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AGENDA

OXNARD CITY COUNCIL

***OXNARD COMMUNITY DEVELOPMENT COMMISSION**

***OXNARD FINANCING AUTHORITY**

***OXNARD HOUSING AUTHORITY**

Regular Meeting

City Council Chambers, 305 West Third Street, Oxnard

December 6, 2011

5:30 P.M. Closed Session

7:00 P.M. Regular Meeting

A. ROLL CALL/POSTING OF AGENDA

* The Oxnard Community Development Commission, the Oxnard Financing Authority and the Oxnard Housing Authority will not meet because there are no items requiring consideration at this time.

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 (Please see Page 7 for description of closed session items)

D. OPENING CEREMONIES - 7:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation and Unveiling of the New City Logo.

2. SUBJECT: "Special Visitor from the Northpole"

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

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. 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 any 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. The presiding officer shall limit public comments to three minutes.

G. 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.

H. 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.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the City Council for October 11, 18 and 25, 2011; and for November 1, 8 and 15, 2011. (001)
RECOMMENDATION: Approve.
Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803

Document: Staff Report (pdf 1.33MB)

ACTION: Remove minutes of October 11 and November 8, 2011.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (027)
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.
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7950

Document: Staff Report (96.8KB)

3. SUBJECT: Approval of Award of Contract for GS10-22-Lemonwood Park and Walking Trail Improvement Project. (031)
RECOMMENDATION: 1) Approve the award of Contract to ARC Accucon Construction, Inc. (A-7448) in the amount of \$564,400 for the Lemonwood Park and Walking Trail Improvement Project located at 2055 East San Mateo Place; and 2) Authorize the Mayor to execute the contract upon receipt of all supporting contract documents.
Legislative Body: CC Contact: Ralph Alamillo Phone: 385-8341

Document: Staff Report (pdf 33.3KB)

4. SUBJECT: Approval of Award of Contract for Community Center Park West Concession Stand Expansion and Reconstruction Project GS10-20. (033)
RECOMMENDATION: 1) Approve the award of contract to U.S. Dash Construction, Inc. (A-7441) in the amount of \$324,000 for the Community Center Park West concession stand reconstruction and expansion project GS10-20 located at 801 Hobson Way; and 2) Authorize the Mayor to execute the contract documents.
Legislative Body: CC Contact: Ralph Alamillo Phone: 385-8341

Document: Staff Report (pdf 193KB)

City Treasurer Department

5. SUBJECT: Quarterly Investment Report for the First Quarter F/Y 2011-2012. (041)
RECOMMENDATION: Accept the Quarterly Investment Report for the First Quarter F/Y 2011-2012.
Legislative Body: CC Contact: Danielle M. Navas Phone: 385-7810

Document: Staff Report (pdf 356KB)

6. SUBJECT: Amendments to Ordinance Regulating Massage Professionals and Massage Businesses or Establishments. (049)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending the title of Article IV of Chapter 11, Sections 11-140, 11-141, 11-241, and 11-247, subdivision (B) of Section 11-157, and subdivision (G) of Section 11-232 of the Oxnard City Code ("OCC"), repealing and readopting Sections 11-143, 11-233, and 11-234 and subdivision (I) of Section 11-242 of the OCC, and repealing Sections 11-235 and 11-236, subdivisions (C) and (D) of Section 11-234 and the last sentence of subdivision (A) of Section 11-246 of the OCC regarding the regulation of massage professionals and massage businesses or establishments.
Legislative Body: CC Contact: Eden Alomeri Phone: 385-7811

Document: Staff Report (pdf 264KB)

ACTION: Approved as recommended, Ord. No. 2851.

Development Services Department

7. SUBJECT: Transmittal of Adopted 2030 General Plan Goals and Policies Document. (057)
RECOMMENDATION: Receive and file the 2030 General Plan.
Legislative Body: CC Contact: Chris Williamson Phone: 385-8156

Document: Staff Report (pdf 39.0KB)

8. SUBJECT: Fifth Amendment to Agreement with URS Energy & Construction Inc. (URS) for Engineering Services for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101. (059)
RECOMMENDATION: Approve and authorize the Mayor to execute the fifth amendment

to the agreement with URS (A-7240) to revise the budget within the contract (a total of \$1,473,908) to provide engineering services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101.

Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

Document: Staff Report (pdf 98.1KB)

9. SUBJECT: Disbanding of Art in Public Places Committee & Revisions to Public Art Program. (065)

RECOMMENDATION: Adopt a resolution disbanding the Art in Public Places Committee and revising the Public Art Program.

Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: Staff Report (pdf 633KB)

ACTION: Approved as recommended, Res. No. 14,124.

Public Works Department

10. SUBJECT: Del Norte Facility Restroom Improvement Project. (083)

RECOMMENDATION: Approve Project Specification GS11-13 and authorize staff to solicit bids for the restroom improvement project located at the Del Norte Regional Recycling and Transfer Station, 111 South Del Norte Boulevard.

Legislative Body: CC Contact: Grant Dunne Phone: 340-8365

Document: Staff Report (pdf 53.2KB)

11. SUBJECT: First Amendment to Agreement for Trade Services with Ecology Auto Parts, Inc. for Supplemental Waste Transfer Hauling Services.(085)

RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement with Ecology Auto Parts, Incorporated (A-7380) to increase the amount by \$150,000 from an agreement value of \$1,500,000 to \$1,650,000 and to extend the expiration date from February 15, 2012 to February 15, 2014, for supplemental waste transfer hauling.

Legislative Body: CC Contact: Grant Dunne Phone: 340-8365

Document: Staff Report (pdf 73.3KB)

12. SUBJECT: Rubberized Asphalt Grant Program for Street Resurfacing. (087)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$109,946.30 to various street resurfacing projects from the Rubberized Asphalt Grant Program to the following: 1) Bartolo Square North Neighborhood Resurfacing Project located between the boundaries of eastward to J Street, westward to Ventura Road, northward to Wooley Road and southward to Hemlock Road in the amount of \$58,029.13; 2) Bartolo Square South Neighborhood Resurfacing Project located between the boundaries of eastward to J Street, westward to Ventura Road, northward to Hemlock Road and southward to Channel Islands Boulevard in the amount of \$43,033.18; 3) Gonzales Road Resurfacing Project located between the boundaries of Oxnard Boulevard and Rice Avenue in the amount of \$3,426.37; 4) Rose Park Neighborhood Resurfacing Project located between the boundaries of westward to Rose Avenue and northward to Camino del Sol in the amount of \$3,001.51; 5) Ormond Beach Neighborhood Resurfacing Project located between the boundaries of westward to Perkins Road, eastward to Edison Drive, northward to Hueneme Road and southward to Mc Wane Boulevard in the amount of \$2,456.11.
Legislative Body: CC Contact: Grant Dunne Phone: 340-8365

Document: Staff Report (pdf 81.1KB)

Recreation and Community Services Department

13. SUBJECT: Senior Services Grant Awards. (091)
RECOMMENDATION: 1) Approve the Senior Services Commission's (SSC) recommended distribution of \$44,600 in Senior Services Grant Awards to thirteen agencies providing services to seniors; 2) Direct the Community Services Manager to notify recipients of Senior Services Grant Awards; 3) Authorize the Community Services Manager to execute a letter of agreement for each recipient in the format set forth in attachment #2; and 4) Authorize the Chief Financial Officer to make disbursements in accordance with the letter agreements.
Legislative Body: CC Contact: Efren Gorre Phone: 385-7982

Document: Staff Report (pdf 275KB)

ACTION: Approve as recommended with 10/11 & 11/08 minutes removed.

1. SUBJECT: Proposed Cuts to Oxnard College Programs. (163)
RECOMMENDATION: Consider sending the attached letter to the Chancellor of the

Ventura County Community College District (VCCCD).
Legislative Body: CC Contact: Martin Erickson Phone: 385-7430

Document: Staff Report & Proposed Letter (pdf 63.7KB)

ACTION: Directed staff to make changes to letter.

Document: Final Letter (pdf 48.6 KB)

2. SUBJECT: Operation of the Oxnard Public Access Channel. (167)
RECOMMENDATION: 1) Authorize the City Manager to execute a Memorandum of Understanding for Operation of the Oxnard Public Access Channel with Fuerza Latina Health Association; and 2) Require that the operator return to City Council in six months to provide a status report on Channel 25 operations and the policies and procedures manual as defined in the MOU.
Legislative Body: CC Contact: Christina Aerenlund Phone: 385-7593

Document: Staff Report (pdf 1.24MB)

ACTION: Approve as recommended.

3. SUBJECT: Presentation by Superintendent, Dr. Gabe Soumakian, from the Oxnard Union High School District on the District's "Blueprint for Greatness"

ACTION: Received comments.

M. 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.

N. CITY COUNCIL/HOUSING AUTHORITY/COMMUNITY DEVELOPMENT
COMMISSION BUSINESS/COMMITTEE REPORTS

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

1. SUBJECT: Monthly Budget Status Report for the Period Ending October 31, 2011. (103)
RECOMMENDATION: Receive Report.
Legislative Body: CC Contact: James Cameron Phone: 385-7416

Document: Budget Status Report (pdf 290KB)

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

Housing Department

1. SUBJECT: Eighth Amendment to FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan (The Plan) for the Homelessness Prevention and Rapid Re-Housing Program (HPRP). (117)
RECOMMENDATION: 1) Conduct a public hearing to approve the Eighth Amendment to The Plan; 2) Approve the budget revision of the funds awarded to County of Ventura Human Services Agency (CVHSA); 3) Authorize the Housing Department Director to submit the Eighth Amendment of The Plan to the U.S. Department of Housing and Urban Development for approval; 4) Authorize the City Manager to submit the Substantial Amendment of the Plan to the U.S. Department of Housing and Urban Development for approval; and 5) Authorize the Mayor to execute the modification of Appendix A "Scope of Services."
Legislative Body: CC Contact: Will Reed Phone: 385-8044

Document: Staff Report (pdf 2.87MB)

ACTION: Approve as recommended.

L. PUBLIC HEARINGS - 7:15 P.M.

Development Services Department

1. SUBJECT: Zone Code Text Amendment (PZ 10-580-01), Providing for Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing.
RECOMMENDATION: Continue to January 10, 2012
Legislative Body: CC Contact: Stephanie Diaz Phone: 385-3918

ACTION: Continue to Jan. 10, 2012.

O. REPORTS

City Attorney Department

1. SUBJECT: Preferences for Small Local Businesses. (197)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance providing certain monetary preferences for small local businesses in connection with trade service and public works contracts.
Legislative Body: CC Contact: Alan Holmberg Phone: 385-7427

Document: Staff Report (pdf 193KB)

ACTION: Approve with changes, Ord. No. 2852.

P. PUBLIC COMMENTS ON REPORTS

At this time, a person may address the legislative body only on matters appearing on the reports. The presiding officer shall permit a person to address the legislative body after the staff presentation on the report and before the consideration of the report by the legislative body. The presiding officer shall limit public comments to three minutes.

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

At this time, a person may address the legislative body only on matters appearing on the study session agenda. The presiding officer shall permit a person to address the legislative body after the staff presentation on the item and before the consideration of the item by the legislative body. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION - (Continued from Page 1)

1. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION.

On the advice of the City Attorney, pursuant to Government Code section 54956.9(b)(3)(C), based on existing facts and circumstances, there is significant exposure to litigation against the City and Community Development Commission in one potential case based upon a written threat of litigation which is available for inspection at the City Clerk's office during normal business hours.

The City Manager and the City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel - Potential Litigation.

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION.

Title: City Manager

T. ADJOURNMENT