

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
January 27, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m. the regular meeting of the Oxnard City Council convened in Council Chambers, concurrently with the Community Development Commission. Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard, and Bryan MacDonald were present. Staff present included Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; Barbara Murray, Library Director; Matt Winegar, Development Services Director; and Jill Beaty, Assistant City Clerk. Mayor Holden 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 Alec Behrens and Jenner Wiggins, Boy Scouts Troop 228 from the First Presbyterian Church, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: "How I See It: South Oxnard" an Oxnard Public Library Youth Project.
DISCUSSION: Renata Hundley, Librarian I, presented a picture show of the youth involved and photographs taken.
2. SUBJECT: Presentation of a Commendation to the Kiwanis Club of Oxnard.
DISCUSSION: Accepted by Mario Martinez and Daniel Martinez in appreciation for the Breakfast with Santa Program.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

John Korsten, suggests opening a thrift store and property conservation issues

Ed Ellis, safety at former Halaco site.

Armando Vasquez, funding for job training for youth people, including Workforce Investment funds.

Jace and Janat, Cajun Country Café, support from community and the City for businesses on A Street, especially to attract young people, renewal of downtown historic district.

Robert and Sally Vera, opposed to more development in certain areas; focus should be on cleanup and repair of existing areas.

Mary Lee Wilson, Delilah Garcia, Dr. Tim Garcia, Connie Johnson, Dr. Merrick Carter, John R. Hacher III, preserving public access Channel 25.

Jess Ramirez for Roberto Trada, benefit dinner for soccer family who suffered a recent death.

Daniel Lechliter, in support of preserving open land.

Bert Perello, Chair, INCF Inner-Neighborhood Council Forum, requests that one member and alternate from the INCF be appointed to the sales tax oversight committee for the oversight of Measure O funds and submitted the request letter for the record.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown asked for explanation of items I-1 through I-6.

Barbara Macri Ortiz, Tomas Hernandez, Art Fraction Director, Julian Canek Pena-Vargas, and Michael Shuman suggest finding constructive ways to reach young people and adding other businesses and programs for youth to perform community serve, such as Interface and Oxnard College.

Lara Anderson, current fines schedule for graffiti restitution, offers suggestions for restitution vs. fines.

Bert Perello and Chuck Bauman support the City's efforts at seeking restitution for graffiti cleanup.

The City Council commented on all the programs the City offers to youth, that graffiti is a crime that the citizens want abated, and that this item (I-2) merely adds the signatures of the new Councilmembers to the Official Victim Impact Statement.

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Update of Conflict of Interest Standards. (001).
RECOMMENDATION: Adopt **Resolution No. 13,596** repealing the current conflict of interest standards and adopting new conflict of interest standards to reflect changes in authorized classifications.

City Manager Department

2. SUBJECT: Establish an Official Victim Impact Statement Reply to the Ventura County Courts or the Ventura County Probation Agency Detailing the Damage Graffiti Causes the City. (015).

RECOMMENDATION: (1) Approve the official Victim Impact Statement; and (2) Designate Cyndi Hookstra, Graffiti Task Force Administrator, as the person authorized to submit the statement to the Ventura County Courts or Ventura County Probation Agency as part of the City's graffiti restitution recovery program.

3. **SUBJECT:** Ordinances of the City Council of the City of Oxnard Amending (1) the Merged Downtown Renewal (R-108) and Central City Revitalization Project (CCRP) Area Redevelopment Plan; (2) the Ormond Beach Project Area Redevelopment Plan; and (3) the Southwinds Project Area Redevelopment Plan to Eliminate the Time Limits on the Establishment of Loans, Advances and Indebtedness. (019).

RECOMMENDATION: (1) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2798** Amending the Amended and Restated Redevelopment Plan for the R-108 and CCRP Area to Eliminate the Time Limits on the Establishment of Loans, Advances and Indebtedness; (2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2799** Amending the Amended and Restated Redevelopment Plan for the Ormond Beach Project Area to Eliminate the Time Limit on the Establishment of Loans, Advances and Indebtedness; and (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2800** Amending the Amended and Restated Redevelopment Plan for the Southwinds Project Area to Eliminate the Time Limit on the Establishment of Loans, Advances and Indebtedness.

4. **SUBJECT: Ordinance No. 2792** Extending the Plan Effectiveness Deadline and Repayment of Indebtedness Deadline/Tax Increment Receipt Deadline for the Merged Downtown Renewal (R-108) and Central City Revitalization Project Area. (027).

RECOMMENDATION: Second reading and adoption.

5. **SUBJECT: Ordinance No. 2793** Extending the Plan Effectiveness Deadline and Repayment of Indebtedness Deadline/Tax Increment Receipt Deadline for the Southwinds Project Area. (033).

RECOMMENDATION: Second reading and adoption.

6. **SUBJECT: Ordinance No. 2794** Extending the Plan Effectiveness Deadline and Repayment of Indebtedness Deadline/Tax Increment Receipt Deadline for the Ormond Beach Project Area. (037).

RECOMMENDATION: Second reading and adoption.

Development Services Department

7. **SUBJECT: Ordinance No. 2795** Approving Zone Change No. 06-570-02 for the Property Located on the Northwest Corner of North Ventura Road and West Vineyard Avenue, 1801 Vineyard Avenue. Filed by Casden Properties LLC. (043).

RECOMMENDATION: Second reading and adoption.

8. **SUBJECT: Ordinance No. 2796** Approving Zone Change No. 07-570-03 for the Property Located at 2501 North Ventura Road From C-2-PD to R-3-PD for the Property Located North of the Intersection of Ventura Road and West Vineyard Avenue. Filed by Casden Properties, LLC. (045).

RECOMMENDATION: Second reading and adoption.

9. SUBJECT: **Ordinance No. 2797** Approving a Development Agreement With Casden Properties, LLC, for the Property Located at 1801 Vineyard Avenue and 2501 North Ventura Road. (047).

RECOMMENDATION: Second reading and adoption.

Finance Department

10. SUBJECT: Grant of Boat Dock Easement for 4201 West Hemlock Street. (049).
RECOMMENDATION: Authorize the Mayor to execute a Grant of Easement Document (**D-4395**) in conjunction with the sale of City property at 4201 West Hemlock Street.

Housing Department

11. SUBJECT: Amendment to Resale Restriction Agreement with Jubal and Suzanne Marlatt. (053).
RECOMMENDATION: Approve and authorize the Mayor to execute an Amendment to the Resale Restriction Agreement with Jubal and Suzanne Marlatt (**4704-08-HO**) for their residence at 2160 Paseo Elegante allowing the Marlatt family to lease the residence for a three year period of time to a low income family.
12. SUBJECT: Local Housing Trust Fund Grant Application; Affordable Rental and Sales Housing. (057).
RECOMMENDATION: (1) Adopt **Resolution No. 13,597** (a) authorizing the City Manager to execute and submit an application to the California Department of Housing and Community Development for a \$1 million Local Housing Trust Fund Grant; and execute all documents necessary and appropriate to pursue the grant application and obtain grant funds; (b) establishing an Affordable Sales Housing Trust Fund; and (c) directing that 10% of future affordable housing in-lieu fee payments be deposited in the Affordable Sales Housing Trust Fund, that 15% of future affordable housing in-lieu fee payments be deposited in the Affordable Rental Housing Trust Fund, and that 75% of future affordable housing in-lieu fee payments be deposited in the Affordable Housing Trust Fund; (2) Approve the appropriation of funds from the Affordable Housing Trust Fund in the amount of \$385,000 to the Affordable Rental Housing Trust Fund and in the amount of \$715,000 to the Affordable Sales Housing Trust Fund; and (3) Approve the Guidelines for the Affordable Rental and Affordable Sales Housing Trust Funds.

Public Works Department

13. SUBJECT: First Amendment to Cooperative Agreement Between the City of Oxnard and the State of California. (065).
RECOMMENDATION: Approve and authorize the Mayor to execute a first amendment to agreement between the City of Oxnard and the State of California (**A-7073**) for traffic signal modifications at the intersection of Rose Avenue and Fifth Street.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Reports for the Period Ending December 31, 2008. (069).
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: The Mayor opened the public hearing.

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

Police Department

1. SUBJECT: Supplemental Law Enforcement Services Fund. (079).
RECOMMENDATION: Approve the appropriation of State Supplemental Law Enforcement Services Funds in the amount of \$310,776 to the Police Department for partial funding of police positions and for upgrades for the department's computer systems.
ACTION: Close the public hearing (Herrera/Holden). Approve the recommendation (MacDonald/Pinkard); Ayes: Holden, MacDonald, Maulhardt, Pinkard, and Herrera.

L. PUBLIC HEARINGS

ACTION: The Mayor opened the public hearing.

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

Development Services Department

1. SUBJECT: Redevelopment of the Wagon Wheel Area With the Oxnard Village Specific Plan Project, Including a Replacement Housing Plan for the Area Bounded by Highway 101 to the North, Oxnard Boulevard to the East, the Union Pacific Railroad and El Rio Drain to the South, and North Ventura Road to the West. Filed by the Daly Group. (081).
RECOMMENDATION: That City Council: (1) Adopt **Resolution No. 13,598** approving General Plan Amendment (PZ No. 06-620-03) changing the General Plan land use designation for the project area from Commercial Regional to Oxnard Village Specific Plan; (2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2801** approving Planning and Zoning Permit No. 08-630-02 (Oxnard Village Specific Plan) for the proposed development project; (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2802** amending the City zone map (PZ No. 06-570-05) to change the zone designation for the project area from General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (CM) to Oxnard Village

Specific Plan; and (4) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2803** approving Planning and Zoning Permit No. 06-670-02 (Development Agreement) for the proposed development project.

DISCUSSION: The Development Services Director outlined the proposed development including parks sites, traffic circulation, and school mitigation.

Vince Daily and Jasch Janowicz, The Daly Group, discussed using Smart Growth principles, preservation of agricultural areas, and redevelopment of the area; numerous meetings with the neighborhoods; Mr. Janowicz discussed features of the project including site plan, live-to-work dwellings; 3-acres for parkland; green stormwater management as an option; mobilehome park replacement plan.

Speaking in opposition/expressing concern: Harold Ceja, Daniel Lichliter, Robert Vera, Sr., and Bert Perello.

Speaking in support: Nancy Lindholm, Barbara Macri-Ortiz, representing residents' of mobilehome parks; residents of mobilehome park: Patty Bailey, supports, Cindy Addison, Barbara Flynn, Fran Goble, Enedina Rivera,

The following residents of Meadowlake Mobilehome Park stated they were not notified about the project and spoke of traffic and pedestrian safety issues: Maren Semler, Bart M. Borden, Pat Dallam, Joan Hines, Joe Castellano, and Frank Nilsen.

Andres Garcia and Eileen McCarthy, CRLA, concern re regarding lack of revised Oxnard Housing element and this project needs to be analyzed for affordable housing needs in light of the revised element.

Stephen Schafer, San Buenaventura Conservancy, would like to see the Wagon Wheel Hotel saved and rehabilitated.

John R. Hatcher, III, affirmative action opportunities for local African-American workers.

Chuck Bauman wants to keep the skating rink and bowling alley.

ACTION: Close the public hearing (Holden/Herrera).

The City Council commented about 1) meeting with labor unions to provide employment for City residents; 2) concern with traffic at Orchard Lane and making auto and pedestrian improvements at this intersection a part of this project; 3) keeping the bowling alley and skating rink is favorable; 4) meeting with Rio School District and report to City Council with specifics regarding capacities at RiverPark and impact on RiverPark community as well as time frames; and 5) staff meet with Meadowlake Park residents to discuss their concerns.

ACTION: Adopt the recommendation (Maulhardt/Herrera); Ayes: MacDonald, Maulhardt, Herrera, and Holden. Abstain: Pinkard.

M. REPORT OF CITY MANAGER

- 1) Remodel of the former St. John's Hospital building is complete and seniors are moving in; and
- 2) modifications to former Oxnard High School Gym are continuing.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

With City Council concurrence, the Mayor requested items be brought back for discussion 1) to name Oxnard Beach Park after Jean Harris; and 2) for an update on the demolition at the former Halaco site.

O. REPORTS**City Manager Department**

1. **SUBJECT:** Support for City's Fiscal Year (FY) 2010 Federal Funding Requests. (113).
RECOMMENDATION: (1) Execute a letter of support for the following FY 2010 federal funding requests: Rice Avenue/Highway 101 Interchange, Groundwater Recovery Enhancement and Treatment Program, Intelligent Transportation Systems Traffic Mitigation Program, Campus Park Master Plan, College Park Master Plan, Levee Project in the Santa Clara River Floodplain, Comprehensive Critical Assets Remote Surveillance Program, Colonia Branch Library Expansion, and Sports Park Development and Implementation; and (2) Authorize the City Manager to prepare the requisite grant applications for these projects.
ACTION: Adopt the recommendation (Herrera/Holden); Ayes: Maulhardt, Pinkard, Herrera, Holden, and MacDonald.

P. PUBLIC COMMENTS ON REPORTS**COMMUNITY DEVELOPMENT COMMISSION**

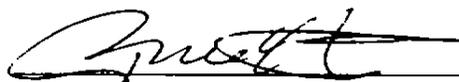
At 10:27 p.m. the concurrent meeting with the Community Development Commission concluded.

Q. APPOINTMENT ITEMS**R. STUDY SESSION****S. PUBLIC COMMENTS ON STUDY SESSION****T. ADJOURNMENT**

At 10:27 p.m. the City Council concurred to adjourn the meeting.



JILL A. BEATY
Assistant City Clerk



DR. THOMAS E. HOLDEN
Mayor