MINUTES

AGENDA ITEM NO.
I-1

OXNARD CITY COUNCIL
Regular Meeting
September 20, 2011

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. Councilmember Mayor Thomas E. Holden was absent. The 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: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; James Cameron, Chief Financial Officer; Rob Roshanian, Interim Public Works Director; and Jason Benites, Assistant Police Chief.

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 numbers of the litigation being discussed were Southern California Edison v. City of Oxnard, et al., Ventura County Superior Court Case No. 56-2011-00399096-CU-WM-VTA; City of Oxnard, et al. v. California Coastal Commission and Southern California Edison, Court of Appeal of California, Second Appellate District, Case No. B227835; Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resources Adequacy Requirements Program PUC Rulemaking No. 09-10-032 and Fernandez, Alejandro v. City of Oxnard; U.S. District Court, Case No. CV10-07300-JFW (JCGX)

At 7:02 p.m. the City Council reconvened and Mayor Pro Tem Pinkard announced that the City Council would not seek a State Supreme Court review.

D. OPENING CEREMONIES

At 7:02 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. 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: Matthew Winegar, Development Services Director; Michelle Tellez, Human Resources Director; Sue Martin, Planning and Environmental Services Manager; Grant Dunne, Management Analyst III; and Lou Balderrama, City Engineer.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from: William Bill Terry; Gloria Roman; Jeremy Meyer; Jean Joneson; Larry Stein; and Bert Perello.

The following individuals expressed concern that television program was being considered to be discontinued at Oxnard College: Juan Smith, Ryan Spell, Andrea Baltazar, Laura Reyes, Johnathan Portillo, George Ortega, Peter Salazar, Rene Garcia, Henry Martinez, and Josh Martinez.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Comments were received from: Bert Perello.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for July, 12, 19, and 26, 2011. (001)
RECOMMENDATION: Approve.

City Manager

2. SUBJECT: Agreements for City Council Review. (019)
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.
DISCUSSION: The City Engineer reviewed the costs of the Rose Avenue railroad crossing repairs.

Fire Department

3. SUBJECT: Authorization to Submit an Application for Federal Emergency Management Agency Assistance to Firefighters Grant in the Amount of $36,300. (021)
RECOMMENDATION: Adopt **Resolution No. 14,111** authorizing: 1) The City Manager to submit an application to the Federal Emergency Management Agency Assistance (FEMA) to Firefighters grant in the amount of $36,300; 2) The City Manager to execute the grant agreement if grant funds are awarded to the city; 3) The Chief Financial Officer to appropriate the funds and perform all other required financial actions; and 4) The Fire Chief or designee to submit non-financial reports.

Public Works Department

4. SUBJECT: Second Amendment to Agreement for Solid Waste Disposal Services Between the City of Oxnard and Waste Management Incorporated, Simi Valley Landfill. (023)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement for Solid Waste Disposal Services with Waste Management of California, Incorporated (A-5997) to extend the contract expiration date to February 25, 2012.
DISCUSSION: The Management Analyst III reviewed the impact of outside users.

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

Q. APPOINTMENT ITEMS

SUBJECT: Presentation by Peter Brand, California Coastal Conservancy.
RECOMMENDATION: Hear and consider a presentation by Peter Brand, California Coastal Conservancy, concerning property acquisition efforts in the Ormond Beach area.
DISCUSSION: Mr. Brand commented on the investigation studies of the Ormond Beach area, the (special) benefits of living near the ocean, land use destination process, the power plant site, efforts to buy properties, use of bond funding, best use of land, efforts of restoration of the area, and possible funding sources.

Received comments from the following individuals: Ana Cristina Flores; Jean Roundtree; William Bill Terry; Shannon McComb; Jim McComb; Nancy Pedersen; Jeremy Mayer; Dave Morse; Trevor Smith; Karen Kraus, Environmental Defense Center; Janis McCormick; Beatriz Garcia; Trisha Munro, Jurgen Gramckow; Michael Stubblefield; Steve Nash; and Marilee Anker.

The City Council discussed possible development plans of the area including Ormond Beach and plans of the California Coastal Conservancy.

ACTION: Received the presentation and provided comments to staff.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Adoption of 2030 General Plan.
RECOMMENDATION: Continued to October 11, 2011.
ACTION: Moved to approve as recommended, (Pinkard/MacDonald), unanimously.

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

2. SUBJECT: Anacapa Townhomes Project - Planning and Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance) Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores, Co., LLC. (053)
RECOMMENDATION: 1) Adopt **Resolution No. 14,112** approving the Tentative Subdivision Map for Tract 5843 (PZ No. 09-300-01), subject to the conditions set forth in Planning Commission Resolution No. 2010-16, and additional traffic conditions; 2) Adopt **Resolution No. 14,113** upholding the Planning Commission's approval of the Coastal Development Permit (PZ No. 08-400-04), subject to the conditions set forth in Planning Commission Resolution No. 2010-15, and additional traffic conditions; and 3) Adopt **Resolution No. 14,114** upholding the Planning Commission's approval of the Coastal Zone Variance (PZ No. 09-590-01), subject to the conditions set forth in Planning Commission Resolution No. 2010-17.
DISCUSSION: The Planning and Environmental Services Manager outlined the proposed development including traffic circulation, recreation area and on-site parking. The Interim Public Works Director and Development Director commented that negotiations are taking place regarding water credit, future new source of water from GREAT Program, and other conditions placed on developer.

Pete Weeger, Oxnard Shores Co, commented on efforts to develop a well designed development having low-water use.

Comments were received from: Bill Shallenberger, Robert Shallenberger, and Bert Perello.

The Council commented on: on-site parking, water use, bike lanes, public transportation, bridge widening, and court agreement regarding this site.

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

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Pro Tem Pinkard declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Housing Department

1. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year 2010-2011. (027)
RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2010-2011.
DISCUSSION: Received comments from

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

M. REPORT OF CITY MANAGER

The City Manager commented that 15 new police recruits were hired due to Measure O funding, Spanish translation at council meeting was being researched, and the Multi-Cultural Festival was scheduled for October 1, 2011.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

The City Council commented on the coordinated environmental clean-ups over the weekend.

1. SUBJECT: Discussion of Proposed Oxnard Safe Housing Collaborative (Councilman T. Flynn)
DISCUSSION: Councilman Flynn outlined the housing collaborative concept, working with several community representatives and use of City staff.

The Council discussed: the need to define goals, the need to work with the Housing Department, working with community groups; and use of City staff.

ACTION: The City Council provided directions to staff.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from Pat Brown and Aurelio Ocampo.

At 11:17 p.m., moved to continue the Council meeting until 11:45 p.m. (Ramirez/Flynn), unanimously.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

2. SUBJECT: Post-Retirement Benefit. (073)
RECOMMENDATION: That City Council receive and file this report.
DISCUSSION: The City Manager commented on the current administrative manual policy and placement in the administration manual. The City Attorney reviewed the legal weight of the administration manual.

The Council commented on: the need to be aware of benefits provided to department heads; need for possible outside legal review; and the need to review the Government Code.

Comments were received from: Bert Perello; Pat Brown; Ed Ellis; and Steve Nash.

ACTION: The City Council provided comments and directions to staff.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:32 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. IRENE G. PINKARD
Mayor Pro Tem

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
September 27, 2011

A. ROLL CALL/POSTING OF AGENDA

At 6:18 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, and Carmen Ramirez were present. Councilmember Timothy B. Flynn was absent. 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; and Grace Magistrale Hoffman, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:18 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(b)(3)(B) and (E), based on existing facts and circumstances and a threat of litigation, there is significant exposure to litigation against the City in one potential case. Two residents have threatened to file a lawsuit alleging that Neighborhood Councils must follow the Ralph M. Brown Act, and also that the INCF has violated their civil rights by sending a letter to the City Council allegedly concerning their conduct. Further details are contained in a memorandum available from City Clerk's Office. At 6:20 p.m., Councilman Flynn was present and attended the closed session.

At 7:09 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:11 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers concurrently with the Community Development Commission. 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: Danielle Navas, City Treasurer; Curtis P. Cannon, Community Development Director; Scott Whitney, Assistant Police Chief; William "Joe" Milligan, Fire Chief; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Rob Roshanian, Interim Public Works Director; Martin Erickson, Special Assistant to the City Manager; Karl Lawson, Compliance Services Manager; and Bruce Dandy, Accounting Manager.

E. CEREMONIAL CALENDAR

SUBJECT: Servant of Mary Minister to Sick, 50th Anniversary
DISCUSSION: The City Council acknowledged the work of Servant of Mary Minister to the Sick in the Oxnard community.

1. SUBJECT: Employee of the Third Quarter.
   DISCUSSION: The City Council recognized Nellie Estrada as Employee of the third quarter.

2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2011, as "Multicultural Month."
DISCUSSION: Bruce Mitchell, Commissioner on Community Relations, received the proclamation on behalf of the Commission on Community Relations and commented on the greatness of the community because of the many cultures in the community. Martha Guillan and Luis Guereca, City Manager's Office commented on some of the activities to be held at the Multicultural Festival and thanked sponsors of the event.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individual provided comments: Marika Arthur; Ed Ellis; Bert Perello; William "Bill" Terry; Gloria Roman; Harold Ceja; Larry Stein; Gary Blum; Martin Jones; Marisa Lopez; Daniel Lechliter, Paul Gram, and Miguel Espinosa.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Comments were received from: Bert Perello (I-5); Pat Brown (I-3); Larry Stein (I-5).

I. INFORMATION/CONSENT AGENDA

Development Services Department

3. SUBJECT: New Traffic Signal at the Intersection of Saviers Road and Hill Street. (023)
RECOMMENDATION: 1) Adopt Project Specification No DS 11-11 for the installation of a new traffic signal at the intersection of Saviers Road and Hill Street; and 2) Approve the special budget appropriation to adjust the Federal grant funding to the authorized amount and to transfer Circulation System Improvement Funds in the amount of $11,831 from project 063103 Traffic Signal at the intersection of Channel Islands Boulevard and C Street to project 113101 Traffic Signal at the intersection of Saviers Road and Hill Street.

4. SUBJECT: Amendment to Agreement with California Transportation Commission (CTC) and California Department of Transportation (Caltrans) for Trade Corridors Improvement Fund (TCIF) and Special Budget Appropriation for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (025)
RECOMMENDATION: 1). Approve and authorize the Mayor to execute an amendment to the agreement with the CTC and Caltrans (A-7061) that will reduce the funding to $14,194,133 (from a previous total of $30,449,000) from TCIF for the Rice Avenue/Santa Clara Avenue interchange improvements at Highway 101; and 2) Approve a special budget appropriation to transfer $6,000,000 from the Circulation System Improvement Fund (354) to "Highway 101—Rice Interchange" and remove $7,007,996 from TCIF (210).

Housing Department

5. SUBJECT: Substitution of Developer for Eligibility for CalHome BEGIN Funds. (039)
RECOMMENDATION: Adopt **Resolution No. 14,115** (1) designating the Vista Urbana project in Riverpark, being developed by Aldersgate Investments, as a project whose homebuyers will be

eligible for CalHome BEGIN grant funding made available by the State of California; and (2) authorizing the City Manager and/or his designee to take all necessary actions to re-designate $2,940,000 of BEGIN funding for eligible first-time homebuyers in the Vista Urbana project.* DISCUSSION: The Compliance Services Manager stated the developer would be setting the prices on houses with the funding requirements coming from the State. The Community Development Director and Compliance Services Manager commented on the deed restrictions.

Public Works Department

6. SUBJECT: Fourth Amendment to Agreement for Trade Services with Polydyne, Inc. for Supply and Delivery of Clarifloc C-6264 Polymer to the Wastewater Treatment Plant. (043) RECOMMENDATION: Approve and authorize the Mayor to execute the Fourth Amendment to the Agreement with Polydyne, Inc. (4611-08-PW) to increase the compensation in the amount of $185,000 for a total not to exceed amount of $785,000 and extend the expiration date to January 31, 2012 for supply and delivery of Clarifloc C-6264 Polymer to the Wastewater Treatment Plant.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended, (Pinkard/Holden) Ayes: Pinkard, MacDonald, Flynn, Ramirez, and Holden. *Noes: Flynn only regarding I-5.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending August 31, 2011. (047) ACTION: Received and filed

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.

Housing Department

1. SUBJECT: Issuance of Multifamily Housing Revenue Bonds for Colonial House Apartments Project, located at 705, 711 and 747 North Oxnard Boulevard. (061) RECOMMENDATION: 1) Hold a public hearing regarding the issuance of up to $11,000,000 of multifamily housing revenue bonds, by the California Statewide Communities Development Authority to finance the acquisition, construction and development of Colonial House Apartments, a 43-unit multi-family rental housing project located at 705, 711 and 747 North Oxnard Boulevard; and 2) Adopt **Resolution No. 14,116** approving the issuance of bonds. DISCUSSION: The Community Development Director and Compliance Services Manager commented on the procedure for the developer to apply for bonds.

   Alexis Gervorgian, Colonia House Apartments, reviewed the purchase of the property and the appraisal process of the property,

   The following individuals provided comments: Daniel Lechliter, Martin Jones; Pat Brown; Larry Stein; and Bert Perello.

The City Council commented on the local housing needs of the community and past investigation of the property transactions.

ACTION: Close the public hearing. (Holden/Pinkard), unanimously. Move to postponed action until a City Attorney investigates past activities of the properties (Flynn/Ramirez) Ayes: Flynn and Ramirez. Noes: MacDonald, Holden and Pinkard. Move to approved as recommended (MacDonald/ Pinkard) Ayes: Holden, Pinkard, and MacDonald. Noes: Flynn and Ramirez.

COMMUNITY DEVELOPMENT

At 9:21 p.m. the joint meetings with the Community Development Commission concluded.

M. REPORT OF CITY MANAGER

The City Manager announced the cancellation of the October 4, 2011 Council meeting due to lack of items; update of infrastructure construction of 101/Rice Road bridge; and recognition of water recourses award for "best management practices".

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: The California Cities Gang Prevention Network Conference of September 19-20, 2011. (067) (Mayor Tom Holden)
RECOMMENDATION: Accept a verbal report on the California Cities Gang Prevention Network Conference.
DISCUSSION: The Deputy City Manager outlined presentations at the conference and that the federal program mirrored the program of California cities. Mayor Holden commented on the conference and success of the program by proving information to other agencies.
ACTION: Received report and provided comments.

Mayor Pro Tem Pinkard and Councilman Flynn commented on League of California Cities Conference including several votes regarding realignment, posting information electronically, bullying at schools, communications with the community, and protocol procedures.

Councilman MacDonald commented on meeting with the Oxnard Elementary School District regarding the City/School relationship and working with City staff to find a suitable school site.

O. REPORTS

City Treasurer Department

1. SUBJECT: Investment Policy and Annual report of Investment Activity. (075)
RECOMMENDATION: 1) Approve the Investment Policy for the City of Oxnard; and 2) Adopt **Resolution No. 14,117** delegating investment authority to the City Treasurer.
DISCUSSION: The City Treasurer outlined the current investment policy.
ACTION: Move to approved as recommended (Ramirez/Pinkard) Ayes: Ramirez, Holden, Pinkard, MacDonald, and Flynn.

Finance Department

2. SUBJECT: Purchasing Policies and Procedures. (079)
RECOMMENDATION: Consider a report on purchasing policies and procedures and provide direction to staff.
DISCUSSION: The Accounting Manager reviewed the current purchasing policy.

The City Council commented on credit card use, the bidding process, and general law requirements.

Comments were received from: Larry Stein and Bert Perello.

ACTION: The City Council provided comments and directions to staff.

City Attorney Department

3. SUBJECT: Preferences for Small Local Businesses in Public Works and Trade Services Contracts. (097)
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.
DISCUSSION: The City Attorney outlined types of legal preferences allowed and types of restrictions that may be used including length time in business and location of main office.

The City Council discussed: types of preferences including location of principal office, employment requirements, and possibly offering a percentage of a preference.

Comments were received from: Larry Stein; Bert Perello; and William "Bill" Terry.

ACTION: The City Council provided comments and directions to staff.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:08 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
October 4, 2011

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

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

DRAFT

MINUTES

OXNARD CITY COUNCIL
Special Meeting
September 29, 2011

A. ROLL CALL/POSTING OF AGENDA

At 4:37 p.m., the special 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 Monday in the Library and City Clerk's Office. Mayor Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, City Manager; Alan Holmberg, City Attorney; Scott Whitney, Assistant Police Chief; Grace Magistrale Hoffman, Deputy City Manager; and Martin Erickson, Special Assistant to the City Manager.

B. PUBLIC COMMENTS ON REPORT

The following individuals provided comments: Ralph E. James; Bert Perello; Deshay Ford; Monsy Gomez; Pat Brown; Edward Castillo; and Bill Sukini.

C. REPORTS

At 4:53 p.m., the City Council recessed to a closed session under Government Code Section 54957 to discuss the following: Evaluation of Public Employee, City Manager, and Evaluation of Public Employee, City Attorney.

At 6:04 p.m., the City Council returned to the meeting and announced that the evaluation process would continue.

D. ADJOURNMENT

At 6:04 p.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

THOMAS E. HOLDEN
Mayor