

## MINUTES

## OXNARD CITY COUNCIL

Regular Meeting

April 12, 2011

A. ROLL CALL/POSTING OF AGENDA

At 6:02 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; and James Cameron, Chief Financial Officer.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMSC. CLOSED SESSION

At 6:04 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 and Southern California Edison, Court of Appeal of California, Second Appellate District, Case No. B227835; 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.

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

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

D. OPENING CEREMONIES

At 7:06 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission and Financing 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; Matthew Winegar, Development Services Director; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, General Services Manager; Rob Roshanian, Interim Public Works Director Development Services Manager; Sue Martin, Planning and Environmental Services Manager; Michael More, Financial Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Employee of the Quarter, Police Officer Gordon Currie.  
DISCUSSION: Police Officer Currie thanked the Council for the recognition.

2. SUBJECT: Commendation to Brandon Rios, Oxnard's World Champion Boxer.  
DISCUSSION: Mr. Rios thanked the Council and community for the recognition.
3. SUBJECT: Proclamation Designating April 17, 2011 as "Wine and Art Trail Day"  
DISCUSSION: Tiffany Lopez and Able Magana outlined the fund raiser event for the local Boys and Girls Club.
4. SUBJECT: Presentation of Proclamation Designating April 2011 "Sexual Assault Awareness Month."  
DISCUSSION: Lori Zinn, Coalition To End Family Violence, commented on the need to have information and awareness.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Al DeLorey (street humps); Jim Hensley (swimming classes); Ed Ellis (Spanish translation); Margaret Cortese (theatre); Mario Quintana (Spanish translation); David Cruz (public access channel); Morey Navarro (soccer workshop); Daniel Lechliter (Spanish translation); William Terry (Peaker Plant); Jean Joneson (code compliance); Bert Perello (public community meetings); Pat Brown (Spanish translation); and Larry Stein (Measure O funds).

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 City Council for March 22, 2011. (001)  
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (015)  
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.

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

Q. APPOINTMENT ITEMS

City Manager

1. SUBJECT: Oxnard Convention and Visitors Bureau (OCVB) Annual Report.  
RECOMMENDATION: Receive verbal report and provide comments.  
DISCUSSION: Janet Sederquist, Director of OCVB, outlined the annual report. She commented on social media, tickets sales at OCVB, partnerships with OCVB, and use of signage.

Comments received by: Pat Brown (branding); Bert Perello (audits).

ACTION: The City Council provided comments.

2. SUBJECT: Verbal presentation by Southern California Gas Company on Pipeline Safety.  
DISCUSSION: Michelle Petis, Gas Company, reviewed the pipeline inspection process, safety public communications, odor complains and area pipe survey.

The following individuals provided comments: Larry Godwin; Pat Brown; Larry Stein; William Terry and Bert Perello.

ACTION: The City Council provided comments.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

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

Finance Department

- 1 SUBJECT: City of Oxnard Financing Authority Tax Allocation Bonds, Series 2011 (RiverPark Maintenance Facility). (019)  
RECOMMENDATION: 1) Conduct a joint public hearing with the Community Development Commission concerning the use of tax increment revenues for the purpose of issuing bonded indebtedness to construct the RiverPark Maintenance Facility; 2) Adopt a resolution making certain determinations and findings pursuant to Health and Safety Code Section 33445 regarding the funding by the Oxnard Community Development Commission of the cost of certain publicly owned facilities, approving the sale, issuance, and delivery by the Oxnard Community Development Commission of not more than \$10,500,000 in principal amount of Oxnard Community Development Commission Historic Enhancement and Revitalization of Oxnard (HERO) Project Area Tax Allocation Bonds, Series 2011, and making certain determinations relating thereto; and 3) Approve the appropriation of funds in the amount of \$9,025,000 from the sale of bonds to the RiverPark Maintenance Facility Project No. 095705 for the construction of a maintenance facility within the HERO Project Area.  
DISCUSSION: The Financial Services Manager reviewed the funding of the bonds and the pay back schedule of bonds. Bill Reynolds, Financial Advisor from Southwest, commented on the rating of the City. The Chief Financial Officer commented on bond insurance, consultant costs and effects of State actions. Bruce Graham, bond consultant,

Comments were received by: William Terry; Martin Jones; Pat Brown; Jean Joneson; Shirley Godwin; Dan Lechliter; Bert Perello; and Larry Stein.

ACTION: Close the public hearing (Pinkard/Holden) approved unanimously.

DISCUSSION: The General Services Manager and Community Development Director reviewed the reasons for the building of the structure.

The City Council commented on the need for structure, funding of the structure, comparison funding of other developments, and need for more information.

ACTION: Provided comments to staff and move to continue to this item. (Holden/Pinkard) unanimously.

#### Housing Department

2. 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. (041)

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.

ACTION: Move to continued to April 19, 2011 (Holden/Pinkard) unanimously.

#### M. REPORT OF CITY MANAGER

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

##### COMMUNITY DEVELOPMENT AND FINANCING AUTHORITY

At 10:50 p.m. the joint meetings with the Community Development Commission and Financing Authority concluded.

#### O. REPORTS

##### City Attorney Department

1. SUBJECT: Preferences for Small Local Businesses in Public Works and Trade Services Agreements. (047)

RECOMMENDATION: Consider a report and provide direction concerning possible implementation of preferences for local small businesses in public works and trade services agreements, and agreements for purchase of supplies and equipment.

ACTION: The City Council concurred to continue to May 3, 2011.

##### Finance Department

3. SUBJECT: Purchasing Policies and Procedures. (065)

RECOMMENDATION: Receive the report and provide comments.

ACTION: The City Council concurred to continue to May 3, 2011.

Development Services

2. SUBJECT: Status Report on Parking at the El Rodeo Community Center, 451 West Hueneme Road. (053)

RECOMMENDATION: Accept the status report for El Rodeo Community Center.

DISCUSSION: The Planning and Environmental Services Manager provided background information on the site including past uses and past permitted occupancies for the site.

Elio Espino, El Rodeo Community Center, stated his efforts to work with neighboring businesses to solve parking problems.

Chemayne Faulconer de Gurrola, family filed appeal, commented on parking problems El Rodeo created by having large events such as having several bands playing on one day.

The following individuals commented: Ed Gurrloa; Camille Rodriguez de Gurrola Borchard; Cecile Gurrola; Elanie Gurrola; David Cruz; William Terry; Pat Brown, Bert Perello, Javier Romo; Emmanuel Espino; Hidehel A. Reyes.

The City Council commented on the use of the site, alcohol use permit on the site, and parking problems.

ACTION: The City Council provided comments to staff.

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 12:06 a.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

## 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 AGENDA

### City 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 Salmio.

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, 5<sup>th</sup> Street, K Street, and 2<sup>nd</sup> Street, at the future site of Campus Park, located at 937 West 5<sup>th</sup> 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 obtain 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 letter); 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.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

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DR. IRENE G. PINKARD  
Mayor Pro Tem

