

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 15, 2008

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers, concurrently with the Community Development Commission, Housing Authority, and Financing Authority. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. The Assistant City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Holden presided and called the meeting to order. Staff members present were: Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and Jill A. 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 led by Councilman Flynn, followed by a moment of silence in honor of Mr. Rim Fey, former involved with the Coastal Commission. Additional staff members were: Sal Gonzales, Housing Director; Norma Owens, Grants Manager; Matt Winegar, Development Services Director, Anthony Emmert, Water Resources Manager; Chris Williamson, Associate Planner; and Jason Samonte, Traffic Engineer.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Martin Jones, compensation of elected officials
Ed Ellis, update on former swap meet site and agreement with owner
Armando Vasquez, Felipe Flores, Julie Medina, support for 'Dirty Little Secrets' campaign to raise awareness of women victimized by gang initiations
John Korsten, property enforcement issues
Larry Stein, replacement trees, sharing minutes of other meetings with the public
Bert Perello, possible Stroube Street drain design flaw
Pat Brown, suggestions for signage at former swap meet site

G. REVIEW OF INFORMATION/CONSENT AGENDA

Items I-2, I-5 were removed for discussion. Item I-8 was removed from the agenda.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDAI. INFORMATION/CONSENT AGENDACity Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for December 4 and 11, 2007. (001)
RECOMMENDATION: Approve.
3. SUBJECT: California Integrated Waste Management Board (CIWMB) Used Oil Recycling Block Grant. (029)
RECOMMENDATION: (1) Adopt **Resolution No. 13,382** authorizing the City Manager to submit to CIWMB an application for a five-year (2007/2012) Used Oil Recycling Block Grant in the amount of approximately \$250,000, to be used for the oil collection programs that encourage recycling of used motor oil; and (2) Authorize the City Manager or designee to appropriate the funds upon receipt.

City Treasurer Department

4. SUBJECT: Quarterly Investment Report for the Second Quarter Fiscal Year (FY) 2007-2008. (033)
RECOMMENDATION: Accept the Quarterly Investment Report for the Second Quarter FY 2007-2008.

Development Services Department

6. SUBJECT: **Ordinance No. 2765**, Amending Subparts (A), (B) and (C)(2) of Section 15-19 of the City Code and Adding Subpart (H) to Section 15-19 of the City Code (Regulations for Vesting Tentative Maps). (045)
RECOMMENDATION: Second reading and adoption.

Fire Department

7. SUBJECT: State Office of Traffic Safety Grant. (047)
RECOMMENDATION: Adopt **Resolution No. 13,384** authorizing the City Manager to submit an application for \$203,000 in State of California Office of Traffic Safety grant funds for the Extrication Equipment Project.

Public Works Department

11. SUBJECT: Agreement with WorleyParsons Komex. (065)
RECOMMENDATION: Approve and authorize the Mayor to execute the agreement with WorleyParsons Komex (**A-6920**) in the amount of \$540,655.10 for remediation of contamination at the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101.

12. SUBJECT: Amendment to Implementation Agreement for Countywide Stormwater Program. (067)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an amendment to the existing National Pollutant Discharge Elimination System Implementation Agreement Stormwater Regulation Program with the Ventura County Watershed Protection District (VCWPD) {**A-4884**}, which identifies the responsibilities of the City, VCWPD, nine other Ventura County cities, and Ventura County under the Ventura County Municipal Stormwater Permit, and creates a mechanism for the distribution of revenues and the funding for the Principal Permittee activities; and (2) Approve an appropriation of \$94,000 from the Wastewater Collection Operating Fund to the Stormwater Quality Management Program budget to partially fund Principal Permittee costs under the Ventura County Municipal Stormwater Permit for Fiscal Year 2007-2008.

INFORMATION/CONSENT AGENDA ACTION: Approved (Herrera/Zaragoza); Ayes: Herrera, Holden, Maulhardt, Zaragoza, and Flynn.

City Manager Department

2. SUBJECT: Resolution Requesting Employment Extension. (025)
RECOMMENDATION: (1) Adopt **Resolution No. 13,383** requesting an employment extension per Government Code section 21221(h); and (2) Authorize the City Manager to execute the documents necessary to implement the extension, as provided in the resolution.
DISCUSSION: Larry Stein re procedural and policy issues concerning temporary employees and the effect on the budget.
ACTION: Approved (Herrera/Zaragoza); Ayes: Herrera, Holden, Maulhardt, Zaragoza, and Flynn.

Development Services Department

5. SUBJECT: Approval of Development Agreement Negotiating Team for the Teal Club Specific Plan Project Located North of Teal Club Road, West of Ventura Road, South of Doris Avenue, and East of Patterson Road, Filed by SunCal Companies (PZ 05-670-01). (039)
RECOMMENDATION: Direct the City Manager to appoint a negotiating team to negotiate a development agreement with Suncal Companies for Teal Club projects.
DISCUSSION: Comments from Pat Brown, William Terry, and Ray Pearl, Vice President of Forward Planning & Government Relations, Sun Cal Companies.
ACTION: The City Council took no action but directed staff to allow discussion on the project with the neighborhoods and Planning Commission prior to completion of the EIR.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (076)
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

HOUSING AUTHORITY

At 8:13 p.m. the joint meeting with the Housing Authority concluded.

L. PUBLIC HEARINGS

Community Development Department

1. SUBJECT: Ground Lease, Parking Facility Management Agreement, Acquisition Agreement and Issuance of Redevelopment Tax Allocation Bonds, Series 2008 for an Approximate Five Hundred (500) Space Public Parking Structure and Other Public Improvements at the RiverPark Project Located Adjacent to and North of the Highway 101 Freeway, Adjacent to and East of the Santa Clara River. and West of Vineyard Avenue. (089)
RECOMMENDATION: Continue to February 5, 2008.
ACTION: Approved (Maulhardt/Zaragoza); unanimous.

COMMUNITY DEVELOPMENT COMMISSION /FINANCING AUTHORITY

At 8:14 p.m. the joint meetings with the Community Development Commission and Financing Authority concluded.

Finance Department

2. SUBJECT: Low and Moderate Income Needs Assessment – Fiscal Year (FY) 2008-2013 Consolidated Plan and FY 2008-2009 Annual Action Plan. (097)
RECOMMENDATION: Conduct a public hearing to receive comments and provide direction to staff concerning unmet needs of low and moderate income persons for housing, public facilities and economic development.
DISCUSSION: The Grants Manager presented the comprehensive vision and detailed the annual objectives for the 2008-09 Plan.

Gail Weller Brown, Chair, Oxnard Farmworker Housing Group, change of zoning to allow development of farmworker housing on smaller parcels and substandard lots.

Jill Martinez, and Gil Guevara, Construction Connections Task Force, include in the Plan affordable, conveniently located, quality child care.

Nicole Norori and Karen Flock, Cabrillo Economic Development Corporation, more projects for very low and low income as well as farmworker housing.

Bert Perello asks for a definition of low and very low income. The Housing Director responded.

The City Council discussed the burdens many families face regarding child care expenses. The City Council requested a study session on improving access to child care in current partnerships and future development.

ACTION: Close the public hearing (Holden/Zaragoza). The City Council provided comments.

M. REPORT OF CITY MANAGER

Last day to register to vote in the February 5th presidential primary is January 22; gas tax bonds raised \$25 million for street construction projects.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1) The Mayor was elected to Chair Ventura Council of Governments, the first from Oxnard; Mayor Pro Tem is the new Chairman of Ventura County Transportation Commission; and Councilmember Zaragoza is up for election to Chair the Local Agency Formation Commission; 2) the City Attorney reported that Mr. Korsten was convicted of multiple violations of the Oxnard City Code, part of a plea agreement that is hoped to resolve ongoing issues. 3) The City Council concurred to bring a discussion at a future meeting on funding and design for a gateway park at Ormond Beach.

O. REPORTS

Development Services Department

1. SUBJECT: Water Supply Management and Traffic Level of Service Policies Related to the 2020 General Plan Update. (103)

RECOMMENDATION: Consider reports on: 1) Water supply reliability management; and 2) Level of Service (LOS) traffic related to the 2020 General Plan (Plan) Update, and provide direction to the City Manager.

DISCUSSION: The Associate Planner presented the 2005 Water Shortage Contingency Plan to respond to recent court decisions. CEQA documents must address the possibility of a shortage that occurs prior to the GREAT Program becoming operational. He outlined possible options under the proposed Water Supply Demand Contingency Policy, to be implemented by an amendment to Ordinance 2246 and included in the Plan update.

The Traffic Engineer provided an update on the September, 2007, traffic counts that reflect improvements to intersections and completion of various construction projects. Doug Smith, URS, explained the development of a traffic study which supports the EIR to the Plan update and a City-wide traffic model to prepare the traffic analysis to support City Council land use decisions. Over 100 intersections in the City were analyzed. He discussed four scenarios for the model and potential mitigations to intersections rated below Level C, including typical intersection improvements, Intelligent Transportation Systems, and widening. He explained the differences in projected traffic volumes between the old model and General Plan and the new model and Plan, including a projection to 2030, using 2005-2007 traffic data, higher trip generation rates, and an overall increase in commuter and regional trips. Mitigations studied for the EIR Traffic

Section include increase in use of transit, carpooling, park-and-ride facilities, improving truck routes in the City, and railroad grade crossing improvements.

The Development Services Director asked that City Council concur on a water allocation program concept for an interim period and that Level C remain the City's standard for LOS at intersections but consider a limited list of intersections where it is economically or environmentally feasible to allow a level D or E for a limited time. Staff would bring back a future report with this list and identify mitigation measures to bring them to a level "C." The City Council discussed 1) the challenges to improving LOS at certain intersections, including cost; 2) how to best maintain accuracy of different reports, and 3) regular monitoring of key intersections to adjust signal timing.

The City Council feels this is the first step toward determining improvements so that as growth occurs, traffic will be accommodated.

ACTION: The City Council provided comments to staff.

P. PUBLIC COMMENTS ON REPORTS

Trisha Munro and Bert Perello expressed concerns with the water plan.

William Terry, Lawrence Stein, and Pat Brown have issues with current traffic report and lowering standards.

Q. APPOINTMENT ITEMS

STUDY SESSION

City Manager Department

1. SUBJECT: Results of Potential Half-Cent Sales Tax Ballot Measure Feasibility Survey. (121)

RECOMMENDATION: (1) Review and consider the results of a survey conducted by Fairbank, Maslin, Maullin & Associates (FMMA) concerning the feasibility of a general purpose half-cent sales tax in the City of Oxnard; and (2) Provide direction to the City Manager regarding the development of an action plan, schedule and budget for proceeding with the next step of initiating a public information program regarding a ballot measure.

DISCUSSION: The City Manager discussed the telephone poll conducted throughout the City. John Fairbanks, Fairbank, Maslin, Maullin & Associates, reported that the survey found that 1) 70 percent of voters would favor a local ballot measure to raise the City sales tax by one-half cent; 2) overall, voters rate the City highly; and 3) voters, while generally pleased with their quality of life, identify gangs and juvenile violence, availability of housing for working class families in Oxnard, and traffic on local streets and roads to be significant to very serious problems.

City Council directed staff to return with more details as to how the money would be allocated and how the public would be educated about the measure. They want the public to know there will be an independent audit and oversight committee and believe the November, 2008 election would be a good time to include this measure because of the large turnout expected.

ACTION: The City Council provided comments to staff.

S. PUBLIC COMMENTS ON STUDY SESSION

Lawrence Stein and William Terry, sales tax is punitive tax on the poor.

Trisha Munro wishes to see transcript of survey questions and more specifics.

Al Velasquez opposes.

Carmen Ramirez, Community Planning Director for CAUSE, supports under certain conditions, including addressing transportation issues.

T. ADJOURNMENT

At 11:34 p.m. the City Council concurred to adjourn.



JILL A. BEATY
Assistant City Clerk



DR. THOMAS E. HOLDEN
Mayor