

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

February 27, 2007

A. ROLL CALL/POSTING OF AGENDA

At 6:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. The 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; Grace Hoffman, Deputy City Manager; Gary L. Gillig, City Attorney; and Lourdes A. López, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:05 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(a) to confer with its attorneys. The title and case number of the litigation being discussed is Ronnie Bassett and Tammy Krieger v. City of Oxnard, Ventura County Superior Court Case No. CIV 245237.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.8, to give instructions to its negotiator, Edmund Sotelo, City Manager, regarding the price and terms of payment for the potential purchase by the City of .32 acres of land located on the southeast corner of Third and "D" Streets from El Concilio Del Condado de Ventura.

At 6:55 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:00 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Additional staff members present were: Daniel Martinez, City Clerk; Dale Belcher, City Treasurer; Ken Ortega, Public Works Director; Curtis P. Cannon, Community Development Director; Sue Martin, Planning and Environmental Services Manager; and Norma Owens, Grants Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Fremont Intermediate School for its Participation in a Canned Food Drive.
DISCUSSION: Stefan Cvijanovich, Learning Director, thanked the City Council for the recognition.

3. SUBJECT: Presentation of Employee of the Quarter.
DISCUSSION: The City Treasurer commented on the value of Danielle Navas to the City Treasurer Department. Danielle Navas thanked the City Council, City employees and family.
2. SUBJECT: Presentation of a Commendation to Lupe Anguiano.
DISCUSSION: Lupe Anguiano commented on: proposed LNG; business projects; Saviers Road Design team; and thanked the community.

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove the following items from the agenda: I-2 (Neighborhood Council), K-1 (Bicycle and Pedestrian Facility), L-1 (Sports Park), and O-2 (Septic System Conversion).

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ron Hall, handicap parking.

Barbara Rasalan, homelessness concerns.

Joe Avelar, changes of the Inter-Neighborhood Council.

Jean Joneson, recent newspaper editorial by Councilman Flynn.

Sandy Gonzalez, maintenance of downtown theaters.

Armando Vasquez, summer youth program and support of Inlakech program.

Avie Guerro, in support of more sports youth complexes.

Patricia Munro, saving Wagon Wheel building and coyote issue.

Nancy Pederson, removal of non-native plants from Ormond Point.

William Terry, proposed meetings for the liquefied natural gas facility terminal.

Edward Castillo, Code Enforcement and following the General Plan.

John Korsten, property lien.

Ed Ellis, sidewalks at the former DMV in South Oxnard.

Larry Stein, safe bike riding and traffic stop.

Patricia Einsten, discussed the selling of coastal property at a Coastal Commission meeting, and proposed "Peaker Power Plant."

Javier Gomez, master plan for youth activities.

Mayra Juarez, and Arthur Thomas Hernandez supported Inlakech Cultural Arts Center.

Steve Fleischer, development of Oxnard Campus Park.

Javier Aquileria and Jamie Ceja supported the development of more soccer fields.

Francisco Romero, in support of a youth cultural center.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Manager stated a proposed Campus Park Master plan will be coming forward soon.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Victor Gallardo and Laura Gallardo Jimenez, supports youth organizations.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for January 9 and 23, 2007. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Neighborhood Council and Inter-Neighborhood Council Forum (INCF) Bylaws Revisions. (013)
RECOMMENDATION: Remove from agenda.

Police Department

3. SUBJECT: Resolution to Linda Gray. (015)
RECOMMENDATION: Adopt **Resolution No. 13,196** commending Linda Gray for 28 years of service to the City of Oxnard.

Public Works Department

4. SUBJECT: Former Oxnard High School Asbestos and Lead-Based Paint Abatement (Project Specification No. PW06-70) at 937 West Fifth Street. (017)
RECOMMENDATION: (1) Approve Project Specification No. PW06-70 to abate asbestos and lead-based paint at the former Oxnard High School at 937 West Fifth Street; and (2) Recognize revenue in the amount of \$970,600 for damage reimbursements and appropriate the funds to the former Oxnard High School Abatement Project for abatement of asbestos and lead-based paint.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

Public Works Department

1. SUBJECT: Adopt a Resolution of Necessity to Condemn Properties in the Project Area for the Oxnard Boulevard Bicycle and Pedestrian Facility on Oxnard Boulevard Between Vineyard Avenue and Gonzales Road, and Camino Del Sol and Second Street. (021)
RECOMMENDATION: Continue to this item.
ACTION: The City Council concurred to continue this item.

L. PUBLIC HEARINGS

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were two written communications received from Inter-Neighborhood Council Forum and Mary Anne McCabe.

Development Services Department

1. SUBJECT: Appeal of Certification and Adoption of Findings and Overriding Considerations for Final SEIR 05-02, Planning and Zoning Permit No. 05-620-4 (General Plan Amendment), 05-630-2 (Specific Plan Amendment to the Northeast Community Specific Plan), 05-570-2 (Zone Change), 05-300-23 (Tentative Subdivision Map for Tract No. 5654), 06-670-1 (Development Agreement), and Option Agreement for Park Land; Filed by Aldersgate Investments, LLC. (029)
RECOMMENDATION: (1) Adopt a resolution upholding the Planning Commission's July 15, 2006, certification of Final Supplemental Environmental Impact Report 05-02, and adopt a Statement of Findings of Fact and Statement of Overriding Considerations; (2) Adopt a resolution approving General Plan Amendment (PZ 05-620-4), changing the land use designation for portions of two parcels, located on the southeast corner of Oxnard Boulevard and Gonzales Road, from Park to Low Medium Density Residential; (3) Adopt a resolution amending the Northeast Community Specific Plan (PZ 05-630-2), to change the land use designation for portions of two parcels, located on the southeast corner of Oxnard Boulevard and Gonzales Road, from Sports Park to Low Medium Density Residential; (4) Adopt a resolution approving a tentative subdivision map for Tract No. 5654 (PZ 05-300-23), located on the southeast corner of Oxnard Boulevard and Gonzales Road; (5) Approve the first reading by title only and subsequent adoption of an ordinance changing the zoning (PZ 05-570-2), for portions of two parcels, located on the southeast corner of Oxnard Boulevard and Gonzales Road, from Community Reserve to R-2 PD Multifamily Zone Planned Development; (6) Approve the first reading by title only and subsequent adoption of an ordinance approving a development agreement (PZ 06-670-1), for three parcels,

generally located on the southeast corner of Oxnard Boulevard and Gonzales Road, stipulating the development and dedication to the City of street improvements and specified park facilities; and (7) Approve and authorize the Mayor to execute an option agreement with Aldersgate Investment, LLC, for the approximately 2.3 acres of park land identified as Lot 52 on Tentative Subdivision Map for Tract No. 5654.

DISCUSSION: The City Attorney reviewed the public testimony procedures.

Mitch Kahn, applicant's attorney, requested this item be continued to March 20, 2007.

The following individuals provided comments regarding a sports park at Oxnard Boulevard and Gonzales Road: Tarrill A. Harris; Joe Avelar; Jane Tolmach; Trish Muro; Luciano Ortiz; Sandy Gonzalez; Steve Yue; Edward Castillo; Matthew Thomas; Barbara Dubkin; Nancy Pedersen; Pat Brown; Francisco Romero; Joseph Moreno; Edwardo Macarena; Larry Stein; Bert Perello; and William Terry.

ACTION: Close public testimony and continue to March 20, 2007. (Maulhardt/Holden) Unanimously approved.

RECESS

At 9:22 p.m., the City Council concurred to recess and at 9:31 p.m., the City Council concurred to reconvene.

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

Finance Department

2. SUBJECT: Low- and Moderate-Income Needs Assessment - Fiscal Year 2007-2008 Annual Action Plan. (067)

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 outlined the process, current federal financing and the Annual Action Plan.

Bert Perello requested definitions of figures being used in the report.

Margaret Reyes and Mike McLean, Community Actions of Ventura County, reviewed the services provided and the need for housing.

ACTION: Close the public hearing. (Maulhardt/Zaragoza) Unanimously approved. Approved as recommended. (Maulhardt/Zaragoza) Ayes: Zaragoza, Herrera, Flynn, Holden, and Maulhardt.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed the following items: adolescent social drinking regulation; privatization of mobile home parks; input/working with Neighborhood Councils; and the proposed change of the governance of Oxnard Harbor.

O. REPORTS

City Manager Department

- 1. SUBJECT: The United States Seabee Museum. (073)
RECOMMENDATION: Consider a report concerning a request for a donation to the U.S. Navy Seabee Museum and provide direction to the City Manager.
ACTION: The City Council approved \$50,000 payments for five years.

Public Works Department

- 2. SUBJECT: Financial Assistance for Property Owners in Septic System Conversion Project Areas. (075)
RECOMMENDATION: Continue to future date.
ACTION: The City Council concurred to continue this item.

M. REPORT OF CITY MANAGER

The City Manager updated the progress of the South Oxnard Library and the downtown opening of Casa Escobar Restaurant.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:16 p.m. the City Council concurred to adjourn the meeting.


 DANIEL MARTINEZ
 City Clerk


 DR. THOMAS E. HOLDEN
 Mayor


 LOURDES LOPEZ
 Deputy City Clerk.