

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

May 8, 2012

#### 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 Successor Agency. Councilmembers Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Mayor Thomas E. Holden was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Pinkard 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 5:37 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 being discussed was Senko, Marianne v. City of Oxnard, et al, Ventura County Superior Court Case No. 56-2011-00392819-CU-PO-VTA.

The City Council and Successor Agency also recessed to a closed session, pursuant to Government Code section 54956.9(b)(3)(C). Based on existing facts and circumstances, there was significant exposure to litigation against the City and the Successor Agency in one potential case based upon a receipt of a claim under the Tort Claims Act, filed with the City Clerk.

At 6:58 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:02 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 Pro Tem Pinkard presided. Additional staff members present were: Jeri Williams, Police Chief; Curtis P. Cannon, Community Development Director; James Cameron, Chief Financial Officer; Matthew Winegar, Development Services Director; Martin Erickson, Special Assistant to the City Manager; and Karl Lawson, Compliance Services Manager

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to Donna Helms for 16 Years of Exemplary Service to the City of Oxnard.

DISCUSSION: Donna Helms thanked the Council, community members, and City staff for past support and the recognition.

2. **SUBJECT:** Presentation of 29<sup>th</sup> Annual Strawberry Festival Poster.  
**DISCUSSION:** Daisy Tatum, Strawberry Festival Chairperson and Lisa Carny presented the Strawberry Festival poster to the Council and invited the community to the festival.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Armando Vazquez, Larry Stein, Robert Thompson, Jim Hensley, Jan Thompson, Martin Jones, Peggy Rivera, Francine Castanon, Ed Ellis, Bert Perello, Donald Thibeault, Rebecca Ralph, Pat Brown, and Abel Magana.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

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.

Public Works Department

2. **SUBJECT:** Agreement with Ventura County Railroad for Grade Crossing Improvements. (003)  
**RECOMMENDATION:** Approve and authorize the Mayor to execute an agreement with Ventura County Railroad (VCRR) (A-7477) in the amount of \$580,000 to improve the existing grade crossings at Hueneme Road and the Ventura County Watershed Protection District Flood Control Channel.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.  
(MacDonald/Pinkard) unanimously Absent: Holden.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

**ACTION:** Mayor Pro Tem Pinkard 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 2012 Local Solicitation. (009)

**RECOMMENDATION:** Adopt **Resolution No. 14,152:** 1) Authorizing the City Manager to execute and submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of \$123,162 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2012 Local Solicitation; 2) Authorizing the City Manager to execute a Memorandum of Understanding (A-7489) with the County of Ventura and the Cities of San Buenaventura, Thousand Oaks 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. (Ramirez/MacDonald) Approved as recommended. (Ramirez/MacDonald) Ayes: MacDonald, Flynn, Ramirez, and Pinkard. Absent: Holden.

L. PUBLIC HEARINGS

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:** The Interim City Manager announced the second meeting of the Oxnard Oversight Committee would be on Wednesday, May 9, 2012.

The Interim City Manager announced community work shops to discuss energy conservation. She also stated the Finance Department was awarded a certificate of achievement for Excellence in Financial Reporting from Government Financial Officers Association.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed: the Downtown Assistant Plan; electric car charging stations; neighborhood gardens; the EPA would be touring the former Halaco site; the use of transit funds for streets; Police event honoring fallen officers; and development of Campus Park.

O. REPORTS

City Attorney Department

1. **SUBJECT:** Supplemental Post-Retirement Benefit. (037)

**RECOMMENDATION:** Terminate the \$300 per month Supplemental Post-Retirement Benefit ("SPRB") established pursuant to and contained in the Administrative Manual, at E.28.

**DISCUSSION:** The City Attorney reviewed the option of terminating the supplement post-retirement benefit.

Received public comments from: Steve Nash, Pat Brown, Bert Perello, Shirley Godwin, and Rebecca Ralph.

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

RECESS

At 8:41 p.m., the City Council recessed when the Community Development Successor Agency held a meeting. At 9:54 p.m., the City Council meeting reconvened.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 9:54 p.m. the joint meetings with the Community Development Successor Agency Commission concluded.

Fire Department

6. SUBJECT: Fire Station #8 Project Lease Financing Structure. (087)

RECOMMENDATION: Authorize the Fire Chief to negotiate a lease financing structure for the Fire Station #8 Project with Oxnard Fire Station, LLC.

DISCUSSION: The Interim Fire Chief compared the service and staffing of the Oxnard Fire Department to other similar size California Fire Departments. The Chief Financial Officer reviewed possible financing options including possible use of Measure O funds. The Interim City Manager commented on discussions with National Parks Service/California State Parks and Recreation Department regarding the boundaries of property of Oxnard College Park.

The Council discussed the possible financing of the building, staffing, selection process, and following Brown Act requirements.

Received comments from: Larry Stein, Steve Nash, Bert Perello, Shirley Godwin, Martin Jones, Pat Brown, and Rebecca Ralph.

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Finance Department

1. SUBJECT: Requests for Proposal, Qualifications, and Bids. (091)

RECOMMENDATION: Receive a presentation on the City's procedures and practices concerning use of Requests for Proposal (RFP), Requests for Qualifications, (RFQ) and Requests for Bids (RFB).

DISCUSSION: The Chief Financial Officer reviewed the different bid processes, request for qualifications, following State guidelines, and the selection process.

Comments received from Larry Godwin, Bert Perello, and Steven McTosh

The City Council commented on: bid procedures, purchasing policies, and new bidding policies.

ACTION: The City Council provided comments and directions to staff.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:36 p.m. the City Council concurred to adjourn the meeting.

  
DANIEL MARTINEZ  
City Clerk

  
DR. IRENE G. PINKARD  
Mayor Pro Tem