MINUTES

OXNARD CITY COUNCIL
Regular Meeting
October 23, 2012

A. ROLL CALL/POSTING OF AGENDA

At 6:17 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Successor Agency. Councilmembers Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. 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; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; 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 and Successor Agency recessed to a closed session, pursuant to Government Code section 54956.9(c), based on existing facts and circumstances, the City Council and Successor Agency shall decide whether to initiate litigation in two potential cases.

At 6:57 p.m. the City Council reconvened and recessed to the evening session. No announcements were made.

D. OPENING CEREMONIES

At 7:07 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Successor Agency and Housing Authority. 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: Curtis P. Cannon, Community Development Director; Jeri Williams, Police Chief; Michael O'Malia, Interim Fire Chief; Barbara Murray, Library Director; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; Rob Roshanian, Interim Public Works Director; Michael Henderson, General Services Manager; Anthony Emmert, Water Resources Manager; Cyndi Hookstra, Parks and Facilities Management Analyst; Kymberly Horner, Redevelopment Project Manager; Jason M. Samonte, Traffic Engineer; Mark Pumford, Technical Services Manager; and Tom Clock, Systems Administrator.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation to the City of Oxnard by Southern California Edison.
   DISCUSSION: Mike Montoya, Northern Regional Director; Nancy M. Williams, Regional Manager; Rosemary Leibermann, New Construction Manager; and Chris Coronel, Accounting Manager, all from Southern California Edison, presented a $197,190 check to the City for energy efficient programs.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Inez Tuttle; Ed Ellis; Craig Helmsteter; Preston Davison; Donald Thibeault; David Villanneva; Shirley Godwin; Francisco Romero; Jim Yarbrough; Joanne Gutierrez; Elliot Gabrille; Lucy Cartagena; and Robert Cox.

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove I-3 from the agenda.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Parks and Facilities Management Analyst commented on an invoice for the Cowboys training camp (I-2(J)) and other camp costs. The Systems Administrator reviewed WiFi use in City libraries and computer connections of City buildings (I-2 (K)).

Q. APPOINTMENT ITEMS

1. SUBJECT: Ventura County Watershed Protection District
   DISCUSSION: The Interim Public Works Director reviewed the progress of solving levee certification. Mr. Gerard Kapuscik, Special Projects Manager for the Strategic Design Support Group, outlined possible levee construction, proposed nature flood plain protection, funding plan and annual inspections. The Interim Public Works Director stated he would be returning to the Council with more information in the future.

   The following individuals provided comments: Bert Perello; Steve Offerman; and Larry Stein.

   The Council discussed: potential costs; other up-stream levee issues; and construction time line.

   ACTION: Provided comments and directions to staff.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Interim Fire Chief and City Attorney commented on violations and the services to be provided (I-3); the Housing Director reviewed proposed Terreza project and development fees/set-a-side cost per unit (I-7); the Water Manager commented on water meter technology (I-9) and bidding process of chemicals and supplies (I-11); Brian Brennan, BEACON, commented on the proposed report regarding use of single-use plastic bags and the Technical Services Manager reviewed solid waste costs (I-10). The Chief Financial Officer reviewed State Report (I-6).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: Orlando Dozier (I-2); Larry Stein (I-6); Pat Brown (I-10); Bert Perello (I-2(J); I-7; I-12); Bill Hickman (I-10); Barbara Macri-Ortiz (I-7); Inez Tuttle (I-8); Robert Davidson (I-10); Donald Thibeault (I-6); and Daniel Lechliter (I-10).

I. INFORMATION/CONSENT AGENDA

City Manager Department

2. SUBJECT: Agreements for City Council Review. (019)
RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than $25,000 but less than $250,000.

3. SUBJECT: Second Amendment to Agreement for On-Call Engineering Services. (023)
RECOMMENDATION: Removed from the agenda.

4. SUBJECT: Agreement with Silvas Oil Company for Fuel and Car Wash Service. (041)
RECOMMENDATION: Approve and authorize the Mayor to sign a blanket purchase order (No. 4222) with Silvas Oil Company ("Silvas") for a 120-day period from November 1, 2012, to February 28, 2013, in an amount not to exceed $1,000,000, for unleaded gasoline and diesel fuel from Silvas' pumps and for off-site car wash service for City vehicles and equipment through a fuel card system.

Development Services Department

5. SUBJECT: Victoria Avenue Route Transit Stops Project. (045)
RECOMMENDATION: Adopt plans, specifications and working details for Project Specification No. DS13-09 for the installation of bus stops at two locations along Channel Islands Boulevard. and 11 locations along Victoria Avenue.

Finance Department

6. SUBJECT: State Controller Financial Transactions Report. (047)
RECOMMENDATION: Receive the State Controller Financial Transactions Report and make the report available per Sections 53891 and 53893 of the Government Code.

Housing Department

7. SUBJECT: Affordable Housing Loan Agreement in the Total Sum of $3.3 Million and Agreement of Limited Partnership of Terraza de Las Cortes, L.P. Project Located within the Las Brisas Specific Plan. (051)
RECOMMENDATION: Removed from the agenda.

Library Department

8 SUBJECT: Library Board Bylaws, Terms of Office, and Powers and Duties. (113)
RECOMMENDATION: 1) Adopt a resolution approving the Library Board Bylaws as amended in Article II Powers and Duties, Article III Membership, and Article IV Officers; and 2) Approve the first reading by title only and subsequent adoption of an ordinance amending the City Code concerning terms of office and powers and duties of the Library Board.

Public Works Department

9 SUBJECT: Purchase Order No. 4195 with Aqua-Metric Sales Company. (129)
RECOMMENDATION: Approve and authorize the Mayor to execute a purchase order with Aqua-Metric Sales Company in the amount of $800,000 for the purchase of water meters and related parts (Purchase Order No. 4195) in Fiscal Years 2012-13 and 2013-14.

10 SUBJECT: Participation in Regional Environmental Impact Report on Model Ordinance Regulating Single-Use Plastic Bags. (135)
RECOMMENDATION: Approve and authorize the Mayor to execute the Cooperative Agreement between the member agencies of the Beach Erosion Authority for Clean Oceans and Nourishment in the amount not to exceed $8,000 to facilitate the development of an Environmental Impact Report for a model ordinance regulating single-use plastic bags (A-7540).

11. SUBJECT: Chemical Purchases for Water and Wastewater Treatment Facilities. (143)
RECOMMENDATION: Approve and authorize the Mayor to execute the Purchase Orders for the Water and Wastewater Treatment Facilities for Fiscal Years 2012-13 and 2013-14 as follows: 1) Purchase Order 4201 with Hill Brothers Chemical for supply and delivery of Aqueous Ammonia to the Water Facilities in the amount of $140,508.50; 2) Purchase Order 4202 with JCI Jones Chemical, Inc. for supply and delivery of Sodium Hypochlorite and Sodium Bisulfite to the Wastewater Treatment Plant in the amount of $131,769.00 and Sodium Hypochlorite to the Water Campus and Water Blending Station No. 3 in the amount of $124,314.03, for a total purchase amount of $265,083.03; 3) Purchase Order 4203 with Kemira Water Solutions, Inc. for supply and delivery of Ferric Chloride to the Wastewater Treatment Plant in the amount of $482,790.00; 4) Purchase Order 4204 with King Lee Chemical Company for supply and delivery of Antiscalant to the Water Campus and Water Blending Station No. 3 in the amount not to exceed $70,290.00; and 5) Purchase Order 4205 with PVS Minibulk, Inc. for supply and delivery of Sodium Hydroxide to the Wastewater Treatment Plant in the amount $18,750.60 and to the Water Campus and Water Blending Station No. 3 in the amount $175,005.60 for a total purchase amount of $193,756.20.

12. SUBJECT: Easement Agreement and Easement Deed for Recycled Water Line with the Owners of Property Located at the North Side of Hueneme Road and East of Edison Drive (APN 223-0-030-275 and APN 223-0-030-285). (173)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Easement Agreement with RUBY ISHIMOTO; KENNY KATSUDA; JOHN KATSUDA; JAMES KATSUDA; and NORIKO KAYANO in equal shares as to that portion of said land described in deed recorded April 15, 2002, as Document No. 2002-0091005 of Official Records; JOHN M. KATSUDA, as to an undivided 6/45 interest; JAMES TADASHA KATSUDA, as Trustee of the James Tadasha Katsuda 1991 Trust initially created on April 12, 1991, as to an undivided 16/45 interest; JAMES KATSUDA, as to an undivided 1/90 interest; RUBY MITSUKO KATSUDA, as Trustee of the Ruby Mitsuko Katsuda 1992 Trust, initially created on November 4, 1992, as to an undivided 33/90 interest; KENNETH K. KATSUDA, as to an undivided 6/45 interest in and to the remainder of said land, for the property identified by the County Assessor as APN 223-0-030-275 and APN 223-0-030-285, located at the north side of Hueneme Road and east of Edison Drive, Agreement No. A-7534; and 2) Approve and authorize the Mayor to execute the

Certificate of Acceptance for an Easement Deed with RUBY ISHIMOTO; KENNY KATSUDA; JOHN KATSUDA; JAMES KATSUDA; and NORIKO KAYANO in equal shares as to that portion of said land described in deed recorded April 15, 2002, as Document No. 2002-0091005 of Official Records; JOHN M. KATSUDA, as to an undivided 6/45 interest; JAMES TADASHA KATSUDA, as Trustee of the James Tadasha Katsuda 1991 Trust initially created on April 12, 1991, as to an undivided 16/45 interest; JAMES KATSUDA, as to an undivided 1/90 interest; RUBY MITSUKO KATSUDA, as Trustee of the Ruby Mitsuko Katsuda 1992 Trust, initially created on November 4, 1992, as to an undivided 33/90 interest; KENNETH K. KATSUDA, as to an undivided 6/45 interest in and to the remainder of said land, for the property identified by the County Assessor as APN 223-0-030-275 and APN 223-0-030-285, located at the north side of Hueneme Road and east of Edison Drive.*

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with the removal of I-3 and I-7 of the agenda. (Pinkard/Ramirez) Ayes: MacDonald, Flynn, Ramirez and Pinkard. Absent: Holden. *Noes: Flynn I-12 only.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending September 30, 2012 (Fiscal Year 2012-13). (197)
   RECOMMENDATION: Receive Report
   ACTION: Received and filed report.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

1. SUBJECT: Verbal report on the status of the State Department of Finance's ("DOF") review and determination of enforceable obligations on the Oxnard Community Development Commission Successor Agency's Recognized Obligation Payment Schedule ("ROPS") III, summary of allowable administrative expenses; and summary of Staff's "Meet and Confer" request to the DOF.
   RECOMMENDATION: Receive and consider report.
   DISCUSSION: The Community Development Director and Redevelopment Project Manager reviewed response from the State regarding several line items of the ROPS report, next steps of process, and supporting documents that were submitted. The Chief Financial Officer reviewed the obligations of City Council and Community Development Successor Agency.

   The following individuals provided comments: Barbara Macri-Ortiz and Bert Perello.

   The Council discussed the process of State Finance Department and the transfer of assets.

   ACTION: Received the report.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY AND HOUSING AUTHORITY

At 10:27 p.m. the joint meetings with the Community Development Successor Agency and Housing Authority concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed several items including: need that everyone in the community receive the Senior survey; Measure R school bond; citrus pest; helping community families; life guard issue at beaches; repair of sidewalks; Oxnard Kiwanis's Firefighter of the Year; the opening of the Lemonwood Park; PAL fundraiser: and the Clergy Group meetings/activities.

O. REPORTS

Development Services Department

1. SUBJECT: Verbal Update on the Intelligent Transportation System (ITS) Construction Integration.
RECOMMENDATION: Receive a report about the ITS Construction and Integration Project. (A-7475 with Sully-Miller Contracting Company).
DISCUSSION: The Traffic Engineer outlined the process of the ITS system including installation of equipment, place of fiber opium lines and working with CalTrans.

Comments were received from: Larry Stein; Pat Brown; and Bert Perello.

ACTION: Receive report and provided comments.

Public Works Department

2. SUBJECT: Second Amendment to Agreement for Consulting Services with HF and H Consultants, LLC. (213).
RECOMMENDATION: 1.) Approve and authorize the Mayor to execute the Second Amendment to the Agreement for Consulting Services with HF & H Consultants, LLC. ("HFH") for the implementation, management and facilitation of the Request for Proposal (RFP) for the operation and maintenance of the Del Norte Regional Recycling and Transfer Station (Del Norte Facility) and to increase the value of the Agreement by $168,866 from $25,000 to $193,866 and to extend the term from October 25, 2013 to December 31, 2013; and 2.) Approve a special budget appropriation in the amount of $168,866 from the Solid Waste Enterprise Fund to provide funding for Second Amendment to Agreement with HFH.
DISCUSSION: Mr. Bob Hilton, HFH, reviewed the process of selecting a recycler of solid waste material, expertise of company and schedule of the selection process. The Chief Financial Officer commented on past selection process.

Comments received from Pat Brown; Bert Perello; Larry Stein; Dan Rosenthal, BLT; Gerard Kapuscik; and Stephen MacIntosh.

The Council discussed the selection process including possibility of selection the City

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Martin Jones; Greg Runyon; Theadora Daritt-Corryn; Bert Perello; Thomas Hernandez; Larry Stein; Carlos Landeros; Daniel Lechliter; Abel Magana; and Arthur Munoz.

T. ADJOURNMENT

At 12:39 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. IRENE G. PINKARD
Mayor Pro Tem