

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

March 6, 2012

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

At 6:30 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; and Grace Magistrale Hoffman, Deputy City Manager.

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

#### C. CLOSED SESSION

At 6:31 p.m. the City Council 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.

#### D. OPENING CEREMONIES

At 7:34 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. Mayor Holden was absent and Mayor Pro Tem Pinkard presided. Additional staff members present were: Rob Roshanian, Interim Public Works Director; James Cameron, Chief Financial Officer; Curtis P. Cannon, Community Development Director; Barbara Murray, Library Director; William "Bill" Wilkins, Housing Director; Jason Benites, Assistant Police Chief; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; and Anthony Emmert, Water Resources Manager.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Andrew Grey for Winning the Wrestle Mania Letter Writer Contest.

DISCUSSION: Barbara Murray, Library Director, introduced Andrew Grey who won a reading contest which including a trip to Florida and donation to City library.

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

Received comments from: Kaz Iwajoto; Sandra Wanchek; Michael Stubblefield; Vincent Daly; Steve Nash; Martin Jones; Patrick Barrios; Larry Stein; Bert Perello; and Harold Ceja.

At 8:03 p.m., Mayor Holden returned to the meeting and presided.

**J. TRANSMITTAL OF INFORMATION ONLY ITEMS****Finance Department**

1. **SUBJECT:** Monthly Budget Status Report for the Period Ending January 31, 2012. (087)  
**RECOMMENDATION:** The monthly budget status report for revenues and expenses include both Governmental and Enterprise Funds for the period ending January 31, 2012.  
**DISCUSSION:** The Chief Financial Officer reviewed the process

Comments received from Larry Stein.

**ACTION:** Received and filed.

**K. INFORMATION/CONSENT PUBLIC HEARINGS****Housing Department**

1. **SUBJECT:** Second Amendment to the FY 2011-2012 Annual Action Plan.  
**RECOMMENDATION:** - Continue to March 20, 2012  
**ACTION:** Approved (Holden/Pinkard) unanimously.

**L. PUBLIC HEARINGS****M. REPORT OF CITY MANAGER**

The City Manager commented on the process to establish a Public Access Channel.

**N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS**

The City Council discussed: efforts to lobby for Ventura County base; review \$300 retirement benefit; the Halaco site; Big League Dreams; Read Across America program. and attending an upcoming conference.

**O. REPORTS****Community Development Department**

1. **SUBJECT:** Appointments to Redevelopment Agency Dissolution Oversight Board. (101)  
**RECOMMENDATION:** 1) That the Mayor, with the approval of City Council, pursuant to the provisions of Health and Safety Code section 34179(a)(2), appoint a member to the Oversight Board established pursuant to the provisions of Health and Safety Code section 34179(a); and 2) That the Mayor, with the approval of City Council, pursuant to the provisions of Health and Safety Code section 34179(a)(7), a member of the Service Employees International Union, Local 721, to the Oversight Board as the member from the recognized employee organization representing the largest number of former Community Development Commission employees employed by the successor agency.  
**DISCUSSION:** The Interim City Manager commented on the appointment process of other cities.

Received comments from Vince Daly. The Community Development Director reviewed the reason for items being placed on list.

**ACTION:** Appoint Mayor Holden to Oversight Board and continued appointment of union representative. (Holden/Pinkard) unanimously.

2. **SUBJECT:** Affordable Housing Loan Agreement for ED-KOH (RiverPark Lots 3, 11, 12 and 17A – Letter Agreement #3). (103)

**RECOMMENDATION:** That City Council and Successor Agency: 1) Approve and authorize the Mayor and Chairperson of the Successor Agency to execute the Letter Agreement #3 (Attachment 1) and direct the Community Development Director (or designee) to prepare and execute an amendment to the Loan Agreement in conformance with the Letter Agreement #3, in a form acceptable to the City Attorney. 2) Authorize the City Manager and Community Development Director (or designees), with approval from the City Attorney and the Successor Agency Counsel, to revise and sign all documents necessary and appropriate to carry out and implement the Letter Agreement #3, and to administer the obligations, responsibilities and duties of the City and Successor Agency pursuant to those documents.

**DISCUSSION:** The Community Development Director reviewed the conditions: 1) to sell the property; 2) affordable housing requirements; 3) different developers of the development; and 4) the affordable housing density. The Planning and Environmental Services Manager reviewed future planning meetings and requirements for public notice.

The following individuals provided comments: Cheryl Pease; Ellie Smith; Orlando Dozier; Pat Brown; Bert Perello; and Larry Stein.

**ACTION:** Moved to postpone this item and have dialog with developer (Ramirez/Flynn) Ayes: Ramirez and Flynn. Noes: Holden, Pinkard and MacDonald. Approve as recommended (Holden/Pinkard) Ayes: Holden, Pinkard and MacDonald. Noes: Flynn and Ramirez.

### COMMUNITY DEVELOPMENT SUCESSOR AGENCY

At 9:25 p.m. the concurrent meetings with the Community Development Commission Successor Agency concluded.

#### Housing Department

3. **SUBJECT:** Establishment of Oxnard Safe Housing Collaborative Ad Hoc Committee. (117)  
**RECOMMENDATION:** 1) Approve the establishment of the Oxnard Safe Housing Collaborative Ad Hoc Committee; 2) Request participation by the following community stake holder organizations: **BUSINESS:** Chamber of Commerce, Construction & Builders Association; **HOUSING RIGHTS ADVOCATES/COMMUNITY ORGANIZATIONS:** California Rural Legal Assistance (CRLA), Cabrillo Economic Development Corporation (CEDC), Mercy Housing, Farm Worker Housing/Bureau, Individual community housing advocates, League of United Latin American Citizens,(LULAC), El Concilio, El Centrito, Central Coast Alliance United for a Sustainable Economy (CAUSE), National Association for the Advancement of Colored People (NAACP); **NEIGHBORHOOD COUNCILS:** Inter-Neighborhood Council Forum (INCF), Neighborhood Council Chairs, Members of Neighborhood Councils, Renters, Saviers Road Design Team; **PROPERTY MANAGERS/REALTORS:** Board of Realtors, Property Management Companies.  
**DISCUSSION:** The Housing Director reviewed the establishment of the committee.

Received comments from Larry Stein and Ellen Tracy.

The City Council discussed the housing issues, housing programs, having a balance housing policy, need for input from Councilmembers, and creation/mission of committee.

ACTION: Concurred to continue to another meeting.

## R. STUDY SESSION

### Finance Department

2. SUBJECT: Fiscal Year 2011-12 General Fund Financial Status. (127)  
RECOMMENDATION: Receive an update on the Fiscal Year 2011-12 General Fund financial status.

ACTION: Concurred to continue this item.

### Development Services Department

1. SUBJECT: Pre-Application Review (PZ 12-600-1) for Development of a Vegetable Oil Refinery at Either the Northwest Corner of Del Norte Blvd and Fifth Street (APNs 216-0-016-465, & -475) or 5851 Arcturus Ave. (APN 213-0-090-195). Filed by Fuji Oil Co. Ltd. & ITOCHU International Inc. (121)

RECOMMENDATION: Review and provide preliminary comments on a pre-application to develop a facility for the storage, processing, and transloading of edible vegetable oils at either a 10.71 acre site on Del Norte Boulevard or a 9.72 acre site on Arcturus Avenue.

DISCUSSION: The Planning and Environmental Services Manager outlined the proposed two possible sites.

Mr. Stephen Wesel, Director of Business Development with ITOCHU, reviewed possible location sites, benefits of the refinery, insight of the close system of production, and local job creation.

The City Council discussed: site options, tower use, odor issues, hazardous storage of material, and possible emergency situations.

Received comments from: Michael Stubblefield, Bert Perello, Pat Brown, and Larry Stein.

ACTION: Reviewed and provided comments.

## O. REPORTS

### Public Works Department

4. SUBJECT: Two-Year Comprehensive Utilities Revenue Increases. (119)  
RECOMMENDATION: 1) Review and provide direction to the Interim Public Works Director to implement a two-step revenue increase for the Water, Wastewater and Environmental Resources Enterprises. The proposed increases for Fiscal Year 2011-12 are one percent (1%) in Environmental Resources, twelve percent (12%) in Wastewater, and no increase for Water. For Fiscal year 2012-13, the proposed increases are one percent (1%) in Environmental Resources, eight percent (8%) in Wastewater, and three percent (3%) in Water; and 2) Authorize staff to proceed with the Prop 218 public notice process.

DISCUSSION: The Water Resources Manager outlined history of rates, proposed new rates, and comparison to other cities. The Chief Financial Officer reviewed bond rating and capital requirements. The Interim Public Works Director stated a five-year CIP budget would be placed on future budget item.

Following individuals provided comments: Bert Perello; Larry Stein

The City Council commented: on future maintenance issues, infrastructure costs, bond rating, and water rate increases of other cities.

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

#### G. REVIEW OF INFORMATION/CONSENT AGENDA

#### H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Comments were received from: Bert Perello (I-2, item 4, I-10), Pat Brown (I-3, I-9, I-10), and Larry Stein I-4, I-6, I-10). Comments from the General Services Manager (I-2, item 4) regarding reasons for this type of architecture agreement.

#### I. INFORMATION/CONSENT AGENDA

##### City Clerk

1. SUBJECT: Minutes of the Regular Meetings of the City Council for January 10 and 24, 2012, and February 7 and 14, 2012; and Minutes of the Special Meeting of the City Council for January 31, 2012. (001)

RECOMMENDATION: Approve.

##### City Manager Department

2. SUBJECT: Agreements for City Council Review. (027)  
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: **Ordinance No. 2854** Establishing Tobacco Retailer Permits. (031)  
RECOMMENDATION: Second reading and approval.
4. SUBJECT: Change Order No. 8 for College Park Improvements –Phase 1C Project. (041)  
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 8 in the amount of \$311,552.42 for the removal and replacement of the existing south parking lot at College Park Phase IC Project. The original contract amount was \$11,066,475 and with the reduction of bid items and added changes the current amount is \$10,136,078.46. This Change Order will bring new amount to \$10,447,630.88.

5. **SUBJECT:** First Amendment to Agreement for On-Call Engineering Services with Penfield & Smith Engineering. (043)  
**RECOMMENDATION:** Approve and authorize the Mayor to execute a First Amendment to Agreement for On-Call Engineering Services provided by Penfield & Smith Engineering (A-7425) to increase the not-to-exceed amount from \$250,000 to \$500,000, and extend the expiration date to August 31, 2012.

Development Services Department

6. **SUBJECT:** Fifth Amendment to Agreement with WorleyParsons Group, Inc. (061)  
**RECOMMENDATION:** Approve and authorize the Mayor to execute the fifth amendment to the agreement with WorleyParsons Group, Inc. (WP) (A-6920) in the amount of \$370 (a total of \$600,715) to add a laboratory subconsultant.

Fire Department

7. **SUBJECT:** Authorization to Accept an Award for Emergency Management Performance Grant in the Amount of \$42,481. (067)  
**RECOMMENDATION:** Authorize: 1) The City Manager to accept a grant award in the amount of \$42,481 from California Emergency Management Agency/Ventura County Operational Area; and 2) The Chief Financial Officer to appropriate the funds and perform all other required financial actions.
8. **SUBJECT:** Authorization to Accept a Supplemental Award for Urban Area Security Initiative in the Amount of \$134,000. (069)  
**RECOMMENDATION:** 1) Recognize \$134,000 in grant revenue from the Federal Department of Homeland Security and subgranted through the State of California; and 2) Approve a special budget appropriation in the amount of \$134,000 for the purchase of equipment for the Police/Fire Dive Team and the Fire Department Hazardous Materials Response Team.

Public Works Department

9. **SUBJECT:** Project Specification PW10-05 Wooley Road Arterial Resurfacing Project. (073)  
**RECOMMENDATION:** Approve Project Specification No. PW10-05 for pavement resurfacing on Wooley Road from Victoria Avenue to Rose Avenue and authorize staff to solicit bids for the project.
10. **SUBJECT:** Third Amendment to Agreement with Venco Power Sweeping Incorporated for Street Sweeping Services. (075)  
**RECOMMENDATION:** Approve and authorize the Mayor to execute the Third Amendment to the Agreement with Venco Power Sweeping Incorporated (A-7030) for street sweeping services to extend the agreement expiration date from March 31, 2012 to March 31, 2014, and to increase the total agreement value by \$946,616 from \$1,724,119 to \$2,670,735.
11. **SUBJECT:** Appropriation of Wastewater Connection Fees from County of Ventura Service Area Number 34 for New Wastewater Services in El Rio for Debt Service Payments. (079)

RECOMMENDATION: Approve a special budget appropriation for Wastewater Connection Fees from County of Ventura Service Area Number 34 in the El Rio area in the amount of \$887,115 to Wastewater Collection Connection Fee Fund 613 and \$2,361,970.80 to the Wastewater Treatment Connection Fee Fund 623 to be used for debt service payments.

12. SUBJECT: Project Specification No. PW12-13 Hueneme Road Recycled Water Pipe Line Project. (083)

RECOMMENDATION: Approve Project Specification No. PW12-13 for the construction and installation of a section of Phase 2 of the Recycled Water Backbone System along Hueneme Road, from Perkins Road to Olds Road, and authorize staff to solicit bids for the project..

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

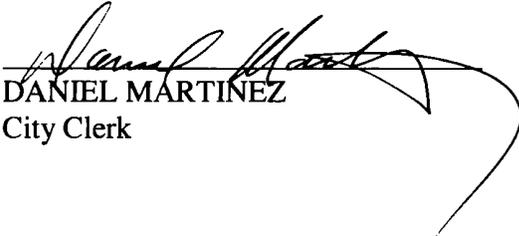
P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 12:04 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