

## MINUTES

### OXNARD CITY COUNCIL Regular Meeting November 16, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission, and Housing Authority. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. The City Clerk stated that the agenda was posted on Wednesday 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; Alan Holmberg, City Attorney; 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; Anthony Emmert, Water Resources Manager; Norma Owens; Grants Manager; and Trish Honigsberg, Outreach & Education Specialist.

#### B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

#### C. CLOSED SESSION

#### D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for family of Romelo Urango, a retired employee.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Oxnard Recycles Day  
DISCUSSION: The Outreach & Education Specialist presented a video on the important of recycling in the community.
2. SUBJECT: Presentation of Resolution to Chief John Crombach for over 25 Years of Outstanding Service to the City of Oxnard. (001)  
RECOMMENDATION: Approve **Resolution No. 13,931**.  
DISCUSSION: The Council presented the resolution and commented on Mr. Crombach's service to the community.

#### F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Miguel Espinosa, importance and support of the Police force.  
Larry Stein, past City project overruns and use of housing funds.  
Nancy Lindholm, service of Mayor Pro Tem Herrera and Councilmember Maulhardt.  
Steve Fleischer, upcoming Christmas Tree Lane event, guidelines and food donations.  
Bert Perello, opposed passing of the Paseo Nuevo Predevelopment Agreement .

Gil Gordon and Paul Montgomery, need for a public access channel.  
Stan Moorman, parking enforcement in his neighborhood.  
Martin Jones, structure of EDCO and CDC organization.  
Ernest Wennerholm, City buildings and streets need to be ADA complement.  
Pat Brown, being ADA complement and bicycles riding on the wrong side of the streets.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Dale Dean, questioned the cost of several agenda items (I-2, I-6, I-8, I-15).  
Timothy & Barbara Bingrass, revitalization of Rio Lindo Park (I-1).  
James Reed, review the labor compliance (I- 8).  
Bert Perello, questioned the ECO agreement (I-4), grant (I-7); and labor compliance (I-8).  
Larry Stein, questioned the promotion of downtown restaurants (I-4).

I. INFORMATION/CONSENT AGENDA

City Manager

1. SUBJECT: Rio Lindo Park Rehabilitation Project GS06-50 (003)  
RECOMMENDATION: Approve the change order in amount of \$61,057.73 for Project Specification GS06-05 for the Rio Lindo Park Rehabilitation Project, located at 841 Blanca Street resulting in a total contract amount of \$1,086,162.62.
2. SUBJECT Second Amendment with On-Call Landscape Architect Services (009)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment for On-Call Landscape Architect Services provided by Jordan, Gilbert & Bain Landscape Architects, Inc. (4734-09-CM)
3. SUBJECT First Amendment with Harison and Associates for On-Call Grant Writing Services (037)  
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment for consulting services (4918-09-CM) with Harison and Associates for On-Call Grant Writing Services, increasing the total amount of the agreement from \$75,000 to \$100,000.

Community Development Department

4. SUBJECT: Amendment to Agreement with Economic Development Corporation of Oxnard for Additional Downtown Services (053)  
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an amendment to the Agreement between the City, CDC and EDCO, providing for a one-time addition of funds of \$85,000 to the EDCO budget amount provided for Sections 2 and 3 of the Agreement; and 2) Approve the payment of additional funds of \$85,000 to EDCO to cover the cost of the additional services.

At 8:44 p.m., Mayor Holden and Councilmember Maulhardt left the dias due to possible conflict of interest, and Mayor Pro Tem Herrera presided. Councilmember Maulhardt stating his concerns with the City Attorney advisement to step down due being on a downtown committee and this would be new prescience.

DISCUSSION: The Community Development Director and Steve Kinney, Director of the Economic Development Corporation, reviewed the concepts being considered.

At 8:46 p.m., Mayor Holden and Councilmember Maulhardt returned with Mayor Holden presiding. The City Attorney stated after reviewing Brown Act his advice would be that Councilmembers should not remove themselves solely because they may be on a committee.

#### Development Services Department

5. SUBJECT: Agreement with Iteris, Inc. to provide plans and specifications for Implementation of the Intelligent Transportation System (ITS) Master Plan (073)  
RECOMMENDATION: Approve Agreement No. 5217-10-DS with the engineering consulting firm of Iteris, Inc., in the amount of \$751,275. This Agreement is for the consultant to design and produce engineering plans and specifications for implementation of the City's ITS Master Plan.

#### Finance Department

6. SUBJECT: Agreement with Pacific Life for the purchase of an annuity to fund the Early Retirement Incentive Program (ERIP) (075)  
RECOMMENDATION: Moved to City Council Business N-3.

#### Fire Department

7. SUBJECT: Urban Area Security Initiative Grant (077)  
RECOMMENDATION: 1) Recognize \$218,600 in grant revenue from the Department of Homeland Security Urban Area Security Initiative (UASI); and 2) Approve a special budget appropriation in the amount of \$218,600 for the purchase of Emergency Operations Center equipment, portable radios, dive team equipment and training.

#### Housing Department

8. SUBJECT: Agreement with Labor Compliance Providers, Inc. to Provide Prevailing Wage Monitoring Services (081)  
RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement for prevailing wage monitoring services with Labor Compliance Providers, Inc. (A-7332) in an amount not to exceed \$250,000 per year for three years, for a possible total of \$750,000.  
DISCUSSION: The Grants Manager reviewed the process, ranking, selection of company and cost of services.
9. SUBJECT: First Amendment to Capital Improvement Contract with Vinyl Concepts, Inc., for Demolition and Reconstruction of Public Housing Carports. (083)

RECOMMENDATION: Approve and authorize the Chairman to execute a First Amendment of the contract with Vinyl Concepts, Inc., (A-7263) to increase the contract amount by \$482,362.80 for a total of \$1,217,362.80, and to add three public housing sites to the scope of work.

Police Department

10. SUBJECT: **Ordinance No. 2834** Concerning Parties, Gatherings, or Assemblages on Private Property (097)

RECOMMENDATION: Second reading and adoption.

Public Works

11. SUBJECT: First Amendment to Blanket Purchase Order with Aqua Metric Sales Company (101)

RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment with Aqua Metric Sales Company (B-3480), in the amount of \$350,000 for a total not-to-exceed amount of \$700,000 for the purpose of purchasing water meters and related parts and to extend the expiration date to November 17, 2011.

12. SUBJECT: First Amendment to Blanket Purchase Order with Vulcan Materials Company (107)

RECOMMENDATION: Authorize the Mayor to execute a First Amendment to the Blanket Purchase Order with Vulcan Materials Company (Vulcan) in the amount \$750,000 for a total not-to-exceed amount of \$1,000,000 for purchase of hot mix asphalt and class 2 road base for street pavement repair and for the processing and recycling of concrete and asphalt demolition debris throughout the 2010-2011 fiscal year.

13. SUBJECT: Approval of Award of Contract for PW11-01 Water Blending and Pumping Station No. 6 (113)

RECOMMENDATION: 1) Approve the award of a contract to HPS Mechanical Inc. in the amount of \$876,300 for the Water Blending and Pumping Station No. 6, located within the existing Water Campus facility, 251 South Hayes Avenue; and 2) Authorize the Mayor to execute the contract (A7361) upon receipt of all supporting contract documents.

14. SUBJECT: PW10-14 Bartolo Square South Neighborhood Street and Utility Improvement Project Phase 2 (Bartolo Square South Project) (115)

RECOMMENDATION: Approve Project Specification No. PW10-14 for pavement resurfacing, sidewalk, curb and gutter repair, replacing street name signs, and water main replacement in the Bartolo Square South Project bounded eastward to J Street, westward to Ventura Road, northward to Hemlock Street, and southward to Channel Islands Boulevard and authorize staff to solicit bids.  
DISCUSSION: The City Engineer stated that the neighborhood has been divided into four parts and all neighborhoods will be improved.

15. SUBJECT: Second Amendment to the Consulting Services Agreement with A & N Technical Services, Inc for Professional Consulting Services to Develop and Prepare a Water Conservation Master Plan (117)

RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment to the Consulting Services Agreement with A & N Technical Services, Inc. in the amount \$11,880 for a total not-to-exceed amount of \$261,880 to Develop and Prepare a Water Conservation Master Plan (4631-08-PW)

DISCUSSION: The Water Resources Manager reviewed recent State water requirements.

Recreation and Community Services Department16. SUBJECT: Senior Services Grant Awards (123)

RECOMMENDATION: 1) Approve the Senior Services Commission's (SSC) recommended distribution of \$50,000 in Senior Services Grant Awards to thirteen agencies providing service to seniors; 2) Direct the Community Services Manager to notify recipients of Senior Service 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.

17. SUBJECT: Recognize Revenue and Appropriate Funds for the Retired and Senior Volunteer Program (RSVP), Fiscal Year 2010/2011 (133)

RECOMMENDATION: 1) Recognize Revenue in the amount of \$84,721 and Appropriate matching funds for the Retired and Senior Volunteer Program grant; and 2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMSCity Manager Department1. SUBJECT: Executed Contracts. (137)

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGSHOUSING AUTHORITY

At 8:31 p.m. the joint meetings with the Housing Authority concluded.

M. REPORT OF CITY MANAGER

The City Manager announced that the City staff would soon provide a report on the status of the Public Access Channel.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

Councilwoman Pinkard commented on the Women PAL Boxing Tournament with participant from around the world.

Q. APPOINTMENT ITEMS

1. SUBJECT: Verbal presentation by the Cabrillo Economic Development Corporation (CEDC).  
DISCUSSION: Karen Flock, Sylvia Rodriguez, and Bertha Garcia of CEDC review partnerships with the City, action plans, home ownership development, property management and assisting in the housing needs of low income residents.

Pat Brown, CEDC having good outreach programs.

ACTION: Received presentation.

N. CITY COUNCIL BUSINESSCity Attorney Department

1. SUBJECT: Amendment of General Purchasing Procedures and Public Contract Purchasing Procedures (141)  
RECOMMENDATION: 1) Adopt **Resolution No. 13,932** amending purchasing procedures for professional services, trade services, equipment and supplies; and 2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2835** amending public contract purchasing procedures.  
DISCUSSION: The City Attorney reviewed changes to purchasing procedures based on direction provided by City Council at the September 28, 2010 meeting.

Bert Perello, issue regarding of use of local businesses.

ACTION: Approved as recommended. (Holden/Maulhardt) Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

City Manager

2. SUBJECT: Early Retirement Incentive Program Update (153)  
RECOMMENDATION: Receive an update on the Early Retirement Incentive Program (ERIP)  
DISCUSSION: The Chief Financial Officer briefly reviewed the ERIP program.  
ACTION: Directed staff to return to City Council in the future.

Finance Department

3. SUBJECT: Agreement with Pacific Life for the purchase of an annuity to fund the Early Retirement Incentive Program (ERIP) (075)  
RECOMMENDATION: 1) Approve the purchase of an annuity from Pacific Life Insurance Company, for the funding of the ERIP, consisting of five annual payments not to exceed \$640,000 each; and 2) Authorize the City Manager to take appropriate action and execute required documents on behalf of the City to implement the annuity purchase.

DISCUSSION: The Chief Financial Officer reviewed the benefits and reasons to buy an annuity at this time.

The City Council discussed advantages and disadvantages of an annuity, time schedule and other possible options.

ACTION: Directed staff to return item to City Council in the future.

COMMUNITY DEVELOPMENT

At 9:33 p.m. the joint meetings with the Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:33 p.m. the City Council concurred to adjourn the meeting.