

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 20, 2007

A. ROLL CALL/POSTING OF AGENDA

At 7:09 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers, concurrently with the Community Development Commission. Councilmembers Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. Mayor Thomas E. Holden was absent. The Assistant City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Maulhardt presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; Curtis Cannon, Community Development Director; 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 to the flag of the United States, led by Mayor Pro Tem Maulhardt, followed by a moment of silence in memory of Pat Holden.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Bill Terry and Gloria Roman expressed concerns with City issues.

Ed Ellis requested cleanup of burned down swap meet property on Saviers Road.

Rev. Elaine James and Robert Jeffries, issue between Assistant City Manager and Councilman Flynn.

John Korsten, code compliance court date.

Luciano Ortiz, West Village Neighborhood Chairman, meetings

Pat Brown, Five Points Intersection train activity causing traffic congestion.

Preston Davis, Channel Islands Harbor management.

Bob Ridgway, Police procedures in response to a beating incident.

Jean Rountree, lack of recreational parks in the City.

Martin Jones, lack of public swimming pool in College Park plans.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown favors of approval of I-4.

Shirley Godwin opposes approval of I-3 because she feels the high costs to the City takes money from other projects that need addressing.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for October 23 and November 6, 2007. (001)
RECOMMENDATION: Approve.

Development Services Department

2. SUBJECT: Planning and Zoning Permit No. 06-300-22 (Final Map for Tract No. 5717 for Condominium Purposes) at 2041 Cabot Place, Filed by Calbar Oxnard Partners. (021)
RECOMMENDATION: Adopt **Resolution No. 13, 363** approving Planning and Zoning Permit No. 06-300-22 (Final Map) for property located at 2041 Cabot Place.
3. SUBJECT: Second Amendment to Agreement for the Improvement of Cypress Neighborhood Park Located at the Intersection of Cypress Road and Clara Street. (029)
RECOMMENDATION: Approve a second amendment to the Cypress (Garden City) Neighborhood Park Agreement (**A-6462**) to increase the developer reimbursement by \$453,492.*
4. SUBJECT: Appeal of the Planning Commission's Approval of Planning and Zoning Permit No. 07-510-03 (Special Use Permit) to Allow the Sale of Beer and Wine at the 4-Way Meat Market Located at 508 East Date Street, Filed by Salvador Ayala. (033)
RECOMMENDATION: Adopt **Resolution No. 13,364** to overturn the Planning Commission's approval of Planning and Zoning Permit No. 07-510-03 (Special Use Permit) to allow the sale of beer and wine at the 4-Way Meat Market located at 508 East Date Street.

Finance Department

5. SUBJECT: Annual Report for Development, Connection and Improvement Fees for the Year Ended June 30, 2007. (037)

RECOMMENDATION: Receive and file the Annual Report for Development, Connection and Improvement Fees for the year ended June 30, 2007 in accordance with Government Code section 606006.

Police Department

6. SUBJECT: Fiscal Year 2007 State Homeland Security Grant Program. (049)
RECOMMENDATION: Recognize revenue of \$46,150 from the State Homeland Security Grant Program and appropriate the funds to the Safe Community Project in the Homeland Security Fund.

Public Works Department

7. SUBJECT: Appropriation of Interest Earnings Revenue to Solid Waste Equipment Project. (051)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$354,100 from the Solid Waste Revenue Refunding Bonds, Series 2005 interest earnings to the Solid Waste Equipment Project.
8. SUBJECT: PW06-15 Rose Park Resurfacing Project. (053)
RECOMMENDATION: Approve Project Specification No. PW06-15 (The Rose Park Resurfacing Project) for pavement reconstruction and resurfacing, sidewalk, curb and gutter repair, and street name signs in the Rose Park Neighborhood, located in the northeastern portion of the City between Camino Del Sol, Kohala Street, La Puerta Avenue, and Rose Avenue.

INFORMATION/CONSENT AGEND ACTION: Approved as recommended (Herrera/Zaragoza); Ayes: Maulhardt, Zaragoza, Flynn,* and Herrera. Noes: Flynn on I-3 only. Absent: Holden.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts in amounts over \$100,000 to \$250,000 executed by the City Manager for the period of October 1 through 31, 2007. (057)
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Development Services Department

1. SUBJECT: Request to Rename Myrtle Street, Filed by RiverPark Legacy LLC. (059)
RECOMMENDATION: Adopt **Resolution No. 13,366** to rename Myrtle Street, an inhabited street in the RiverPark Specific Plan area and El Rio West neighborhood, to RiverPark Boulevard.
ACTION: Closed the public hearing (Herrera/Zaragoza). Approved recommendation (Herrera/Zaragoza); Ayes: Zaragoza, Flynn, Herrera, and Maulhardt. Absent: Holden.

- L. PUBLIC HEARINGS
- M. REPORT OF CITY MANAGER
- N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council concurred to agendize the procedure for communication between councilmembers and staff for review and possible update.

O. REPORTS

Community Development Department

1. SUBJECT: Fourth Amendment to the Owner Participation Agreement (OPA) and First Amendment to the Memorandum of Understanding (MOU) for 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. (063)
RECOMMENDATION: That the City Council: (1) Approve and authorize the Mayor to execute a First Amendment to the MOU (**A-5965**) among the City, Community Development Commission, and RiverPark A, relating to development of the RiverPark Project; (2) Authorize the Mayor and City Manager, on behalf of the City, to each sign all documents necessary and appropriate to carry out and implement the First Amendment to the MOU (**A-5965**), and to administer the City's obligations, responsibilities, and duties to be performed thereunder; and (3) Approve and adopt **Resolution No. 13,366** entitled "A Resolution of the City Council of the City of Oxnard, California Consenting to the Payment by the Oxnard Community Development Commission of Certain Costs Related to Public Improvements in the Historic Enhancement and Revitalization of Oxnard (HERO) Project and Making Certain Determinations and Findings."

DISCUSSION: The Community Development Director (Director) explained the major deal points of the potential financing structure and acquisition scenarios: \$12 million would be raised through HERO Redevelopment Project area, specifically in the RiverPark portion; \$9 million would come back to the downtown to assist with the downtown project area and potential impacts from a theater in RiverPark. Negotiations with the Centennial Plaza developers and operator are continuing. The Director concluded by reviewing the RiverPark tenant criteria.

The City Council commented (1) that an MOU which achieves Council's goals of a lease guarantee and protection of the downtown is more important than commitment to a date; (2) on their desire to enhance and complete the downtown; and (3) on possible impact to the downtown.

Shirley Godwin and Larry Godwin expressed strong concerns with the use of monies among Redevelopment project areas and with availability of public records. Murray Kane, the City's legal counsel, cited Redevelopment law which statutorily authorizes payments by developers. Redevelopment is a public/private activity where costs are allocated between the public and private sector.

ACTION: Approved (Maulhardt/Herrera). Ayes: Maulhardt, Zaragoza, and Herrera; Noes: Councilman Flynn; Absent: Holden.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Development Services Department

- 1. SUBJECT: Meta District Plan. (079)
RECOMMENDATION: Removed from the agenda.
ACTION: Approved unanimously.

S. PUBLIC COMMENTS ON STUDY SESSION

COMMUNITY DEVELOPMENT COMMISSION

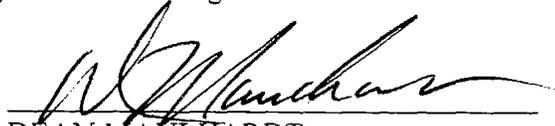
At 8:57 p.m. the concurrent meeting with the Community Development Commission concluded.

T. ADJOURNMENT

At 8:57 p.m. the City Council concurred to adjourn the meeting.



JILL A. BEATY
Assistant City Clerk



DEAN MAULHARDT
Mayor Pro Tem