

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
March 22, 2011

AGENDA ITEM NO.

I-1

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission, Housing Authority, and Finance Authority. Councilmembers Thomas E. Holden, Irene G. Pinkard, Timothy B. Flynn and Carmen Ramirez were present. Councilmember Bryan A. MacDonald was absent. The Deputy 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; Jeri Williams, Police Chief; William "Bill" Wilkins, Housing Director; Curtis P. Cannon, Community Development Director; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Sue Martin, Planning and Environmental Services Manager; Cynthia Daniels, Project Manager; and Lyn Bennett, Deputy City Clerk.

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, followed by a moment of silence for victims of recent Japanese earthquake and tsunami disaster.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Employee of the Year Denise Brennecke.
DISCUSSION: Denise Brennecke thanked the City and staff for the recognition.
2. SUBJECT: Presentation of Commendation to Mayor Tom Holden for His Service on the Air Pollution Control District Board by Mike Villegas, Air Pollution Control Officer.
DISCUSSION: Mike Villegas, Air Pollution Control Officer, presented the commendation to the Mayor who recognized the work of staff

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Bill Terry (I-4, I-9); Anthony Martin; Nancy Lindholm (EDCO); John McMullan (business signage), Rosemary Pace; Larry Stein (City records), Pat Brown (road maintenance), Bert Perello (I-9).

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Community Development Director and Housing Director reported low-income housing funding and development structure(I-3). The Development Services Director reviewed parking requirement (I-3). The Community Development Director reviewed the purchase of former Colonia House site and funding structure. Sean Buran, Pacific West Communities, reviewed the building of low-income housing. Michael Sanchez, architect, outlined parking on the proposed site (I-4). The Housing Director commented on the local housing needs (I-5). The Project Manager commented on the construction costs (I-6). The Chief Financial Officer reviewed the financing of the bonds (I-9).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Bill Terry (I-4, I-9); James Levy (I-9); Larry Stein (I-4, I-9); Bert Perello (I-9); Barbara Macri-Ortiz (I-3, I-4, I-5).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the City Council for February 15 and for the Special Meeting of the City Council on February 22, 2011. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (027)
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

3. SUBJECT: Purchase and Transfer of 610 Cuesta Del Mar from the Oxnard Housing Authority to Las Cortes, Inc., and Approval of Amended and Restated Affordable Housing and Loan Agreement by and Between the City of Oxnard, Oxnard Community Development Commission and Las Cortes, Inc. (035)
RECOMMENDATION: Continue to April 5, 2011.
4. SUBJECT: Loan Agreement by and Between the City of Oxnard and Pacific West Communities, for the Development of the Colonial House Located at the Southwest Corner of Oxnard Boulevard and Roderick. (039)
RECOMMENDATION: Continue to April 5, 2011.
5. SUBJECT: Second Amendment to Affordable Housing Loan Agreement and Memorandum of Understanding Regarding Lot 17A (collectively the "MOU") and Sonata Apartments Acquisition, Predevelopment and Permanent Loan Agreement ("Sonata Loan Agreement"). (043)
RECOMMENDATION: Continue to April 5, 2011.

Development Services Department

6. **SUBJECT:** Third Amendment to Agreement with URS Energy & Construction Inc. (URS) for Engineering Services for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101. (069)
RECOMMENDATION: Approve and authorize the Mayor to execute the third amendment to the agreement with URS (A-7240) to increase the amount by \$501,003 (a total of \$1,473,908) to provide engineering services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101.
7. **SUBJECT:** Agreement with Southern California Edison for Energy Efficiency Planning Grant. (083)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with Southern California Edison (SCE) in the amount of \$275,000 to implement an energy efficiency planning grant; and 2) Authorize the Chief Financial Officer to establish the necessary accounts and budgets.
8. **SUBJECT:** Oxnard Blvd. Bicycle & Pedestrian Path Easement Acquisition at the Sports Park. (085)
RECOMMENDATION: Approve the payment of \$546,000 as just compensation for an easement for the Oxnard Boulevard bicycle and pedestrian path at the Sports Park at the southeast corner of Gonzales Road and Oxnard Boulevard.

Finance Department

9. **SUBJECT:** Refinancing of City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010 (089)
RECOMMENDATION: 1) Approve a plan to pay off the City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010 ("2010 BANs") with a private placement of 3-to-5 year tax exempt bonds
10. **SUBJECT:** Lease Purchase of City Vehicles for Fiscal Year 2010-11. (091)
RECOMMENDATION: Approve a special budget appropriation in the amount of \$808,000 from the Master Equipment Lease Purchase Agreement for the acquisition of capital equipment in Fiscal Year 2010-11.

Public Works Department

11. **SUBJECT:** Third Amendment to Agreement with Hopkins Groundwater Consultants, Inc. (A-7115) for Hydrogeologic Design, Technical Review, and Consulting Support Services. (095)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Third Amendment to the agreement with Hopkins Groundwater Consultants, Inc. ("Hopkins Groundwater") to increase the amount by \$87,200 for a total of \$387,200 for the preparation of a supplemental Aquifer Storage & Recovery (ASR) well siting study, preparation of preliminary well designs, assistance with wells permitting, and preparation of plans and specifications for wells construction; and 2) Approve a special budget appropriation to transfer funds in the amount of \$87,200 to the GREAT ASR Wells Project No. 116505 from the Recycled Water Distribution Project 116504.

12. SUBJECT: Change Order No. 4-A to Public Work Contract No. A-7285 with Don Kelly Construction, Incorporated for the Ventura Road Utility Improvements and Resurfacing Project - Phase II. (103)

RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 4-A with Don Kelly Construction, Incorporated (Don Kelly Construction) (A-7285) to increase the amount of construction cost of the Ventura Road Utility Improvements and Resurfacing Project Phase II (Ventura Road Improvement Project) from \$8,589,110.16 to \$8,617,086.92 for the sum addition of \$27,976.76 for work required to replace 34 water meter boxes.

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

RECESS

At 9:04 p.m., the City Council recessed and at 9:09 p.m., the City Council reconvened.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Housing Department

1. SUBJECT: Sixth Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Budget Reviewing of the Funds Awarded to the County of Ventura Human Services Agency.
RECOMMENDATION: Continued until April 5, 2011
ACTION: Approved as recommended (Holden/Pinkard) unanimously.

COMMUNITY DEVELOPMENT/HOUSING AUTHORITY/FINANCING AUTHORITY

At 9:10 p.m. the joint meetings with the Community Development Commission, Housing Authority and Financing Authority concluded.

Q. APPOINTMENT ITEMS

Development Services Department

1. SUBJECT: Encroachment Prevention Presentation by Navy Base Ventura County.
RECOMMENDATION: Consider a verbal presentation by Navy Base Ventura County.
DISCUSSION: Salim Rahemtulla, Community Planner and Liaison Officer, and Jim McHugh, Commanding Officer, reviewed the compatibility of the base with the local community and forming partnerships with local agencies to preserve open space areas.

Comments by: Pat Brown, Bert Perello, Larry Stein.

ACTION: The City Council provided comments.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

- 1. SUBJECT: Monthly Budget Status Report for the Period Ending February 28, 2011. (105)
DISCUSSION: Bert Perello (credit card use)
ACTION: Received and filed.

M. REPORT OF CITY MANAGER

Scheduled removal of asbestos at former Wagon Wheel site; opening of a Rice Avenue off-ramp; and presentation of the State of City by Mayor Holden.

N. CITY COUNCIL/BUSINESS/COMMITTEE REPORTS

Councilmembers Pinkard, Flynn and Ramirez reviewed meetings and issues discussed at recent Washington D.C. conference which including: flood zone insurance, transportation issues, crime prevention, water issues, former Halaco site clean-up and affordable housing issues.

- 1. SUBJECT: Verbal Report Regarding Gull Wings Children’s Museum.
RECOMMENDATION: Consider a verbal report.
DISCUSSION: The Community Development Director introduced Melissa Baffa, director of Gull Wings Museum and Vince Behrens who stated a business plan would be developed and commented on the working relationship with the City.
ACTION: The City Council provided comments.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:37 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

LYN BENNETT
Deputy City Clerk

DR. IRENE G. PINKARD
Mayor Pro Tem

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting

March 8, 2011

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting

March 22, 2011

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard Community Development Commission convened in the Council Chambers, concurrently with the City Council and Housing Authority. Commissioners Thomas E. Holden, Irene G. Pinkard, Tim Flynn, and Carmen Ramirez were present. Commissioner Bryan A. MacDonald was absent. The Deputy Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairman Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Director; Alan Holmberg, General Counsel; Karen Burnham, Assistant Executive Director; and Lyn Bennett, Deputy Secretary Designate.

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, followed by a moment of silence for victims of recent Japanese earthquake and tsunami disaster.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Oxnard Community Development Commission for February 15, and March 1, 2011. (001)
RECOMMENDATION: Approve.

Community Development Department

3. SUBJECT: Purchase and Transfer of 610 Cuesta Del Mar from the Oxnard Housing Authority to Las Cortes, Inc., and Approval of Amended and Restated Affordable Housing and Loan Agreement by and Between the City of Oxnard, Oxnard Community Development Commission and Las Cortes, Inc. (035)
RECOMMENDATION: Continue to April 5, 2011.

5. SUBJECT: Second Amendment to Affordable Housing Loan Agreement and Memorandum of Understanding Regarding Lot 17A (collectively the "MOU") and Sonata Apartments Acquisition, Predevelopment and Permanent Loan Agreement ("Sonata Loan Agreement"). (043)
RECOMMENDATION: Continue to April 5, 2011.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL/HOUSING AUTHORITY/FINANCIAL AUTHORITY

At 9:10 p.m. the joint meetings with the City Council, Housing Authority and Financial Authority concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:10 p.m., the Community Development Commission concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting

April 5, 2011

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION
Special Meeting
March 8, 2011

A. ROLL CALL/POSTING OF AGENDA

At 6:15 p.m., the special meeting of the Oxnard Community Development Commission convened in the Council Chambers concurrent with the Oxnard City Council. Commissioners Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Chairman Thomas E. Holden was absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairman Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; and Curtis Cannon, Community Redevelopment Director. The meeting opened with the pledge of allegiance to the flag of the United States.

B. PUBLIC COMMENTS ON REPORT

The following individuals provided comments: Larry Stein; William Terry; Martin Jones; and Bert Perello.

C. REPORTS

Community Development Department

1. **SUBJECT:** Resolution Approving the Transfer of Real Property and Other Assets of the Community Development Commission to the City of Oxnard.

RECOMMENDATION: Adopt Resolution No. 147: (i) approving certain actions to be taken related to the transfer of all real property and other assets of the CDC to the City to meet existing obligations set forth in the Cooperation Agreement and implement the provisions thereof; and (ii) clarifying the authorities and obligations set forth in the Cooperation Agreement.

DISCUSSION: The Community Development Director and Todd Mooney (Kane, Ballmer & Berkman attorney) commented on tax increment, financial obligations, redevelopment law, and timing of Commission action.

ACTION: Approve the recommendation. (Pinkard/MacDonald) Ayes: Pinkard, MacDonald, and Ramirez. Noes: Flynn. Absent: Holden.

CITY COUNCIL

At 7:15 p.m., the joint meeting with the City Council concluded.

D. ADJOURNMENT

At 7:15 p.m., the Community Development Commission concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. IRENE G. PINKARD
Vice-Chairperson

MINUTES

OXNARD FINANCING AUTHORITY

Regular Meeting

March 22, 2011

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard Finance Authority convened in the Council Chambers, concurrently with the City Council, Community Development Commission and Housing Authority. Commissioners Thomas E. Holden, Irene G. Pinkard, Timothy B. Flynn and Carmen Ramirez were present. Commissioner Bryan A. MacDonald was absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; Grace Magistrale Hoffman, Deputy Executive Secretary; and Lyn Bennett, Deputy Secretary Designate

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, followed by a moment of silence for victims of recent Japanese earthquake and tsunami disaster.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the Oxnard Financing Authority for December 7 and 14, 2010 and January, 11 and 25, and February 1, 8, and 15, and March 1 and 8, 2011. (001)
RECOMMENDATION: Approve.

Finance Department

9. SUBJECT: Refinancing of City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010 (089)
RECOMMENDATION: 2) Approve a plan to pay off its 2010 BANs with a private placement of 3-to-5 year tax exempt bonds.

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

CITY COUNCIL/COMMUNITY DEVELOPMENT/HOUSING AUTHORITY

At 9:10 p.m. the joint meetings with the City Council, Community Development Commission, and Housing Authority concluded.

- J. TRANSMITTAL OF INFORMATION ONLY ITEMS
- K. INFORMATION/CONSENT PUBLIC HEARINGS
- L. PUBLIC HEARINGS
- M. REPORT OF SECRETARY
- N. FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS
- O. REPORTS
- P. PUBLIC COMMENTS ON REPORTS
- Q. APPOINTMENT ITEMS
- R. STUDY SESSION
- S. PUBLIC COMMENTS ON STUDY SESSION
- T. ADJOURNMENT

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD FINANCING AUTHORITY
Regular Meeting
April 5, 2011

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman