

MINUTES  
OXNARD CITY COUNCIL  
Regular Meeting  
June 22, 2010

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 present were Thomas E. Holden, Andres Herrera, Dean Maulhardt, and Bryan MacDonald. Councilwoman Irene Pinkard was absent. Staff present included Grace Magistrale Hoffman, Deputy City Manager; Alan Holmberg, City Attorney; and Jill Beaty, Assistant City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

B. CLOSED SESSION

Based on existing facts and circumstances and on the advice of the City Attorney, at 6:18 p.m. the City Council will recess to a closed session, pursuant to Government Code section 54956.9(b). At this time, there is a significant exposure to litigation against the City in one potential case.

At 7:05 p.m. the City Council recessed to the evening session.

C. OPENING CEREMONIES

At 7:05 p.m. the City Council reconvened the regular meeting, concurrently with the Community Development Commission and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Staff present included Anthony Emmert, Water Resources Manager; Sue Martin, Environmental Services Manager; and Rob Roshanian, City Engineer.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Armando Vazquez, Keyes Youth Program to begin in July; immigration issues to be discussed at Café on A.

Selene Ramon, and Priscila Cisneros Arizona SB 1070, Human Rights Coalition of Ventura County, opposes and requests City Council place immigration issues on a future agenda.

John Korsten, various issues.

Ed Ellis, upcoming changes in taxes on health insurance that individuals received by employer.

Bert Perello, favors offering of rewards for information leading to arrests.

Woodrow Thomas, Sr., about a 2002 incident and perceived conduct of police.

Miguel Espinosa, issues of inequality through the years.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Robert Thompson (I-1) in support.

Bert Perello (I-1) questions insurance requirements; (I-2) fairness for all entities; (I-3) questions expenditure of funds at this time; (I-13) questions lack of bids on this sizeable project. The Water Services Manager responded that after the term of this contract, the City will go out to bid for this service. Steve Kinney, Board Member of The Carnegie, stated contract is for a management relationship, the property is the City's.

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Carnegie Art Museum Management Contract. (001)  
RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement for Operation, Maintenance and Management of the Carnegie Art Museum (**A-7314**), with the Carnegie Art Museum Cornerstones, a non-profit corporation, to take effect on July 1, 2010.

City Treasurer Department

2. SUBJECT: First Amendment to Agreement for Utility Billing Printing, Inserting and Mailing Services. (017)  
RECOMMENDATION: Approve and authorize the Mayor to execute an amendment to the agreement between the City of Oxnard and DataProse (**A-7192**) for \$240,000 for utility bill printing, inserting and mailing services, resulting in a total contract amount of \$504,000.

Community Development Department

4. SUBJECT: Riverpark Collection Joint Venture Partnership with SCOM I, LLC and the Assumption and Assignment of the Development and Owner Participation Agreements development obligations for various land parcels located in the RiverPark Development which is adjacent to and north of the Highway 101 Freeway, east of the Santa Clara River, and west of Vineyard Avenue. (025)  
RECOMMENDATION: (1) Approve and authorize the Mayor to execute the Consent to Assignment and Assumption Agreement of the Development Agreement A-6128 by SCOM I from RIVERPARK COLLECTION (**A-7317**); and (2) Approve and authorize the Mayor to execute the Consent to Assignment and Assumption Agreement of the Development Agreement A-6128 by RIVERPARK COLLECTION from RIVERPARK A (**A-7318**).
5. SUBJECT: First Amendment to Agreement with the Greater Oxnard Economic Development Corporation ("EDCO") for Services and Funding. (109)

RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to Agreement (**A-6520**) with the EDCO, for EDCO to continue providing economic development services to the City for five years, subject to funds being appropriated each year for this purpose by the City.

6. SUBJECT: Extension of Financial Agreement between the City of Oxnard and the Community Development Commission for funds in the amount of \$1,250,000 appropriated to the Central City Project Area in Fiscal Year 2003. (113)

RECOMMENDATION: Adopt **Resolution No. 13,881** approving and authorizing the Mayor to execute an extension of a Financial Agreement (**A-6214**) between the Community Development Commission and the City of Oxnard in the amount of \$1,250,000, related to the 2004 acquisition of property located at 455 South "A" Street in the Central City Redevelopment Project Area.

7. SUBJECT: Extension of Financial Agreement for Short Term Loan. (119)

RECOMMENDATION: Adopt **Resolution No. 13,882** approving and authorizing the Mayor to execute an Extension of Financial Agreement (**A-6335**) with the Community Development Commission (CDC) providing for a two-year extension for the CDC to repay a short term loan in the amount of \$750,000 to the CDC.

8. SUBJECT: Resolution Approving Levy and Collection of Assessments for Fiscal Year 2010-11 within the Oxnard Downtown Management District. (125)

RECOMMENDATION: Adopt **Resolution No. 13,883** ordering the levy and collection of assessments within the Oxnard Downtown Management District for Fiscal Year (FY) 2010-11.

#### Police Department

10. SUBJECT: Appropriation of P.O.S.T. Police Training Funds. (139)

RECOMMENDATION: Recognize revenue in the amount of \$60,000 in the Peace Officer Standards and Training (POST) Reimbursement Training Fund and appropriate these funds to the Oxnard Police Department Training Program to support police training requirements through the end of FY 2009-2010.

11. SUBJECT: Second Amendment to Computer Aided Dispatch and Records Management System (CAD/RMS) Agreement for Maintenance Services. (141)

RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to Agreement for Maintenance Services (**A-6696**) for a one year extension for hardware and software maintenance services for the City of Oxnard Computer Aided Dispatch System with Northrop Grumman Information Technology, Inc. in the amount of \$176,909.00.

#### Public Works Department

12. SUBJECT: Request Adoption of Resolution to Participate in 2010-2012 Local Government Utility Partnership Program with Southern California Edison (SCE), Southern California Gas Company (SCG) and Ventura County Regional Energy Alliance (VCREA). (147)

RECOMMENDATION: Adopt **Resolution No. 13,884** to participate in 2010-2012 Local Government Utility Partnership Program with SCE, SCG and VCREA which includes the designation of a key City contact "Energy Champion" to facilitate the City's participation.

13. SUBJECT: Second Amendment to Agreement with Oxnard Harvest Company. (151)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement for Trade Services with Oxnard Harvest Company to increase the amount by \$145,000 for a total of \$645,000 (**4517-08-PW**) and extend the contract expiration date to July 31, 2011.

INFORMATION/CONSENT AGENDA ACTION: Approved (MacDonald/Maulhardt); Ayes: Holden, Herrera, Maulhardt, and MacDonald. Absent: Pinkard

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending May 31, 2010. (155)  
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: The Mayor opened the public hearing.

DISCUSSION: The Assistant City Clerk reported on publication and that there were no written comments received.

Police Department

1. SUBJECT: Edward Byrne Memorial Justice Assistance Grant Formula Program (JAG): FY 2010 Local Solicitation. (165)  
RECOMMENDATION: Adopt **Resolution No. 13,884** (1) Authorizing the City Manager to execute and submit an application for U.S. Department of Justice (DOJ) grant funds in the amount of \$222,709 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program's FY 2010 Local Solicitation; (2) Authorizing the City Manager to execute a Memorandum of Understanding (**A-7298**) with the County of Ventura and the Cities of San Buenaventura, Simi Valley, Santa Paula, and Port Hueneme, 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: Approved (Herrera/Holden); Ayes: Maulhardt, MacDonald, Holden, and Herrera. Absent: Pinkard.

HOUSING AUTHORITY

At 7:40 p.m. the concurrent meeting with the Housing Authority concluded.

## L. PUBLIC HEARINGS

ACTION: The Mayor opened the public hearing.

DISCUSSION: The Assistant City Clerk reported on publication and on receipt of a letter from Christopher Dimond in opposition to the appeal.

### Development Services Department

1. SUBJECT: Appeal of Planning and Zoning Permit Nos. 09-300-5 (Tentative Subdivision Map) and 09-500-05 (Special Use Permit). Filed by Owner and Developer Raul B. Orozco. (171)

RECOMMENDATION: Adopt **Resolutions Nos. 13,886 and 13,887** upholding the appeal and approving Planning and Zoning Permit Nos. 09-300-5 (Tentative Subdivision Map) and 09-500-5 (Special Use Permit), subject to certain findings and conditions.

DISCUSSION: The Planning and Environmental Services Manager reported on the project including Planning Commission concern over size and number of deviations being requested from City Code; modifications, and tie vote of the Planning Commission, which is an automatic denial. This infill lot consists of 4 single-family homes, build-out of private cul-de-sac, requests for reductions of up to 25% from building standards, and zoning is consistent with General Plan.

Mark Petit, Lauterbach and Associates Architects, provided a history of the property, waterproofing of brick wall, an Association being responsible for maintenance of street, landscape, parkways and sidewalks. There is a condition in the resolution that holds the remaining parcel for the City in the future. The building is trending to be certified as energy efficient.

James Reach, in support.

Bert Perello, concern over a number of issues.

Pat Brown, concern about water damaging brick wall.

ACTION: Close the public hearing (Holden/MacDonald); Approve (Herrera/Holden); Ayes: MacDonald, Holden, Herrera, and Maulhardt. Absent: Pinkard.

## M. REPORT OF CITY MANAGER

The Deputy City Manager reported on the Library Summer Reading Program: Make a Splash, Friday night films hosted by the Recreation and PAL programs,

## N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council expressed its support of the Stuff the Bus program of United Way and reported on a meeting with the California Public Utilities commissioners regarding opening up the City's request to revoke the order for construction of Peaker Plant to public comment.

COMMUNITY DEVELOPMENT COMMISSION

At 8:30 p.m. the concurrent meeting with the Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:31 p.m. the City Council concurred to adjourn the meeting.