

## MINUTES

### OXNARD CITY COUNCIL Regular Meeting May 15, 2012

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

At 6:17 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, and Carmen Ramirez were present. Councilmember Timothy B. Flynn was absent. 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; and Alan Holmberg, City Attorney. At 6:19 p.m., Councilmember Flynn was present.

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

Comments were received from Torch Rivera, Jim Nelsen, Danny Carrillo and Bert Perello.

#### 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 and 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.

At 7:12 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:17 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 presided. Additional staff members present were: Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; Rob Roshanian, Interim Public Works Director; Interim Fire Chief; Matt Winegar, Development Service Director; Grace Magistrale Hoffman, Deputy City Manager; Martin Erickson, Special Assistant to the City Manager; Anthony Emmert, Water Resources Manager; and Michael Henderson, General Services Manager.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Proclaim the week of May 20 to May 26 "Public Works Week" in the City of Oxnard.

DISCUSSION: Lou Balderrama, City Engineer, reviewed the proclamation and he commented on the services of Public Works.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from: Jerald Honaker; Jim Hensley; Frank J. Soto; Larry Stein; Daniel Lechliter, and Steve Nash.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Special Assistant to the City Manager briefly reviewed the use of TDA funds for local bus transportation (I-5). Councilman Flynn commented on having an acceptable service for landscape in the districts (I-2). The General Services Manager reviewed the use of gasoline at the golf course and cost savings of using the agreement (I-4).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Received comments from: Bert Perello (I-2) and Steve Nash (I-4).

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review. (001)  
RECOMMENDATION: 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.
  
2. SUBJECT: Scheduling of Public Hearing and Adoption of Resolutions to Declare Intent to Levy FY 2012-2013 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (003)  
RECOMMENDATION: 1) Adopt resolutions declaring City Council's intention to levy FY 2012-2013 assessments for Landscape Maintenance Districts Nos. 1 through 3, and 7 through 26 in the following tracts: • **Resolution No. 14,153**; Tract No. 2247, District No. 1 (Summerfield); • **Resolution No. 14,154**; Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); • **Resolution No. 14,155**; Tract No. 3384, District No. 3 (River Ridge); • **Resolution No. 14,156**; Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park); • **Resolution No. 14,157**; Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); • **Resolution No. 14,158**; Tract No. 4405, District No. 10 (Country Club Estates); • **Resolution No. 14,159**; Tract No. 4376, District No. 11 (St. Tropez); • **Resolution No. 14,160**; Tract No. 4294, District No. 12 (Standard Pacific); • **Resolution No. 14,161**; Tract No. 4424, District No. 13 (Le Village); • **Resolution No. 14,162**; Tract No. 4492, District No. 14 (California Cove); • **Resolution No. 14,163**; Tract No. 4443, District No. 15 (Pelican Pointe); • **Resolution No. 14,164**; Tract No. 4810, District No. 16 (California Lighthouse); • **Resolution No. 14,165**; Tract No. 4702, District No. 17 (Village of San Miguel); • **Resolution No. 14,166**; Parcel Map Nos. 213-0-031-355, 375, 385, 405, 415, 425, District No. 18 (St. John's Regional Medical Center); • **Resolution No. 14,167**; Tract No. 4827, District No. 19 (Shopping at the Rose); • **Resolution No. 14,168**; Parcel Map Nos. 231-0-020-200, 210, 240, District No. 20

(Wallenius Vehicle Preparation Center); • **Resolution No. 14,169**; Tract Nos. 3384-7, 8, District No. 21 (Cypress Pointe); • **Resolution No. 14,170**; Tract No. 4611, District No. 22 (McDonald's Median); • **Resolution No. 14,171**; Tract No. 4529, District No. 23 (Greystone); • **Resolution No. 14,172**; Tract No. 4529, District No. 24 (Vineyards); • **Resolution No. 14,173**; Tract No. 4840, District No. 25 (The Pointe); and • **Resolution No. 14,174**; Parcel Map No. 202-0-010-685, District No. 26 (Albertson's); and 2) Set a public hearing for June 12, 2012, on the levy of the proposed assessments in Landscape Maintenance District Nos. 1 through 3, and 7 through 26.\*

3. **SUBJECT:** Fourth Amendment to Agreement with Genuine Parts Company. (145)  
**RECOMMENDATION:** Approve and authorize the Mayor to execute the Fourth Amendment to the Agreement with Genuine Parts Company (A-6801) in the amount of \$1,791,000, for a total contract amount of \$6,851,000 to provide on-site repair parts and tires to City for a final year, until June 30, 2013.
4. **SUBJECT:** Extension of Agreement with General Petroleum Corporation. (149)  
**RECOMMENDATION:** Approve and authorize the Mayor to sign a blanket purchase order (No. 4021) with General Petroleum Corporation ("GP"), extending the agreement for an additional year to June 30, 2013, in an amount not to exceed \$250,000, for a total contract amount of \$500,000, for the bulk delivery of unleaded and diesel fuel to six Oxnard Fire Stations located at 491 South "K" Street, 531 East Pleasant Valley Road, 150 Hill Street, 230 West Vineyard Avenue, 1450 Colonia Road, 2601 Peninsula Road and to River Ridge Golf Course located at 2501 North Ventura Road, and for the bulk delivery of lubricants (oil, grease, and transmission fluid) to Fleet Services shops located at 1060 Pacific Avenue and 111 Del Norte Boulevard.
5. **SUBJECT:** Gold Coast Transit (GCT) FY 2012/13 Capital and Operating Budget. (153)  
**RECOMMENDATION:** Support the GCT Fiscal Year 2012/13 proposed capital and operating budget in an amount not to exceed \$5,362,432 for fixed route service, senior and disabled paratransit service, and the capital program.

#### Development Services Department

6. **SUBJECT:** Change Order 49 for Security Paving Co. Inc. for Project Specification No. PW03-19 for Rice Ave/Santa Clara Ave Interchange Improvements at Highway 101, and Special Budget Appropriation for "Highway 101—Rice Interchange" (155)  
**RECOMMENDATION:** 1) Approve and authorize the Mayor to execute Change Order 49 for Project Specification No. PW03-19 with Security Paving Co., Inc. to increase the amount by \$314,134 (a total of \$33,540,112.28) for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101 (A-7228); and 2) Approve the appropriation of funds for \$314,134 for Project Specification No. PW03-19 from the Water Operating Fund to the "Highway 101—Rice Avenue" project for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.

**INFORMATION/CONSENT AGENDA ACTION:** Approved as recommended. (Pinkard/MacDonald) Ayes: Holden, Pinkard, MacDonald, Flynn, and Ramirez. \*Abstain: Pinkard only on District 3 and 16 of I-2.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGSCity Manager Department

1. SUBJECT: Levy of 2012-2013 Assessments in Mandalay Beach Maintenance District. (167)  
RECOMMENDATION: Continued to June 5, 2012.  
ACTION: Concurred to continue.

ACTION: Mayor Holden declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and that there were two written communications received.

Public Works Department

2. SUBJECT: City of Oxnard 2010 Urban Water Management Plan. (177)  
RECOMMENDATION: 1) Hold a Public Hearing regarding the 2010 Urban Water Management Plan; and 2) Adopt a resolution to approve the 2010 Urban Water Management Plan and authorize the Interim City Manager to file the Urban Water Management Plan with the State of California.  
DISCUSSION: The Water Resources Manager reviewed the 2010 Urban Water Management Plan including water sources, master plan, water storage, water credits, water demands, costs of water, the GREAT Program, and State water resources.

Councilmembers discussed: water credits, future water supply, water planning, recycled water, possible local water regulations, GREAT Program water use, and State water resources.

Comments were received from: Bert Perello, Pat Brown, Larry Stein and Daniel Lechliter.

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

Q. APPOINTMENT ITEMSCity Manager Department

1. SUBJECT: Measure "O" Half-Cent Sales Tax Review, Project Discussion, and Consideration of Additional Appropriations. (221)  
RECOMMENDATION: 1) Receive the Draft Measure O Community Report; 2) Approve Measure O funding for \$4,300,000 for projects identified in the staff report and authorize the City Manager to make the required budget appropriations; and 3) Discuss and provide direction for new Measure O project funding options and authorize the City Manager to establish appropriate budgets for the approved projects and programs.

DISCUSSION: The Special Assistant to the City Manager commented on the challenges and opportunities. He outlined enhancement Measure O funds assigned by the Council which included parks projects, street improvements, and public safety services. The Chief Financial Officer reviewed the financial status, senior projects, youth projects, street repairs, and Fire Department training costs. The Interim City Manager commented on the on-going projects and the annual funding process.

Comments were received from: Juan Smith, George Ortega, Andres Orozco, Larry Stein, Andrea Baltazar, Arturo Reyes, Jim Hensley, and Bert Perello.

The City Council discussed: street improvements; senior services projects; possible Oxnard College assistance; park services; Ormond Beach wetlands/park; Heritage Farm Park; possible swimming program; river levy issue; and applications process for organizations.

ACTION: Approve funding identified projects and provide directions to staff (Holden/Pinkard)  
Ayes: Flynn, Ramirez, Holden, Pinkard, and MacDonald.

#### M. REPORT OF CITY MANAGER

1. SUBJECT: Verbal Report on Oxnard Community Development Commission Successor Agency and Status of Redevelopment Activities in the City of Oxnard.

RECOMMENDATION: Receive and consider report.

DISCUSSION: Chairperson Holden commented on the actions of a special meeting of the Oversight Board held on May 9, 2012.

Comments were received from: Pat Brown and Bert Perello.

ACTION: Received report.

The Interim City Manager reported that National Park's Service recognized the boundaries of the Oxnard College Park allowing the placement of a fire station at the corner of Channel Islands and Rose Avenue.

#### COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:09 p.m. the joint meeting with the Community Development Successor Agency concluded.

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

##### City Managers Department

1. SUBJECT: Draft City Council Procedures Manual. (183)

RECOMMENDATION: 1) Receive a report and draft copy of the City of Oxnard City Council Procedures Manual; 2) Establish a 14-day comment period to receive comments from the public and Councilmembers, and provide direction to staff.

DISCUSSION: The Special Assistant to the City Manager reviewed the proposed City Council Procedures Manual including time period for review/comments of the proposal, communications with the public, interaction with/within Councilmembers and having a bi-annual review by the Council.

Comments were received from: Pat Brown, Steve Nash, Martin Jones, Bert Perello, and Daniel Lechliter.

The City Council discussed: reference materials to review, ethics classes, and the 14 day comment period.

ACTION: Received the report and establish a 14 day review period. (Holden/Pinkard) Ayes: Ramirez, Holden, Pinkard, MacDonald and Flynn.

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

3. SUBJECT: Verbal Discussion of AB 1778, Local Transportation Funds (Assemblymember Williams) (Mayor Pro Tem Pinkard).

ACTION: Continue to future date.

#### O. REPORTS

##### Community Development Department

1. SUBJECT: Approval of Estoppel Certificate Under RiverPark Development Agreement Related to the Admission of New Member, RiverPark CenterCal, LLC, to SOCM I, LLC, the Developer of the Collections at RiverPark, Filed by SOCM I, LLC, Located in the RiverPark Development Which is Adjacent to and North of the Highway 101 Freeway, East of Santa Clara River Drive, and West of Vineyard Avenue. (211)

RECOMMENDATION: Approve and authorize the Mayor to execute the Acknowledgment and Estoppel - Development Agreement ("DA") (A-7496) submitted by SOCM I, LLC pursuant to the RiverPark Development Agreement related to the admission of a new member to SOCM I, LLC, the developer of the Collections at RiverPark.

DISCUSSION: The Development Service Director briefly reviewed the request of the developer to add a new investor.

Comments were received from Bert Perello.

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

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

##### City Managers Department

4. SUBJECT: Preliminary Verbal Discussion of Downtown Assistance Plan (Councilman Flynn).  
DISCUSSION: Councilmember Flynn expressed concern regarding Downtown Assistant Plan and requested issues be discussed to the future including the effect of development of the RiverPark theaters.

Mayor Holden stated that staff is waiting for response from State Department of Finance regarding list of assets and liabilities.

Comments received by: William Paterson, Heritage Partners; and Pat Brown.

ACTION: Place on future agenda for discussion.

2. SUBJECT: Verbal Discussion on Ethics Procurement Policies from the City of San Jose (Councilman Flynn).

DISCUSSION: Councilman Flynn commented on ethics policies of other cities, Request for Qualifications (ROQ) procedures; information to be provided by applicants; and need to made changes.

At 11:07 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

Comments were received by: Pat Brown

The Council discussed: having information available for discussion; the RFP/RFQ process; labor issues; bid process; conflict of interest; and policies of other cities.

ACTION: Provided comments to staff.

The City Council discussed: placing the City Manager's contract on a future close session agenda, RFP for cultural arts grants, and upcoming census work shop at Library, May 30, 2012.

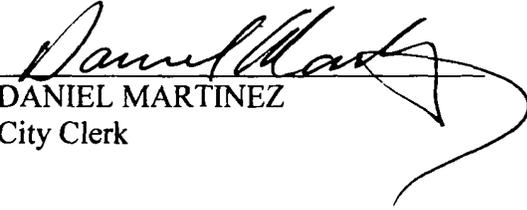
P. PUBLIC COMMENTS ON REPORTS

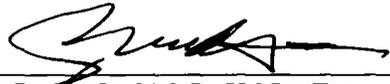
R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:15 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