

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
September 26, 2006

A. ROLL CALL/POSTING OF AGENDA

At 7:01 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers, jointly with the Community Development Commission. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. The Deputy 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 F. Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; Sue Martin, Planning and Environmental Services Manager; Ken Ortega, Public Works Director; Grant Dunne, Management Analyst III; Brian Pendleton, Redevelopment Services Manager; and Lourdes A. Lopez, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States followed by a moment of silence in memory of Phyllis Salerno, mother of Bill Winter.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Week of September 10 -16, 2006, as "POW/MIA Recognition Days."
DISCUSSION: Accepted by Jim Farrell, Air Force Sergeants' Association, TS Jeremy Pitard, and Retired Senior Master Sgt. Victor Saabye, WWII POW.
2. SUBJECT: Presentation of Commendations to the Police Activities League Boxers.
DISCUSSION: Mayor Holden introduced Officer Ken Klopman and Terrell Harrison who commented on the upcoming events. Accepted by David Garcia, Javier Garcia and Carlos Cisneros.
3. SUBJECT: Presentation of Employee of the Year.
DISCUSSION: Carmen Taylor congratulated the employees of the quarter. Dave Mesa introduced the Employee of the Year, Art Gutierrez.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William "Bill" Terry, College Park.

Yolanda Anguiano, homeless individuals at the Oxnard Transportation Center.

Eric Sonstegard, endorsement of candidates.

Lydia Kaplan, candidates forum.

Ernest Stein, Relay for Life.

Mary Sumpter, support of mayoral and City Council candidates.

Ed Ellis, sports park.

Robert Sumpter, mayoral candidate.

Lawrence Stein, bicycle ordinance and various issues.

Reed Smith, paragliders along Ormond Beach.

Steve Fleischer, Henry T. Oxnard historic district.

Luciano Ortiz, candidates forum.

Bert Berello, candidates forum.

Bill Winter, old St. John's Hospital.

Edward M. Castillo, an upcoming fundraiser.

Pat Brown, Oxnard Convention and Visitors Bureau meeting.

Lupe Banuelos, the Colonia Courts project and park.

Frank Barajas, candidates forum.

Jean Joneson, upcoming fundraiser and INCF forum.

Phillip Molina, candidacy.

Bernadette Ostrowski, Gisler neighborhood.

Nancy Pedersen, Big League Dreams and Gisler neighborhood.

Martin Jones, SEIU's candidates forum.

Dennis Ralph, various issues.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Lawrence Stein, CAPER (I-3).

Bert Perello, recycling (I-4).

Nancy Pedersen, recycling and odor (I-4).

William "Bill" Terry, recycling (I-4).

The Management Analyst III commented on AB939 and green waste recycling and Mr. Camarillo, Agromin Organics Recycling (I-4) commented on terms of agreement and use of recycled products.

The Public Works Director commented on directional signs at the Oxnard Transportation Center (I-5).

I. INFORMATION/CONSENT AGENDA

City Clerk's Office

2. SUBJECT: Eleventh Amendment to Consulting Services Agreement for Additional Services Related to the Civic Center Renovation Project. (011)
RECOMMENDATION: Approve and authorize the Mayor to execute the Eleventh amendment to agreement (1161-01-DS) with Roesling Nakamura Terada Architects in the amount of \$188,400 for additional services related to the Civic Center Renovation Project for a total cost of \$5,483,881.

Finance Department

3. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year (FY) 2005-2006. (017)
RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2005-2006.

Public Works Department

4. SUBJECT: Agreement to Deliver Wood Materials and Green Waste For Reuse Between the City of Oxnard and Agromin Organics Recycling. (019)
RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement to Deliver Wood Materials and Green Waste For Reuse Between the City of Oxnard and Agromin Organics Recycling (3414-05-PW).

- 5. **SUBJECT:** Special Budget Appropriation for Oxnard Transportation Center (OTC) Bilingual Signs, Oxnard Blvd./Highway 101 Interchange Improvements, and Rice Avenue/Santa Clara Avenue Interchange Improvements. (021)
RECOMMENDATION: (1) Approve the special budget appropriation to recognize revenue and appropriate \$13,330 from the Transportation Efficiency Act for the 21st Century (TEA-21) federal grant to OTC Bilingual Signs for directional and information signs at the OTC located at 201 East Fourth Street; (2) Approve the special budget appropriation to recognize revenue and appropriate \$111,276 from Assessment District No. 2000-1 to Oxnard Blvd./Highway 101 Interchange for payment of construction costs; (3) Approve the special budget appropriation to recognize revenue and appropriate \$532,109 from Community Facilities District No. 2000-3 to Oxnard Blvd./Highway 101 Interchange for payment of construction costs; (4) Approve the special budget appropriation to recognize revenue and appropriate \$192,703 from Assessment District No. 2001-1 to Highway 101- Rice Interchange for payment of construction costs; and (5) Approve the special budget appropriation to recognize revenue and appropriate \$57,120 from interest earnings on condemnation deposits at the Office of the State Treasurer to Highway 101- Rice Interchange for payment of construction costs.

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

- N. CITY COUNCIL COMMITTEE REPORTS
- J. TRANSMITTAL OF INFORMATION ONLY ITEMS
- K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden opened the public hearing.

DISCUSSION: The Deputy City Clerk reported on publication and that there were no written communications received.

Development Services Department

- 1. **SUBJECT:** Adoption of an Ordinance Amending Section 16-440(E) of the City Code Pertaining to Large Family Daycare Homes and Adjustment and Refund of Planning Fees for Large Family Daycare Home Applications. (025)
RECOMMENDATION: (1) Approve the first reading by title only and subsequent adoption of an **Ordinance No. 2724** amending section 16-440(E) of the City Code relating to large family daycare homes; (2) Declare existing State-licensed large family daycare homes that are within the recommended 100-foot radius to be preexisting non-conforming uses in situations where pick-up and drop-off of persons for such homes do not occur on the same street as other large family daycare homes are located; (3) Adopt **Resolution No. 13,161** lowering the planning fee for applications pertaining to large family daycare homes; and (4) Direct the City Manager or designee to refund the difference between the previous planning fee and the recommended fee to those large family daycare applicants who filed planning applications on or after July 1, 2005 under the previous fee schedule.
DISCUSSION: The Planning and Environmental Services Manager commented on the recent changes in State law.

The following individuals commented on childcare providers: Joe Wilson; Xochitl Teran; Maria Elena Millings; and Bert Perello.

Nancy Pedersen and Bernadette Ostrowski re need to notify residents.

ACTION: Public hearing closed (Herrera/Zaragoza). Moved to approve recommendation with the condition to notify residents of affected area (Holden/Herrera). Ayes: Herrera, Maulhardt, Zaragoza, Flynn and Holden.

L. PUBLIC HEARINGS.

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 05-300-21 (Tentative Subdivision Map for Tract No. 5669 for Condominium Purposes) and 06-580-1 (Zone Text Amendment).
RECOMMENDATION: Continue to October 10, 2006.
ACTION: Approved as recommended. (Holden/Maulhardt) Ayes: Unanimously.

M. REPORT OF CITY MANAGER

The City Manager commented on : 1) Oxnard Kiwanis annual selection of Firefighter of the Year; 2) award of grant by the California Department of Water Resources; 3) upcoming fundraiser for the Library; 4) Bilingual family short stories at the Oxnard Public Library; 5) recruitment of election volunteers; and 6) Ernie Whitaker honored by Cabrillo Economic Development Corporation.

O. REPORTS

Community Development Department

1. SUBJECT: Financial Agreement for Short Term Loan. (039)
RECOMMENDATION: Adopt **Resolution No. 13,162** approving and authorizing the Mayor to execute a Financial Agreement (A-6758) with the Community Development Commission (CDC) for the City to provide a short term loan to the CDC to finance redevelopment activities within, and payable from tax increment revenues generated by, the Ormond Beach Project Area in the total amount of \$2,200,000.
DISCUSSION: The Redevelopment Services Manager reviewed the terms of the agreement and stated that staff is working on a bond issue secured by tax increment for several street resurfacing projects in Ormond Beach.

The following individuals commented regarding the agreement, funds and parking for the Ormond Beach wetlands: Jean Harris; Lawrence Stein; William "Bill" Terry; Bernadette Ostrowski; Nancy Pedersen; and Pat Brown.

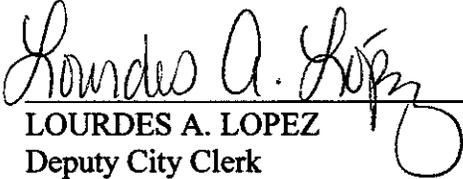
ACTION: Approved recommendation (Holden/Zaragoza); Ayes: Maulhardt, Zaragoza, Flynn, Holden and Herrera.

COMMUNITY DEVELOPMENT COMMISSION

At 10:24 p.m., the joint meeting with the Community Development Commission concluded.

- P. PUBLIC COMMENTS ON REPORTS
- Q. APPOINTMENT ITEMS
- R. STUDY SESSION
- S. PUBLIC COMMENTS ON STUDY SESSION
- T. ADJOURNMENT

At 10:24 p.m. the City Council concurred to adjourn.



LOURDES A. LOPEZ
Deputy City Clerk



THOMAS E. HOLDEN
Mayor