

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the Library, 251 South "A" Street and the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Any materials to be presented at this meeting will be made available electronically 24 hours prior to the meeting, at the end of this agenda. The agenda reports are on the City of Oxnard web site at www.oxnard.org.



AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Council Chambers, 305 West Third Street
December 5, 2017
Regular Meeting - 6:00 PM
Closed Session - 4:30 PM

A. ROLL CALL/POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council and Successor Agency.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes

C. CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation

CC (Government Code section 54956.9 (d)(1))

Name of case: In re LIBOR-Based Financial Instruments Antitrust Litigation
United States District Court, Southern District of New York, Master File No. 1:11-md-2262-NRB ECF Case

The City Attorney requested that this item be discussed in closed session under the Brown Act authorization for the City Council to confer with its legal counsel regarding pending litigation.

2. Conference with Legal Counsel – Existing Litigation

CC (Government Code section 54956.9 (d)(1))

Name of case: Green Energy Holdings, LLC; Auto Fuels, Inc. v. City of Oxnard, et al.
Ventura County Superior Court, Case No. 56-2015-00470344-CU-EI-VTA

The City Attorney requested that this item be discussed in closed session under the Brown Act authorization for the City Council to confer with its legal counsel regarding pending litigation.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

City of Oxnard internet address: www.oxnard.org.

3. Conference with Real Property Negotiators

SA Property: McGrath House, 740 South B Street.

Agency negotiators: Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director.

Negotiating parties: Michelle and Greg Kenney.

Under negotiation: Price and terms of payment for the potential sale of Successor Agency property.

The Assistant Executive Director and Economic Development Director requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiators (Government Code section 54956.8). The purpose of the closed session is for the Successor Agency to review the status of negotiations for the potential sale of real property and to provide instructions to the negotiators.

4. Conference with Real Property Negotiators

SA Property: Maulhardt Winery Building, 720 South B Street.

Agency negotiators: Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director.

Negotiating parties: Juan Carlos Guerrero and Daniel Guerrero; Mike Johnson, Oxnard Peace Officers Association; and Gary Blum, Oxnard Heritage Foundation.

Under negotiation: Price and terms of payment for the potential sale of Successor Agency property.

The Assistant Executive Director and Economic Development Director requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiators (Government Code section 54956.8). The purpose of the closed session is for the Successor Agency to review the status of negotiations for the potential sale of real property and to provide instructions to the negotiators.

D. OPENING CEREMONIES

Pledge of allegiance to the flag of the United States

E. CEREMONIAL CALENDAR

1. SUBJECT: Congratulations to the City Treasurer's Staff for Receiving the Coveted Certification for the City of Oxnard's Investment Policy from California Municipal Treasurers Association (CMTA).
2. SUBJECT: Visitor from the North Pole.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of thirty

minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker cards will not be accepted after the beginning of the general public comment period. Based on the number of speaker cards submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to three minutes, but shorter time may be established as deemed necessary. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/ Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

H. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

I. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

K. INFORMATION CONSENT AGENDA

City Attorney Department

1. SUBJECT: Adoption of Utility Fee Refund and Adjustment Ordinance

RECOMMENDATION: That City Council adopt Ordinance No. 2930 amending section 2-183 of the Oxnard City Code ("OCC") concerning refunds of taxes, assessments and utility fees.

Legislative Body: CC

Contact: Stephen M. Fischer

Phone: 385-7483

City Clerk Department

2. SUBJECT: Minutes of the November 7, 2017 and November 14, 2017 Regular Meetings.
RECOMMENDATION: That the City Council approve the Minutes as presented.
Legislative Body: CC Contact: Michelle Ascencion Phone: 385-7805

City Manager Department

3. SUBJECT: Agreements for City Council Review
RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000:
- A. MNS Engineers, Inc. (A-8022) for on-call civil engineering services for the Public Works Department (\$250,000).
Legislative Body: CC Contact: Greg Nyhoff Phone: 385-7430
4. SUBJECT: 2018 Meeting Schedule for Legislative Bodies
RECOMMENDATION: That City Council approve the proposed meeting dates for the calendar year 2018.
Legislative Body: CC Contact: Greg Nyhoff Phone: 385-7430

Development Services Department

5. SUBJECT: Adoption of Ordinance No. 2931 Amending Ordinance No. 2481 for the Vineyard Gardens Project
RECOMMENDATION: That the City Council approve Ordinance No. 2931 amending Ordinance No. 2481 for the Vineyard Gardens project located at 161 West Stroube Street to delete the requirement that the existing 62 affordable housing units be converted to condominium or cooperative ownership by 12/31/2016.
Legislative Body: CC Contact: Ashley Golden Phone: 385-7882

Economic Development Department

6. SUBJECT: First Amendment to License Agreement for Plaza Park Farmers Market
RECOMMENDATION: That the City Council approves the First Amendment to the License Agreement for Plaza Park Farmers Market.
Legislative Body: CC Contact: Kymberly Horner Phone: 385-7407

Human Resources Department

7. SUBJECT: Budget Appropriation from Fund Balance - Public Liability Fund
RECOMMENDATION: That City Council approve a budget appropriation in the amount of \$900,000 from the Public Liability Fund for the purpose of increasing the budget for liability claims expenses. This request is due to the increase in liability premiums and liability claims. This has no impact on the City's General Fund reserves.

Legislative Body: CC

Contact: Steve Naveau

Phone: 385-7947

Police Department

8. SUBJECT: Resolution Commending Margaret Tobin for Over Thirty-Four Years of Service.
RECOMMENDATION: That City Council adopt a resolution commending Margaret Tobin for over thirty-four years of exemplary service to the City of Oxnard.

Legislative Body: CC

Contact: Scott Whitney

Phone: 385-7624

Public Works Department

9. SUBJECT: First Amendment to Purchase Order No. 5738 with Toter, Incorporated for Supply and Delivery of Residential Waste and Recycle Containers
RECOMMENDATION: That the City Council approves and authorizes the Mayor to execute a First Amendment to Purchase Order No. 5738 with Toter Incorporated (Toter) to increase the total amount by \$65,000 from an original purchase order value of \$229,325 to \$294,325, and to extend the term to January 31, 2018, for the supply and delivery of residential waste and recycle containers. Funding is from the Environmental Resources Enterprise fund and grant-related funding.

Legislative Body: CC

Contact: Thien Ng

Phone: 432-3575

L. REPORTSFinance Department

1. SUBJECT: Approval of a Budget Appropriation from Waterways District to Remove/Replace Cypress Trees (5/5/5)
RECOMMENDATION: That the City Council:
1. Approve a budget appropriation in the amount of \$42,000 for the emergency removal of fifty (50) dead Cypress Trees along Harbor Blvd. in the Waterways Assessment District.
 2. Approve a budget appropriation in the amount of \$15,000 for irrigation repairs and the replacement of trees with a similar tree and/or plant material along Harbor Boulevard.

Legislative Body: CC

Contact: Jim Throop

Phone: 385-7475

2. SUBJECT: Recommendation for Surplus Funds of Eighteen (18) Dissolved Landscape Maintenance Districts (5/15/10)

RECOMMENDATION: That the City Council approves either recommendation 1 or 2:

1. Authorize the transfer of the surplus funds from the eighteen (18) dissolved Landscape Maintenance Districts, totaling \$1,137,781.32 to the general fund per Streets and Highways Code section 22610; or
2. Adopt a resolution authorizing the reimbursement of surplus funds from the eight (8) dissolved Landscape Maintenance Districts that did not receive a general fund subsidy, totaling \$1,131,152.39 from the General Fund to the parcels within those respective districts.

Legislative Body: CC

Contact: Jim Throop

Phone: 385-7475

Housing Department

3. **SUBJECT:** Authorization for Reuse of CalHome & BEGIN Program Income (5/5/5)

RECOMMENDATION: That the City Council:

1. Approve a budget appropriation of \$272,745 from CalHome program income previously received for Cal Home Reuse 2015, of which \$13,637 will be used for administration (5%), and \$259,108 will be used for homeowner rehabilitation loans or for housing assistance loans for first-time homebuyers;
2. Approve budget appropriation for \$295,977 from BEGIN grant program income previously received for BEGIN Reuse Program, of which \$14,799 will be used for administration (5%), and \$281,178 will be used for homeowner rehabilitation loans or for housing assistance loans for first-time homebuyers; and
3. Authorize future CalHome grant or BEGIN grant program income to be used for homeowner rehabilitation loans or downpayment assistance and allowable administration expenditures, and authorize the City Manager or designee to execute documents related to implementation of these grant programs.

Legislative Body: CC

Contact: Arturo Casillas

Phone: 385-8094

Public Works Department

4. **SUBJECT:** Sixth Amendment to Agreement No. 6212-13-CM with Genuine Parts Company Dba NAPA Auto Parts (5/5/5)

RECOMMENDATION: That City Council approves and authorizes the Mayor to execute the Sixth Amendment to the Agreement (6212-13-CM) with Genuine Parts Company d.b.a. NAPA Auto Parts for \$2,025,000, for a total contract amount of \$10,140,000, for an additional nine-month period for vendor to provide on-site repair parts and tires to City until staff finalizes a new agreement for this service. This expense has been approved in the FY 2017-18 Fleet Services Divisions' operating budget.

Legislative Body: CC

Contact: Thien Ng

Phone: 432-3575

5. **SUBJECT:** Award Contract for Redwood Neighborhood Street Resurfacing and Water Improvement Project PW 16-14 (5/5/5)

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute Agreement A-8031 with Granite Construction Company in the amount of \$3,241,339.50 for the Redwood Neighborhood Street Resurfacing and Water Improvement Project PW 16-14; and
2. Approve \$328,660 as Project contingency for the Redwood Neighborhood Street Resurfacing and Water Improvement Project PW 16-14; and
3. Approve an appropriation of \$3,570,000 for Redwood Neighborhood Street Resurfacing and Water Project No. 183103.

Legislative Body: CC

Contact: Thien Ng

Phone: 432-3575

6. **SUBJECT:** Carollo Agreement A-8032 for Public Works Engineering (5/10/10)

RECOMMENDATION: That the City Council awards and authorizes the Mayor to execute Agreement No. A-8032 for Public Works Engineering with Carollo Engineers, Inc. for engineering, regulatory and financial support for \$831,600.

Legislative Body: CC

Contact: Thien Ng

Phone: 432-3575

M. ADJOURNMENT