

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

October 16, 2007

#### A. ROLL CALL/POSTING OF AGENDA

At 5:30 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: Edmund Sotelo, City Manager; Karen Burnham, Assistant 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 5:32 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 In re the Claim of Central Valley GMC, Inc. dba Central Valley Truck Center City Claim No. 2007-0100.

The City Council also recessed to a closed session, pursuant to Government Code section 54956.8 to give instructions to its negotiators, Ken Ortega, Public Works Director, and Mike More, Financial Services Manager, regarding the price and terms of payment for the potential purchase by the City of property located at 167 South Hayes Avenue from Lupie G. Ordaz.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to its negotiators, Karen Burnham, Assistant City Manager, Lino Corona, Acting Human Resources Director, and Lynn Hutton, Human Resources Manager, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the International Union of Operating Engineers (IUOE), Local No. 501, the International Association of Firefighters AFL-CIO (IAFF), Local 1684, the Service Employees International Union (SEIU), Local No. 998, the Oxnard Peace Officers' Association (OPOA), and the Oxnard Public Safety Management Employees Association (OPSMEA), and other matters within the scope of representation.

At 6:59 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:04 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 for Gilberto A. Meza, killed in Iraq. Additional staff members present were: Daniel Martinez, City Clerk; Matthew Winegar, Development Services Director; Grace Magistrale Hoffman, Deputy City Manager; and Martin Erickson, Legislative Affairs Manager.

E. CEREMONIAL CALENDAR

SUBJECT: Neighborhood Presentation.

DISCUSSION: Roger Pariseau, Chairman of Fremont North Neighborhood, recognized the work of Donna Helms, Neighborhood Services, in helping all the neighborhoods.

1. SUBJECT: Presentation of "Made in Oxnard Program – BMW."

DISCUSSION: Steve Kinney, President of the Greater Oxnard Economic Development Corporation (EDC), recognized Salim Murr and Al Cardona, BMW, for the work at the local facility.

2. SUBJECT: Presentation of a Commendation to BMW on Its 20<sup>th</sup> Anniversary in Oxnard.

ACTION: The City Council recognized BMW being a community member for over twenty years with a commendation.

3. SUBJECT: Presentation to St. John's Regional Medical Center's in Recognition of Receiving the Health Grade Awards.

ACTION: The City Council recognized St. John's Regional Medical Center service to the community in receiving the Health Grade Award.

4. SUBJECT: Presentation of a Joint Proclamation Designating the Month of October, 2007, as "Breast Cancer Awareness Month" and the Month of November, 2007, as "End Domestic Violence Month."

DISCUSSION: Mayor Holden recognized the efforts of Soroptimist International of Oxnard in "Color Me Pink" and "Color Me Purple" campaigns and thanked Debbie Bills, President, and Margaret de la M.

5. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2007, as "Magic Month."

DISCUSSION: The City Council recognized Ted Wakai who invited the public to attend a local magic club meeting held at St. John's Hospital.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Courtney Abbott invited the public to the Santa Clara School Festival.

Larry Stein, records request for 1450 Rose Avenue and downtown theater.

Elvia Gutzar invited the public to Bi-national Health Week events.

Dan Madrid, animal control order to have his dog neutered.

The following individuals commented on health benefits City employees receive: Robert Franks; Patricia Magallanes-Sanchez; and Jim Nelson.

John Korsten, property lien.

Luciano Ortiz, West Village Neighborhood Chairman, invited the public to a neighborhood meeting and neighborhood fundraiser.

Julia Cooksey introduced herself as the new local Verizon representative.

Pat Brown, new traffic solution by coordinating local traffic devices.

Ed Ellis, community meeting to discuss the South Oxnard K-Mart Store being closed for a proposed Home Depot.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Tim Heyne supported the firearm proposed ordinance. (I-7).

Chuck Bumman did not believe that this type of regulation would decrease crime (I-7).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for September 25 and October 2, 2007. (001)  
RECOMMENDATION: Approve.

Development Services Department

2. SUBJECT: Ordinance No. 2753, Approving Planning and Zoning Permit No. 06-570-03 (Zone Change) to Change the Current Zoning Designation from "ML-PD" (Limited Manufacturing Planned Development) to "BRP" (Business and Research Park) of a Developed 12.64 Acre Site. (011)  
RECOMMENDATION: Second reading and adoption.
3. SUBJECT: Ordinance No. 2754, Approving the Courts/Las Brisas Specific Plan (PZ 06-640-01) for the Community Located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street. (015)  
RECOMMENDATION: Second reading and adoption.\*
4. SUBJECT: Ordinance No. 2755, Approving Planning and Zoning Permit No. 06-570-04 (Zone Change) for Property Located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street (APN 201-0-080-020, 201-0-100-020, 201-0-090-085, and 201-0-090-06 portion) as Garden Apartment Planned Development with a Specific Plan Overlay, and Community Reserve (C-R) Subject to Certain Findings. (017)  
RECOMMENDATION: Second reading and adoption.\*
5. SUBJECT: Ordinance No. 2756, Prohibiting the Sale, Supply, or Provision of Medical Marijuana Within the City. (021)  
RECOMMENDATION: Second reading and adoption.

Housing Department

6. SUBJECT: Note and Deed of Trust with HOME Corporation. (023)  
RECOMMENDATION: (1) Approve and authorize the Mayor to accept a Note and Deed of Trust (**D-3862**) with HOME Corporation to provide a loan of \$36,792 to initiate the entitlement process for Colonia Villas; and (2) Approve the appropriation of \$36,792 from the housing in-lieu fee fund balance to fund the HOME Corporation loan.\*

Police Department

7. SUBJECT: Ordinance Requiring the Reporting of Lost or Stolen Firearms. (031)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2757** adding section 7-141.1 to the Oxnard City Code requiring the reporting of lost or stolen firearms to local law enforcement authorities within seventy-two hours of discovering that the items were lost or stolen.

Public Works Department

8. SUBJECT: Agreement with Kennedy/Jenks Consultants for Blending Station No. 3 Desalter Preliminary Design, at 1700 Solar Drive. (037)  
RECOMMENDATION: Approve and authorize the Mayor to execute the agreement with Kennedy/Jenks Consultants (**A-6924**) in the amount of \$374,000 for the preliminary design of the Blending Station No. 3 Desalter.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.

(Zaragoza/Maulhardt) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn\*. Noes: Flynn 3,4, and 6 only.

Q. APPOINTMENT ITEMSDevelopment Services Department

1. SUBJECT: Update on Development Projects in the Channel Islands Harbor.  
RECOMMENDATION: Consider a verbal report and provide direction to the City Manager regarding development projects in the Channel Islands Harbor.  
DISCUSSION: Lyn Krieger, Director of the Harbor Department, County of Ventura, stated that the Board of Supervisors approved the plan for the Channel Islands Harbor including construction, walkway around the harbor, signage, and future development.

Preston Davis, explore other harbor improvements.

Trevor Smith requested that the City Council review the County's Channel Islands Harbor plan.

The Development Services Director reviewed the boundary of the City and County areas.

The City Council discussed: jurisdiction of Channel Islands Harbor, efforts to improve the harbor, other views regarding the development of the harbor, and future County development of the harbor.

ACTION: The City Council provided comments to staff.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager's Office

1. SUBJECT: Executed Contracts. (039)  
ACTION: Reviewed and filed.

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 No. 07-630-02 (Amendment to the Rose-Santa Clara Corridor Specific Plan) to Allow Auto Sales and Service Uses on 15 Acres at 1801 Auto Center Drive, 2901 Paseo Mercado, and a Southerly Portion of 3001 Paseo Mercado, Filed by Wallace Properties. (041)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2758** approving Planning and Zoning Permit No. 07-630-02 (Specific Plan Amendment) amending Section No. 4.2.2 of the Business Park land use designation of the Rose-Santa Clara Corridor Specific Plan to allow auto sales and service uses on approximately 15 vacant acres located at 1801 Auto Center Drive, 2901 Paseo Mercado, and a southerly portion of 3001 Paseo Mercado.
2. SUBJECT: Planning and Zoning Permit No. 07-630-03, (Amendment to Rose-Santa Clara Corridor Specific Plan) to Allow Truck and Heavy Equipment Sales and Related Signage in New Area 4A, and Create Regulations for Temporary Signs for Auto Dealerships, Location is Generally West of Rice Avenue, North of the Highway 101, East of Paseo Mercado and South of Auto Center Drive, Filed by City of Oxnard. (053)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2759** approving Planning and Zoning Permit No. 07-630-03 (Specific Plan Amendment) amending the Rose-Santa Clara Corridor Specific Plan for the project area generally located west of Rice Avenue, north of the Highway 101, east of Paseo Mercado and south of Auto Center Drive.

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

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

The City Manager commented on: (1) 19 graduates of the Community Emergency Response Team program; (2) the monthly graffiti clean-up will be held at the Terrace Estates Neighborhood on November 20; (3) the opening of Vineyards Park and East Park at RiverPark; and (4) the regional Fallen Firefighter Memorial Ceremony.

N. CITY COUNCIL BUSINESS

- 1. SUBJECT: Timeline for Processing the Proposed Liquefied Natural Gas (LNG) Clearwater Port Project.  
DISCUSSION: The Legislative Affairs Manager outlined the timeline of the Clearwater Port Project to provide comments to governmental bodies reviewing the proposed project.  
ACTION: Received report from staff.

O. REPORTS

City Manager Department

- 1. SUBJECT: Legislative Program for Fiscal Year (FY) 2007-2008. (067)  
RECOMMENDATION: Adopt a comprehensive Legislative Program for FY 2007-2008 and authorize the City Manager to prepare letters in support of or in opposition to, as appropriate, legislative matters outlined in the Legislative Program with such letters to be signed by the Mayor, or the Mayor Pro Tem in his absence.

DISCUSSION: The Legislative Affairs Manager reviewed the need to respond quickly to requests for support or opposition to legislative matters and staff would follow the City Council mission statement as a guideline as to positions to be taken.

ACTION: Approved as recommended with the removal of "eminent domain" from the list of items to support or oppose. (Zaragoza/Maulhardt). Ayes: Flynn, Herrera, Holden, Maulhardt, and Zaragoza.

P. PUBLIC COMMENTS ON REPORTS

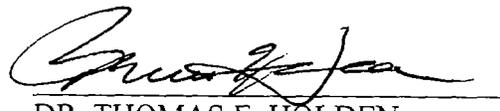
R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:12 p.m. the City Council concurred to adjourn the meeting.

  
 DANIEL MARTINEZ  
 City Clerk

  
 DR. THOMAS E. HOLDEN  
 Mayor

  
 LOURDES LOPEZ  
 Deputy City Clerk