Sofia Balderrama, Special Projects Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to Dr. Fahmy Fahmy for His Volunteer Services
DISCUSSION: Mayor Holden presented a commendation to Dr. Fahmy who thanked his family and staff

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments received from: Tim Harthcock; William "Bill" Terry; Ed Ellis; Steve Nash; Dolores Perea; Ellen Butler; Margaret Johnson; Irma Medina; Dr. Don Thibeault; Savanna Stanley; Preston Davis; Larry Stein, Danna Aten; and Harold Ceja.

L. PUBLIC HEARINGS

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

Development Services Department

1. SUBJECT: Planning & Zoning Permit No. 11-570-02 Requesting a Zone Change to General Commercial Planned Development (C-2-PD), and Appeal of Planning Commission's Denial of Planning & Zoning Permit No. 11-510-09 Requesting a Type 20 ABC License for a Proposed 7-Eleven Store. Located at 1001 and 1051 East Channel Islands Blvd. Filed by Designated Agent Lucy Dinneen, Cadence Capital Investments LLC, on Behalf of Property Owner Channel Islands Inn LP. (137)
RECOMMENDATION: Adopt a resolution denying Planning & Zoning Permit No. 11-570-02 and denying the appeal and upholding the Planning Commission's denial of Planning & Zoning Permit No. 11-510-09.
DISCUSSION: The Planning and Environmental Services Manager reviewed the proposed project including zoning change and property use permit.

Brian Corbell, Channel Islands Inn, and Lucy Dinneen, Cadence Capital Investments, outlined the request for changes to C-2 zoning for a convenience store (7-11 Store with off-site alcohol sales license); the location of the restaurant business; benefits of the project; neighborhood meetings; and City's staff findings including Police report.

At 8:49 p.m. Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

Public comments were received from: Larry Stein; William "Bill" Terry; Bert Perello; Nancy Ron; Shirley Godwin; Larry Godwin; Pat Brown; Rebecca Ralph; and Gloria Roman.

At 8:54 p.m. Mayor Holden returned to the meeting and presided.

ACTION: Close the public hearing (Holden/MacDonald).

The Council discussed: conditions to be placed on a proposed 7-Eleven Store including sale of alcohol hours; the requested zone change; and other uses at the site.

ACTION: Moved to as recommended (Flynn/Ramirez) Ayes: Flynn and Ramirez. Noes: MacDonald, Holden, and Pinkard. The City Council provided comments to staff and concurred to continue this item to September 18, 2012.

RECESS

At 10:05 p.m., the City Council recessed and at 10:15 p.m., the City Council reconvened.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Pat Brown (I-5); Bert Perello (I-2, I-6); Larry Stein (I-6); and Steve Nash (I-2, E).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the Oxnard City Council for June 5, 12, 19 and 26, 2012. (003)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (037)
RECOMMENDATION: Pursuant to Ordinance 2835, 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.

3. **SUBJECT:** Consent to Assignment and First Amendment to Agreement with AEP California LLC for New Police Vehicle Outfitting. (041)
RECOMMENDATION: Approve and authorize the Mayor to execute the Consent to Assignment and First Amendment to the Agreement with AEP California LLC (4844-09-CM), transferring the agreement from TW Mobile Engineering to AEP California LLC and extending the agreement until September 1, 2013, in an annual amount not to exceed \$144,000 for a total contract amount of \$576,000, for the installation of equipment in new Police patrol black & white vehicles.

Housing Department

4. **SUBJECT:** Affordable Housing and Rehabilitation Division Relocation Appeals Process. (045)
RECOMMENDATION: Adopt **Resolution No. 14,254**, Establishing an Affordable Housing and Rehabilitation Division Relocation Appeals Process.
5. **SUBJECT:** Resolution of Support for Assembly Bill 1797 and Assembly Bill 2150. (053)
RECOMMENDATION: Adopt **Resolution No. 14,255** expressing support for Assembly Bills 1797 and 2150.

Human Resources Department

6. **SUBJECT:** Memorandum of Understanding with the Service Employees International Union, Local 721. (057)
RECOMMENDATION: 1) Ratify a Memorandum of Understanding (MOU) between the City and the Service Employees International Union, Local 721 (SEIU), commencing January 1, 2012, and expiring on December 31, 2012; 2) Adopt **Resolution No. 14,256** implementing the MOU for SEIU, Local 721; and 3) Authorize the City Manager to transfer funds between accounts, in amounts to be determined, to implement the terms and conditions of the MOU.

Recreation and Community Services Department

7. **SUBJECT:** Acceptance of Senior Nutrition Grant Funds from the Ventura County Area Agency on Aging ("VCAAA") for FY 2012-2013. (109)
RECOMMENDATION: 1) Adopt **Resolution No. 14,257** approving and authorizing the Mayor to execute a twelve-month (July 1, 2012 to June 30, 2013) agreement (A-7513) between the City of Oxnard and the Ventura County Area Agency on Aging ("VCAAA") for FY 2012-2013; and 2) Approve a special budget appropriation to recognize grant award and program donation for the Senior Nutrition Program FY 2012-2013.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

M. 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, including report on effect of AB 1484, State Budget Trailer Bill; summary of delinquencies with respect to Successor Agency and City owned assets possibly subject to ABx1 26; and summary of the Downtown Assistance Plan described in Agreement No. A-5965 (Fourth Amendment to Owner Participation Agreement between the former Community Development Commission and certain Riverpark Developers).
RECOMMENDATION: Receive and consider report.
ACTION: Continue

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTSCity Manager Department

1. SUBJECT: Consideration of Support for the Ventura County Transportation Commission (VCTC's) Adopted Position on Countywide Transit and Discussion of AB 1778 (Williams). (259)
RECOMMENDATION: Consider supporting the adopted position of VCTC concerning countywide transit and provide direction to the City Manager.
ACTION: Continue

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:33 p.m. the joint meeting with the Community Development Successor Agency concluded.

O. REPORTSCity Manager Department

2. SUBJECT: Draft City Council Procedures Manual/Ethics Training Update. (305)
RECOMMENDATION: 1) Receive a report and draft copy of the City of Oxnard City Council Procedures Manual; 2) Consider edits and proposed changes to the draft Procedures Manual submitted during the 14-day comment period, and adopt the Procedures Manual; and 3) Receive a verbal update on ethics training options and provide direction to the City Manager.
ACTION: Continue

Finance Department

1. SUBJECT: Fiscal Year 2012-13 Budget Balancing Discussion. (001)
DISCUSSION: The Special Projects Manager commented on recreation programs, use of part-time personnel, grants provided to other agencies and partnerships with other agencies.

The General Services Manager commented on maintenance of parks, utility costs, equipment maintenance and completion of several projects including the tennis center, College Park phase 1A, 1B & 1C, Del Sol Park walking track, West Park snack bar, Lemonwood Park improvements, Durley Park snack bar, Sport Park, Campus Park, and East Village Park.

The Chief Financial Officer reviewed several options to balance a \$6,000,000 shortfall.

The Council discussed the presentations and commented on several issues including possible franchise fees, pension reform, golf course costs, PAC costs, water programs, short-term loan of Measure "O" funds, and reduction of operating costs.

At 11:54 p.m. Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

Public comments were received from: Shirley Godwin, Bert Perello, William "Bill" Terry, Steve Nash, Pat Brown, and Rebecca Ralph.

At 11:59 p.m. Mayor Holden returned to the meeting and presided.

ACTION: Provided comments to staff

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments received from: Rebecca Ralph and Jim Gilmore.

M. REPORT OF CITY MANAGER

The Interim City Manager reported the receipt of "Safer" grant for funding of Fire Fighters positions and Ventura County received a levee grant for Oxnard area of the Santa Clara River.

T. ADJOURNMENT

At 12:08 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

DR. IRENE G. PINKARD
Mayor Pro Tem