MINUTES

OXNARD CITY COUNCIL
Regular Meeting
May 14, 2013

A. ROLL CALL/POSTING OF AGENDA

At 5:33 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Tim Flynn; Carmen Ramirez; Bryan A. MacDonald and Dorina Padilla were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Flynn 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 James Cameron, Chief Financial Officer.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:34 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title and case number of the litigation being discussed is Dennis Brown, et al. v. City of Oxnard, et al., Ventura County Superior Court Case No. 56-2012-00419885-CU-WM-VTA.

At 5:58 p.m. the City Council reconvened and recessed.

Q. APPOINTMENT ITEMS

At 6:01 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers.

Finance Department

1. SUBJECT: Budget Study Session – Street Funding Discussion. (001)
RECOMMENDATION: Receive information regarding street funding and provide guidance to staff for the Fiscal Years 2013-14 and 2014-15 Two-Year Budget.
DISCUSSION: The Chief Financial Officer reviewed the funding of street maintenance, grant funding, gas tax use and use of Measure "O" funds. He forecasted the costs to repair residential neighborhood street/city roads and possible funding sources. The Streets Manager reviewed the resurfacing repair program, new materials being used, street use of commercial vehicles, street repair schedule and funding.

Public comments were received from: Jim Lavery; Orlando Dozier; Francine Castanon; Steve Nash; Lupe Anquiano; Bert Perello; Linda Calderon; and Harold Ceja.

The Council discussed: emergency repairs, use of Measure "O" and road maintenance goals.

The Interim Public Works Director stated that staff return to present options to the Council.

ACTION: Council received the report and provided comments to staff.

D. OPENING CEREMONIES

At 7:09 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Successor Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Rob Roshanian, Interim Public Works Director; Curtis P. Cannon, Community Development Director; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Michael Henderson, General Services Manager; Grace Magistrale Hoffman, Deputy City Manager; Lou Balderrama, City Engineer; Martin Erickson, Special Assistant to the City Manager; Daniel Rydberg, Construction and Maintenance Superintendent; Phillip Gregoire, Streets Manager; and Sofia Balderrama, Special Projects Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Proclaim the week of May 19 to May 25 "Public Works Week" in the City of Oxnard.
   DISCUSSION: Mayor Flynn presented Daniel Rydberg, Construction and Maintenance Superintendent, a proclamation who thanked the Council for recognizing the work of the Public Works Department.

2. SUBJECT: Police Officer of the Year.
   DISCUSSION: Police Chief Williams and Police Officer Chris Williams introduced Hannah Estrada as Police Officer of the Year. She thanked the Council for the recognition.

3. SUBJECT: Presentation of State Farm Insurance Grant Award to the Police and Fire Departments.
   ACTION: Eddie Martinez and Irene Henry from State Farm presented checks to the Oxnard Police Department and Fire Department.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Steve Nash; Jesus Gonzales; Gloria Roman; William "Bill" Terry; Roy Prince; Margaret Cortese; Linda Calderon; Pat Brown; Jim Lavery; Bert Perello; and Martin Jones.

R. STUDY SESSION

Recreation and Community Services Department

1. SUBJECT: "Aquatics/Learn to Swim" Program Discussion. (333)
   RECOMMENDATION: Receive information regarding "Aquatics/Learn to Swim" Program and provide guidance to staff.
   DISCUSSION: The Special Projects Manager reviewed the swim programs within the city and the recreational swimming schedule and use of local swimming pools. The Interim City Manager spoke of the swimming program funding before Proposition 13.

At 7:49 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 7:54 p.m., Mayor Flynn was present and presided.

Public comments were received from: Jim Hensley; Bert Perello; Pat Brown; William Terry; and Harold Ceja;

The Council discussed: the use of Colonia pool, funding of a community pool, and possible locations to build a pool.

ACTION: Provided comments to staff.

Fire Department

2. SUBJECT: Study Session on Ocean Lifeguard Services. (337)
RECOMMENDATION: Conduct a study session on Ocean Lifeguard Services.
DISCUSSION: Fire Chief Williams and Firefighter Dan Nahmias reviewed a proposed Lifeguard program including costs, location of life towers, staffing schedule and having a Junior Life guard program.

Public comments received from Jim Hensley; Pat Brown; Bert Perello; Manuel Vazquez; Gloria Roman and Harold Ceja.

The Council discussed having a lifeguard program, funding of the life guard program and possible economic benefits of having beach lifeguards.

ACTION: Provided comments to staff.

O. REPORTS

Finance Department

1. SUBJECT: General Fund Financial Review. (325)
RECOMMENDATION: Receive a report on General Fund financial projections.
DISCUSSION: The Chief Financial Officer commented on the general fund including PAC costs, Golf course and decrease of overtime costs.

Public comments received from: Jim Lavery and Bert Perello.

ACTION: Received report and provided comments to staff.

S. PUBLIC COMMENTS ON STUDY SESSION

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Flynn declared the public hearing open.
DISCUSSION: The City Clerk reported on posting, publication and no written communications were received.

Housing Department

1. SUBJECT: Re-Allocation of 2012-13 Emergency Solutions Grant Funds Between Existing Projects. (323)
RECOMMENDATION: 1) Approve the First Amendment of the Fiscal Year 2012-2013 Annual Action Plan (Plan); and 2) Approve the Re-Allocation of funds between projects of the FY 2012-2013 Emergency Solutions Grant (ESG) Award.

DISCUSSION: The Housing Director discussed the funding of training.

ACTION: Close the public hearing. (MacDonald/Ramirez) Approved as recommended. (MacDonald/Ramirez) Ayes: Ramirez, MacDonald, Padilla and Flynn.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: General Services Manager (I-3); Chief Financial Officer (I-7); Chief Financial Officer and General Manager (I-8); and Police Chief (I-9).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: Mike Barber; William "Bill" Terry; Jim Lavery; Bert Perello; Pat Brown; and Gloria Roman.

I. INFORMATION/CONSENT AGENDA

Finance Department

7. SUBJECT: Loan from Water Fund to Golf Course Fund. (215)
RECOMMENDATION: Approve a loan agreement by and between the Water Fund and the Golf Course Fund in the amount of $1,348,277.
ACTION: Moved to table item to June 4, 2013. (Padilla/Flynn) Ayes: Padilla, Flynn and Ramirez. Noes: MacDonald.

8. SUBJECT: Loan from General Fund to Golf Course Fund. (219)
RECOMMENDATION: Approve a loan agreement by and between the General Fund and the Golf Course Fund in the amount of $1,738,799.
ACTION: Moved to table item 7 and 8 to June 4, 2013. (Padilla/Flynn) Ayes: MacDonald, Padilla, Flynn and Ramirez.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (013)
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 Scheduling of Public Hearing and Adoption of Resolutions to Declare Intent to Levy FY 2013-2014 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (015)
RECOMMENDATION: 1) Adopt resolutions declaring City Council's intention to levy FY 2013-2014 assessments for Landscape Maintenance Districts Nos. 1 through 3, and 7 through 26 in the following tracts: **Resolution No. 14,319** Tract No. 2247, District No. 1 (Summerfield); **Resolution No. 14,320** Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); **Resolution No. 14,321** Tract No. 3384, District No. 3 (River Ridge); **Resolution No. 14,322** Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park); **Resolution No. 14,323** Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); **Resolution No. 14,324** Tract No. 4405, District No. 10 (Country Club Estates); **Resolution No. 14,325** Tract No. 4376, District No. 11 (St. Tropez); **Resolution No. 14,326** Tract No. 4294, District No. 12 (Standard Pacific); **Resolution No. 14,327** Tract No. 4424, District No. 13 (Le Village); **Resolution No. 14,328** Tract No. 4492, District No. 14 (California Cove); **Resolution No. 14,329** Tract No. 4443, District No. 15 (Pelican Pointe); **Resolution No. 14,330** Tract No. 4810, District No. 16 (California Lighthouse); **Resolution No. 14,331** Tract No. 4702, District No. 17 (Village of San Miguel); **Resolution No. 14,332** Parcel Map Nos. 213-0-031-355, 375, 385, 405, 415, 425, District No. 18 (St. John's Regional Medical Center); **Resolution No. 14,333** Tract No. 4827, District No. 19 (Shopping at the Rose); **Resolution No. 14,334** Parcel Map Nos. 231-0-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center); **Resolution No. 14,335** Tract Nos. 3384-7, 8, District No. 21 (Cypress Pointe); **Resolution No. 14,336** Tract No. 4611, District No. 22 (McDonald's Median); **Resolution No. 14,337** Tract No. 4529, District No. 23 (Greystone); **Resolution No. 14,338** Tract No. 4529, District No. 24 (Vineyards); **Resolution No. 14,339** Tract No. 4840, District No. 25 (The Pointe), and **Resolution No. 14,340** Parcel Map No. 202-0-010-685, District No. 26 (Albertson's); and 2) Set a public hearing for June 18, 2013, on the levy of the proposed assessments in Landscape Maintenance District Nos. 1 through 3, and 7 through 26.

Development Services Department

5. SUBJECT: Planning & Zoning Permit No. 13-300-01 (Final Map for Tract 5885), Located at 278 South Rice Ave., 2600 Challenger Pl., and 150, 300, 350, 400 & 401 Discovery Dr. (the northeast corner of South Rice Avenue and East Fifth Street). Filed by Triliad Development on behalf of the property owner PEGH Investments, LLC. (201)
RECOMMENDATION: Adopt **Resolution No. 14,341** approving Planning & Zoning Permit No. 13-300-01 (Final Map for Tract 5885) to subdivide one parcel into seven lots, located at the northeast corner of South Rice Avenue and East Fifth Street.

6. SUBJECT: Second Reading of **Ordinance No. 2867** Prezoning of East Village Phase III. (211)
RECOMMENDATION: Second reading and adoption.

Police Department

9. SUBJECT: Authorization for the Lease-Purchase of Police Vehicles. (223)
RECOMMENDATION: Approve a special budget appropriation in the estimated amount of $619,424 from the Master Equipment Lease Purchase Agreement (A-7211) for the acquisition of various police vehicles in Fiscal Year 2012-13, and authorize such changes to the documents and lease amount as may be necessary to reconcile to the total final cost of the vehicles.

Public Works Department

10. SUBJECT: Approval of Award of Contract to Speiss Construction Company, Inc. for PW12-17 Effluent Sampling Facilities Project for the City's Wastewater Treatment Plant. (235)
RECOMMENDATION: Approve and authorize the Mayor to execute Contract with Speiss Construction Company, Inc. (A-7584) in the amount of $1,280,450.00 for the Effluent Sampling Facilities Project for the City's Wastewater Treatment Plant.

11. SUBJECT: Approval of Award of Contract to Toro Enterprises, Inc. for PW12-14 Ventura Boulevard Street Improvement Project. (265)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute Contract with Toro Enterprises, Inc. (A-7586) in the amount of $1,661,099.01 for project Specification No. PW12-14 for the reconstruction of street, sidewalk, curb, gutter, landscaping, bike lane and the installation of storm drain and water lines along East Ventura Boulevard from Nyeland Avenue to Almond Drive; and 2) Approve a Special Budget Appropriation of $2,092,264 which includes recognizing a federal transportation grant of $1,528,317 for the project design and construction, $101,177 from the Water Enterprise Fund to install the water lines and $462,770 from the Gas Tax Fund to provide local matching funds as per the requirements of the federal transportation grant.

12. SUBJECT: Approval of Award of Contract to Toro Enterprises, Inc. for PW 10-06 Del Norte Boulevard Arterial Resurfacing Project. (295)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute Contract with Toro Enterprises, Inc. (A-7582) in the amount of $1,776,547.38 for Project Specification Number 10-06 for pavement resurfacing, traffic markings, medians and signage, improvements to curbs, gutters, and other concrete structures on Del Norte Boulevard from Sturgis Road to Highway 101; and 2) Approve a Special Budget Appropriation recognizing the State of California Department of Transportation (Caltrans) for Surface Transportation Act (STA) federal aid grant funding in an amount of $1,462,212.0, and reduce the Measure O contribution to $567,646.38.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Ramirez/ MacDonald) Ayes: Padilla, Flynn, Ramirez and MacDonald.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

L. PUBLIC HEARINGS

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 11:45 p.m. the concurrent meeting with the Community Development Commission concluded.

M. REPORT OF CITY MANAGER

The City Manager reported that an Oversight Board meeting would take place May 16, 2013.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: Fire Station 8 community meeting on May 29, 2013; forming an Art Commission; community events including Police Memorial and Rebozo Festival.

P. PUBLIC COMMENTS ON REPORTS

T. ADJOURNMENT

At 11:51 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem