

MINUTES
CITY COUNCIL
March 28, 2006

A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m. the regular meeting of the Oxnard City Council convened in the Council Chambers, concurrently with the Community Development Commission and Housing Authority. Councilmembers Herrera, Maulhardt, Zaragoza, and Flynn. Mayor Holden was absent. Staff members present were: Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary Gillig, City Attorney; and Jill Beaty, Assistant City Clerk. Mayor Pro Tem Herrera presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance led by Angela Morgan, third place winner, Oxnard School District's Annual African-American Speech Contest, led followed by a moment of silence. Additional staff members present were: Cyndi Hookstra, Management Analyst II; Michael Henderson, Parks and Facilities Superintendent; Grace Magistrale Hoffman, Deputy City Manager; Gayle Elkins, Telecommunications Coordinator; Mike More, Financial Services Manager; Anthony Emmert, Water Resources Manager; Ken Ortega, Public Works Director; Ernie Whitaker, Housing Rehab Program Manager; Sal Gonzalez, Housing Director; and Matt Winegar, Development Services Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Check by the Oxnard Friends of the Library to the Oxnard Public Library.

DISCUSSION: Yvette Osinalde, President, Oxnard Friends of the Library, presented check.

2. SUBJECT: Presentation of **Resolution No. 13,023** to Hedda Markham for Eight Years of Service with the Library Board. (001)
ACTION: Approved (Zaragoza/Maulhardt), with Mayor Holden absent.

3. SUBJECT: Presentation of Commendations to Hueneme High School and Channel Islands High School Ambassadors.

DISCUSSION: Management Analyst presented certificates to Academic Ambassadors for keeping campuses graffiti-free

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Steve Fleischer re former St. John's Hospital site.

Ben Moss re former St. John's Hospital site.

David Diaz re former St. John's Hospital site.

Francisco Romero re gang injunction conference April 8.

Shirley Godwin re BHP Billiton Cabrillo Port/LNG project meeting on April 19.

Rosanne Moss re Rally in the Alley on April 1.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Attorney's Office

1. SUBJECT: Quitclaim of a Portion of Former Ventura Road Right-of-Way and an Adjacent "Future Street" Right-of-Way. (003)
RECOMMENDATION: Approve and authorize the Mayor to execute a Quitclaim Deed (**D-3603**) to RP Apartments Ventures, LLC ("RP") for a portion of Ventura Road right-of-way and an adjacent 7.5-foot wide "future street" right-of-way accepted by the City on the title sheet for Tract No. 4334 recorded in book 114, Pages 62 through 66, inclusive, of Miscellaneous Records (Maps), with the two former rights-of-way located along the southwesterly side of Ventura Road approximately 1200 feet north of the Ventura Road/Town Center Drive intersection.

Development Services Department

2. SUBJECT: **Ordinance No. 2716**, Designating Chapter 17 of the City Code as the Coastal Zoning Ordinance and Making Minor Amendments thereto. (009)
RECOMMENDATION: Second reading and adoption.

Finance Department

3. SUBJECT: Declaration of Surplus Land - Lot 3 of Tract No. 4132-1. (013)
RECOMMENDATION: Determine that Lot 3 of Tract No. 4132-1, located at 4201 West Hemlock Street (the "Property"), is no longer necessary for the City's use and declare the Property to be surplus land.
4. SUBJECT: **Ordinance No. 2717**, Acting in its Capacity as the Legislative Body of Community Facilities District No. 6 (Northshore at Mandalay Bay) of the City of Oxnard

Authorizing the Levy of Special Taxes within said Community Facilities District. (025)
RECOMMENDATION: Second reading and adoption.

Housing Department

5. SUBJECT: Grant of Easement to Verizon California, Inc. (Verizon). (049)
RECOMMENDATION: Approve and authorize the Mayor to execute a "Grant of Easement," (D-3604) granting to Verizon an easement to run cable under the rear five-feet of City owned property at 126 East 7th Street, leased to the Boys and Girls Club.

Public Works Department

7. SUBJECT: Appropriation of Interest Earnings. (061)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$1,165,977 from the 2004 Water Revenue Project Bonds interest earnings to various Capital Improvement Projects.

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

J. INFORMATION/CONSENT PUBLIC HEARINGS

MAYOR/CHAIRMAN PRESENT AT 7:42 P.M.

K. PUBLIC HEARINGS

Public Works Department

1. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year (FY) 2006-2007 Assessments in Landscape Maintenance District No. 54. (075)
RECOMMENDATION: (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 54, consisting of Tract No. 5459 (Meadowcrest), located at Oxnard Boulevard and Robert Avenue, and determine whether a majority protest against formation exists; (2) If a majority protest against formation does not exist, continue with the public hearing to consider all protests against the proposed assessment in the District; tabulate the ballots; and determine whether a majority protest exists as to the assessment; and (3) If a majority protest does not exist as to the assessment, adopt **Resolution No. 13,024** to form and levy FY 2006-2007 assessments in the District.

ACTION: Opened hearing (Herrera); Assistant City Clerk reported on publication and that no written communication were received. There were no public comments. Close hearing (Herrera/Zaragoza), unanimously approved. The Assistant City Clerk: The majority vote was in favor of the assessment. Moved to form the district and levy the assessments (Maulhardt/Zaragoza); Ayes: Herrera, Maulhardt, Zaragoza, and Flynn. Mayor Holden absent.

2. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year

(FY) 2006-2007 Assessments in Landscape Maintenance District No. 55. (081)
RECOMMENDATION: (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 55, consisting of Tract No. 5640 (Wingfield West), located at Dunkirk Drive between Northport Lane and Rivera Court, and determine whether a majority protest against formation exists; (2) If a majority protest against formation does not exist, continue with the public hearing to consider all protests against the proposed assessment in the District; tabulate the ballots; and determine whether a majority protest exists as to the assessment; and (3) If a majority protest does not exist as to the assessment, adopt **Resolution No. 13,025** to form and levy FY 2006-2007 assessments in the District.

ACTION: Opened hearing (Herrera); Assistant City Clerk reported on publication and that no written communication were received. There were no public comments. Close hearing (Herrera/Zaragoza), unanimously approved. The Assistant City Clerk: The majority vote was in favor of the assessment. Moved to form the district and levy the assessments (Maulhardt/Zaragoza); approved: Flynn, Herrera, Holden, Maulhardt, and Zaragoza.

3. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year (FY) 2006-2007 Assessments in Landscape Maintenance District No. 57. (087)
RECOMMENDATION: Continue to April 11, 2006.
ACTION: The City Council concurred to continue this item.

L. REPORT OF CITY MANAGER

City Manager's Office

1. SUBJECT: Presentation of Video Streaming.
DISCUSSION: The Deputy City Manager and Telecommunications Coordinator presented the new technology.

The City Manager reported on a Library fundraiser, Water Conservation art contest, and Carnegie Art Museum art workshops for youth.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

N. REPORTS

Finance Department

1. SUBJECT: Issuance of Water Revenue Project Bonds, Series 2006. (093)
RECOMMENDATION: (1) Adopt **Resolution No. 13,026** authorizing the sale, issuance, and delivery of not more than \$60,000,000 in principal amount of City of Oxnard Financing Authority Water Revenue Project Bonds, Series 2006, and approving certain documents and authorizing certain actions in connection therewith; (2) Adopt a resolution declaring its intent to reimburse the City of Oxnard (the "City") for capital expenditures related to the acquisition and construction of portions of Phase 1 of the Groundwater Recovery Enhancement and Treatment ("GREAT") Program and certain other water

system projects from proceeds of taxable or tax-exempt indebtedness; and (3) Approve a special budget appropriation in the amount of \$50,000,000 to appropriate bond proceeds.

The Financial Services Manager and Water Resources Manager report on the project and financing .

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

Housing Department

2. SUBJECT: Affordable Housing and In-Lieu Fee Ordinance. (113)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Ordinance No. 2615 regarding in-lieu fees.
DISCUSSION: The Housing Rehabilitation Program Manager provided a report.

Holly Shroed, Building Industry Association, Greater Los Angeles/Ventura Chapter (BIA), stated the BIA accepts the fee, but has concerns re inclusionary housing, reporting mechanisms and use of funds.

ACTION: Motion adopted to direct staff to revise language in the ordinance that would grant flexibility to the City Council to decide the amount of the in-lieu fee at not-less-than one percent, and return to City Council for first reading (Holden/Flynn).

O. PUBLIC COMMENTS ON REPORTS

P. APPOINTMENT ITEMS

Finance Department

1. SUBJECT: General Fund Financial Forecast 2006-2011. (119)
RECOMMENDATION: Continued to April 11, 2006.
ACTION: The City Council concurred to continue this item to April 11, 2006.

City Manager's Office

2. SUBJECT: Midyear Report on the Fiscal Year (FY) 2005-2006 Budget. (131)
RECOMMENDATION: Continued to April 11, 2006.
ACTION: The City Council concurred to continue this item to April 11, 2006.

Q. STUDY SESSION

Development Services Department

1. SUBJECT: Pre-Application Review (PZ 06-600-01) of a Request for the Operation of a Homeless Women and Children's Recovery Facility Located at 416-440 North "A" Street,

Filed by Rescue Mission Alliance. (159)

RECOMMENDATION: Review and provide preliminary comments on a pre-application to remodel existing office buildings located at 416-440 North "A" Street to operate a homeless women and children's recovery facility.

DISCUSSION: The Development Services Director provided a report.

Gary Gray, President, Rescue Mission Alliance, applicant, presented the project.

Brian Elster, Pastor, Lutheran Church of Our Redeemer, supports.

Steve Fleischer, Chairman, Wilson Neighborhood, expressed concern.

Denise Paul Elliott opposes.

Mike Beauchamp, Director, Lighthouse Women and Children Shelter, supports.

City Council provided comments.

R. PUBLIC COMMENTS ON STUDY SESSION

S. ADJOURNMENT

At 10: 15 p.m. the City Council concurred to adjourn.



JILL A. BEATY
Assistant City Clerk



THOMAS E. HOLDEN
Mayor