

MINUTES

OXNARD CITY COUNCIL Regular Meeting January 10, 2012

A. ROLL CALL/POSTING OF AGENDA

At 5:35 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission. 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: Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; and Lyn Bennett, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Bert Perello questioned when closed session decisions are reported to the public. The City Attorney stated the City followed the Brown Act regarding reporting actions at closed sessions.

C. CLOSED SESSION

At 5:39 p.m., the City Council and Community Development Commission recessed to a closed session pursuant to Government Code section 54956.9(cc), based on existing facts and circumstances, the City shall decide whether to initiate litigation in one potential case.

At 7:04 p.m., the Mayor announced the City Council and Community Development Commission determined by unanimous vote to participate as a plaintiff in litigation to be filed by a number of public agencies against the Controller of the State of California, the Director of the State of California, Department of Finance and other public officials in their official capacities to enjoin the effectiveness of ABx1 26. When the action has been filed, the particulars will be disclosed to any person upon inquiry through the City Clerk's Office. The City and CDC take this action to protect projects and assets of the one half billion dollars.

D. OPENING CEREMONIES

At 7:04 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission, Housing Authority, 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: Daniel Martinez, City Clerk; Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; Curtis P. Cannon, Community Development Director; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Rob Roshanian, Interim Public Works Director; Grace Magistrale Hoffman, Deputy City Manager; Michael O'Malia, Interim Fire Chief; Norma Owens, Grants Manager; Lou Balderrama, City Engineer; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Martin Erickson, Special Assistant to the City Manager; Deborah O'Malia, Disaster Preparedness Coordinator; Grant Dunne, Environmental Resources Management Analyst, and Kymberly Horner, Redevelopment Project Manager.

E. CEREMONIAL CALENDARF. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Vincent Gasca; Nicholas Morales; Alicia Thompson, Toastmasters; Steve Nash; Pat Brown; Mike Barber; Jim Lavery; and Bert Perello.

L. PUBLIC HEARINGSDevelopment Services Department

1. SUBJECT: Request to rename a portion of Laurel Street to Coach C Lane (PZ No. 10-650-1).
Filed by Morey Navarro. (085)
RECOMMENDATION: Adopt Resolution No. 14,134 to approve a request to change the street name of a portion of Laurel Street (between Saviers Road and C Street) to Coach C Lane.
DISCUSSION: The Planning and Environmental Services Manager reviewed the street naming process. The Police Chief and Interim Fire Chief stated staff would place this new street on the CAD system.

The following individuals supported the renaming of the street: Msgr. Jon Majarucon; Dick Jaquez; Dr. Edward Robillard, Santa Clara High School Principal; Morey Navarro; Nancy Pederson; and Tom Laubacher.

The following individuals opposed or questioned the renaming of the street process: Julie Pena; Pat Brown; Harold Ceja; Bert Perello; and Shirley Godwin.

The City Council discussed: the current street naming policy; past practice of naming streets; and the number of streets named after individuals.

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

2. SUBJECT: Zone Code Text Amendment (PZ 10-580-01), Providing for Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing.
RECOMMENDATION: Removed from Agenda.
ACTION: Removed from agenda.

Housing Department

3. SUBJECT: Very-Low and Low-Income Needs Assessment - FY 2012-2013 Annual Action Plan, Fifth Annual Plan Component of the FY 2008-2013 Consolidated Plan. (091)
RECOMMENDATION: Conduct a public hearing to receive comments and provide direction to Housing Director concerning unmet needs of low and moderate income persons for housing, public facilities and economic development..
DISCUSSION: The Grants Manager reviewed proposed changes and efforts for public out reach.

Received comments from: Alice Madrid; Jesse Ornelas; Eileen Tracy; and Kristy Pollard

ACTION: Close the public hearing. (Holden/Pinkard) unanimously. The City Council conducted public hearing and provided comments to staff.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

2. SUBJECT: Discussion of Resolution Supporting the Federal Clean Air Act. (Councilmember Carmen Ramirez)

DISCUSSION: The Special Assistant to the City Manager introduced Mike Vegas, Ventura County Air Pollution Control District, who provided information regarding resolution supporting the Federal Clean Air Act. The Special Assistant to the City Manager stated that a resolution could be brought to the City Council to consider.

Councilmember Ramirez requested a resolution be placed on future agenda with consent of Councilmembers.

Received comments from Lupe Anguiano.

ACTION: The City Council received the report and would place a resolution on a future meeting.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The following City staff provided information to the Council: City Engineer (I-2); Deputy City Manager (I-5); Planning and Environmental Services Manager (I-6); Assistant City Manager and Chief Financial Officer (I-7). Councilmember MacDonald requested his name be removed from I-3.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: William Terry (I-5); Gloria Roman (I-7); Rachel Flores, SEIU (I-7); Steve Nash (I-7); Julie Pena (I-7); Pat Brown (I-7); Bert Perello (I-5 & I-6); Shirley Godwin (I-7); and Jim Lavery (I-7).

I. INFORMATION/CONSENT AGENDA

City Clerk

1. SUBJECT: Minutes of the Regular Meetings of the City Council for October 11 and November 8, 2011. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (015)
RECOMMENDATION: Approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments.
3. SUBJECT: Funding for Sewer Line Repair at McGrath State Beach. (017)
RECOMMENDATION: Approve a special budget appropriation in the amount of \$50,000 from the General Fund balance to be paid to California State Parks for needed repairs at McGrath State Beach in Oxnard.
4. SUBJECT: Change of Name and Logo for the Commission on Community Relations. (019)
RECOMMENDATION: 1) Authorize the Commission on Community Relations to change its name to the Community Relations Commission; and 2) Approve the first reading by title only and subsequent adoption of Ordinance No. 2853 reflecting this change of name.

5. SUBJECT: Second Amendment to Agreement for Consulting Services with Matlock Professional Services, Inc., for Gang Prevention Coordination Services. (027)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to Agreement for Consulting Services with Matlock Professional Services, Inc (4932-09-CM) in the amount of \$120,000 (\$110,000 for compensation and \$10,000 for reimbursable expenses) for Gang Prevention Coordination Services, increasing the total amount to \$370,000 for services provided since 2009.

Development Services Department

6. SUBJECT: Parcel Map No. 5747 (Planning & Zoning Permit No. 08-300-2) Located at 2801 E. Channel Islands Boulevard. Filed by Jensen Design & Survey. (041)
RECOMMENDATION: Adopt Resolution No. 14,130 approving Parcel Map No. 5747 (A-7458), subject to the conditions set forth in Planning Commission Resolution No. 2008-35.*

Finance Department

7. SUBJECT: FY 2011-12 Salary Adjustment for Non-Represented Employees. (063)
RECOMMENDATION: Approve a 2% salary adjustment effective January 2, 2012 for non-represented employees, including management, mid-management, and confidential employee classifications as budgeted.
ACTION: Remove from the agenda.

Housing Department

8. SUBJECT: Colonia Multi-Service Center Building Lease. (065)
RECOMMENDATION: Approve and authorize the City Manager to execute a Third Amendment (A-5968) to the Multi-Service Center Building Lease 2005 by and between the City of Oxnard ("Lessor") and the Housing Authority of the City of Oxnard ("Housing Authority").

Police Department

9. SUBJECT: Resolution Commending Randy Cole for Over Twenty-Eight Years of Exemplary Service to the City of Oxnard. (079)
RECOMMENDATION: Adopt Resolution No. 14, 131.
10. SUBJECT: Resolution Commending Robert Contreras for Over Twenty-Six Years of Exemplary Service to the City of Oxnard. (081)
RECOMMENDATION: Adopt Resolution No. 14, 132.
11. SUBJECT: Resolution Commending Martin Ennis for Over Twenty-Two Years of Exemplary Service to the City of Oxnard. (083)
RECOMMENDATION: Adopt Resolution No. 14, 133.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with removal of I-7. (MacDonald/Pinkard) Ayes: Holden, Pinkard, MacDonald, Flynn and Ramirez. Noes: Flynn for I-6 only.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

HOUSING AUTHORITY/FINANCING AUTHORITY

At 10:18 p.m. the concurrent meetings with the Housing Authority and Financing Authority concluded.

M. REPORT OF CITY MANAGER

The City Manager reported that the Martin Luther King Freedom March would be held on Monday, January 16, 2012 starting at Plaza Park to the Oxnard Performing Arts Center.

1. SUBJECT: Verbal Update of Oxnard Upgrades to Emergency Alert System; VC ALERT
Replaces REVERSE 911

RECOMMENDATION: Receive report.

DISCUSSION: The Disaster Preparedness Coordinator reviewed the upgraded system to provide messages to the community with individual sign up.

ACTION: Received the update.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTSK. INFORMATION/CONSENT PUBLIC HEARINGSHousing Department

1. SUBJECT: Second Amendment to the FY 2011-2012 Annual Action Plan.

RECOMMENDATION: Continue to February 7, 2012.

ACTION: Continue item (Holden/Pinkard), unanimously.

O. REPORTSCommunity Development Department

1. SUBJECT: Adoption of a Resolution Designating the City of Oxnard as Successor Agency to the Community Development Commission and Adoption of a Resolution by the City of Oxnard Electing to retain Housing Assets and Functions upon the Dissolution of the Community Development Commission, and Amending the Enforceable Obligation Payment Schedule. (107)
RECOMMENDATION: 1) Amend the Enforceable Obligation Payment Schedule ("EOPS"); 2) Adopt Resolution No. 14,135 designating the City of Oxnard as Successor Agency to the former redevelopment agency (the City of Oxnard Community Development Commission) under Part 1.85 of Division 24 of the California Health and Safety Code; and 3) Adopt Resolution No. 14,136 providing for the City of Oxnard to retain the assets and perform the housing functions of the City of Oxnard Community Development Commission.

DISCUSSION: The Community Development Director reviewed: the requested actions of the Council and Community Development Commission; State legal decisions; corrections to the EOPS; and needed follow-up actions. The Redevelopment Project Manager reviewed the downtown area financial obligations.

Comments were received from Jim Lavery.

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

COMMUNITY DEVELOPMENT COMMISSION

At 10:36 p.m. the concurrent meetings with the Community Development Commission concluded.

Finance Department

2. SUBJECT: Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2010-11 and Fiscal Year 2011-12 Financial Update. (123)

RECOMMENDATION: 1) Receive and file the City of Oxnard Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2010-11; and 2) Receive an update of the Fiscal Year 2011-12 financial status.

DISCUSSION: The Chief Financial outlined the revenues, assets, expenditures, Measure O revenues, revenue projections, debt service, funding of Rice/101 Freeway project, and other economic indicators.

The Council provided comments regarding: use of reserves; projected revenues; and use of General Funds.

Received comments from Shirley Godwin; Jim Lavery; Steve Nash; and Bert Perello.

ACTION: Received and filed.

Public Works Department

3. SUBJECT: Short Term Service Agreement for the Del Norte Regional Recycling and Transfer Station (Del Norte Facility) (127)

RECOMMENDATION: Approve and authorize the Mayor to execute a Service Agreement (A-7465) for a one year term from February 1, 2012 to January 31, 2013 between the City of Oxnard and BLT Enterprises of Oxnard, Inc., a wholly owned subsidiary of Republic Services, Inc. for the Management and Operation of a Materials Recovery Facility and Transfer Station, Transfer of Waste for Disposal, and Marketing of Recovered Materials (Short Term Service Agreement); and to execute the attached Settlement Agreement and Mutual Release (Agreement No. A-7469).

DISCUSSION: The Interim Public Works Director addressed the current agreement and need for a short term agreement.

Stephen MacIntosh, Republic Services, reviewed: the operations of the local recycling facility; requested a longer extension; and the good working relationships with the local community.

The following individuals supported: Mike Barber; Robert Castro; Yvonne Gutierrez, El Concilio; Al Jones; Tony Franco; David Hare; Judy Cofer; Francine Castanon; James Torres; Henry Lacayo; Gus Sanchez; Sheila Jenkins; Jess Gutierrez; Morey Navarro; Nancy Lindholm; and Bonnie Weigel.

The following individuals provided comments: Bert Perello; Shirley Godwin; Larry Godwin; William Bill Terry; and Tim Gallaher, BLT; and Shawn Guttersten, Vice President of BLT.

The City Council discussed: current proposed options, the investigation of District Attorney Office, the RFP process, the selection process and the rehabilitation of the restrooms.

The Environmental Resources Management Analyst commented on possible funding options of the restrooms and recyclable materials being import to the Del Norte Facility.

The City Attorney commented on the need to review the original RFP and that the "corrected" contract has been made available to the City Council and public.

ACTION: Approved a one year short term service agreement for the Del Norte Facility with future presentation of the RFP and RFQ process with the history of this selection process. (Flynn/MacDonald). Ayes: Ramirez, Holden, Pinkard, MacDonald, and Flynn.

P. PUBLIC COMMENTS ON REPORTS

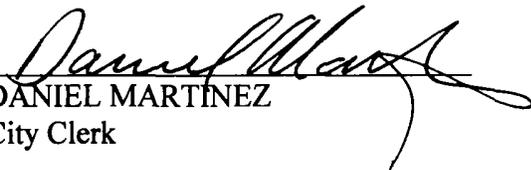
Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 12:58 a.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor

+