

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting  
September 11, 2007

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

At 5:33 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: Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney and Jill Beaty, Assistant City Clerk.

#### B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

#### C. CLOSED SESSION

At 5:35 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 discussed is Lindholm v. Gillig, Ventura County Superior Court Case No. 56-2007-00303040-CU-WM-VTA.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6, to give instructions to its 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, the Oxnard Peace Officers' Association (OPOA), and the Oxnard Public Safety Management Employees Association (OPSMEA), and other matters within the scope of representation.

At 6:40 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:06 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Industrial Development Financing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Susan Miller Perello and in remembrance of September 11. Mayor Holden presided with Councilmember Flynn absent. Additional staff members present were: Daniel Martinez, City Clerk; Dale Belcher, City Treasurer; Matthew Winegar, Development Services Director; Mark Norris, Utilities Services Branch Manager/Assistant Public Works Director; Michael Henderson, Maintenance Services Branch Manager/Deputy Public Works Director; and Sue Martin, Planning and Environmental Services Manager.

#### E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Harold Ceja, being the new Colonia Neighborhood Vice-Chairman.

John Korsten, loss of equipment and property lien.

Nancy Pedersen, recent community use of Ormond Beach.

The following individuals expressed concerns regarding discussion of affordable housing at the Jones Ranch site: Soledad Trevino; Florence Young and Trisha Munro.

Pat Brown, supporting AB 1542 regarding condominium conversion of Mobile Home Parks.

Shirley Godwin, supporting development of Ormond Beach.

Larry Godwin thanked the City for opposition of the Peaker plant at the beach.

Marisa Lopez, Ventura County United Way, invited the public to "Day of Caring" on September 29, 2007, with five projects being in Oxnard.

Larry Stein, concern with the process of 1450 Rose Avenue building.

Guadalupe Banuelos concerns regarding the development of Las Cortes and improvements to Colonia Memorial Park.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Shirley Godwin, concerns with the Sakioka Farm development (I-5) agreement. The Development Services Director stated a specific plan was being prepared for the Sakioka Farm site and General Plan EIR.

Larry Stein, amount of time to get a business license (I-3).

Nancy Pedersen, opposes the Sakioka Farm (I-5) development.

Pat Brown supported having uniform newspaper racks in the city (I-8) and building of the Big League Dreams baseball field facility at the Sakioka Farm site (I-5).

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Ordinance Regarding the Recovery of Graffiti Abatement Costs. (001)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2746** adding section 7-93 to the Oxnard City Code regarding the recovery of graffiti abatement costs incurred by the City.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of City Council for June 19, 26, July 10, 17, 24, and August 5, 2007. (005)  
RECOMMENDATION: Approve.

City Treasurer Department

3. SUBJECT: Quarterly Investment Report for Fourth Quarter Fiscal Year (FY) 2006-2007.  
RECOMMENDATION: Accept the quarterly Investment Report for the Fourth Quarter FY 2006-2007. (049)

Development Services Department

4. SUBJECT: **Ordinance No. 2745**, Establishing a Pilot Program in Bartolo Square North and South Neighborhoods and the Hill Street Neighborhood Relating to Curb Cuts and Front Yard Paving Area for Vehicles. (055)  
RECOMMENDATION: Second reading and adoption.
5. SUBJECT: Approval for Development Agreement Negotiating Team for the Sakioka Farms Specific Plan, Located South of the Ventura Freeway Between Rice Avenue and Del Norte Boulevard. (059)  
RECOMMENDATION: Direct the City Manager to appoint a team to negotiate a development agreement with Sakioka Farms, Inc. for the Sakioka Farms Specific Plan project.

Human Resources Department

6. SUBJECT: Amendment to Employment Agreement with City Manager. (063)  
RECOMMENDATION: Approve and authorize the Mayor to execute an Amendment to the Employment Agreement (**A-5414**) between the City and City Manager.

Police Department

7. SUBJECT: Driving Under the Influence (DUI) Enforcement and Awareness Program Grant. (067)  
RECOMMENDATION: Authorize the Chief of Police to submit an application to the State of California Office of Traffic Safety for \$450,000.00 in grant funds for the "DUI Enforcement and Awareness Program."
8. SUBJECT: Ordinance Regulating Newsracks on Public and Private Property. (069)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2747** amending section 7-110 of the Oxnard City Code ("OCC"), deleting section 7-113(A)(5), repealing and readopting section 7-113(B), and adding section 7-113(C) regarding the regulation of newsracks on public and private property.

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

INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY

At 7:41 p.m. the joint meetings with the Industrial Development Financing Authority concluded.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGS

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

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 06-500-10 (Special Use Permit), 07-510-1 (Special Use Permit), and 06-300-6 (Tentative Parcel Map), located at 1950 Solar Drive (APN: 231-0-052-035), Filed by T.M. Mian and Associates. (073)  
RECOMMENDATION: Adopt **Resolution No. 13,345** 1) approving Planning and Zoning Permit No. 06-500-10, a special use permit for an extended stay hotel, subject to certain findings and conditions; **Resolution No. 13,346** 2) approving Planning and Zoning Permit No. 07-510-1, a special use permit for onsite sales of beer and wine, subject to certain findings and conditions; and **Resolution No. 13,347** 3) approving Planning and Zoning Permit No. 06-300-6, a tentative parcel map, subdividing one lot into two lots, subject to certain findings and conditions.

DISCUSSION: Alan Hurd, T.M. Mian and Associates, outlined the development for an extended stay hotel.

ACTION: Close the public hearing. (Holden/Maulhardt). Reopen the public hearing (Maulhardt/Holden).

DISCUSSION: Carolyn Bowker-Gonzales, Hilton Hotels, stressed the positive impacts the hotel would have on the community.

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

L. PUBLIC HEARINGSDevelopment 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.  
RECOMMENDATION: Continue to September 25, 2007.  
ACTION: Approved as recommended. (Maulhardt/ Herrera) Unanimously.

Q. APPOINTMENT ITEMS

1. SUBJECT: Presentation by Ventura County Transportation Commission Regarding the Santa Paula Corridor Study.

DISCUSSION: Ginger Gherardi, Executive Director, Ventura County Transportation Commission, reviewed possible options for a passenger service from Port Hueneme to Santa Clarita including estimated costs, possible time line, and possible commercial service.

The following individuals questioned the viability of a passenger service without commercial service which would be an impact to the community: Shirley Godwin; Nancy Pedersen; Pat Brown; Barbara Dubkin; and Larry Stein.

ACTION: The City Council received the report and provided comments.

S. PUBLIC COMMENTS ON STUDY SESSION

L. PUBLIC HEARINGS

Mayor Holden opened the public hearing. The City Clerk reported on publication and 15 letters in opposition were received.

Public Works Department

2. SUBJECT: Ordinances to Continue and Establish Water, Wastewater and Solid Waste System User Fees and Charges. (083)  
RECOMMENDATION: (1) Hold a public hearing to receive public testimony concerning the adoption of ordinances continuing and establishing certain water, wastewater and solid waste system user fees and charges; and (2) Approve the first reading by title only and subsequent adoption **Ordinance No. 2750** continuing and establishing water, **Ordinance No. 2748** wastewater and **Ordinance No. 2749** solid waste system user fees and charges.  
DISCUSSION: The Utilities Services Branch Manager briefly reviewed the proposed increase and rate comparison to other Ventura County cities.

Rev. Edgar Mohorko, need to consider low-income residents.

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

M. REPORT OF CITY MANAGER

The City Manager commented on: Carnegie Art Museum exhibits; the local California Coastal Clean-up Day, September 15; Public Library presents "Mesoamerican History of the Americas"; Main Library's bilingual story program moving to Thursdays; and national/Canadian interest in the new South Oxnard Library's book return system.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Clerk Department

1. SUBJECT: Appointment of Councilmember and Alternate to the Economic Development Collaborative of Ventura County (EDC VC). (111)  
RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint two members of the City Council to the EDC VC, one as a regular member and the other as an alternate.

ACTION: Mayor Holden appointed Councilmember Herrera as the regular member and Mayor Pro Tem Maulhardt as an alternate with approval from the City Council.

Councilmember Zaragoza reported on: (1) the recommendation made on behalf of the City to the Coastal Commission to oppose a Peaker Plant in Oxnard; (2) workshop regarding proposed stormwater regulations; and (3) local solid waste issues regarding bio-solids.

O. REPORTS

City Treasurer Department

- 1.. SUBJECT: Investment Policy and Annual Report of Investment Activity.  
RECOMMENDATION: (1) Approve the Investment Policy for the City of Oxnard; and (2) Adopt **Resolution No. 13,348** delegating investment authority to the City Treasurer.  
DISCUSSION: The City Treasurer reported on financial priorities of the City, financial process, bench marks and business license policy. The City Treasurer explained the license division was extremely busy due to the current annual renewal period and that the process required that all business licenses must be examine by a City employee.  
ACTION: Approved (Maulhardt/Holden). Ayes: Holden, Maulhardt, Zaragoza, and Herrera.  
Absent: Flynn.

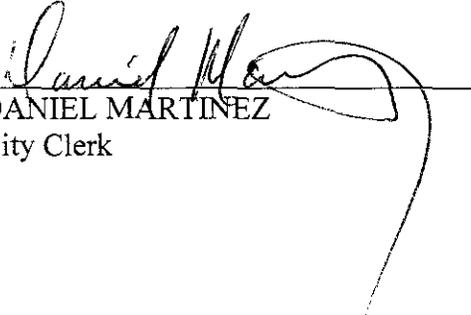
P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:19 p.m. the City Council concurred to adjourn the meeting.

  
DANIEL MARTINEZ  
City Clerk

  
DR. THOMAS E. HOLDEN  
Mayor