

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

April 5, 2011

A. ROLL CALL/POSTING OF AGENDA

At 6:04 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; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; and Lyn Bennett, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:06 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 is City of Oxnard, et al. v. California Coastal Commission, Los Angeles Superior Court, Case No. BS122248; and Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resources Adequacy Requirements Program, PUC Rulemaking No. 09-10-032

Also based on existing facts and circumstances and on the advice of the City Attorney, the City Council recessed to a closed session, pursuant to Government Code section 54956.9(b)(3)(C). At this time, there is significant exposure to litigation against the City in one potential case, based upon a written threat of litigation.

At 7:01 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:09 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Housing Authority. 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; Jason Benites, Assistant Police Chief; William "Bill" Wilkins, Housing Director; Rob Roshanian, Interim Public Works Director; Martin Erickson, Legislative Affairs Manager; Melissa Mendez, Housing Programs Supervisor; Mary Barajas, Housing Programs Supervisor; and Paul Wendt, Civil Engineer.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to the Martin V. and Martha K. Smith Foundation for Its Support of Beautification Efforts in Downtown Oxnard.

DISCUSSION: Gary Blum presented commendation to Vickie Pozzi, Margie Tegland, Cindy Daly, Toni Gardner for funds received the beautification of downtown Oxnard.

2. SUBJECT: Earth Day 2011.
DISCUSSION: Trish Honigsberg, Outreach & Education Specialist, invited the community to this year's Earth Day event.
4. SUBJECT: PAL Dance Group
DISCUSSION: The City Council presented certifications of commendations to over fifty members of the community involved placing first in a Los Angeles dance competition.
5. SUBJECT: PAL Youth of Year
DISCUSSION: Salvador Quezada Jr. and Stacy Morales Jauregui were recognized by the Council as PAL Youth of the Year.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

Councilwoman Pinkard commented on affordable housing, flood control,

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Harold Ceja (traffic); Vincent Stewart (street paving); Fred Garcia (street maintenance); William Bill Terry (Ormond Beach); Larry McGrath (Furry Pet Fair); Rev. Edgar Mohorko (Clergy Council dinner); Miguel Espinosa (recognition of Robert Garcia); Mario Quintana (Colonia Park, Spanish translation); Dave Hore (Farmshare); Susanne Rassantino (Earth Day booth); Jose Alamillo (street maintenance); Larry Stein (request of documents); Pat Brown (housing development); Dennis Ralph (Big League Dreams).

RECESS

At 9:03 p.m., the City Council recessed while the Housing Authority held a meeting and at 9:55 p.m., the City Council reconvened.

O. REPORTS

1. SUBJECT: Ventura-Oxnard-Camarillo Tourism Improvement District. (119)
RECOMMENDATION: 1) Adopt **Resolution No. 13,957** granting consent to the City of Ventura to create the proposed Ventura-Oxnard-Camarillo Tourism Improvement District (VOCTID); and 2) Authorize the Chief Financial Officer to establish accounts and budget to accomplish the necessary receipt and subsequent transfer of the funds collected through this assessment.
DISCUSSION: The Deputy City Manager and Lorena Parker, Civitas, reviewed the formation of the tourism improvement district and the funding structure.

Comments received from William Terry; Larry Stein; Pat Brown; Bert Perello.

The Council discussed costs of the program and the intent of the program.

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

At 10:26 p.m., Mayor Pro Tem Pinkard left the meeting.

P. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSCity Manager .

1. SUBJECT: Oxnard Convention and Visitors Bureau Annual Report.
RECOMMENDATION: Receive verbal report and provide comments.
ACTION: The City Council concurred to removed from the agenda.
2. SUBJECT: Verbal presentation by Southern California Gas Company on Pipeline Safety.
ACTION: Removed from the agenda.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Interim Public Works Director and City Engineer reviewed equipment fee (I-5);

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Larry Stein (I-4)

I. INFORMATION/CONSENT AGENDACity Clerk Department

1. SUBJECT: Minutes of the Regular meeting of the City Council for March 1 and 8, 2011; Minutes of the Special Meeting the City Council for March 8, 2011. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (013)
RECOMMENDATION: Remove from the agenda.

Fire Department

3. SUBJECT: Approval of Award of Contract for FD11-03-Fire Stations #1, #2, #3 and #6 Parking Area Concrete & Site Repairs. (019)
RECOMMENDATION: 1) Approve the award of Contract to Toro Enterprises, Inc. (A-7396) in the amount of \$214,563 for the Fire Stations #1, #2, #3 & #6 Parking Area Concrete and Site Repairs project; and 2) Authorize the Mayor to execute the contract upon receipt of all supporting contract documents.

Public Works Department

4. SUBJECT: Blanket Purchase Order with Granite Construction, Incorporated. (021)
RECOMMENDATION: Approve and authorize the Mayor to execute a Blanket Purchase Order with Granite Construction, Incorporated (Granite) for a not-to-exceed amount of \$1,000,000 for purchase of hot mix asphalt for street pavement repair (BPO 3742).

5. SUBJECT: Change Order No. 19 to Agreement with McCarthy Building Companies, Inc. for the Advanced Water Purification Facility (AWPF). (025)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 19 to the Agreement with McCarthy Building Companies, Inc. (A-7259) in the amount of \$36,999 for construction costs associated with the relocation of a tie-in for the 20-inch Reverse Osmosis Concentrate (ROC) line to avoid interference with a Verizon duct bank.
6. SUBJECT: Change Order No. 13 to Public Work Contract with Creamer/Spiniello, Joint Venture (Creamer/Spiniello) for the Recycled Water Backbone System (RWBS) Project Phase I (027)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 13 to Public Works Contract between the City of Oxnard and Creamer/Spiniello (A-7327) for an additional 110 pot-holes along the alignment of the RWBS, increasing the construction cost by \$39,750, from \$13,179,414.85 to \$13,211,852.82.
7. SUBJECT: Change Order No. 14 to Public Work Contract with Creamer/Spiniello, Joint Venture (Creamer/Spiniello) for the Recycled Water Backbone System (RWBS) Project Phase I (037)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 14 to Public Works Contract between the City of Oxnard and Creamer/Spiniello (A-7327) for additional sewer line work at the intersection of Devonshire and Ventura Road, increasing the construction cost by \$32,437.97, from \$13,211,852.82 to \$13,244,290.79.
8. SUBJECT: Change Order No. 15 to Public Work Contract with Creamer/Spiniello, Joint Venture (Creamer/Spiniello) for the Recycled Water Backbone System (RWBS) Project Phase I. (049)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 15 to Public Works Contract between the City of Oxnard and Creamer/Spiniello (A-7327), for additional work required to handle additional road pavement thickness of the RWBS, increasing the construction cost by \$81,535, from \$13,244,290.79 to \$13,293,387.82.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

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.

Development Services Department

1. SUBJECT: Rancho Victoria Plaza Project – Planning & Zoning Permit Nos. 10-300-03 (Tentative Subdivision Map) and 10-500-07 (Special Use Permit) Located at 3600 & 3700 West Fifth Street. Filed by Richard Ridgway, Investec Rancho Victoria LLC. (063)
RECOMMENDATION: 1) Adopt **Resolution No. 13,955** approving the Tentative Subdivision Map for Tract 5877 (PZ No. 10-300-03) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-04; and 2) Adopt **Resolution No. 13,956** upholding the Planning Commission's approval of the Special Use Permit (PZ No. 10-

Development Services Department

1. SUBJECT: Rancho Victoria Plaza Project – Planning & Zoning Permit Nos. 10-300-03 (Tentative Subdivision Map) and 10-500-07 (Special Use Permit) Located at 3600 & 3700 West Fifth Street. Filed by Richard Ridgway, Investec Rancho Victoria LLC. (063)

RECOMMENDATION: 1) Adopt **Resolution No. 13,955** approving the Tentative Subdivision Map for Tract 5877 (PZ No. 10-300-03) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-04; and 2) Adopt **Resolution No. 13,956** upholding the Planning Commission's approval of the Special Use Permit (PZ No. 10-500-07) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-05.

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

L. PUBLIC HEARINGS

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

2. SUBJECT: Sixth Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan (The Plan) for the Homelessness Prevention and Rapid Re-Housing Program (HPRP). (091)

RECOMMENDATION: 1) Conduct a public hearing to approve the Sixth Amendment to The Plan; 2) Approve the budget revision of the funds awarded to County of Ventura Human Services Agency (CVHSA); 3) Authorize the Housing Department Director to submit the Sixth Amendment of The Plan to the U. S. Department of Housing and Urban Development for approval; and 4) Authorize the City Manager to submit the Substantial Amendment of the Plan to the U.S. Department of Housing and Urban Development for approval; and 5) Authorize the Mayor to execute the modification of Appendix A "Scope of Services.

DISCUSSION: The Homeless Assistance Coordinator commented on the need to make adjustments at this time.

Public comments by Maria Collier

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

3. 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.

RECOMMENDATION: Continue to April 12, 2011.

ACTION: Approve as recommend (Holden/Ramirez) unanimously.

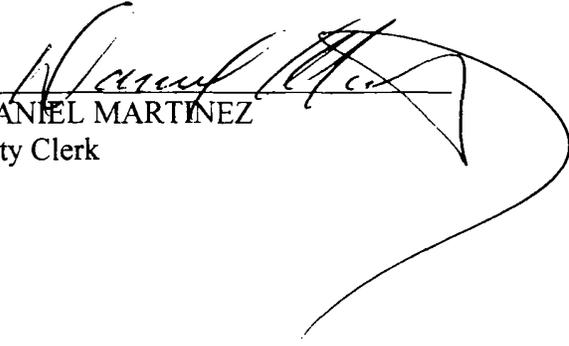
M. REPORT OF CITY MANAGERN. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:05 p.m. the City Council concurred to adjourn the meeting.



DANIEL MARTINEZ
City Clerk



DR. THOMAS E. HOLDEN
Mayor