

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

April 19, 2011

A. ROLL CALL/POSTING OF AGENDA

At 7:03 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; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; Curtis P. Cannon, Community Development Director; Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Martin Erickson, Legislative Affairs Manager; Kymberly Horner, Redevelopment Project Manager; Norma Owens, Grants Manager; and Cyndi Hookstra, Parks and Facilities Management Analyst.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States by Nickiel Gomez, Troop 228, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Proclamation Declaring April 21, 2011 as Arbor Day.
DISCUSSION: Lori Rice, Parks Manager and Gene Gonzales, Parks Supervisor, invited the Council and community to Colonia Park to plant a tree in the park.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Richard Rozzelle (McGrath State Park closure); Rev. Edgar Mohorko (youth counseling program); William "Bill" Terry (Ormond Beach work); Mario Quintana (Spanish translation); Armando Vazquez (at-risk youth program); Anthony Martin; Martin Jones (open government); Larry Stein (PBID); Margie Price (future of community).

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Robert Mendoza (I-4); Hector Casas (I-4); Magarita Godinez (I-4); Hilda Ceja (I-4); Pat Brown (I-2); Barbara Macri-Ortiz (I-4); Alex Vega (I-4).

I. INFORMATION/CONSENT AGENDACity Manager Department

1. SUBJECT: Agreements for City Council Review. (001)
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.

Community Development Department

2. SUBJECT: Supplemental Educational Revenue Augmentation Fund ("SERAF") Remittance for Fiscal Year ("FY") 2010-2011. (003)
RECOMMENDATION: 1) Authorize the Community Development Director to transfer funds in the amount of \$1,285,249, from the Central City Revitalization Project Area ("CCRP"), the Downtown Project Area, the Ormond Beach Project Area, the Southwinds Project Area, and the Historic Enhancement and Revitalization of Oxnard ("HERO") Project Area, to the Ventura County Auditor-Controller's Office for remittance into SERAF for FY 2010-2011; and 2) Approve a special budget appropriation in the amount of \$1,285,249 and approve the Community Development Director to transfer funds in the amount of \$1,285,249 from the fund balance of the CCRP, Downtown Project Area, Ormond Beach Project Area, Southwinds Project Area, and HERO Project Area for remittance into SERAF for FY 2010-2011.

Housing Department

3. SUBJECT: Revision of First-Time Homebuyer Assistance Program Guidelines. (007)
RECOMMENDATION: Adopt **Resolution No. 13,958** approving revisions to the First-Time Homebuyer Assistance Program Guidelines. *
4. SUBJECT: Adoption of the Neighborhood Stabilization Program (NSP) Homebuyer Program Guidelines. (015)
RECOMMENDATION: Adopt **Resolution No. 13,959** approving the Neighborhood Stabilization Program (NSP) Homebuyer Program Guidelines.

Public Works Department

5. SUBJECT: Change Order No. 3 to Public Works Contract with Blois Construction for the Victoria Avenue Sewer Line Project PW06-90. (019)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute Change Order No. 3 to Public Works Contract (A-7347) between the City of Oxnard and Blois Construction, Incorporated to install 550 feet of new sewer main on the Victoria Avenue Service Road between Monaco Avenue and the cul-de-sac in Mandalay Bay, increasing the construction cost by \$219,864.86 from \$1,573,186.77 to \$1,793,051.63; and 2) Approve a Special Budget Appropriation of \$165,000 from the Wastewater Collection Capital Outlay to the Victoria Avenue Sewer Line Project for the installation of a new sewer main on the Victoria Avenue Service Road between Monaco Avenue and the cul-de-sac in Mandalay Bay.

6. SUBJECT: Balancing Change Order No. 5 to Public Works Contract with Granite Construction for the Bartolo Square South Neighborhood Improvement Project Phase I PW04-10. (025)
RECOMMENDATION: Approve and authorize the Mayor to execute Balancing Change Order No. 5 with Granite Construction Company (Granite) to decrease the amount of the construction cost of the Bartolo Square South Neighborhood Improvement Project Phase I (Bartolo Project) (A-7280) from \$810,520.11 to \$775,914.58 for a reduction of \$34,605.53.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended (Holden/Pinkard)
Ayes: Holden, Pinkard, MacDonald, Flynn, and Ramirez. Noes: Flynn only for I-3.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

L. PUBLIC HEARINGS

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

Housing Department

1. SUBJECT: Seventh Amendment to the FY 2008-2013 Consolidated Plan and FY 2008-2009 Annual Action Plan (The Plan) to add the activity funded under the Community Development Block Grant (CDBG-R) Program. (045)
RECOMMENDATION: 1) Conduct a public hearing to receive comments on the proposed seventh amendment to The Plan; 2) Approve the appropriation of \$93,619 for reconstruction of Gloria Court and Colonia Road back alleyway from the GDBG-R grant; 3) Authorize the City Manager to submit the Council approved substantial amendment to the U.S. Department of Housing and Urban Development (HUD) for approval; and 4) Authorize the Chief Financial Officer, or designee, to approve the special budget appropriation.
DISCUSSION: The Grants Manager reviewed the use of funds including reconstruction of an alleyway.

Comments received from Harold Ceja and Rudy Salnio.

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

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.

City Manager Department

1. SUBJECT: Public Hearing and Adoption of Resolution for the Formation of Underground Utility District No. 18 at Future Site of Sports Parks. (029)

RECOMMENDATION: 1) Hold a public hearing for the proposed formation of the Underground Utility District No. 18 for the undergrounding of power poles and communication lines along the west side of the future site of Sports Park, located at 100 E. Gonzales Boulevard; and 2) Adopt **Resolution No. 13,960** for the formation of Underground Utility District No. 18 and ordering removal and undergrounding of poles, overhead wires and associated overhead structures adjoining the future site of Sports Park.

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

2. SUBJECT: Public Hearing and Adoption of Resolution for the Formation of Underground Utility District No. 19 at Future Site of Campus Park. (037)

RECOMMENDATION: 1) Hold a public hearing for the proposed formation of the Underground Utility District No. 19 for the undergrounding of power poles and communication lines along H Street, 5th Street, K Street, and 2nd Street, at the future site of Campus Park, located at 937 West 5th Street; and 2) Adopt **Resolution No. 13,961** for the formation of Underground Utility District No. 19 and ordering removal and undergrounding of poles, overhead wires and associated overhead structures adjoining the future site of Campus Park.

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

Q. APPOINTMENT ITEMS

City Attorney Department

1. SUBJECT: College Park Improvements Phase 2, Big League Dreams Memorandum of Agreement ("MOA") 3250 South Rose Avenue. (051)

RECOMMENDATION: 1) Authorize the City Manager to continue discussions with the State Department of Parks and Recreation, Office of Grants and Local Services ("State") concerning acceptability of College Park improvements and acceptability of the current Memorandum of Agreement with Big League Dreams Oxnard, LLP ("BLD"); 2) Authorize the City Manager to execute a Ninth Amendment to the MOA to extend the time for City determinations as to whether restrictions of grant funding agencies prevent construction and use of a sports park as contemplated by the MOA; and 3) In the alternative, instruct the City Manager to inform Big League Dreams that the City will not construct a sports park, as described in and contemplated by, the MOA, and authorize staff to pursue discussions College Park improvements without a Big League Dreams component.

DISCUSSION: The City Manager, City Attorney, General Services Manager, Parks and Facilities Management Analyst presented information regarding the BLD agreement and asked for guidance to pursue negotiations of the license agreement and the Maintenance and Operations agreement.

Comments were received from William "Bill" Terry; Paul Lemos; Dennis Ralph; Martin Jones; Larry Stein, Linda Calderon, Pat Brown, Larry Godwin, Shirley Godwin, James Gilmer, Rebecca Ralph, Bert Perello, Sherry Peterson and Barbara Macri-Ortiz.

The City Council commented on financing requirements, conditions of the agreements, approval of site use by State Parks, and procedures to retain deposit.

ACTION: Draft a letter to BLD stating financing has not been able to abotin and approval of the Federal National Park and asking for refund of deposit (Holden/MacDonald) Holden, Pinkard, MacDonald, Flynn, and Ramirez.

City Manager Department

2. SUBJECT: Measure "O" Long-term Funding Discussion. (063)

RECOMMENDATION: Receive the report and provide direction.

DISCUSSION: The Chief Financial Officer, Legislative Affairs Manager and Redevelopment Project Manager commented on the creation of the Measure O, desired community uses from survey, current balance of Measure O funds, uses of current Measure O funds, provided several possible uses, redevelopment funding restrictions and projected long-term distribution of Measure O funding.

The City Council discussed the desires of the community, public safety, road improvements, youth activities, annual Measure O funding requirements and future funding of activities started with Measure O funding.

The following individuals provided comments for Measure O funds which include the building of a new fire station and youth activities: Jeff Donabedran; Noemi Valdes; Larry Stein; Sonny Sajor; Sergio Martinez; Stephen McNaughten; Jesse M. Switzer (Assemblywoman Brownley); Nancy Lindholm; Kris Bailey; Martin Aguilar; Michael O'Malia; Devan Alo (Dash Williams leter); Agustin Bravo; Kay Brown; Ernest Stein; Shirley Godwin; Juan Hernandez; Paul Montgomery; Adrienne Lara; William "Bill" Terry; Edward Castillo; Barbara Macri-Ortiz; Al Velasquez; Bert Perello; Chad Carrol. Letters were received from State Senator Fran Pavley and State Assemblywoman Julia Brownley.

At 11:16 p.m., Mayor Holden left the Council meeting and Mayor Pro Tem Pinkard presided.

ACTION: Provided comments to staff.

M. REPORT OF CITY MANAGER

N. CITY COUNCIL/BUSINESS/COMMITTEE REPORTS

City Council commented on economic development in the community and McGrath Beach Park being closed and that information be presented to the City Council regarding these matters.

O. REPORTS

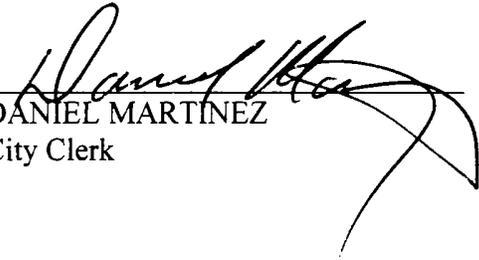
P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:47 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