

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

December 6, 2011

A. ROLL CALL/POSTING OF AGENDA

At 5:32 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; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; and Alan Holmberg, City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Comments were received by: Martin Jones, 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(b)(3)(C) to conduct the Employee Performance Evaluation of the City Manager.

At 7:08 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:10 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 Holden presided. Additional staff members present were: Jeri Williams, Police Chief; Curtis P. Cannon, Community Development Director; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, General Services Manager; Rob Roshanian, Interim Public Works Director; Christina Aerenlund, Public Information Officer; Martin Erickson, Special Assistant to the City Manager; Tom Clock, Systems Administrator; Grant Dunne, Management Analyst; and Norma Owens, Grants Manager.

E. CEREMONIAL CALENDAR

2. SUBJECT: "Special Visitor from the Northpole"
DISCUSSION: Santa wished happy holidays to everyone in the City and provided cookies and milk to the Council, staff and public.
1. SUBJECT: Presentation and Unveiling of the New City Logo.
DISCUSSION: The City Council unveiled the new City logo as part of the Branding Oxnard campaign.
3. SUBJECT: 4H Presentation.
DISCUSSION: William Baker, GenOn Energy, presented a \$7,000 check to Dayle Morris and Savanna Stanley, to improve the Ormond Beach site.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from: Martin Jones; Robert Vera; Martin Glatt; Dale Dean; Larry Stein; Steve Fleischer; Steven Nash; Bert Perello; Harold Ceja; Jim Lavery; and Pat Brown.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The following individuals provided comments: Robert Thomson (I-3); William "Bill" Terry (I-9); Janet Thompson (I-3); Donald Thibeault (I-1); Larry Stein (I-3, I-7); Pat Brown (I-6) and Steve Nash ((I-2 and I-4).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following staff provided comments to the Council: City Clerk (I-1); Community Development Director (I-2, part 3); Development Director (I-2, item 4, I-7); Systems Administrator (I-2, item 5); Interim Public Works Director (I-10); and Management Analyst (I-11).

I. INFORMATION/CONSENT AGENDA**City Clerk**

1. **SUBJECT:** Minutes of the Regular Meeting of the City Council for October 11, 18 and 25, 2011; and for November 1, 8 and 15, 2011. (001)
RECOMMENDATION: Approve.
ACTION: Approved with the removal of October 11 and November 8 meetings*.

City Manager

2. **SUBJECT:** Agreements for City Council Review. (027)
RECOMMENDATION: Pursuant to Ordinance 2835, approve and authorize the 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:** Approval of Award of Contract for GS10-22-Lemonwood Park and Walking Trail Improvement Project. (031)
RECOMMENDATION: 1) Approve the award of Contract to ARC Accucon Construction, Inc. (A-7448) in the amount of \$564,400 for the Lemonwood Park and Walking Trail Improvement Project located at 2055 East San Mateo Place; and 2) Authorize the Mayor to execute the contract upon receipt of all supporting contract documents.
4. **SUBJECT:** Approval of Award of Contract for Community Center Park West Concession Stand Expansion and Reconstruction Project GS10-20. (033)
RECOMMENDATION: 1) Approve the award of contract to U.S. Dash Construction, Inc. (A-7441) in the amount of \$324,000 for the Community Center Park West concession stand reconstruction and expansion project GS10-20 located at 801 Hobson Way; and 2) Authorize the Mayor to execute the contract documents.

City Treasurer

5. SUBJECT: Quarterly Investment Report for the First Quarter F/Y 2011-2012. (041)
RECOMMENDATION: Accept the Quarterly Investment Report for the First Quarter F/Y 2011-2012.
6. SUBJECT: Amendments to Ordinance Regulating Massage Professionals and Massage Businesses or Establishments. (049)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2851** amending the title of Article IV of Chapter 11, Sections 11-140, 11-141, 11-241, and 11-247, subdivision (B) of Section 11-157, and subdivision (G) of Section 11-232 of the Oxnard City Code ("OCC"), repealing and readopting Sections 11-143, 11-233, and 11-234 and subdivision (I) of Section 11-242 of the OCC, and repealing Sections 11-235 and 11-236, subdivisions (C) and (D) of Section 11-234 and the last sentence of subdivision (A) of Section 11-246 of the OCC regarding the regulation of massage professionals and massage businesses or establishments.

Development Services Department

7. SUBJECT: Transmittal of Adopted 2030 General Plan Goals and Policies Document. (057)
RECOMMENDATION: Receive and file the 2030 General Plan.**
8. SUBJECT: Fifth Amendment to Agreement with URS Energy & Construction Inc. (URS) for Engineering Services for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101. (059)
RECOMMENDATION: Approve and authorize the Mayor to execute the fifth amendment to the agreement with URS (A-7240) to revise the budget within the contract (a total of \$1,473,908) to provide engineering services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101.
9. SUBJECT: Disbanding of Art in Public Places Committee & Revisions to Public Art Program. (065)
RECOMMENDATION: Adopt **Resolution No. 14,124** disbanding the Art in Public Places Committee and revising the Public Art Program.

Public Works Department

10. SUBJECT: Del Norte Facility Restroom Improvement Project. (083)
RECOMMENDATION: Approve Project Specification GS11-13 and authorize staff to solicit bids for the restroom improvement project located at the Del Norte Regional Recycling and Transfer Station, 111 South Del Norte Boulevard.
11. SUBJECT: First Amendment to Agreement for Trade Services with Ecology Auto Parts, Inc. for Supplemental Waste Transfer Hauling Services.(085)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement with Ecology Auto Parts, Incorporated (A-7380) to increase the amount by \$150,000 from an agreement value of \$1,500,000 to \$1,650,000 and to extend the expiration date from February 15, 2012 to February 15, 2014, for supplemental waste transfer hauling.

12. SUBJECT: Rubberized Asphalt Grant Program for Street Resurfacing. (087)

RECOMMENDATION: Approve the appropriation of funds in the amount of \$109,946.30 to various street resurfacing projects from the Rubberized Asphalt Grant Program to the following: 1) Bartolo Square North Neighborhood Resurfacing Project located between the boundaries of eastward to J Street, westward to Ventura Road, northward to Wooley Road and southward to Hemlock Road in the amount of \$58,029.13; 2) Bartolo Square South Neighborhood Resurfacing Project located between the boundaries of eastward to J Street, westward to Ventura Road, northward to Hemlock Road and southward to Channel Islands Boulevard in the amount of \$43,033.18; 3) Gonzales Road Resurfacing Project located between the boundaries of Oxnard Boulevard and Rice Avenue in the amount of \$3,426.37; 4) Rose Park Neighborhood Resurfacing Project located between the boundaries of westward to Rose Avenue and northward to Camino del Sol in the amount of \$3,001.51; 5) Ormond Beach Neighborhood Resurfacing Project located between the boundaries of westward to Perkins Road, eastward to Edison Drive, northward to Hueneme Road and southward to Mc Wane Boulevard in the amount of \$2,456.11.

Recreation and Community Services Department

13. SUBJECT: Senior Services Grant Awards. (091)

RECOMMENDATION: 1) Approve the Senior Services Commission's (SSC) recommended distribution of \$44,600 in Senior Services Grant Awards to thirteen agencies providing services to seniors; 2) Direct the Community Services Manager to notify recipients of Senior Services Grant Awards; 3) Authorize the Community Services Manager to execute a letter of agreement for each recipient in the format set forth in attachment #2; and 4) Authorize the Chief Financial Officer to make disbursements in accordance with the letter agreements.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with the removal of October 11 and November 8 meetings of I-1.* (Holden/Pinkard) Ayes: Pinkard, MacDonald, Flynn, and Ramirez, Holden. Noes: Flynn only I-7.**

N. CITY COUNCIL BUSINESS COMMITTEE REPORTS

1. SUBJECT: Proposed Cuts to Oxnard College Programs. (163)

RECOMMENDATION: Consider sending the attached letter to the Chancellor of the Ventura County Community College District (VCCCD).

DISCUSSION: Andres Orozco asked that a letter be presented to the Ventura County College District by next Tuesday, December 13, 2011.

ACTION: Council directed staff to strengthen the letter to be sent to the Ventura County College District (Holden/MacDonald) unanimously.

3. SUBJECT: Presentation by Superintendent, Dr. Gabe Soumakian, from the Oxnard Union High School District on the District's "Blueprint for Greatness"

DISCUSSION: Dr. Soumakian outlined the District's "Blueprint for Greatness" plan and future plans to build two new high schools.

ACTION: Received the presentation.

2. SUBJECT: Operation of the Oxnard Public Access Channel. (167)

RECOMMENDATION: 1) Authorize the City Manager to execute a Memorandum of Understanding for Operation of the Oxnard Public Access Channel with Fuerza Latina Health Association; and 2) Require that the operator return to City Council in six months to provide a status report on Channel 25 operations and the policies and procedures manual as defined in the MOU.

DISCUSSION: The Public Information Officer reviewed past operations of local public access systems. She commented on the guidelines, the selection process and requirements of the selected operator.

Comments were received from: Jim Hensley; David Cruz; Andres Orozco; George Ortega; Carlos Licea de Varona; Steve Salinas; Lupe Anguiano; Bert Perello; Pat Brown; Gene Valentino and Ramon Ortiz.

The Council commented on: the need for public access channel, possibility of working with Oxnard College and involving students in the public access channel.

ACTION: Moved to approve as recommended (Holden/Ramirez) Ayes: MacDonald, Flynn, Ramirez, Holden and Pinkard.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

1. SUBJECT: Monthly Budget Status Report for the Period Ending October 31, 2011. (103)

RECOMMENDATION: Receive Report.

DISCUSSION: Comments were received from Bert Perello and Martin Glatt.

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Housing Department

1. SUBJECT: Eighth Amendment to FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan (The Plan) for the Homelessness Prevention and Rapid Re-Housing Program (HPRP). (117)

RECOMMENDATION: 1) Conduct a public hearing to approve the Eighth Amendment to The Plan; 2) Approve the budget revision of the funds awarded to County of Ventura Human Services Agency (CVHSA); 3) Authorize the Housing Department Director to submit the Eighth Amendment of The Plan to the U.S. Department of Housing and Urban Development for approval; 4) Authorize the City Manager to submit the Substantial Amendment of the Plan to the U.S. Department of Housing and Urban Development for approval; and 5) Authorize the Mayor to execute the modification of Appendix A "Scope of Services."

DISCUSSION: The Grants Manager reviewed the time schedule and types of notices provided to the public for comments.

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

M. REPORT OF CITY MANAGER

The City Manager announced that the Oxnard College Foundation had increased their contribution to Oxnard College from \$100,000 to \$200,000; 2011 Ventura County Emergency Planning Council selected City of Oxnard for the Tsunami Signage Program and a community preparedness information campaign; and the temporary closure of 101 Freeway due to bridge construction.

N. CITY COUNCIL BUSINESS COMMITTEE REPORTS

Councilmember Ramirez requested that the "Federal Clean Air Act" be placed on future agenda for discussion.

O. REPORTSCity Attorney Department1. SUBJECT: Preferences for Small Local Businesses. (197)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2852** providing certain monetary preferences for small local businesses in connection with trade service and public works contracts.

DISCUSSION: The City Attorney reviewed the proposed ordinance including amount of contact to fall under this preference, employment of local residents, and regulations to be established by City Manager and Purchasing Authority.

The City Council discussed the amount of preferences, penalty time period, and appeal process.

Comments were received from: Pat Brown.

ACTION: Approved as recommended with changes to penalty time period. (Holden/Ramirez).
Ayes: Ramirez, Holden, Pinkard, MacDonald, and Flynn.

P. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONT. ADJOURNMENT

At 10:19 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor