

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

July 10, 2007

A. ROLL CALL/POSTING OF AGENDA

At 5:34 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, 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: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and Grace Hoffman, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:35 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957, to evaluate the performance of the City Manager and the performance of the City Attorney. At 7:06 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:08 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission, and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: Matt Winegar, Development Services Director; Michael Henderson, Maintenance Services Branch Manager; Gil Ramirez, Recreation Superintendent; and Efren Gorre, Youth Training Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation to City Council by Parents of Murdered Children.
DISCUSSION: Marisa Martinez, Parents of Murdered Children, commented on the organization and recognized the work of the City, Police Department, and Assistant Chief Scott Whitney.
2. SUBJECT: Presentation of a Commendation to Driffill Elementary School.
DISCUSSION: The City Council recognized Shannon Newby; Rocio Lozano-Knowlton; Nancy Reinhart Karnoski, 5th grade teachers; Wrayna Fairchild, 6th grade teacher; who participated in the MERITO (Multicultural Education for Resource Issues Threatening Oceans) program in partnership with Channel Islands National Marine Sanctuary.

3. SUBJECT: Presentation of a Proclamation Designating the Month of July, 2007, as "Parks and Recreation Month".
DISCUSSION: The City Council presented a proclamation to Lee Cobb, Parks and Recreation Commissioner; Armando Garcia, Parks and Recreation Commissioner; Gil Ramirez and Michael Henderson.
4. SUBJECT: Presentation of a Commendation to Ronald R. Fischer for Service as a Member of the Oxnard Planning Commission.
DISCUSSION: Presented Mr. Fischer a commendation for his service on the Planning Commission.
5. SUBJECT: Telly Award.
DISCUSSION: Michael Emerson, Michael Emerson Productions, presented a 2007 Telly Award to the City Council for the production of "Graffiti Hurts".

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove item one (I-1) from the agenda.

Q. APPOINTMENT ITEMS

1. SUBJECT: Presentation by St. John's Regional Medical Center.
DISCUSSION: Mr. Michael Murray, St. John's Regional Medical Center, reviewed the closure and hospital mold remediation process, timeline, scheduling/transferring of patients, coordination with other hospitals and re-opening.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Bill Terry, payments to Big League Dreams.

Preston Davis, need for oversight of the Channel Islands Harbor.

Jill Martinez, concerns regarding traffic along Entrada Drive.

Nancy Pedersen, Ormond Beach and local oceanography class.

John Korsten, property lien.

Phil Molina, monthly financial reports.

Ed Ellis, business advertisements on windows and code enforcement.

Larry Stein, municipal financial numbers and a needed traffic guard.

Martin Jones, opposed the development of Big League Dreams.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDADevelopment Services Department

1. SUBJECT: Landowner Consent to Decommission the Ormond Beach Fuel Oil Pipeline. (001)
RECOMMENDATION: Remove from the agenda.

Finance Department

2. SUBJECT: Sale of Property at 3139 South J Street. (005)
RECOMMENDATION: Approve the sale of property located at 3139 South J Street, Oxnard CA, (the "Property") to Hilario Lopez and Juana Alegria ("Buyers"), authorize the Mayor to execute a Grant Deed in connection therewith, and ratify the execution by the City Manager of the attached California Residential Purchase Agreement, Counter Offer No. 1, and related documents (A-6898).
3. SUBJECT: Consent to Encumbrance of Residence Inn by Marriott Parking Lot Sublease. (007)
RECOMMENDATION: Approve and authorize the Mayor to execute a Ground Lessor Estoppel, Consent and Agreement (A-6880) (the "Consent") consenting to the encumbrance of the sublease ("Sublease") wherein the City of Oxnard leases the parking lot servicing the Marriott Residence Inn located at 2201 West Vineyard Avenue (the "Hotel") to Sunstone O.P. Properties, L.L.C. ("Sunstone"), successor in interest to Ventura Hospitality Partners, L.P.

Human Resources Department

4. SUBJECT: Contract for Professional Services with ComCo Management, Inc. (023)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with ComCo Management, Inc. (A-6884) in the amount of \$680,000 for providing a workers' compensation third-party administrator for fiscal years 2007 to 2009.

Public Works Department

5. SUBJECT: Fifth Amendment to Agreement with Parsons Transportation Group, Inc., for Highway 101/ Del Norte Boulevard Interchange. (025)
RECOMMENDATION: Approve and authorize the Mayor to execute the Fifth Amendment to the Agreement with Parsons Transportation Group, Inc. (Agreement No. 1438-02-PW), to increase the amount by \$553,800 for a total of \$1,263,800 for the Geometric Approval Drawings for the Preferred Alternative of the improvements for the U.S. Highway 101/Del Norte Boulevard Interchange project.
6. SUBJECT: Agreement with The Verne C. Sandwall Trust and The Kenneth E. Sandwall Trust for Loss of Rent at 3170 Santa Clara Avenue. (037)
RECOMMENDATION: Approve and authorize the Mayor to execute the agreement with The Verne C. Sandwall Trust and The Kenneth E. Sandwall Trust (A-6899) in the amount of \$54,558 for loss of rent from Quinn Company for the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101.

7. SUBJECT: Tenth Amendment to Agreement with Washington Group International, Inc. for Oxnard Boulevard Interchange Improvements at Highway 101 and Ventura Road Widening and Recycled Water Line at Highway 101. (041)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute the Tenth Amendment to the agreement with Washington Group International, Inc. (Agreement No. 1416-02-PW) in the amount of \$725,837 (an increase of \$61,291) for construction support and design services for the Oxnard Boulevard interchange improvements at Highway 101, and Ventura Road widening and recycled water line at Highway 101; and (2) Approve the special budget appropriation to transfer previously appropriated funds in the amount of \$30,000 from the GREAT Program to Ventura Road/Highway 101 for widening of Ventura Road under Highway 101 and installation of a recycled water line in the same location.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. PZ 05-300-01 (Tentative Parcel Map) and Appeal of Special Use Permit for Planned Residential Group PZ 05-500-01 for Project Located at 901 Cheyenne Way, Filed by Juan Cervantes. (045)
RECOMMENDATION: (1) Adopt **Resolution No. 13,329** approving Planning and Zoning Permit No. PZ 05-300-01 (Tentative Parcel Map) for condominium purposes, subject to certain findings and conditions; and (2) Adopt **Resolution No. 13,330** upholding the Planning Commission's approval of Special Use Permit (PZ 05-500-01) for a Planned Residential Group, subject to conditions.
ACTION: Close the public hearing. (Holden/Herrera) Approved as recommended.
(Maulhardt/Herrera) Ayes: Holden, Maulhardt, Zaragoza, and Herrera. Noes: Flynn.

L. PUBLIC HEARINGS

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

City Manager Department

1. SUBJECT: Presentation and Adoption of the Fiscal Year (FY) 2007-2008 City, Community Development Commission, and Housing Authority Operating and Capital Improvement Budgets, and Appropriation Limit. (055)

RECOMMENDATION: That City Council: (1) Conduct a public hearing on the Fiscal Year 2007-2008 budget for the City of Oxnard (City); (2) Adopt resolutions: (a) **Resolution No. 13,331**, approving the City's Operating and Capital Improvement Budgets for FY 2007-2008; (b) **Resolution No. 13,332**, authorizing full-time equivalent positions in the City effective July 1, 2007; (c) **Resolution No. 13,333**, authorizing the Classification and Salary Schedule effective July 1, 2007; (d) **Resolution No. 13,334**, establishing the appropriation limit for FY 2007-2008; and (e) **Resolution No. 13,335** establishing FY 2007-2008 Financial Management Policies; and (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2741** establishing compensation for the Mayor and Councilmembers.

DISCUSSION: The Deputy City Manager briefly reviewed the proposed budget with the input from Councilmembers, service level options and adjustments. The Youth Training Manager reviewed the requested service level option (two positions and enhancement of programs).

Harold Ceja opposed a proposed pay raise for Councilmembers.

Larry Stein commented on withholding funding to the downtown theater, listing of capital improvement projects, and road improvements to the intersections.

Gloria Roman requested Spanish translation of Council meetings.

William Terry, support of City Corps.

Martin Jones commented on the funding of the downtown theater development.

Nancy Peterson, educational value of Ormond Beach/gardening yards, and support of City Corps.

The City Council discussed: proposed service level(s); use of fund reserves; code enforcement; street repairs; and traffic concerns.

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

M. REPORT OF CITY MANAGER

The City Manager commented on: a upcoming community discussion on the draft EIR for Ormond Beach on July 16; upcoming Oxnard/Ocotlan Sister City visitation; upcoming Multi-Cultural event at Plaza Park, City Library will host Dr. David Lynch (San Andreas fault), and a community bone program for seniors in the community.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

COMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 9:26 p.m. the joint meetings with the Community Development Commission and Housing Authority concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

Development Services Department

1. SUBJECT: Pre-Application Review (PZ 07-600-5) of a Request to Develop 48 Affordable and 72 Market-Rate Housing Units on the Southeast Corner of Pleasant Valley Road and Rice Avenue (APN 225-0-013-020), Filed by AMG and Associates. (169)

RECOMMENDATION: Review and provide preliminary comments on a pre-application to develop 48 affordable apartments and 72 market-rate townhomes (total of 120 units) on a 6.3-acre agricultural field located outside the City Urban Restriction Boundary (CURB) line at 2979 East Pleasant Valley Road.

DISCUSSION: The Development Services Director reviewed the project, including parking, location/boundary to City, annexation of property into City, zone change, and SOAR considerations.

Alexis Devorgian, AMG and Associates, stated the focus will be on affordable work force housing without City funding by providing both market rate and affordable housing at an in-fill site. Mark Petit, Lauterbach and Associates, asked for direction from Council regarding development of workforce housing with recreation space, parking and garages meeting the City guidelines.

Shirley Godwin, violation of SOAR and opposed the lighting of the development.

Larry Stein, traffic, garages, and recreational areas.

Nancy Petersen, against building residential housing next to busy roads (Rice Road and Pleasant Valley Road).

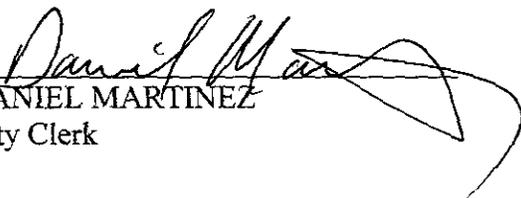
The City Council discussed: SOAR concerns, site location being out-side of city, traffic, parking, school concerns, utilities, proposed density, current mutual green-belt agreements and annexation process.

ACTION: The City Council provided comments to staff.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:01 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor