

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

January 12, 2010

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 Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. Mayor Thomas E. Holden was absent. The Assistant City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Herrera presided and called the meeting to order. Staff members present were: Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; and Jill A. Beaty, Assistant City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:35 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 discussed is City of Oxnard and Dirk Voss, California State Mediation and Conciliation Service Case No. ARB-09-0022

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9 and 54957.6, to give instructions to negotiators, Karen Burnham, Assistant 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 Oxnard Public Safety Management Employees' Association (Police Unit), Oxnard Public Safety Management Employees' Association (Fire Unit) and the Oxnard Peace Officers' Association (OPOA) and other matters within the scope of representation.

At 5:45 p.m. Mayor Holden was present and presided. At 6:53 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:01 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission and Housing Authority. 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: Daniel Martinez, City Clerk; John Crombach, Police Chief; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Maureen Hooper, Redevelopment Project Manager; Norma Owens, Grants Manager; and Michael More, Financial Services Manager.

At 7:03 p.m., regular City Council meeting recessed to the special City Council and Finance Authority meeting and at 7:24 p.m., the regular City Council meeting reconvened.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Resolution to Mike Matlock for Thirty Years of Service with the City. (001)
ACTION: Continue to future date.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Edgar A. Mohorko commented on the "Peacemakers" program and other community outreach programs.

Ernest Stein, Police enforcement efforts in the Lemonwood Neighborhood.

John Korsten complained of Code Compliance Division activities and problems with a neighbor.

Gwen Lauterbach, invitation to community service by helping in the Homeless Count, January 26, 2010.

Patrick Ben Oviedo, non-profit fund raiser by selling 2010 calendar highlighting local individuals.

Sandy Gonzales requested a response to having Council meetings simulcast in Spanish.

Eddie Hernandez, the importance of the April 1, 2010 census count.

R. Ridgway, Police incident on Jan. 5, 2010, believing he was targeted by Police Department.

Bert Perello requested an explanation of the Police Reward Program at a future Colonia Neighborhood meeting.

Larry Stein, sales tax measure committee and building of an aquatic center.

G. REVIEW OF INFORMATION/CONSENT AGENDAH. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown questioned the cost of development for Cypress Neighborhood Garden City Acres Park (I-3). The Redevelopment Project Manager reviewed fees paid for development of the park.

Bert Perello, need for Council to discuss Information/Consent items such as American Recovery and Reinvestment Act (I-4); IAFF agreement (I-7); and bidding process (I-9) & (I-13) due to total costs. Mayor Holden stated the action regarding the American Recovery and Reinvestment Act would allow for reimbursement of funds.

Larry Stein expressed concern with traffic circulation at Rose Avenue and Fifth Street (I-10).

I. INFORMATION/CONSENT AGENDACity Attorney Department

1. SUBJECT: Update of Conflict of Interest Standards. (003)

RECOMMENDATION: Adopt **Resolution No. 13,756** repealing the current conflict of interest standards and adopting new conflict of interest standards to reflect changes in authorized classifications.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the City Council for December 1, 8 and 15, 2009. (017)
RECOMMENDATION: Approve.

Community Development Department

3. SUBJECT: Requested \$2,800,000 Additional Funding for the Reimbursement of the Cost to Acquire Land for, and Install and Construct the Cypress Neighborhood Garden City Acres Park (Formerly Referred to as Cypress Park) Located at the Corner of Cypress Road and Eugene Walk in the Historic Enhancement and Revitalization of Oxnard (HERO) Project Area. (041)
RECOMMENDATION: That City Council: (1) Approve **Resolution No. 13,757** consenting to the payment or reimbursement by the Community Development Commission (CDC), of a certain portion of the costs related to certain public improvements in the HERO project area and making certain determinations and findings, in accordance with California Community Redevelopment Law (CRL); and (2) Approve and authorize the Mayor to execute the cooperation agreement (**A-7254**) with the CDC in the amount of \$3,300,000 for payment of costs associated with the development of the Garden City Acres Park.

Finance Department

4. SUBJECT: Designation of the City as a Recovery Zone under Authorization of the American Recovery and Reinvestment Act of 2009. (055)
RECOMMENDATION: Adopt **Resolution No. 13,758** designating an area within the City Recovery Zone for purposes of Sections 1400u-1, 1400u-2 and 1400u-3 of the Internal Revenue Code of 1986.

Fire Department

5. SUBJECT: State Homeland Security Grant. (061)
RECOMMENDATION: (1) Recognize \$20,000 in grant revenue from the Federal Department of Homeland Security and subgranted through the State; and (2) Approve a special budget appropriation in the amount of \$20,000 for the purchase of radiological monitoring equipment (dosimeters).

Human Resources Department

7. SUBJECT: Memorandum of Understanding (MOU) with the International Association of Fire Fighters, Local 1684, AFL-CIO (IAFF). (079)
RECOMMENDATION: (1) Ratify a MOU (**A-7265**) between the City and the IAFF, commencing July 1, 2008, and expiring on June 30, 2014; (2) Adopt **Resolution No. 13,759** implementing the MOU for the IAFF; 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.

Police Department

8. SUBJECT: Regional Anti-Gang Intelligence-Led Policing Program Grant. (083)
RECOMMENDATION: Adopt **Resolution No. 13,760** authorizing: (1) The City Manager or designee to execute and submit a proposal for California Emergency Management Agency grant funds in the amount of \$300,000 to continue development of the Tri-County Regional Anti-Gang Intelligence-LED Policing network; and (2) The City Manager, upon grant award, to approve a special budget appropriation in the designated amount.

Public Works Department

9. SUBJECT: Amendment No. Three to Agreement with Black & Veatch for Blending Station No. 1 Site Improvements Phase I Project, at 251 South Hayes Avenue. (087)
RECOMMENDATION: Approve and authorize the Mayor to execute the third amendment to the agreement with Black & Veatch (**A-6867**) for \$99,500 for a total amount of \$416,246 for the design and construction administration of the Blending Station No. 1 Site Improvements Phase I Project, and to extend the contract expiration date to December 31, 2010.
10. SUBJECT: Second Amendment to Cooperative Agreement between the City and the State for Traffic Signal Modifications at the Intersection of Rose Avenue and Fifth Street. (095)
RECOMMENDATION: Approve and authorize the Mayor to execute a second amendment to the agreement between the City and the State (**A-7073**).
11. SUBJECT: PW09-15 Ventura Road Utilities Improvement Project Phase II. (099)
RECOMMENDATION: Approve Project Specification No. PW09-15 for utility infrastructure improvements to include sewer gravity lines, sewer force main, water pipeline, recycled water pipeline, and subsequent street resurfacing of Ventura Road between Gonzales Road and Wagon Wheel Road and authorize staff to solicit bids for the project.
12. SUBJECT: Agreement with Ventura County Community College District (District) for Transfer of Oxnard College Water System to City. (103)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with the District (**A-7238**) for transfer of Oxnard College water system and payment of fees and charges, providing the City with ownership and ongoing operational responsibility for the new water system located at Oxnard College.
13. SUBJECT: Amendment No. Three to Agreement with Kennedy/Jenks Consultants for Development of Water Supply Assessments (WSA). (105)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute the third amendment to the agreement with Kennedy/Jenks Consultants (**4444-08-PW**) for \$150,000 for a total amount of \$275,000 to update existing WSA documents for existing developments and to develop WSA documents specific to new developments, and to extend the contract expiration date from June 30, 2010 to June 30, 2011; and (2) Approve the appropriation of funds in the amount of \$150,000 from Water Operating Fund balance to cover the cost of the contract.
14. SUBJECT: Special Budget Appropriation for PW09-24 Del Norte Facility Waste Tipping Floor Restoration Project. (109)
RECOMMENDATION: Approve the appropriation of \$23,405 from the Solid Waste Operating Fund to the Solid Waste Asset Management Project.

Recreation and Community Services Department

15. **SUBJECT:** Application for California Gang Reduction, Intervention, and Prevention (CalGRIP) Initiative Grant Funding. (111)

RECOMMENDATION: Adopt **Resolution No. 13,761** authorizing the City Manager to submit an application for \$400,000 in California Emergency Management Agency and the Governor's Office of Gang and Youth Violence Policy (OGYVP) CalGRIP Cities Initiative funds, to be used to reduce gang and youth violence through the mentoring and structured activities of underperforming middle school students and siblings.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with clarification of terms of the IAFF MOU (I-7). (MacDonald/Holden) Ayes: Herrera, Maulhardt, Pinkard, MacDonald, and Holden.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. **SUBJECT:** Monthly Budget Status Report for the Period Ending November 30, 2009. (113)
DISCUSSION: Larry Stein commented that the public should be reviewing the City budget.
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 no written communications were received.

City Manager Department

1. **SUBJECT:** Participation in the CaliforniaFIRST Program of the California Statewide Communities Development Authority (California Communities). (123)
RECOMMENDATION: Adopt **Resolution No. 13,762** authorizing the City's participation in the CaliforniaFIRST Program of the California Communities to provide financing to residential, commercial and industrial property owners for renewable energy, energy efficiency and water efficiency projects.

Development Services Department

2. **SUBJECT:** Special Budget Appropriation and Contract Amendment No. Six to Agreement for the Preparation and Environmental Review of the 2030 General Plan and Related Tasks. (135)
RECOMMENDATION: Approve and authorize the Mayor to execute Contract Amendment No. Six with Matrix Design Group (**3605-05-DS**), to increase the amount by \$191,960 to an authorized maximum amount of \$1,686,905 for the preparation and environmental review of the 2030 General Plan and related tasks.
ACTION: Close the public hearing. (Herrera/Pinkard) Approved as recommended. (Pinkard/Maulhardt) Ayes: Pinkard, MacDonald, Holden, and Herrera. Maulhardt,

L. PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

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

Housing Department

1. SUBJECT: Low and Moderate Income Needs Assessment – Fiscal Year (FY) 2010-2011 Annual Action Plan, Third Annual Plan Component of the FY 2008-2013 Consolidated Plan. (145)

RECOMMENDATION: Conduct a public hearing to receive comments and provide direction to staff concerning unmet needs of low and moderate income persons for housing, public facilities and economic development.

DISCUSSION: The Grants Manager reviewed the process required by HUD, plan purpose, comprehensive vision, needs assessment and funding of the Community Development Block Grant, HOME Investment Partnerships Act, and Emergency Shelter Grant.

Eileen Tracy supported the Income Needs Assessment and the need for a year-round shelter home in the community.

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

COMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 8:28 p.m. the concurrent meetings with the Community Development Commission and Housing Authority concluded.

M. REPORT OF CITY MANAGER

The City Manager reported that the Oxnard City Corps. in coordination with the Oxnard Adult Education Program are providing a GED program to the youth of the community.

At 8:29 p.m., Mayor Pro Tem Herrera left the meeting.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council requested the appointment of Councilmembers to the Association of Water Agencies for Ventura County and Oxnard Downtown Management District.

Councilmember MacDonald commented on discussions at Southern California Association of Governments meetings regarding possible legislation to sell sales/property taxes to the State for taxes revenue to help fund local government.

O. REPORTSFinance Department

1. SUBJECT: Year-End Financial Report for Fiscal Year 2008-2009. (149)

RECOMMENDATION: (1) Receive and file the City of Oxnard Comprehensive Annual Financial Report for FY 2008-2009; and (2) Approve year-end capital improvement project adjustments to reflect available funds.

DISCUSSION: The Finance Director commended on projected shortfall in sales taxes, property taxes, and charges for services due to the economic downturn.

Larry Stein and Bert Perello commented on costs and debt service of the golf course.

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

- 2. SUBJECT: Annual Report for Development, Connection and Improvement Fees for the Year Ended June 30, 2009. (161)

RECOMMENDATION: Receive and file the Annual Report for development, connection and improvement fees for the year ended June 30, 2009 in accordance with Government Code Section 66006.

DISCUSSION: The Finance Director commented on various fee balances including park acquisition and development improvement, storm drain, traffic impact, capital growth, water system connection, and sewer connection.

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

P. PUBLIC COMMENTS ON REPORTS

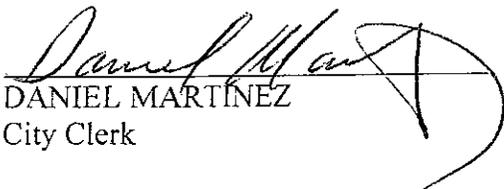
Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:58 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor


ANDRES HERRERA
Mayor Pro Tem

MINUTES

OXNARD CITY COUNCIL

Special Meeting

January 12, 2010

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the special meeting of the Oxnard City Council convened in the Council Chambers concurrent with the Finance 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 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; Alan Holmberg, City Attorney; James Cameron, Finance Director; and Michael More, Financial Services Manager.

B. PUBLIC COMMENTS

C. REPORT

Finance Department

1. SUBJECT: City of Oxnard Financing Authority Water Revenue Project Bonds, Series 2010. (001)

RECOMMENDATION: That City Council: (1) Adopt **Resolution No 13,756** authorizing the sale, issuance, and delivery of not more than \$110,000,000 in aggregate principal amount of City Financing Authority Water Revenue Project Bonds, Series 2010A and City Financing Authority Water Revenue Project Bonds, Series 2010B (Federally Taxable Build America Bonds) (collectively, "the 2010 Bonds") and approving certain documents and authorizing certain actions in connection therewith; and (2) Authorize the City Manager or his designee to appropriate the proceeds of the 2010 Bonds in the amount of \$83,400,000 toward the construction of the water capital improvement projects.

DISCUSSION: The Finance Director and Financial Services Manager reviewed financial structure, bond rating, bidding process, selection of bond counsel, and interest rate costs.

Bert Perello and Larry Stein, bidding process, issue of bonds and interest rate.

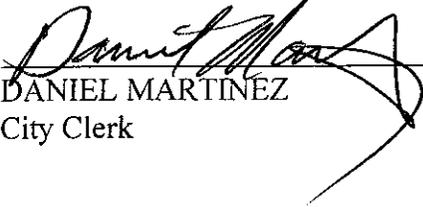
ACTION: Approve as recommended. (Herrera/Maulhardt) Ayes: Holden, Herrera, Maulhardt, Pinkard, and MacDonald.

FINANCING AUTHORITY

At 7:24 p.m., the concurrent meeting with the Financing Authority concluded.

D. ADJOURNMENT

At 7:24 p.m. the City Council concurred to adjourn the meeting.



DANIEL MARTINEZ
City Clerk



DR. THOMAS E. HOLDEN
Mayor