

MINUTES  
OXNARD CITY COUNCIL  
Regular Meeting  
October 23, 2007

A. ROLL CALL/POSTING OF AGENDA

At 7:04 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 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: Ed 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 to the flag of the United States, led by Councilmember Zaragoza, followed by a moment of silence in memory of those who lost lives and property in the California fires. Additional staff present included: Jay Duncan, Recycling Manager; Matthew Winegar, Development Services Director; Karl Lawson, Compliance Services Manager; and Ken Ortega, Public Works Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating October 26, 2007, as "Brain Injury Center Day."  
DISCUSSION: Cheri Phoenix, Brain Injury Center, accepted the proclamation and asked the public to learn about this injury.
2. SUBJECT: Presentation of 2007 Waste Watch Excellence Award to ShredRite in Appreciation for Its Resource Recovery Efforts Regarding Saturday October 27th Secure Document Recycling and Destruction Drop-Off Events.  
DISCUSSION: Accepted by Doug Graham and Mark Estrada with comments by the Recycling Manager.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ed Ellis, new Home Depot community workshop November 19  
Luciano Ortiz, West Village Chair, concerns with Shea Properties development  
John Korsten, code compliance issues, property lien  
Nancy Stehle, Habitat for Humanity, is appreciative of Oxnard's affordable housing efforts  
Daniel Martinez, Veterans Day event at Plaza Park on Sunday, November 11th

Pastor Greg Runyon, gratitude for Police Department professional conduct  
Pat Brown, reminded the public to prepare their homes for any disaster  
Jorge Rocha, space needed for soccer fields for children's soccer

- G. REVIEW OF INFORMATION/CONSENT AGENDA
- H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA
- I. INFORMATION/CONSENT AGENDA

City Treasurer Department

- 1. SUBJECT: Quarterly Investment Report for First Quarter Fiscal Year (FY) 2007-2008. (001)  
RECOMMENDATION: Accept the Quarterly Investment Report for the First Quarter FY 2007-2008.

Development Services Department

- 2. SUBJECT: Vacation of a Public Service Easement and a Temporary Ingress and Egress Easement Within the RiverPark Specific Plan Area. (007)  
RECOMMENDATION: Adopt **Resolution No. 13,362**: (1) vacating a public service easement (D-1604) for public utility (water and sewer) purposes as described in the document recorded June 15, 1989, as instrument number 89-094624 of Official Records with the public utility easement starting westerly of the current Oxnard Boulevard/Town Center intersection and extending easterly to the newly constructed section of Myrtle Street within the RiverPark Specific Plan; (2) vacating an easement (D-3480) for temporary ingress and egress purposes as described in the document recorded May 16, 2005, as instrument number 20050516-0119076 of Official Records and located at the southeast corner of Lot 13 of Tract 5352-1 within the RiverPark Specific Plan; (3) authorizing the Mayor to sign a Quitclaim **Deed No. 3864** to RiverPark A, L.L.C., for vacation of a public service easement recorded June 15, 1989, as Document Number 89-094624; and (4) authorizing the Mayor to sign Quitclaim **Deed No. 3865** to RiverPark A, L.L.C., for vacation of a temporary ingress and egress easement recorded May 16, 2005, as Document Number 20050516-0119076.
- 3. SUBJECT: Appropriation of Revenue to Civic Center Renovation Project. (015)  
RECOMMENDATION: (1) Approve the appropriation of funds in the amount of \$394,000 from the Variable Rate Demand Lease Revenue Bonds (Civic Center Phase 2 Project) Series 2006 interest earnings to the Civic Center Renovation Project; (2) Approve the appropriation of funds in the amount of \$300,000 from the Permit Center Improvement Fee to the Civic Center Renovation Project; and (3) Approve the appropriation of funds in the amount of \$40,197 from the General Fund Operating Reserve to the Civic Center Renovation Project.

4. SUBJECT: **Ordinance No. 2758**, Approving an Amendment to Section No. 4.2.2 of the Rose-Santa Clara Corridor Specific Plan to Allow Auto Sales and Service Uses on Up to 15 Acres of Three Parcels Located at 2901 Auto Center Drive, 2901 Paseo Mercado, and a Southerly Portion of 3001 Paseo Mercado. (021)  
RECOMMENDATION: Second reading and adoption.
5. SUBJECT: **Ordinance No. 2759**, Approving Planning and Zoning Permit No. 07-630-03, (Specific Plan Amendment) Amending Section 6.7.4 B. (Addition of Truck and Heavy Equipment Sales and Services, Area 4A), Section 6.7.6 (Temporary Sign Regulations): Section 4.2.4 Adding Truck and Heavy Equipment Sales and Services (Area 4A) to the Land Use Master Plan Section; and Amending Exhibit 6 (Creation of Land Use Area 4A) to the Rose-Santa Clara Corridor Specific Plan Affecting the Entire Specific Plan Area, Located North of U.S. 101, West of North Rice Avenue, East of Rose Avenue and South of the City Limits. (023)  
RECOMMENDATION: Second reading and adoption.

#### Finance Department

6. SUBJECT: Release of Covenant – Vacant Lots at Third Street and D Street. (025)  
RECOMMENDATION: Approve and authorize the Mayor to execute a Release of Covenant (**Deeds Nos. 3866 and 3867**) against vacant property on the southeast corner of Third Street and D Street.

#### Housing Department

7. SUBJECT: Appropriation of \$420,000 for the Purchase of Two Lots. (031)  
RECOMMENDATION: Approve the appropriation of funds in the amount of \$420,000 from the Housing In-Lieu Fee Fund Balance to the General Fund as compensation for two lots at the northeast corner of Detroit and Stroube Streets.

#### Police Department

8. SUBJECT: **Ordinance No. 2757**, Adding Section 7-141.1 to the Oxnard City Code Requiring Mandatory Reporting of Lost or Stolen Firearms. (033)  
RECOMMENDATION: Second reading and adoption.

#### Public Works Department

9. SUBJECT: Agreement with Brown and Caldwell for Enterprise Operations Manual System. (035)  
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Brown and Caldwell (**A-6923**) for \$333,600 for an Enterprise Operations Manual System to catalogue and manage documents and information for the Water Resources Division.
10. SUBJECT: Calleguas Creek Watershed Memorandum of Agreement for Implementation and Monitoring of Total Maximum Daily Load. (037)

RECOMMENDATION: Approve and authorize the Mayor to execute a Memorandum of Agreement (**A-6966**) for Management, Funding and Cost Sharing for the Implementation of the Calleguas Creek Watershed Total Maximum Daily Load Program.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Appeal of the Planning Commission's Decision of Planning and Zoning Permit No. 06-500-17 (Special Use Permit) to Develop a 7,218 Square Foot Commercial Building at 2330 Saviers Road, Filed by S and R Auto Service Center, Inc. (041)  
RECOMMENDATION: Adopt a resolution granting the applicant's appeal of the Planning Commission's decision and approving Planning and Zoning Permit No. 06-500-17 (Special Use Permit), subject to certain findings and conditions.

ACTION: Return the matter to the November 1, 2007 Planning Commission meeting for full review and decision, subject to appeal back to the City Council at no charge to the applicant.. (Holden/Herrera). Ayes: Maulhardt, Zaragoza, Herrera, Flynn, and Holden.

M. REPORT OF CITY MANAGER

The City Manager reported on 1) Oxnard's response to the ongoing fires in and around Southern California, including deployment of Fire personnel to other city and county stations, and cancellation of Recreation's youth athletic programs because of unhealthful air quality; and 2) October 27<sup>th</sup> Satellite City Hall at The Esplanade.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

O. REPORTS

Housing Department

1. SUBJECT: City Participation in the U. S. Census Bureau's 2010 Local Update of Census Address (LUCA) Program. (053)  
RECOMMENDATION: (1) Authorize the Mayor to execute LUCA Option No. 1 as the City's participation choice; and (2) Direct staff to take all appropriate and feasible steps to ensure maximum effectiveness of Oxnard's LUCA participation.  
DISCUSSION: The Compliance Services Manager reported on 1) the purpose of the Census; 2) similarities and differences in the 1980, 1990, and 2000 Census counts here in Oxnard; 3) steps taken that contributed to success in gathering accurate data in 1990 and 2000 and how undercounts affects federal and state dollars to the County and City; and 4) goals for the 2010 Census.

The City Council comments and questions centered around factors to ensure an accurate accounting, including the State's annual accumulation of inputs from various sources, such as schools, birth and death records to determine the current population.

Pat Brown asks offered the neighborhood councils assistance. The Compliance Services Manager responded that the neighborhood councils will be key in the outreach efforts.

ACTION: Approved recommendation (Maulhardt/Zaragoza). Ayes: Zaragoza, Herrera, Flynn, Holden, and Maulhardt.

P. PUBLIC COMMENTS ON REPORTS

Olivia Obregón, Lasar Broadcasting, offers support of Lasar radio broadcasts as an effective media to target the Spanish-speaking community and extends its expertise to assist in accomplishing the goals of the Census.

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Public Works Department

1. SUBJECT: Statewide, Regional, and Local Water Supply Outlook and Update on Groundwater Recovery Enhancement and Treatment (GREAT) and Conservation Program. (057)

RECOMMENDATION: Consider a report from the Public Works Director and provide direction to the City Manager on the current status of statewide, regional and local water supplies, potential implications for City water customers, and the status of the City's GREAT and Conservation Programs.

DISCUSSION: The Public Works Director outlined the sources of Oxnard water, the upcoming hindrances to continue receiving those full resources; growing supply vs. demand, and goals and suggestions for making up the shortages as well as plans for future water needs. He discussed Demand Management Practices and effectiveness of automated meter reading program, residential audit programs, school education and outreach. He concluded with an update on the GREAT Program.

ACTION: The City Council considered the report and praised the efforts of staff.

S. PUBLIC COMMENTS ON STUDY SESSION.

T. ADJOURNMENT

At 8:54 p.m. the City Council concurred to adjourn the meeting.



JILL A. BEATY  
Assistant City Clerk



DR. THOMAS E. HOLDEN  
Mayor