

MINUTES

OXNARD CITY COUNCIL Regular Meeting July 25, 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, Housing Authority, and Parking Authority. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. Mayor Pro Tem Andres Herrera was absent. 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; Gary L. Gillig, City Attorney; and John Crombach, Police Chief.

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. Mayor Holden presided. Additional staff members present were: Sal Gonzalez, Housing Director; Ken Ortega, Public Works Director; Sue Martin, Planning and Environmental Services Manager; Michael Henderson, Parks and Facilities Superintendent; Gil Ramirez, Recreation Superintendent; Ernest Whitaker, Housing Rehabilitation Program Manager and Cynthia Daniels, Senior Project Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation by United Way of Ventura County Recognizing the City of Oxnard Employees' Participation.
DISCUSSION: Eve Liebman, United Way of Ventura County, accepted and commented.
2. SUBJECT: Presentation of \$291,730 in Work Force Housing Reward Program Funds from the State Department of Housing and Community Development.
DISCUSSION: The Housing Director and Housing Rehabilitation Program Manager presented.
3. SUBJECT: Presentation of National Association of Housing and Redevelopment Officials' National Award of Merit for Project Design of the Meta Street Farmworker Apartments.
DISCUSSION: The Housing Director presented an award.

4. SUBJECT: Presentation of Employee of the Quarter.
DISCUSSION: The Police Chief recognized Kathleen Ennis as the employee of the quarter.

SUBJECT: Resolution to Bryan MacDonald. (047)
RECOMMENDATION: Adopt **Resolution No. 13,148** commending Bryan MacDonald for over 29 years of outstanding service to the City of Oxnard.
ACTION: Approved as recommended. (Maulhardt/Zaragoza) Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Miguel Espinosa re: Police Department.

Ed Ellis re: a 3450 Saviers Road development.

Ventura Fernandez re: municipal government.

William Terry re: a fundrasier against LNG.

William Bill Terry re: a fundraiser against LNG.

John Korsten re: a property lien.

Larry Stein re: Police Department, Fire Department and comments of Councilmembers.

Timothy Norberg re: living in the Santa Clara river bottom.

Bert Perello re: a Rio School recall election forum and city liability.

Pablo Ortiz re: Salsa Festival.

The following individuals supported a sports park at Oxnard Boulevard and Gonzales Road: Barbara Dubkin; Lucianno Ortiz; Patti Ortiz; and Jose Martinez.

Morey Navarro re: development at Hemlock Road and Victoria Boulevard.

Roger Pariseau re: park sites, traffic, City's Internet site and LNG meeting.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council discussed water security issues (I-9) and fuel (I-11) costs. The Public Works Director reviewed water security (I-9) issues.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Larry Stein re: water security (I-9) costs and Rainbow House (I-6). The Housing Director stated completion of the Rainbow House (I-6) will be by September with in-kind contributions.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of City Council for June 20, 2006. (001)
RECOMMENDATION: Approve.

Community Development Department

2. SUBJECT: Oxnard Downtown Management District (ODMD) Ballot. (013)
RECOMMENDATION: Approve and authorize the City Manager to sign, on behalf of the City of Oxnard, as owners of certain properties located in the ODMD, the ballot in support of the renewal and expansion of the ODMD.

Development Services Department

3. SUBJECT: Appropriation of Interest Earnings. (015)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$345,772 from the 2003 Variable Rate Lease Revenue Bonds, Series B interest earnings to the South Oxnard Library and Downtown Parking Structure Projects.

Finance Department

4. SUBJECT: Big Independent Cities Excess Pool (BICEP) Amended Joint Powers Agreement and Operating Documents. (019)
RECOMMENDATION: Adopt **Resolution No. 13,146** approving the amended and restated BICEP Joint Powers Agreement (A-6706) and authorizing and approving other Operating Documents in connection therewith.
5. SUBJECT: Reconstitution of the Board of the City of Oxnard Financing Authority. (031)
RECOMMENDATION: Reconstitute the Board of Directors (Board) of the City of Oxnard Financing Authority by removing all existing directors and providing that the Board shall be comprised of City Council members.

Housing Department

6. SUBJECT: Appropriation for the Rainbow House Recovery Center. (035)
RECOMMENDATION: (1) Approve an appropriation of \$275,000 from the City's In-Lieu Fee Fund for the completion of the renovation of the Rainbow House Recovery Center (1450 South Rose Avenue); and (2) Approve an appropriation of \$18,000 from the City's General Fund to reimburse the Rainbow House Recovery Center's capital fund for maintenance of the facility.

Police Department

7. SUBJECT: Computer Aided Dispatch and Records Management Systems Maintenance. (045)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Northrop Grumman Information Technology, Inc. (A-6696) in the amount of \$482,126.77 for three years of hardware, software and database maintenance for the Police and Fire Computer Aided Dispatch and Records Management Systems.

Public Works Department

9. SUBJECT: Second Amendment to Agreement - Water Resources Blending Station No. 1 Parrent Security. (049)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to Agreement with Parrent Security (3302-04-PW) in an estimated amount \$220,000 for a total agreement amount of \$496,562 for the purpose of providing services at the Water Resources Division, Blending Station No. 1, located at 251 South Hayes Avenue, Oxnard.
10. SUBJECT: Septic System Conversion Project - Phase II College Park Tract in Northeast Oxnard. (065)
RECOMMENDATION: Approve Project Plans and Specifications No. PW06-21, for the construction of sewers in the College Park Tract (College Park) located along sections of Occidental Drive, Villanova Avenue, and Vanderbilt Drive in northeast Oxnard.
11. SUBJECT: Blanket Purchase Order (PO) for Purchase of Fuel for City Vehicle Fleet from Silvas Oil Company. (069)
RECOMMENDATION: Approve and authorize the Mayor to execute a Blanket PO for the purchase of fuel for City vehicles and equipment in the approximate amount of \$1.5M annually.
12. SUBJECT: PW06-102 Via Marina Neighborhood Resurfacing Project. (071)
RECOMMENDATION: Approve plans and specifications for PW06-102 (The Via Marina Neighborhood Resurfacing Project) for pavement resurfacing, sidewalk, curb and gutter repair throughout the Via Marina Neighborhood.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMSCity Manager's Office

1. SUBJECT: Executed Contracts. (073)

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open. Councilmember Maulhardt abstained (K-1) due to a potential conflict of interest.

DISCUSSION: The City Clerk reported publication and no written communications received.

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). (075)

RECOMMENDATION: (1) Adopt the first reading by title only and subsequent adoption of an ordinance for Zone Text Amendment PZ 05-580-1; (2) Adopt a resolution approving a tentative subdivision map for Tract No. 5669 for condominium purposes (PZ 05-300-21) for a parcel located at 2201 Statham Boulevard; and (3) Adopt a resolution upholding the Planning Commission's approval of a Special Use Permit PZ 05-500-21 for 2201 Statham Boulevard.

DISCUSSION: The following individuals commented: Larry Stein; Nancy Peterson; Ed Ellis; William Terry; Shirley Godwin; Larry Godwin and Pat Brown.

The City Attorney reviewed Covenants, Conditions and Restrictions (CC&R) rules and State regulations.

Dave White, Jr. and Lee Schon representing the applicant reviewed, the development including housing issues, CC&R rules, ML zone, and health issues.

ACTION: Close the public hearing (Zaragoza/Holden). Motion to continue to September 12, 2006 (Zaragoza/Holden) Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera.

ACTION: Mayor Holden declared the public hearing open.

DISCUSSION: The City Clerk reported publication and no written communications received.

2. SUBJECT: Planning and Zoning Permit No. 06-300-2 (Tentative Subdivision Map for Tract No. 5643), RiverPark Districts H (portion) and I, Filed by RiverPark Legacy LLC. (093)

RECOMMENDATION: Adopt **Resolution No. 13,149** approving Planning and Zoning Permit No. 06-300-2 (Tentative Subdivision Map for Tract No. 5643), a request to subdivide 90.1-acres (APNs: 133-001-001, 133-001-057, 133-001-060 and 132-02-038), located north of Garonne Street, south of Owns River Drive and west of Moss Landing Boulevard, within Planning Districts H and I of the RiverPark Specific Plan area.

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

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARYHousing Department

1. SUBJECT: Housing Millennium Report by Cabrillo Economic Development Corporation.
ACTION: The City Council concurred to continue this item.

COMMUNITY DEVELOPMENT COMMISSION/HOUSING AUTHORITY/PARKING AUTHORITY

At 9:09 p.m. the joint meetings with the Community Development Commission, Housing Authority and Parking Authority concluded.

L. PUBLIC HEARINGSDevelopment Services Department

2. SUBJECT: Planning and Zoning Permit Nos. 05-500-2, 06-500-6 and 06-500-5 (Special Use Permits) and 05-300-6 (Tentative Parcel Map), Filed by SDC-CT Properties, LLC.
RECOMMENDATION: Continue.
ACTION: Continue to future date. (Holden/Flynn) Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera.

ACTION: Mayor Holden opened the public hearing.

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

Community Development Department

1. SUBJECT: Public Hearing on Renewal/Expansion of the Oxnard Downtown Management District (ODMD) and Levy of Assessments. (107)
RECOMMENDATION: (1) Conduct a public hearing concerning the renewal and expansion of the ODMD and tabulate the ballots for and against its establishment; and (2) If a weighted majority of the ballots are in support of the formation of the ODMD, adopt **Resolution No. 13,150** renewing and expanding the ODMD and levying assessments in the ODMD for 2006-2010.
DISCUSSION: The Community Development Director and Edward Henning, Edward Henning & Associates, reviewed the Oxnard Downtown Management District successes: cleaner downtown, lower crime rate, new businesses, and more pedestrian activities. Mr. Henning reviewed the budget.

The following individuals supported the district: Vince Behren and Pat Brown.

ACTION: Mayor Holden asked if anyone wished to submit a ballot. Close hearing. (Maulhardt/Zaragoza) The City Council recessed this item while votes were counted.

ACTION: Mayor Holden opened the public hearing.

DISCUSSION: The City Clerk reported on publication and no written communications received.

Public Works Department

3. SUBJECT: Ordinance to Continue and Establish Solid Waste System User Fees and Charges. (115)

RECOMMENDATION: (1) Hold a public hearing to receive public comments concerning adoption of **Ordinance No. 2722** continuing and establishing certain solid waste system user fees and charges; and (2) Approve the first reading by title only and subsequent adoption of an ordinance continuing and establishing solid waste system user fees and charges.

DISCUSSION: Commented on the proposed rate increase: Linda Calderon and Larry Stein.

The Public Works Director reviewed the proposed rate increase and lost/destroyed trash container. The Solid Waste Superintendent reviewed the payment of loss/destroyed containers.

The City Council discussed rate increases and fee for loss/destroyed containers.

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

N. CITY COUNCIL COMMISSION BUSINESS/COMMITTEE REPORTS

O. REPORTS

Housing Department

1. SUBJECT: Affordable Housing and Loan Agreement (Agreement) with Housing Opportunity Management and Education (HOME) Corporation. (125)

RECOMMENDATION: (1) Approve and authorize the Mayor to execute an Affordable Housing and Loan Agreement (**A-6723**) with HOME Corporation providing gap financing in the amount of \$840,000 for the purchase of five lots in the 100 block of North Hayes Street for the development of 26 affordable townhomes; (2) Approve the expenditure of HOME Community Housing Development Organization funds in the amount of \$556,772; and (3) Approve the appropriation of \$283,228 from the housing in-lieu fee fund balance for HOME Corporation.

DISCUSSION: The Housing Rehabilitation Program Manager outlined the program and benefits to the community.

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

Public Works Department

2. **SUBJECT:** College Park Master Site Plan and Agreement with RJM Design Group, Inc. for Design and Engineering of College Park at 3250 South Rose Avenue. (131)
RECOMMENDATION: (1) Adopt **Resolution No. 13,151** approving the College Park Master Site Plan, adopting a statement of findings, and adopting the mitigation monitoring program for the 75-acre regional park located at the southeast corner of Rose Avenue and Channel Islands Boulevard; and (2) Approve and authorize the Mayor to execute an agreement with RJM Design Group, Inc. (A-6692) in the amount of \$1,879,900 for design and engineering of College Park.
DISCUSSION: The Public Works Director and Senior Project Manager reviewed the report.

Larry Ryan, RJM Design Group, reviewed the services to be provided including data information of traffic studies, topographic studies and soil studies.

The City Council discussed consultant costs, overall costs of citywide parks and cost estimates.

Comments provided by: Nancy Pederson; Shirley Godwin; William Terry; Ed Ellis; Larry Stein; Jose Martinez; and Dennis Ralph.

ACTION: Approved as recommended (Maulhardt/Holden) Ayes: Maulhardt and Zaragoza. Noes: Holden and Flynn. Absent: Herrera. Motion failed to carry.

Motion to approve recommendation number one (1) (Maulhardt/Zaragoza). Ayes: Maulhardt, Zaragoza, Flynn, and Holden. Absent: Herrera.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

L. PUBLIC HEARINGS

ACTION: Mayor Holden reopened the public hearing.

Community Development Department

1. **SUBJECT:** Public Hearing on Renewal/Expansion of the Oxnard Downtown Management District (ODMD) and Levy of Assessments. (107)
DISCUSSION: The City Clerk reported a majority voted in favor of the district.

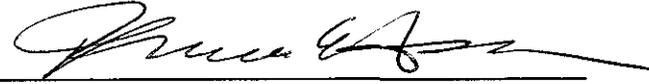
ACTION: Approved as recommended. (Zaragoza/Holden) Ayes: Maulhardt, Zaragoza, Flynn, and Holden. Absent: Herrera.

T. ADJOURNMENT

At 11:58 p.m. the City Council concurred to adjourn the meeting.



DANIEL MARTINEZ
City Clerk



DR. THOMAS E. HOLDEN
Mayor