

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

October 9, 2007

A. ROLL CALL/POSTING OF AGENDA

At 5:32 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: Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; Grace Magistrale Hoffman, Deputy City Manager; and Jill Beaty, Assistant City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:33 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to negotiators, Dennis Scala, Special Assistant to the 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 Association of Firefighters AFL-CIO (IAFF), Local 1684, the Service Employees International Union (SEIU), Local No. 998, and the Oxnard Peace Officers' Association (OPOA), and other matters within the scope of representation.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6, to give instructions to its negotiators regarding salary or compensation paid in the form of fringe benefits to an unrepresented employee occupying the classification of City Attorney.

At 7:07 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:09 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. Mayor Holden presided. Additional staff members present were: Matthew Winegar, Development Services Director; Sal Gonzalez, Housing Director; Rob Roshanian, Development Services Manager; Sue Martin, Planning and Environmental Services Manager; Larry White, Management Analyst; and Martin Erickson, Legislative Affairs Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Bill Terry, City reserves and health care benefits for employees.

Ed Ellis, situation of former Saviers Road swap meet building and Spanish translation of Council meetings.

Joanna Gentry, healthcare benefits for City employees.

John Korsten, property lien.

Ernest Stein, success of the Multi-Cultural Festival.

Sylvia Gutierrez, healthcare benefits and costs of City employees.

Luann Rocha, moving of telephone lines at the former Oxnard High School.

Pat Brown, increased traffic in the community.

Linda Caldron, condition of roads especially on Ventura Road between Gonzales Road and Vineyard Avenue.

Rico Ramirez, working with gang members to improve the lives of families involved with gangs.

Greg Rynin, commented on a re-entry program for individuals release from prison and the need for help from the community.

Martin Jones, public records access.

Harold Ceja, concern with City development activities.

Gloria Roman, supports increase of health benefits for City employees.

Larry Stein, status of an ADA request.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of City Council for September 18, 2007. (001)
RECOMMENDATION: Approve.

Police Department

2. SUBJECT: Driving Under the Influence (DUI) Enforcement and Awareness Grant Program. (009)
RECOMMENDATION: (1) Accept the grant award from the California Office of Traffic Safety in the amount of \$450,000 for the DUI Enforcement and Awareness Grant; (2) Approve the special budget appropriation to recognize grant revenue of \$450,000 and appropriate funds to the DUI Enforcement and Awareness Grant Program; and (3) Adopt

Resolution No. 13,357 amending the existing position and salary control resolution to authorize one additional Police Officer I/II in the Field Services Bureau of the Police Department.

Public Works Department

3. SUBJECT: Proposition 50 Chapter 8 Grant Agreement. (013)
RECOMMENDATION: (1) Authorize the Mayor to execute a Proposition 50 Integrated Regional Water Management Plan Implementation Subgrant Agreement between the County of Ventura (**A-6943**) and the City of Oxnard; and (2) Recognize the grant revenue and approve the special budget appropriation in the amount of \$3,050,000 from the Proposition 50 Integrated Regional Water Management Plan Implementation Subgrant Agreement to the Septic Conversion Project.
4. SUBJECT: Agreement for Added Facilities with Southern California Edison (SCE) Company. (017)
RECOMMENDATION: Remove from agenda.

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. 06-500-23 (Special Use Permit), 06-300-17 (Tentative Subdivision Map for Tract No. 5760), and 06-570-03 (Zone Change), Northeast Corner of Gonzales Road and Williams Drive, Filed by Rexford Industrial. (025)
RECOMMENDATION: (1) Adopt **Resolution No. 13,358** upholding the Planning Commission's approval of Planning and Zoning Permit No. 06-500-23 (Special Use Permit), subject to the conditions set forth in Planning Commission Resolution No. 2007-31; (2) Adopt **Resolution No. 13,359** approving Planning and Zoning Permit No. 06-300-17 (Tentative Subdivision Map for Tract No. 5760), subject to the conditions set forth in Planning Commission Resolution No. 2007-32; and (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2753** approving Planning and Zoning Permit No. 06-570-03 (Zone Change), as set forth in Planning Commission Resolution No. 2007-33.
DISCUSSION: The Planning and Environmental Services Manager stated that the condo would be industrial units,
2. SUBJECT: Planning and Zoning Permit No. 05-300-24 (Tentative Parcel Map), a 4.9 Acre Site Bounded by Myrtle Street, Vineyard Avenue, and the 101 Freeway, within District E of the RiverPark Specific Plan Area, Filed by RiverPark Legacy, LLC. (039)

RECOMMENDATION: Adopt **Resolution No. 13,360** approving Planning and Zoning Permit No. 05-300-24 (Tentative Parcel Map), subject to the conditions set forth in Planning Commission Resolution No. 2007-36.

DISCUSSION: Bert Perello questioned the standards of the water drain at Stroube Street. The Development Services Manager stated the water drain in question falls under the jurisdiction of Ventura County.

INFORMATION/CONSENT PUBLIC HEARING ACTION: Close the public hearings. (Flynn/Herrera) Approved as recommended. (Maulhardt/Holden) Ayes: Zaragoza, Herrera, Flynn, Holden, and Maulhardt.

L. PUBLIC HEARINGS

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were 181 postcards supporting the development.

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. PZ 06-620-02 (General Plan Amendment), PZ 06-640-01 (Specific Plan Review) and PZ 06-570-04 (Zone Change) for Redevelopment of the Courts Development, Located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street, Filed by Steadfast Residential Development LLC., and Oxnard Housing Authority. (047)

RECOMMENDATION: (1) Adopt **Resolution No. 13,361** approving General Plan Amendment (PZ 06-620-02) changing the General Plan land use designation of the property located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street from Low Medium Density Residential and Public/Semi Public to Medium Density Residential and Park; (2) Approve the first reading by title only and subsequent adoption of uncodified **Ordinance No. 2754** adopting the Courts/Las Brisas Community Specific Plan (PZ 06-640-01) on the subject site; and (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2755** amending the City zone maps (PZ 06-570-04) to change the zoning of the subject site from Multiple family (R-2) and Garden Apartment (R-3) to Garden Apartment, Planned Development (R-3-PD) with a Specific Plan overlay and Community Reserve (C-R).

DISCUSSION: The Development Services Director reviewed the proposed housing development including affordable housing units, improved traffic circulation, recreation improvements, land use summary, phasing process, and daily traffic trips.

The Housing Director commented on the objections of the Housing Department, the public outreach program, school district coordination, and the units providing more living space. He stated that many of the residents moving to the new development would be from overcrowded housing units in the area with children attending the local elementary school. The Management Analyst reviewed financing from H.U.D. and housing regulations.

Bert Perello expressed concern regarding: (1) Councilmembers voting due to possible conflicts; (2) not having enough open space for children; and (3) use of carports. The City Attorney stated the Councilmembers did not have a conflict of interest.

Sylvia Gutierrez supported the project due to the need to improve the quality of life.

Nancy Pedersen expressed concern with having enough water and density housing standards. The Development Services Director stated that there would be no carports at this development.

Luann Rocha, concern with the development density which would need a quality neighborhood center by having tutoring center and other community services.

Saul Medina, support of the project due to need to replace the older houses with the new homes and improve the community quality of life.

Edgar Mohorko supported the rehabilitation of the fifty old housing units.

Jose Andrade, support of the development and the process to inform the community.

Pat Brown, opinion that living space was too small, and need for handicap accessible apartments and homes. The Housing Director stated the ADA standards would be followed.

Harold Ceja, against the project due to quality of the materials used, increased traffic and size of the development.

William "Bill" Terry, off-site parking and the water catch basin.

Vicky Gonzalez supported the concept but had concerns with the density and infrastructure. The Development Services Director stated the density of the development was comparable to other developments.

The City Council discussed: the development density compared to other developments, greater living space in the new development than the current houses, moving the water catch basins underground, rehabilitation of the current houses, the phasing process of the development, coordination with non-profit organization, transportation improvements, and the City Council control and oversight of the development.

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

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

- 2. SUBJECT: Prohibition on the Sale of Medical Marijuana in the City. (059)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an uncodified **Ordinance No. 2756** prohibiting the sale of medical marijuana in the City.
DISCUSSION: The Planning and Environmental Services Manager reviewed problems of identification, distribution and other positions of other communities.
ACTION: Close the public hearing. (Holden/Maulhardt) Approved as recommended. (Holden/Maulhardt) Ayes: Flynn, Holden, Maulhardt, Zaragoza, and Herrera.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Proposed Clearwater Port Liquefied Natural Gas Project.
RECOMMENDATION: Discussion of whether City Council should, at this time, adopt an official position on the proposed Clearwater Port liquefied natural gas project to be located at Platform Grace.
DISCUSSION: The Legislative Affairs Manager reviewed the process time-line to provide comments to different legislative bodies.

The following individuals expressed concern with the Clearwater Port Liquefied Natural Gas Project; Nancy Pedersen; Mike de Martino; Linda Caldron; Pat Brown; William Terry; Tom Nielsen; Ed Ellis and Gloria Roman.

The following individuals requested that the City Council wait to make a decision on this matter: Billy Owens, Clearwater, Tom Nielsen and Julie Pena.

The City Council discussed: timing of the process, and getting the information to make a decision. The City Attorney commented on the process and that the City Council should not prejudge the project before the information is before the City Council for review.

ACTION: The City Council provided comments to staff.

M. REPORT OF CITY MANAGER

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

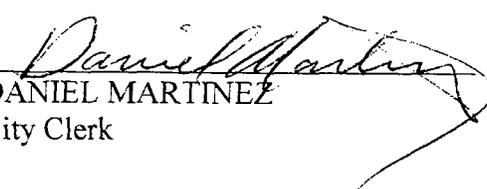
Q. APPOINTMENT ITEMS

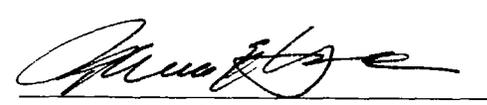
R. STUDY SESSION

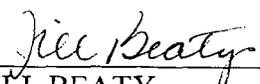
S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:47 p.m. the City Council concurred to adjourn the meeting.


 DANIEL MARTINEZ
 City Clerk


 DR. THOMAS E. HOLDEN
 Mayor


 JILL BEATY
 Assistant City Clerk