

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

April 18, 2006

A. ROLL CALL/POSTING OF AGENDA

At 6:01 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 P. Flynn were present. The Deputy 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 F. 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 6:02 p.m., the City Council recessed to a closed session, pursuant to Government Code section 54957.6, to give instructions to its negotiators, Rachel Shaw, Human Resources Director and Dennis Scala, Management Analyst, regarding the salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union, Local 998, and other matters within the scope of representation.

At 7:09 p.m., the City Council adjourned to the evening meeting.

D. OPENING CEREMONIES

At 7:09 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, jointly with the Oxnard Community Development Commission. The meeting opened with the pledge of allegiance, followed by a moment of silence. Additional staff members present were Matthew Winegar, Development Services Manager; Dennis Scala, Management Analyst III; Brian Pendleton, Redevelopment Services Manager; Mark Pumford, Technical Services Program Manager; and Cynthia Daniels, Project Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Martin Jones, 3630 Avocado, regarding Downtown.

Ernest Stein, 1965 Falkner Place, regarding Knights of Columbus carwash.

Michael Cervantes, 230 East Date Street, regarding army recruiters.

Denise Paul-Elliott, 335 North A Street, regarding naming of highway after Officer James O'Brien.

Peter Weinerth, 102 North F Street, regarding Mills Act.

Jean Joneson, 2044 Pamela Street, regarding swap meet in South Oxnard and proposed sports park.

John Korsten, 1174 South N Street, re tax lien and missing drivers license.

Dr. Deborah Devries, 4800 Oceanaire, regarding exhibit at Café on A and the Keys Program.

Armando Vazquez, 438 South A Street regarding the Keys Program.

Pat Brown, 205 East Driffill Avenue, regarding master planning for entire City.

Ed Ellis, 515 De Anza regarding swap meet on Saviers Road.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Treasurer's Office

1. SUBJECT: Quarterly Investment Report for the Third Quarter Fiscal Year (FY) 2005-2006. (001)
RECOMMENDATION: Accept the quarterly Investment Report for the Third Quarter FY 2005-2006.

Development Services Department

2. SUBJECT: **Ordinance No. 2718**, Adding Section 16-186.1 to the City Code and Amending Sections 16-188 and 16-651 of the City Code. (007)
RECOMMENDATION: Second reading and adoption.

Public Works Department

3. SUBJECT: Agreements with the County of Ventura for Construction and Encroachment of Sewer Improvements Within the College Park Tract, in Northeast Oxnard. (011)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with the County of Ventura (**A-6674**) for construction of sewer improvements in the College Park Tract, in Northeast Oxnard; and (2) Approve and authorize the Mayor to execute a license agreement with the County of Ventura (**A-6675**) allowing the County to encroach onto City property.
4. SUBJECT: Grant Application to the U. S. Environmental Protection Agency (EPA) for the Headworks and Redwood Trunk Projects. (029)
RECOMMENDATION: Adopt **Resolution No. 13,030** authorizing the submittal of an application to the EPA for \$192,400 in grant funds, to be used for a component of the Headworks and Redwood Trunk Projects located in Victoria Avenue from Channel Islands Boulevard to Hemlock Street.

5. SUBJECT: Formation of Landscape Maintenance District No. 58. (033)
RECOMMENDATION: Adopt **Resolution No. 13,031** declaring Council's intention to form and levy fiscal year 2007-2008 assessments in Landscape Maintenance District No. 58, consisting of Tract No. 5441 (WestWind), located at Cypress Road near Howell Road, and setting a date for a public hearing thereon.

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

J. INFORMATION/CONSENT PUBLIC HEARINGS

K. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 04-500-29 (Special Use Permit), 06-535-01 (Density Bonus Permit), and 04-300-20 (Tentative Subdivision Map No. 5581), Filed by Mark Pettit, Lauterbach and Associates Architects. (043)
RECOMMENDATION: (1) Adopt **Resolution No. 13,032** upholding the Planning Commission's approval of Planning and Zoning Permit No. 04-500-29 (Special Use Permit), for property located on the southwest corner of Pleasant Valley Road and Saviers Road, subject to the conditions set forth in Planning Commission Resolution No. 2006-18; (2) Adopt **Resolution No. 13,033** approving Planning and Zoning Permit No. 06-535-01 (Density Bonus Permit), subject to the conditions set forth in Planning Commission Resolution No. 2006-19; and (3) Adopt **Resolution No. 13,034** approving Planning and Zoning Permit No. 04-300-20 (Tentative Subdivision Map No. 5581), subject to the conditions set forth in Planning Commission Resolution No. 2006-20.

ACTION: Mayor Holden opened the public hearing.

DISCUSSION: The Deputy City Clerk reports on publication and that no written communications were received. The Development Services Director stated that the proposed project is a mixed-use development.

Mark Pettit, Lauterbach and Associates reviewed the proposed development.

Larry Godwin, 3830 San Simeon Avenue; Pat Brown and Bert Perello, 2391 Redwing Lane commented.

ACTION: Close public testimony (Maulhardt/Herrera), unanimously approved. (Holden/Zaragoza) Approved with the following change to Resolution No. 13,032: Condition 164 will restrict the use of commercial space to a community facility for the use of the homeowners association and the developer will provide a plan for furnishing and programming of the community space and that the facility be allowed to have restricted or secured parking. Ayes: Councilmembers Maulhardt, Zaragoza, Flynn and Holden. Noes: Herrera.

L. REPORT OF CITY MANAGER

The City Manager reported on upcoming events at the Carnegie Art Museum and Public Library.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTSN. REPORTSCity Manager's Office

1. SUBJECT: Letter of Comment on the Revised Draft Environmental Impact Report for the BHP Billiton Liquefied Natural Gas (LNG) Deepwater Port Proposal. (063)
RECOMMENDATION: That the Mayor and City Council execute a letter of comment on the Revised Draft Environmental Impact Report on the BHP Billiton Cabrillo Port LNG Deepwater Port Proposal.
DISCUSSION: The Management Analyst III stated reviewed the proposal to construct a floating platform about 14 miles off the shore of Oxnard, federal and state licensing processes, local permitting process, and previous Council actions.

John Davison, Aspen Environmental Group discussed their role in reviewing the draft EIR for completeness and adequacy.

The following individuals expressed concern regarding the liquefied natural gas: Shirley Godwin; Bernadette Ostrowski and Bert Perello.

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

COMMUNITY DEVELOPMENT COMMISSION

At 9:21 p.m., the joint meeting with the Community Development Commission concluded.

Public Works Department

3. SUBJECT: Assessment for the City's National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program. (089)
RECOMMENDATION: Adopt **Resolution No. 13,035** authorizing an assessment for the City's NPDES Storm Water Management Program for inclusion in the Ventura County Watershed Protection District's Benefit Assessment Program.
DISCUSSION: The Technical Services Program Manager reviewed the current program and stated that a new countywide NPDES permit will contain significant increased permit requirements, including the addition of storm water inspections of industrial facilities, a rigorous storm water construction inspection program, and a more expensive monitoring program.
ACTION: Approved recommendation (Zaragoza/Holden); Ayes: Flynn, Holden, Herrera, Maulhardt and Zaragoza.
4. SUBJECT: Special Budget Appropriation and Update on Rice Avenue/Santa Clara Avenue Interchange Improvements on U.S. Highway 101. (091)
RECOMMENDATION: (1) Approve the special budget appropriation to recognize revenue and appropriate \$1,737,264 from Assessment District No. 2001-1 to Highway 101- Rice Interchange for payment of construction costs; and (2) Consider a report on the Rice Avenue/Santa Clara Avenue Interchange improvements on U.S. Highway 101 and provide direction to the Public Works Director.
DISCUSSION: The Project Manager provided an update and the estimated construction costs at completion.

The City Council expressed concern regarding the total cost of the project and directed staff to look for ways to reduce the costs of project management.

Bert Perello regarding improvement cost.

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

O. PUBLIC COMMENTS ON REPORTS

P. APPOINTMENT ITEMS

RECESS

At 10:02 p.m., the City Council concurred to recess and at 10:11 p.m., the City Council reconvened.

Q. STUDY SESSION

Development Services Department

- 1. SUBJECT: Pre-Application Review of a Request for the Redevelopment of the Wagon Wheel Project Area with a Variety of Land Uses to be Located South of the 101 Freeway, West of Oxnard Boulevard, North of the Railroad Tracks, and East of Ventura Road, Filed by Oxnard Village Investments, LLC. (097)
RECOMMENDATION: Review and provide preliminary comments on a pre-application to redevelop approximately 63 acres known as the Wagon Wheel Project Area with a high-density mixed-use development project including up to 1,500 high density residential dwelling units, a 5-acre K-6 educational facility, a mixed use village commercial center, and a metrolink stop and bus transfer station.
DISCUSSION: The Development Services Director reviewed the proposed mix use plan development; zone change and proposed transit station.

Vince Daly, Oxnard Village Investments, LLC., and Carl McLarand, MVE Architects reviewed the proposed development.

Everardo Dominguez, 16 Surrey Circle; Bert Perello, Pedro Dominguez, Pat Brown and Jean Joneson regarding proposed development.

ACTION: The City Council discussed: housing density, traffic issues, impacts to high school, mixed-use housing development; location of the development, and relocation of tenants in the mobile home park.

R. PUBLIC COMMENTS ON STUDY SESSION

S. ADJOURNMENT

At 11:30 p.m. the City Council concurred to adjourn the meeting.



 LOURDES A. LOPEZ
 Deputy City Clerk



 DR. THOMAS E. HOLDEN
 Mayor