

MINUTES  
OXNARD CITY COUNCIL  
Regular Meeting  
November 28, 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 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; Karen Burnham, Assistant City Manager; Grace Magistrale Hoffman, Deputy City Manager; and Gary L. Gillig, City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

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 Molina v. Oxnard, United States District Court Case No. CV 00-02291 CAS (Shx).

At 7:05 p.m. the City Council reconvened to the evening session.

D. OPENING CEREMONIES

The City Council reconvened, concurrently with the Community Development Commission. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Staff present included: Mike More, Financial Services Manager; Ken Ortega, Public Works Director; Bryan Pendleton, Redevelopment Services Manager; Matt Winegar, Development Services Director; and Jill A. Beaty, Assistant City Clerk.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Steve Fleischer, Christmas Tree Lane;  
Trisha Munro, various issues;  
John Korsten, personal property issues;  
Nancy Pedersen, activities at Ormond Beach;  
Lawrence Paul Stein, access to regular financial reports;  
Raymond Camacho, empty lots cleanup and reuse as recreation areas.

G. REVIEW OF INFORMATION/CONSENT AGENDA

**H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA**

Lawrence Paul Stein, I-2 enforcement difficulties;

Steve Fleischer, in favor of I-2.

**I. INFORMATION/CONSENT AGENDA****City Attorney's Office**

1. **SUBJECT:** Amendment to Ordinance Regulating the Parking of Oversized Vehicles. (001)  
**RECOMMENDATION:** Approve the first reading by title only and subsequent adoption of **Ordinance No. 2730** that amends Oxnard City Code section 8-41.1(A)(1), establishing a revised definition of an "oversized vehicle."
2. **SUBJECT:** Urgency Ordinance Restricting Hours of Operation of Peddlers, Canvassers and Solicitors in Residential Areas. (005)  
**RECOMMENDATION:** By at least a 4/5ths vote, adopt urgency **Ordinance No. 2731** restricting the hours of operation of peddlers, canvassers and solicitors in residential areas.

**Development Services Department**

3. **SUBJECT:** Appropriation of Funds from the Air Pollution Buydown Fee Fund. (011)  
**RECOMMENDATION:** Approve the appropriation of funds in the amount of \$80,000 from the Air Pollution Buydown Fee Fund to the General Fund to finance the cost of the transportation component of the General Plan update.

**Police Department**

4. **SUBJECT:** Fiscal Year 2006 State Homeland Security Grant Program. (013)  
**RECOMMENDATION:** Recognize revenue of \$159,785 from the State Homeland Security Grant Program and appropriate the funds to the Safe Community Project in the Homeland Security Fund.

**Public Works Department**

5. **SUBJECT:** PW07-11 Del Norte Facility Waste Tipping Floor Restoration Project. (015)  
**RECOMMENDATION:** Approve plans and specifications for PW07-11 (Del Norte Facility Waste Tipping Floor Resurfacing Project) for the restoration of the waste tipping floor at the Del Norte Regional Recycling and Transfer Station (Del Norte Facility), located at 111 South Del Norte Boulevard.
6. **SUBJECT:** PW06-48 Oxnard Beach Park Picnic Shelter Project. (017)  
**RECOMMENDATION:** Approve plans and specifications for PW06-48 (the Oxnard Beach Park Picnic Shelter Project) for construction of a picnic shelter and outdoor kitchen project which is located west of Harbor Boulevard between the Oxnard Shores Neighborhood and the Mandalay Beach Resort and Conference Hotel.

7. SUBJECT: Request for Extension of Time from the California Department of Transportation (Caltrans) for Funding the Oxnard Boulevard Bicycle and Pedestrian Facility. (021)  
RECOMMENDATION: Authorize the Mayor to execute a request for a time extension for funding from the Caltrans Bicycle Transportation Account in the amount of \$585,000 for acquisition of property for the Oxnard Boulevard bicycle and pedestrian facility between Vineyard Avenue and Second Street.
8. SUBJECT: **Ordinance No. 2728**, Establishing Requirements for Use of Recycled Water. (023)  
RECOMMENDATION: Second reading and adoption.
9. SUBJECT: **Ordinance No. 2729**, Establishing Requirements for Water Conservation and Water Shortage Response. (037)  
RECOMMENDATION: Second reading and adoption.

#### Recreation and Community Services

10. SUBJECT: City's Participation in the California City Gang Prevention Network Initiative. (049)  
RECOMMENDATION: (1) Approve the City of Oxnard's participation in a three year California City Gang Prevention Network Initiative launched by the National League of Cities Institute for Youth, Education and Families in partnership with the National Council on Crime and Delinquency in order to reduce gang violence and to develop a statewide policy agenda to support promising local efforts; and (2) Ratify the execution by the Mayor of the letter to the National League of Cities Institute for Youth, Education and Families.

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

- J. TRANSMITTAL OF INFORMATION ONLY ITEMS
- K. INFORMATION/CONSENT PUBLIC HEARINGS
- L. PUBLIC HEARINGS

The Mayor opened the public hearing.

The Assistant City Clerk reported on publication and that there were no written communications received.

#### Finance Department

1. SUBJECT: Issuance of Redevelopment Project Street Bonds, Series 2006. (055)  
RECOMMENDATION: That City Council: (1) Adopt **Resolution No. 13,184** approving the sale, issuance, and delivery of not more than \$7 million in principal amount of Oxnard Community Development Commission Ormond Beach Project Area Tax Allocation Bonds, Series 2006; (2) Adopt **Resolution No. 13,185** approving the sale, issuance, and delivery of not more than \$5 million in principal amount of Oxnard

Community Development Commission Southwinds Project Area Tax Allocation Bonds, Series 2006; (3) Adopt **Resolution No. 13,186** approving the sale, issuance, and delivery of not more than \$13 million in principal amount of Oxnard Community Development Commission Historic Enhancement and Revitalization of Oxnard (HERO) Project Area Tax Allocation Bonds, Series 2006; and (4) Approve a special budget appropriation in the amount of \$17,931,943 to allocate bond proceeds to various street resurfacing projects and debt service for Fiscal Year 2006-07.

The Financial Services Manager reported on the financing structure and construction schedule.

Jerome Hopkins and Nancy Pedersen commented.

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

M. REPORT OF CITY MANAGER

The City Manager reported on the Chicano Art exhibit at the Downtown Center for the Arts.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Manager's Office

1. SUBJECT: Draft Policies Concerning Mitigation for Impacts to Prime Agricultural Land Resources.

RECOMMENDATION: Consider a verbal report and provide direction to the City Manager regarding the Ventura Local Agency Formation Commission's intent to adopt draft policies concerning mitigation for impacts to prime agricultural land resources.

Everett Mallais, Executive Officer, Ventura Local Agency Formation Commission, explained the draft policies to protect the potential loss of agricultural resources. LAFCO will not impose mitigation measures but asks that cities, when conducting EIRs, consider mitigation and announced the next LAFCO meeting to discuss this item.

Jurgen Gramcko, Southland Sod Farms, opposes proposed policies.

ACTION: The City Council provided comments on issues, especially on workforce and farm worker housing.

RECESS

The City Council recessed at 8:23 p.m. and reconvened the meeting at 8:33 p.m.

Community Development Department

2. SUBJECT: Use of Funds Among Redevelopment Project Areas Including the Ormond Beach and Central City Revitalization Project Areas.

RECOMMENDATION: Consider a verbal report and provide direction to the Executive Director regarding the use of funds among redevelopment project areas.

The Redevelopment Services Manager discussed use of non-tax increment funds (property sales proceeds and rental income), proceeds history, and legal opinion that the Community Development Commission's use of non-tax increment funds among redevelopment project areas is authorized by State law.

The City Council commented that a study session is needed to reestablish priorities for this area and to reinforce the goal for the preservation of the wetlands.

Public comments were from Lawrence Stein, Bernadette Ostrowski, Ed Ellis, William Terry, Gloria Roman, Trisha Munro, Shirley Godwin, Pat Brown, Larry Godwin, Patricia Einstein, Nancy Pedersen, and Jean Harris.

ACTION: The City Council commented on appropriate use of funds, transparent government, and the idea of releasing periodic financial reports to the public. They suggested discussion on different ways to present the budget at the next City Council strategic planning session.

#### CLOSED SESSION

At 9:44 p.m. the City Council recessed to 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 Molina v. Oxnard, United States District Court Case No. CV 00-02291 CAS (Shx).

At 10:30 p.m. the City Council reconvened to the regular session.

#### O. REPORTS

##### Finance Department

1. SUBJECT: Sale of Fourteen Acres of City Property. (137)

RECOMMENDATION: Approve and authorize the Mayor to execute a Purchase and Sale Agreement for the sale to Casden Oxnard, LLC. (A-6802) of approximately four acres of real property (River Ridge Fields) and ten acres of real property formerly used as a dumpsite, both properties located east of the River Ridge Golf Club, south of the Santa Clara River, west of Ventura Road and north of Vineyard Avenue.

The Financial Services Manager reported on the sale of the surplus properties and contract terms, including deposit, closing date, cancellation terms, buy-back option, and sales price adjustment based on the number of units that would be entitled on the property.

Shirley Godwin, lack of notice to neighborhoods surrounding this area.

Council discussed 1) associating price with units versus unit count and total proceeds from development; and 2) density and nearby residents' concerns.

Howard Casden, Vice President, Casden Oxnard LLC, spoke about the risks and benefits to Casden and the City.

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

- P. PUBLIC COMMENTS ON REPORTS
- Q. APPOINTMENT ITEMS
- R. STUDY SESSION
- S. PUBLIC COMMENTS ON STUDY SESSION
- C. CLOSED SESSION (Contd.)

At 11:12 p.m. the City Council recessed to Closed Session.

- T. ADJOURNMENT

At 11:55 p.m. the City Council reconvened and recessed.

  
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DANIEL MARTINEZ  
City Clerk

  
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THOMAS E. HOLDEN  
Mayor

  
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JILL A. BEATY  
Assistant City Clerk