

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

March 6, 2007

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

At 6:15 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 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: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Grace Magistrale Hoffman, Deputy City Manager; Gary L. Gillig, City Attorney; Rachel Shaw, Human Resources Director; and Dennis Scala, Special Assistant to the City Manager.

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

#### C. CLOSED SESSION

At 6:17 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, Special Assistant to the City 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, Local 1684, and the Oxnard Public Safety Management Employees' Association, and other matters within the scope of representation.

At 7:01 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:07 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: Ken Ortega, Public Works Director; Matthew Winegar, Development Services Director; Sue Martin, Planning and Environmental Services Manager; Ernest Whitaker, Housing Rehab Program Manager; Chris Williamson, Senior Planner; Police Officer Clifford A. Wear; and Michael More, Financial Services Manager.

#### E. CEREMONIAL CALENDAR

SUBJECT: Proclamation March 4-10, 2007, "Women in Construction Week"

DISCUSSION: Susan Howland, Joyce Parker, and Carol Harrison representing National Association of Women in Construction, commented on their focus on education.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals commented on the proposed liquefied natural gas facility: Mike de Martino; William Terry; and Gloria Roman.

Katherine Perez, septic grant for South Oxnard.

Martin Jones, downtown theater maintenance and structure.

The following individuals support the City Corps program: Avie Guerra; and Nancy Pedersen.

Ventura Fernandez, enforcement of the Southwinds Neighborhood parking permit program.

Otto Kanny, invited the public to attend the performance of the U.S. Army Band sponsored by Oxnard Ambassadors at Oxnard Performing Arts Center.

Sandy Gonzales, downtown theater.

John Korsten, property lien.

Ernest Stein, Oxnard High School fundraiser, and City budget.

Phil Molina, commented on a legal court case.

Bernadette Ostrowski, Whale Festival and support of City Corps

Bert Perello, zoning of the sports park site.

Rebecca Ralph, a public records request

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Manager Department

- 1. SUBJECT: Resolution to Lupe Anguiano. (001)  
RECOMMENDATION: Adopt **Resolution No. 13,197** commending Lupe Anguiano for her lifetime efforts in improving the human condition.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.  
(Maulhardt/Holden) 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.

**Finance Department**

1. **SUBJECT:** Approval of Tax-Exempt Financing for Catholic Healthcare West. (003)  
**RECOMMENDATION:** Adopt **Resolution No. 13,198** approving for purposes of the Tax Equity and Fiscal Responsibility Act the issuance of revenue bonds by the California Statewide Communities Development Authority to benefit Catholic Healthcare West.  
**DISCUSSION:** Bert Perello questioned the approval of the City for St. John Hospital's bonds.  
**ACTION:** Close the public hearing. (Maulhardt/Holden) Approve as recommended. (Herrera/Holden) Ayes: Maulhardt, Zaragoza, Herrera, Flynn, and Holden.

**L. PUBLIC HEARINGS****Development Services Department**

1. **SUBJECT:** Planning and Zoning Permit No. 05-620-08 (General Plan Amendment), 05-570-03 (Zone Change), 05-500-24 (Special Use Permit for a Planned Residential Group) and 05-300-26 (Tentative Subdivision Map for Tract No. 5659), Located at 5482 and 5536 Cypress Road, Filed by Paragon Communities, Inc.  
**RECOMMENDATION:** Continue to March 20, 2007.  
**ACTION:** Approved as recommended, (Herrera/Maulhardt). Approved unanimously.

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

**Housing Department**

2. **SUBJECT:** Issuance of Multifamily Revenue Bonds for Paseo Santa Clara and Paseo del Rio. (007)  
**RECOMMENDATION:** (1) Adopt **Resolution No. 13,199** approving and directing execution of the Joint Exercise of Powers Agreement (A-6843) relating to the California Municipal Finance Authority (CMFA); (2) Adopt **Resolution No. 13,200** approving the issuance, pursuant to the Tax Equity and Financial Act of 1982 (TEFRA), by the CMFA of \$15 million of multifamily revenue bonds to assist in the construction and development of a 54 unit very low income family rental housing project located at or near 295 Myrtle Street by Cabrillo Economic Development Corporation (CEDC); and (3) Adopt **Resolution No. 13,201** approving the issuance, pursuant to the TEFRA Act of 1982, by CMFA of \$20 million of multifamily revenue bonds to assist in the construction and development of an 86 unit very low income family rental housing project located at or near 295 Myrtle Street by CEDC.  
**DISCUSSION:** The Housing Rehab Program Manager reviewed the joining of the CMFA and the issuing of the bonds.

Bert Perello, requested a close review of this item.

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

#### M. REPORT OF CITY MANAGER

The City Manager reported on: Santa Clara bridge up-date; 10<sup>th</sup> Annual Film Festival; Carnegie Arts Museum exhibit, "In the Shades"; City Library examining local Los Angeles operas; and Recreation and Community Services to hold a St. Patrick's Day Dance for seniors on March 25.

#### N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Fire Department had a Community Emergency Response Team exercise in both English and Spanish over the weekend. The City Council requested a future update of the Halaco site.

##### Development Services Department

1. SUBJECT: Ventura Council of Governments (VCOG) Adoption of the City's 2006 to 2014 Regional Housing Needs Assessment Allocation (RHNA). (015)  
RECOMMENDATION: Review and comment on VCOG's adoption of the City's 2006 to 2014 RHNA allocation of 7,093 housing units.  
DISCUSSION: The Development Services Director and Senior Planner reviewed RHNA numbers, projected housing units, other county housing numbers and comparison to other cities.

The City Council discussed: Countywide RHNA numbers, future development, SOAR, population changes and community density.

ACTION: The City Council provided comments to staff.

#### O. REPORTS

##### Finance Department

1. SUBJECT: Allocation of Funds from Sale of 14 Acres of City Property. (019)  
RECOMMENDATION: (1) Approve a special budget appropriation in the amount of \$9,933,108 from the sale of 14 acres of City property (the "Property") to repay the loan due from the Golf Course Enterprise Fund to the Wastewater Enterprise Fund; (2) Approve a special budget appropriation in the amount of \$387,855 from the sale of the Property to the Assessment District 2000-1 (Oxnard Blvd/Highway 101) Fund; (3) Approve the allocation of \$6,793,045 from the sale of the Property toward defeasance of a portion of the bonds associated with the River Ridge Golf Club; (4) Authorize the City Manager to execute a loan agreement providing for a loan of up to the sum of \$8,500,000 from the Water Enterprise Fund to the Golf Course Fund, such agreement to be executed and such loan to be used only in the event funds are needed in connection with the repurchase of 14 acres of property from

Casden Oxnard, LLC pursuant to Agreement No. 6802, executed November 28, 2006; and (5) Authorize the City Manager to execute a loan agreement providing for a loan up to the sum of \$8,500,000 from the Wastewater Enterprise Fund to the Golf Course Fund, such agreement to be executed and such loan to be used only in the event funds are needed in connection with the repurchase of 14 acres of property from Casden Oxnard, LLC pursuant to Agreement No. 6802, executed November 28, 2006.

DISCUSSION: The Financial Services Manager reviewed staff recommendations.

Larry Stein, Golf Course revenue, funding and debt.

Rebecca Ralph, funds from the sale of property should not be used to pay-off bond/loan.

Bert Perello, conflict of interest of Councilmembers who live near the golf course.

The City Council: history of purchasing golf course property, past City Council actions, current use of the golf course, public input and quality of life issues.

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

#### Police Department

2. SUBJECT: Ordinance Regulating Underage Drinking on Private Property. (027)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2734** adding sections 7-148 through 7-148.13 to the Oxnard City Code regulating underage drinking on private property.  
DISCUSSION: Police Officer Wear reviewed the proposed Ordinance.

The following individuals supported the ordinance: Tom Cady; Gil Guevara; and Pat Brown.

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

#### RECESS

At 9:51 p.m., the City Council recessed and at 9:59 p.m., the City Council reconvened.

#### Public Works Department

3. SUBJECT: College Park at 3250 South Rose Avenue. (031)  
RECOMMENDATION: (1) Review and approve the grant-funded phase of the development and operation of College Park at 3250 South Rose Avenue; and (2) Direct the Public Works Director to prepare plans and specifications for the construction of the grant-funded phase of College Park.  
DISCUSSION: The Public Works Director outlined grant funding, phasing of the development, recreational lighting and removal of hill at College Park.

The following individuals provided comments: Nancy Pedersen; Rebecca Ralph; Shirley Godwin; Larry Godwin; William Terry; Pat Brown; and Bernadette Ostrowski.

The City Council commented on: the development phases, the facility being youth-oriented, and number of youth in the community involved in soccer.

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Development Services Department

1. SUBJECT: Pre-Application Review (PZ 06-600-4) of a Request to Develop a Vacant Infill Site Located at the Northwest Corner of Rose Avenue and Gary Drive with Five Single-Family Housing Units, Filed by T. N. Price and Associates. (035)  
RECOMMENDATION: Review and provide preliminary comments on a General Plan Amendment pre-application to develop a 0.42-acre vacant infill parcel located at the northwest corner of Rose Avenue and Gary Drive, adjacent to Channel Islands High School, with five single-family homes.  
DISCUSSION: The Planning and Environmental Services Manager briefly outlined the proposed development and the concerns of the Fire Department and Solid Waste division.

Shirley Godwin, traffic concerns.

The City Council reviewed: the odd-shaped lot, traffic on Rose Avenue, school district plans, compatibility of adjacent properties, and current zoning of property.

ACTION: The City Council provided comments and directions to staff.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:59 p.m. the City Council concurred to adjourn the meeting.

  
DANIEL MARTINEZ  
City Clerk

  
DR. THOMAS E. HOLDEN  
Mayor