

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

July 12, 2011

A. ROLL CALL/POSTING OF AGENDA

At 5:36 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, 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; Alan Holmberg, City Attorney; James Cameron, Chief Financial Officer; Michelle Tellez, Human Resources Director; Grace Magistrale Hoffman, Deputy City Manager; Scott Whitney, Assistant Police Chief; and Yvonne Harper, Assistant City Library Director

L. PUBLIC HEARING

ACTION: Mayor Holden declared the public hearing open.

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

City Manager

1. SUBJECT: Presentation and Adoption of the Fiscal Year (FY) 2011-2012 City, Community Development Commission, and Housing Authority Operating and Capital Improvement Budgets. (001)

RECOMMENDATION: 1) Conduct a public hearing on the FY 2011-2012 operating and capital improvement budgets for the City of Oxnard (City); 2) At the conclusion of the public hearing, at the discretion of City Council, adopt resolutions: (a) approving the City's Operating and Capital Improvement Budgets for FY 2011-2012, (b) authorizing full-time equivalent positions in the City effective July 1, 2011, (c) authorizing the Classification and Salary Schedule effective July 1, 2011, and (d) establishing FY 2011-2012 Financial Management Policies.

DISCUSSION: The Chief Financial Officer reviewed the proposed budget with changes due to State budget, property taxes, development fees, Measure "O", ERIP program and next review of the budget. The Human Resources Director commented on the ERIP program (placement of technical positions and unfilled management positions); the effect of a retired (Cal PERS) employee; and use of library volunteers.

The City Council discussed: property tax, ERIP program, the filling of vacant positions, the City debt ratio compared to other cities, and next scheduled budget review.

The following individuals provided comments: Shirley Godwin, Jim Lavery, Larry Stein, and Pat Brown

ACTION: The City Council concurred to continue this item to July 19, 2011.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS**C. CLOSED SESSION**

At 6:33 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 numbers of the litigation being discussed were Hartman, W.E. and Hartman, Sally J. v. City of Oxnard Ventura County Superior Court, Case No. 56-2008-00330374-CU-BC-VTA and Thomas Waller v. City of Oxnard Workers' Compensation Appeal Board No. (OXN) ADJ7320837.

At 7:14 p.m. the City Council reconvened and recessed to the evening session.

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, and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States by Paulo Ortiz, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: Rob Roshanian, Interim Public Works Director; and Christina Aerenlund, Public Information Officer.

E. CEREMONIAL CALENDAR

2. **SUBJECT:** Presentation of Proclamation Designating July 2011 as Parks and Recreation Month.
DISCUSSION: Paul Lemos and Gloria Postel, Parks and Recreation Commissioners, commented on the many parks and recreational activities available to the community.
1. **SUBJECT:** Recognition of the City's Participation in the United Way Campaign by United Way Ventura County.
DISCUSSION: Eve Liebman, Community Investment Director, recognized the participation of City employees in the United Way Campaign.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from: Alan Sanders; Diane Delancy; Larry Stein; Pat Brown; Gloria Roman; Woodrow Thomas; Bert Perello; and Julie Pena.

G. REVIEW OF INFORMATION/CONSENT AGENDA**H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA**

Comments were received from: Larry Stein (I-6); Pat Brown (I-1); Martin Jones (I-3); Bert Perello (I-9).

I. INFORMATION/CONSENT AGENDA**City Attorney Department**

1. **SUBJECT:** Resolutions Amending Rules of Procedure Regarding Meeting Adjournment. (057)

RECOMMENDATION: Adopt **Resolution No. 14.094** to amend their respective Rules of Procedure to provide that no new items on a meeting agenda shall be considered after 11:00 p.m., and the meeting shall be adjourned upon conclusion of the item under consideration at 11:00 p.m., unless a motion is passed to extend the meeting.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the City Council for April 26, and May 3, 10, 17, 2011; Minutes of the Special Meeting of May 17, 2011. (065)
RECOMMENDATION: Approve.

City Manager Department

3. SUBJECT: Agreements for City Council Review. (101)
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 with removed section three only.*

Development Services Department

4. SUBJECT: Change Order 31 for Security Paving Company, Inc. for Project Specification No. PW03-19, Special Budget Appropriation for "Highway 101—Rice Avenue" (103)
RECOMMENDATION: 1. Approve and authorize the Mayor to execute Change Order 31 for Project Specification No. PW03-19 with Security Paving Co., Inc. to increase the amount by \$862,223.13 (a total of \$32,666,844.99) for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101 (A-7228); and 2. Approve the appropriation of funds in the amount of \$862,230 for Change Order 31 for Project Specification No. PW03-19 from the Circulation System Improvement Fees to the "Highway 101—Rice Avenue" project for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.

Finance Department

5. SUBJECT: Lease Agreement with Toshiba America Business Solutions. (113)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Toshiba America Business Solutions (A-7411) for an amount not to exceed \$325,000 for the replacement of 29 copiers.

Fire Department

6. SUBJECT: Agreement with Emergency Technologies, Inc. (121)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Emergency Technologies, Inc. (ETI) (5464-11-FI), in the amount of \$326,421 for a Fire Records Management System.

Police Department

8. SUBJECT: Resolution Commending Bill Altman for Over Twenty-five Years of Exemplary Service to the City of Oxnard. (133)
RECOMMENDATION: Adopt **Resolution No. 14,095**.

Public Works Department

9. SUBJECT: Third Amendment to Agreement with Oxnard Harvest Company. (135)
RECOMMENDATION: Approve and authorize the Mayor to execute the Third Amendment to the Agreement for Trade Services with Oxnard Harvest Company (4517-08-PW) to increase the amount by \$100,000 for a total of \$745,000 and extend the contract expiration date to January 18, 2012.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with section three from I-3 removed from agenda (Holden/MacDonald). Ayes: Pinkard, MacDonald, Flynn, Ramirez, and Holden.

HOUSING AUTHORITY

At 8:14 p.m. the joint meeting with the Housing Authority concluded.

Q. APPOINTMENT ITEMS

1. SUBJECT: Oxnard Brand, Development and Marketing Action Plan & Addendum/Implementation Plan. (147)

RECOMMENDATION: 1) Approve the brand for Oxnard to be "A Destination That Creatively Celebrates International Culture"; 2) Support the Brand Leadership Committee; and 3) Adopt the proposed new City logo and a phased implementation of its use.

DISCUSSION: Janet Sederquist and Marilyn Miller, Oxnard Brand Leadership Committee, presented the branding concept which included reviewing the process, looking at community assets, community input, need to have a long term process, logo change, and having a "way finding" plan.

The following individuals provided comments: Patricia Young; William Terry; Ed Ellis; Pat Brown; Bert Perello; Frank Nielsen; Shirley Godwin; Harold Ceja; Allen Sanders; Steve Nash; Diane Delancy; Abel Magana; Zachary Franges; Magda Weydt; Steve Buenger; and David Dreher.

ACTION: Approved recommendations part one and two as recommended, (Holden/Pinkard) Ayes: MacDonald, Flynn, Ramirez, Holden, and Pinkard. Approved recommendation part three as recommended, (Holden/Pinkard) Ayes: Flynn, Holden, Pinkard, and MacDonald. Noes: Ramirez.

COMMUNITY DEVELOPMENT

At 9:50 p.m., the joint meeting the Community Development Commission concluded.

At 9:50 p.m., Councilman Flynn left the meeting.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

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.

Police Department

1. **SUBJECT:** Edward Byrne Memorial Justice Assistance Grant Formula Program (JAG): FY 2011 Local Solicitation. (139)

RECOMMENDATION: Adopt **Resolution No. 14,096:** 1) Authorizing the City Manager to execute and submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of \$155,074 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2011 Local Solicitation; 2) Authorizing the City Manager to execute a Memorandum of Understanding (A-7420) with the County of Ventura and the Cities of San Buenaventura and Simi Valley, designating the City of Oxnard as the lead agency and fiscal agent for the JAG; 3) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 4) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of JAG funds; and 5) Authorizing the Chief of Police or designee to submit all program related progress or status reports.

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

At 9:52 p.m., Councilman Flynn returned to the meeting.

N. CITY COUNCIL BUSINESS COMMITTEE REPORTS**City Manager Department**

1. **SUBJECT:** Broadcast of City Council Meetings with Interpretation into Spanish. (145)
RECOMMENDATION: Consider and provide direction to the City Manager regarding the possibility of providing simultaneous broadcast of City Council meetings in Spanish.
DISCUSSION: The Public Information Officer reviewed costs and options to have Spanish translation during Council meetings.

At 10:25 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

Comments were received from: Gloria Roman, Mario Quintana, Allen Sanders, Ed Ellis, Ray Tejada, Ana Cristina Flores, Lucy Cartagena, Alice Madrid, Margaret Cortese, Josephine Solis, Theadora Davitt-Cornyn, Lauro Barajas, Pat Brown, Jorge Napoles, Larry Stein, Joseph Castaneda, Linda Conderon, Luann Rocha, Jesus Rocha, Bert Perello, Julie Pena, Maria Vargas, Frank Nilsen, Rudy Salvio, Shirley Godwin, Elida Castro.

The City Council commented on: options presented; possible other translation options; and the needs of community.

ACTION: Provided comments and direction to staff.

At 11:31 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

M. REPORT OF CITY MANAGER

The City Manager and Interim Public Works Director stated that the RiverPark soil investigation would begin on Thursday, July 14.

Comments were received from Bert Perello.

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Amendments to: RiverPark Specific Plan (PZ 09-630-03), Development Agreement (PZ 11-670-01), Owner Participation Agreement and Agreement Containing Covenants, Filed by RiverPark Legacy on behalf of the RiverPark Developers.

RECOMMENDATION: Continue to July 26, 2011.

ACTION: Approved as recommended, (Pinkard/Ramirez) unanimously.

O. REPORTS

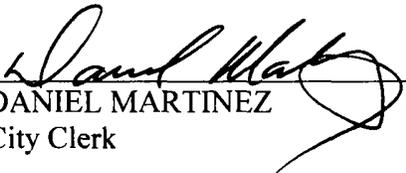
P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:35 p.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