

## MINUTES

### OXNARD CITY COUNCIL Regular Meeting July 17, 2012

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

At 6:01 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Mayor Thomas E. Holden was absent. The Deputy 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: Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; and Lyn Bennett, Deputy City Clerk.

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

#### C. CLOSED SESSION

At 6:02 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.

At 7:02 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:04 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Financing Authority. 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; James Cameron, Chief Financial Officer; Matthew Winegar, Development Services Director; Rob Roshanian, Interim Public Works; Martin Erickson, Special Assistant to the City Manager; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Cyndi Hookstra, Parks and Facilities Management Analyst; Anthony Emmert, Water Resources Manager; Anthony Emmert, Water Manager; Michael More, Financial Resources Manager; and Stephanie Diaz, Contract Planner.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of the Ventura County Fair Poster by Junior Fair Board Members Nolan Woodruff and Jared Lozano  
DISCUSSION: Junior Fair Board Members Nolan Woodruff and Jared Lozano presented a Ventura County Fair Poster to the City Council and invited everyone to the County Fair.

#### ITEMS REMOVED FROM AGENDA

The City Council concurred to removed I-1A from the agenda.

**F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Public comments received from: Ed Ellis; Tom Petersen; Ralph James; Jim Lavery; Daniel Lechliter; Martin Jones; Ventura Fernandez; Gloria Roman; Larry Stein; Bert Perello and A. Huerta.

**G. REVIEW OF INFORMATION/CONSENT AGENDA**

The Interim City Manager and General Services Manager reviewed process of locating a senior center (I-1B) in the community including existing senior centers locations. The Parks and Facilities Management Analyst discussed the response to the Grand Jury (I-2).

**H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA**

Public comments received from: Bert Perello (I-1).

**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.  
**ACTION:** Removed I-1A and I-1B from the agenda.
2. **SUBJECT:** Response to Ventura County 2011-2012 Civil Grand Jury Report Concerning Graffiti in Ventura County Cities Dated May 16, 2012 ("Grand Jury Report"). (005)  
**RECOMMENDATION:** Pursuant to the provisions of Penal Code section 933(c), approve the Response to Grand Jury Report attached to this agenda report as the response of the governing body and Mayor of the City of Oxnard to the Grand Jury Report, and authorize the transmission of the response to the Presiding Judge of the Ventura County Superior Court.

**Development Services Department**

3. **SUBJECT:** Recognize Federal Revenue and Appropriate Federal Transit Administration Grants for the Projects "Victoria Route Bus Stops" and "Transit Stops 2012-2015" (025)  
**RECOMMENDATION:** 1) Recognize federal revenue and appropriate funds in the amount of \$272,000 from the Ventura County Transportation Commission (VCTC) and the Federal Transit Administration (FTA) to "Transit Stops 2012-2015" Project No. 133110 for design and construction of transit stop enhancements at various locations in the City; and  
2) Recognize federal revenue and appropriate funds in the amount of \$375,000 from the VCTC and the FTA to "Victoria Route Transit Stops" Project No. 133108 for design and construction of transit stops for the three-year demonstration bus route on Victoria Avenue and Channel Islands Boulevard for Gold Coast Transit.

Public Works Department

4. SUBJECT: Third Amendment to the Consulting Services with CH2M Hill, Inc. for the Advanced Water Purification Facility. (031)

RECOMMENDATION: Approve and authorize the Mayor to execute a Third Amendment to the Consulting Services Agreement with CH2M Hill, Inc. (A-6841) to increase the amount by \$219,531 for a total of \$9,151,435 for extended post design services, Advanced Water Purification Facility optimization, architectural services, storm water treatment technical memorandum, and determination of a total dissolved solids surcharge fee.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with removal of I-1A and I-1B from the agenda. (Flynn/MacDonald) Ayes: Flynn, Ramirez, Pinkard, and MacDonald. Absent: Holden.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Mayor Pro Tem Pinkard opened the public hearing. The City Clerk reported on publication and that there was one written communication received.

Development Services Department

1. SUBJECT: Zone Text Amendment (PZ 10-580-01), Pertaining to Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing. (043)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City of Oxnard Code pertaining to homeless shelters, transitional housing, supportive housing and farmworker housing pursuant to Senate Bill 2.

DISCUSSION: The Planning and Environmental Services Manager and the Contract Planner reviewed the proposed housing zoning changes. The Assistant City Attorney reviewed the definition of "family" use in the proposed ordinance.

Public comments received from: Rose Leslye; Eileen Tracy; David Courtland and Sal Gonzales.

The Council discussed: neighborhood locations; rental oversight committee; legal restrictions of individuals and lease information of residences.

ACTION: Close the public hearing. (Ramirez/MacDonald) The Council concurred to remove this item from the agenda so staff can implement the comments of the Council.

Mayor Pro Tem Pinkard opened the public hearing. The City Clerk reported on publication and that there were 274 written communications and several emails received against approval.

Public Works Department

2. SUBJECT: Ordinances to Continue and Establish Water, Wastewater and Environmental Resources User Fees and Charges and Appropriation of Revenue Funds. (089)

RECOMMENDATION: 1) Hold a public hearing to receive public testimony and consider all protests concerning the adoption of ordinances continuing and establishing certain water, wastewater and environmental resources user fees and charges; 2) Approve the first reading by title only and subsequent adoption of ordinances continuing and establishing water, wastewater and environmental resources user fees and charges; and 3) Authorize the City Manager or designee to make the necessary budget adjustments consistent with items 1 and 2.

DISCUSSION: The Water Resources Manager reviewed the proposed rate structure, infrastructure costs, water costs, reduction of ground water use, and future replacement costs.

Public comments against rate increases were received from: William Bill Terry; Martin Kaplan; Eileen Tracy; Daniel Lechliter; Steve Flester; Larry Stein; Bert Perello; Richard Tuten and Julie Pena. Comment cards received from Lawrence Barbarine and Anna Barbarine.

The Council discussed: financial bond rating, having different rate tiers and the effect of changing utility fees and charges.

The Development Services Director commented on future review of landscape requirements. The Chief Financial Officer reviewed financial requirements, operating costs, replacement costs and fixed costs. The Interim Public Works stated that rates may stabilize with the GREAT program.

ACTION: Close the public hearing. (Ramirez/MacDonald) Moved to continue this item to July 31, 2012. (Ramirez/Flynn) unanimously.

#### M. REPORT OF CITY MANAGER

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

##### City Manager Department

1. SUBJECT: League of California Cities Annual Conference Voting Delegate/Alternate 2012. (127)

RECOMMENDATION: Designate a voting delegate and a voting alternate to the League of California Cities Annual Conference.

ACTION: Appointed Councilman Flynn as delegate and Mayor Pro Tem Pinkard as an alternate. Approved unanimously.

#### O. REPORTS

##### Finance Department

1. SUBJECT: 2012 Special District Bond Refinancings. (133)

RECOMMENDATION: 1) Adopt **Resolution No. 14.258** declaring intention to issue refunding bonds for the purpose of paying and redeeming those certain City Of Oxnard, Assessment District No. 2001-1 (Rice Avenue/Highway 101 Interchange), Limited Obligation Improvement Bonds, Series 2002, issued in the original aggregate principal amount of \$15,125,000; providing for the reassessment of properties within said assessment district that constitute the security for such bonds; directing the preparation of report and other documents as required by the Refunding

Act of 1984 for 1915 Improvement Act Bonds, Division 11.5 Of The California Streets And Highways Code; and making certain findings and determinations in connection therewith; 2) Adopt **Resolution No. 14.259** approving and confirming the reassessment report and reassessment, making findings in connection therewith, and ordering the refunding and reassessment in connection with Assessment District No. 2001-1 (Rice Avenue/Highway 101 Interchange); 3) Adopt **Resolution No. 14.260** authorizing the sale, issuance, and delivery of not more than \$13,250,000 in principal amount of City Of Oxnard Assessment District No. 2001-1 (Rice Avenue/Highway 101 Interchange) Limited Obligation Improvement Refunding Bonds, Series 2012, and approving certain documents and authorizing certain actions in connection therewith; 4) Adopt **Resolution No. 14.261** authorizing the issuance and delivery of not more than \$10,000,000 in principal amount of Community Facilities District No. 1 (Westport at Mandalay Bay) of the City of Oxnard 2012 Special Tax Refunding Bonds, and approving certain documents and authorizing certain actions in connection therewith; and 5) Adopt **Resolution No. 14.262** authorizing the issuance and delivery of not more than \$9,000,000 in principal amount of City of Oxnard Community Facilities District No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) Special Tax Refunding Bonds, Series 2012, and approving certain documents and authorizing certain actions in connection therewith.

DISCUSSION: The Financial Resources Manager outlined the reasons for the refinancing, estimated interest rate, selection of the underwriter, fee structure, and projected savings. The Special Assistant to the City Manager commented on State and federal funding received for interstate road construction. The Chief Financial Officer reviewed the amount to be funded and payment structure.

Comments were received from: William "Bill" Terry; Steve Nash and Bert Perello.

Bruce Graham, Bond Counsel, reviewed the under-riding fees and the proposed bond structure.

The Council discussed: costs and fees; interest rate not to exceed; and saving amount of property owners.

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

#### FINANCING AUTHORITY

At 11:08 p.m. the joint meeting with the Financing Authority concluded.

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

The Council discussed: City landscape (water) issues; solid waste (trash) issues; Animal Services costs; and Big League Dreams issues.

#### P. PUBLIC COMMENTS ON REPORTS

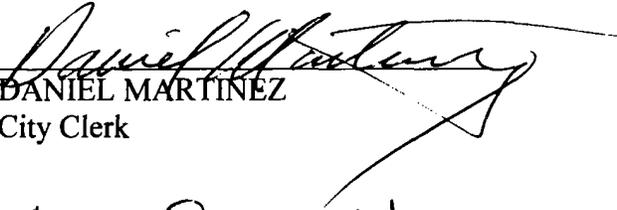
#### Q. APPOINTMENT ITEMS

#### R. STUDY SESSION

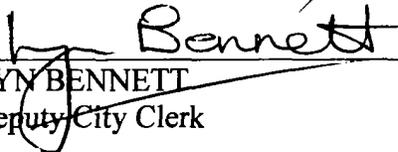
S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:24 p.m. the City Council concurred to adjourn the meeting.

  
DANIEL MARTINEZ  
City Clerk

  
DR. IRENE G. PINKARD  
Mayor Pro Tem

  
LYN BENNETT  
Deputy City Clerk