

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

July 13, 2010

A. ROLL CALL/POSTING OF AGENDA

At 7:00 p.m. the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission. Councilmembers present were Andres Herrera, Dean Maulhardt, and Bryan MacDonald. Councilmembers Thomas E. Holden and Irene Pinkard were absent. Staff present included Edmund F. City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; and Jill Beaty, Assistant 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 led by Andy Ruiz, followed by a moment of silence. Staff present included Jim Cameron, Chief Financial Officer,

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Proclamation Designating July 2010 as Parks and Recreation Month.
DISCUSSION: Accepted by Gloria Postel, Chairperson, Parks and Recreation Commission, and Commission members.
2. SUBJECT: Presentation of **Resolution No. 13,888** to Vince Ines, Sr. for 36 Years of Service. (001)
ACTION: Approved (Maulhardt/MacDonald); Ayes: Herrera, Maulhardt, and MacDonald. Absent: Holden and Pinkard.
DISCUSSION: Jeffrey Miller, Wastewater Maintenance Manager, praised Mr. Ines' loyalty and employee excellence. Mr. Ines thanked the City Council, his co-workers, and family.
3. SUBJECT: Presentation of Commendation to Andy Ruiz, Junior Olympian.
DISCUSSION: Accepted by Andy Ruiz, Manuel Herrera, spokesperson, and Marcos Contreras, coach, thanked his family and supporters.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

John Korsten, re a former vehicle.

Ted Hughes, objects to permit modification of nearby billiards hall.

William Terry, concern with GREAT program building in South Oxnard.

Harold Ceja, July 15 opening of community garden on Del Sol.

Armando Vasquez, summer job relief for young people and 10th anniversary celebration of Keys Program at Café on A.

Lawrence Stein, requests City Council include proposed aquatic center when considering Parks Master Plan, and use of Measure O funds.

Elias Banales, because of incident of inappropriate behavior of a parent at ball game, there should be enforcement of league rules.

Ed Ellis, City should not take stand against Arizona immigration law because it is federal law.

Pat Brown, appreciates Council releasing Measure O funds for street repairs.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Burt Perello, I-11, 12, and 13, appreciates staff following proper processes in bid process.

Lawrence Stein, on whether fair wages are paid to employees of parks maintenance contractors.

I. INFORMATION/CONSENT AGENDA

Development Services Department

2. SUBJECT: Utility Agreement with Southern California Edison Co. (SCE) at Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (007)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Southern California Edison Co. (A-6887) in the amount of \$3,014,000 to relocate electric utility facilities within the right of way for Highway 101 at the Rice Avenue/Santa Clara Avenue interchange.
3. SUBJECT: Utility Agreements with Verizon California, Inc. at Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (011)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with Verizon California Inc. (A-7277) in the amount of \$797,596.35 to relocate telephone utility facilities within the existing and future right of way for Highway 101 at the Rice Avenue/Santa Clara Avenue interchange; and 2) Approve and authorize the Mayor to execute a first amendment to the agreement with Verizon California Inc. (A-6900) to increase the amount by \$154,879.06 (for a total of \$708,613.19) to relocate telephone utility

facilities at the Sakioka Farms and AMS Craig LLC property at the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.

4. SUBJECT: First Amendment to Agreement with Washington Group International Inc. to Provide Engineering Support Services for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project on Highway 101. (033)
RECOMMENDATION: Approve and authorize the Mayor to execute the first amendment to the agreement with Washington Group International, Inc. (**A-7240**) to increase the amount by \$294,434 (for a total of \$880,350) to provide engineering services for the Rice Avenue/Santa Clara Avenue interchange improvement project on Highway 101.
5. SUBJECT: Adoption of Mitigated Negative Declaration No. 10-01 for the Phase I Recycled Water Backbone System (RWBS) for the GREAT Program. (047)
RECOMMENDATION: Adopt **Resolution No. 13,889** the Mitigated Negative Declaration No. 10-01 for the Phase I Recycled Water Backbone System (RWBS) for the GREAT Program.
6. SUBJECT: Amendment to Resolution No. 13,600 Adjusting Planned Traffic Circulation Facilities Fees for Restaurants. (051)
RECOMMENDATION: Adopt **Resolution No. 13,890** adjusting planned traffic circulation facilities fees for restaurants.

Housing Department

7. SUBJECT: Second Amendment to Agreement with EMC Construction, Inc. (057)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with EMC Construction, Inc. (**5038-10-HO**) by \$32,634 (for a total of \$252,636) for the expanded scope of work for rehabilitation of properties purchased with funds from the Neighborhood Stabilization Program.
8. SUBJECT: First Amendment to the Standard Agreement Under the Neighborhood Stabilization Program (NSP) to Include Additional Eligible Activities. (059)
RECOMMENDATION: Adopt **Resolution No. 13,891** authorizing the City Manager to execute and submit an amendment to the standard agreement to add additional eligible activities for the NSP.
9. SUBJECT: Appropriation of Funds from Continuum of Care (CoC) programs Awarded by the U.S. Department of Housing and Urban Development. (065)
RECOMMENDATION: Authorize the City Manager to approve the Special Budget Appropriation of funds in the amount of \$123,348 to support the Supportive Housing Program Grant awarded to the City through the CoC grants application for the fiscal year 2009-2010.

Public Works Department

10. SUBJECT: CalRecycle Used Oil Recycling Payment Program Grant. (071)
RECOMMENDATION: 1) Adopt **Resolution No. 13,892** authorizing the City Manager to submit to CalRecycle an application for an open ended CalRecycle Used Oil Recycling Payment Program Grant in the amount of approximately \$49,000 per year, to be used for oil collection programs that encourage recycling of used motor oil; and 2) Authorize the City Manager or designee to appropriate the funds upon receipt.
11. SUBJECT: Special Budget Appropriation to Fund Fiscal Year 2010-11 Requirements for Testing and Maintenance of Water Backflow Assemblies. (075)
RECOMMENDATION: Approve a special budget appropriation in the amount of \$75,000 from the Water Security and Contamination Prevention Fund Balance for testing and maintenance of water backflow assemblies.
12. SUBJECT: Second Amendment to Agreement with California Water Technologies, LLC for Supply and Delivery of Ferric Chloride to the Wastewater Treatment Plant. (079)
RECOMMENDATION: Approve and authorize the Mayor to execute a second amendment to the agreement with California Water Technologies, LLC (**A-7142**) for supply and delivery of Ferric Chloride SG to the Wastewater Treatment Plant, to increase the compensation by \$1,155,000 to a total of \$1,679,000.
13. SUBJECT: Agreement with Kelly Cleaning & Supplies, Inc. to Provide Custodial Services at Water Resources Division Facilities and the Oxnard Transportation Center. (083)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with Kelly Cleaning & Supplies, Inc. (**A-7330**) for an amount not to exceed \$255,600 for three years of custodial services at Water Resource Division facilities; and 2) Approve and authorize the Mayor to execute an agreement with Kelly Cleaning & Supplies, Inc. (**A-7334**) for an amount not to exceed \$325,944 for three years of custodial services at the Oxnard Transportation Center.
14. SUBJECT: Second Amendment to Agreement with CH2M Hill, Inc. for the Advanced Water Purification Facility (AWPF) Administration Building Re-Design. (085)
RECOMMENDATION: Approve and authorize the Mayor to execute the second amendment to the agreement with CH2M Hill, Inc. (**A-6841**) to increase the amount by \$445,534 for a total of \$9,219,830 for the redesign of the Administration Building and foundation analysis.

INFORMATION/CONSENT AGENDA ACTION: Approved (MacDonald/Maulhardt); Ayes: Herrera, Maulhardt, MacDonald. Absent: Holden and Pinkard.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

Temporary construction and closure on Gonzales Road. July 15 ground-breaking of Camino Del Sol Community Garden; receipt of cold-planer used for street repair which was purchased with Measure O funds.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

COMMUNITY DEVELOPMENT COMMISSION

At 8:04 p.m. the concurrent meeting with the Community Development Commission concluded.

O. REPORTS

Human Resources Department

1. SUBJECT: Early Retirement Incentive Program. (093)
RECOMMENDATION: 1) Receive a report on the Early Retirement Incentive Program (ERIP); 2) Adopt **Resolution No. 13,892** authorizing the ERIP to eligible City employees; and 3) Authorize the City Manager to execute documents on behalf of the City to implement the program.

DISCUSSION: The CFO reported on this Program to provide long-term savings for the City and opportunities to focus resources on priority programs and services; 46 employees have enrolled; 15 positions are recommended to be filled because of technical requirements for certified personnel; remaining positions will remain unfilled and unfunded but there may be opportunities for employees to transfer or promote into these positions. He discussed resulting savings of \$3.1 million for all funds. Staff requests authority to fill critical positions and to identify opportunities for employees to be promoted or transferred into critical, non-general fund positions to maximize savings, and to continue analysis of resource requirements for City programs.

The City Council commented 1) on staff bringing a future report identifying unfilled and vacant positions, to eliminate them from the budget to maximize savings with the understanding that positions can be requested if and when necessary; 2) this is a good opportunity to perform an in depth review of operations, and 3) on their desire to maintain good customer service.

Larry Stein, the position titles were not provided with the staff report and temporary employees should be hired if needed.

Pat Brown on whether these people are being coerced into retiring.

Bert Perello, questioned if retired employees could provide temporary service and if new hires would be paid at a reduced rate.

ACTION: Approved (Maulhardt/MacDonald); Ayes:, MacDonald, Herrera, and Maulhardt. Absent: Holden and Pinkard.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:25 p.m. the City Council concurred to adjourn the meeting.