

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

October 7, 2008

A. ROLL CALL/POSTING OF AGENDA

At 6:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, and Andres Herrera were present. Timothy B. Flynn 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; Edmund Sotelo, City Manager; and Julie Doi, Assistant City Attorney. At 6:04 p.m., Councilman Flynn was present.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:04 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957, to meet to consider recruitment for and appointment of a City Attorney.

At 6:54 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:04 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission, and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States by the second grade class of Rio Rosales School, followed by a moment of silence for the Miranda family. Mayor Holden presided. Additional staff members present were: Curtis P. Cannon, Community Development Director; John Crombach, Police Chief; Grace Magistrale Hoffman, Deputy City Manager; and Michael Henderson, Parks and Facilities Superintendent.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to "Name that Pond" Contest Winners.
DISCUSSION: The City Councilmembers presented commendations to Mr. Robert Wagstaff's second grade class of Rio Rosales School.
2. SUBJECT: Presentation of a Proclamation designating October 4-11, 2008 as "No Drugs Down the Drain" Campaign.
DISCUSSION: Mark Pumford reviewed the proper disposal of household medications.
3. SUBJECT: Presentation of a Resolution to Gary Gillig for 20 Years of Outstanding Service to the City of Oxnard. (001)
ACTION: Adopt **Resolution No. 13,558** (Maulhardt/Holden) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn.
DISCUSSION: Gary Gillig commented on accomplishments of the City during his twenty years as Oxnard City Attorney and the commitment of elected officials.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals opposed Measure V and expressed concern regarding comments by Councilman Flynn in a local newspaper: Leo Valenzuela; Penny Boehm; Greg Runyon; Lupe Anguiano; Edgar Mohorko; Gary Stiles; Roger Banker; Sergio Martinez; Broderick Huggins; Mike Young; and Jim Seitz.

The following individuals supported Measure O: Scott Whitney and Eric S. Sonstegard.

William Bill Terry, upcoming community meeting to discuss the proposed Peaker Plant.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Bert Perello expressed concerns regarding I-2, I-8, I-10 and I-12.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for September 9 and 16, 2008. (003)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreement with Lauterbach & Associates, Architects, Inc. for the River Park Maintenance Facility Project. (033)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Lauterbach & Associates, Architects, Inc. (A-7109) in the amount of \$498,280 for the design of the River Park Maintenance Facility located south of River Park Boulevard at Colonia Street.
DISCUSSION: The Parks and Facilities Superintendent reviewed the selection process.

Development Services Department

4. SUBJECT: Parcel Map (Planning and Zoning Permit No. 06-300-6), for Property Located at 1950 Solar Drive, North of East Gonzales Road. Filed by TM Mian & Associates. (055).
RECOMMENDATION: Adopt **Resolution No. 13,559** approving PZ06-300-6, a parcel map subdividing one lot into two lots.
5. SUBJECT: Amendment to Agreement with WorleyParsons Komex for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (063)
RECOMMENDATION: Approve and authorize the Mayor to execute the first amendment to the agreement with WorleyParsons Komex (A-6920) in the amount of \$59,125.50 (total agreement amount of \$599,780.60) for remediation of contamination at the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101.

6. SUBJECT: Amendment to Agreement with California Department of Transportation (Caltrans) for Rice Avenue/Santa Clara Avenue Interchange Improvements on Highway 101. (065)
RECOMMENDATION: Approve and authorize the Mayor to execute the Amendment No. 2 to the agreement between the City and Caltrans (A-5560) to extend the expiration date for the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101
7. SUBJECT: **Ordinance No. 2785** Regarding Zone Change from C-2 Zoning to C-2-PD. (069)
RECOMMENDATION: Second reading and adoption.
8. SUBJECT: **Ordinance No. 2786** Regarding Adopting a Development Agreement with Aldersgate Investments, LLC. (073)
RECOMMENDATION: Second reading and adoption.*

Fire Department

9. SUBJECT: Recognize Revenue and Appropriate Funds for the 2008 Emergency Management Performance Grant (EMPG). (075)
RECOMMENDATION: (1) Recognize Revenue and Appropriate Funds in the amount of \$27,855 from the 2008 Emergency Management Performance Grant; and (2) Adopt **Resolution No. 13,560** authorizing the City Manager, Fire Chief, or Assistant Fire Chief to take actions necessary to obtain financial assistance from the federal Department of Homeland Security.

Public Works Department

10. SUBJECT: Appropriation of Interest Earnings Revenue for the Construction of the Wastewater Treatment Plant Headworks Project, Redwood Trunk Project and Septic Conversion Project. (081)
RECOMMENDATION: (1) Approve the appropriation of \$137,474 of interest earnings from the Wastewater Revenue Bonds 2004 Series A and \$12,526 of interest earnings from the Wastewater Revenue Bonds 2004 Series B to the Wastewater Treatment Plant Headworks Project budget; (2) Approve the appropriation of \$25,000 of interest earnings from the Wastewater Revenue Bonds 2004 Series A to the Redwood Trunk Project budget; and (3) Approve the appropriation of \$50,386 of interest earnings from the Wastewater Revenue Bonds 2004 Series B to the Septic Conversion Project.
11. SUBJECT: Agreement for Solid Waste Transportation, Disposal, and Landfill Services. (085)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement (A-7096) for transportation, disposal, and landfill service of solid waste from the City of Oxnard Del Norte Recycling and Transfer Station to the Cold Canyon Landfill in San Luis Obispo County.

Recreation and Community Services Department

12. SUBJECT: Agreement with the Oxnard School District to Receive Grant Funds for the City's Participation in the After School Education and Safety Program in FY 08-09. (087)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement (A-7106) with the Oxnard School District for the City to receive an amount not to exceed \$330,000 for providing the recreation component in the Educational and Enrichment Element of the State funded After School Education and Safety Program at 19 schools in FY08-09, containing an option to renew the agreement annually; and (2) Approve the special budget appropriation to recognize State grant revenue and the appropriation in the amount of \$330,000 for the use of grant funds.

INFORMATION/CONSENT AGENDA ACTION: Moved to place an item on a future agenda to discuss the "purchase agreement with Aldersgate Investments, LLC to buy the former Colonial House site". (Herrera/Zaragoza) Ayes: Unanimously. Approved as recommended. (Maulhardt/Herrera) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn. Noes: Flynn only I-8.

Q. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Final Report on the Potential Impacts and Effects of the Oxnard Traffic Initiative. (097)

RECOMMENDATION: Consider a report and presentation on the impacts and effects of the Oxnard Traffic Initiative and provide direction to City Manager.

DISCUSSION: Tim Yeomnas, Economic & Planning Systems, and Richard Dowling, Principal, Dowling & Associates reviewed the final evaluation impacts if Measure V would pass: 1) traffic circulation would not improve and may become worse due to: a) more traveling to several sites; b) more intersections would fall below LOS "C" due to reduction of funding; c) smaller projects produce more traffic than larger developments; 2) companies wanting to expand more than 10,000 square feet would probably move from the City rather than place the matter on the ballot; creating a loss of jobs; 3) redevelopment would be reduced, also creating a loss; and 4) funding for municipal services and facilities would decrease due to less growth of new development and redevelopment projects.

The following individuals supported Measure V: William Terry; Gloria Roman; Glen Hening; Larry Stein; Pat Brown; Jean Joneson; Martin Jones; Daniel Lechlitter; Chuck Bauman; Bert Perello; and Harold Ceja.

The following individuals opposed Measure V: Edgar Mohorko; Greg Runyon; Sergio Martinez; Gary Stiles; Nancy Lindholm; Leo Valenzuela; and Tom Cady.

The City Council discussed several possible impacts of Measure V including the new development and redevelopment process, relocating of businesses, growth of businesses, SOAR, current and future traffic circulation.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Finance Department

1. SUBJECT: Amendment to the 2008-2013 Consolidated Plan and the 2008-2009 Annual Action Plan of the City of Oxnard. (091)

RECOMMENDATION: (1) Conduct a public hearing to approve the proposed amendment to the Consolidated Plan for the fiscal years 2008-2013 and the Annual Action Plan for the fiscal year 2008-2009 by adding a Homebuyers Assistance activity to both the HOME Investment Partnerships Grant (HOME) Program with a budgeted amount of \$313,000, and the Community Development Block Grant (CDBG) Program with a budgeted amount of \$47,000; (2) Authorize the City Manager to submit the Plan Amendment to the U.S. Department of Housing and Urban Development for approval.

ACTION: The City Council concurred to continue to October 14, 2008.

M. REPORT OF CITY MANAGER

Housing Department

1. SUBJECT: Cabrillo Economic Development Report.

RECOMMENDATION: Consider a verbal report by the Cabrillo Economic Development Corporation.

ACTION: The City Council concurred to continue to future date.

N. CITY COUNCIL/COMMITTEE REPORTS

COMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 11:21 p.m. the joint meetings with the Community Development Commission and Housing Authority concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (continued)

John Korsten, loss of vehicles and other property.

Gloria Roman, public meeting (October 12) to discuss local issues and solutions.

Ventura Fernandez, campaign funding of candidates and jobs provided by building a hospital.

Barbara Macri-Ortiz asked for a public hearing regarding the proposed Wagon Wheel development which is within a redevelopment area.

Martin Jones, past Ventura County Grand Jury report recommendations.

Ed Ellis, guidelines to development projects including parking requirements.

Ernest Stein, success of the Multi-Cultural Festival and the Cancer Relay for Life event at Oxnard High School.

Courtney Abbott invited the public to attend the Santa Clara Elementary School carnival.

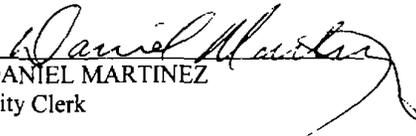
Bert Perello, information regarding Grand Jury actions, traffic circulation at River Park development, and need to film and publicize political events in the community.

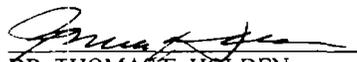
Larry Stein, police response time to emergency calls.

Daniel Lechliter questioned opposition to building a Veteran's hospital.

T. ADJOURNMENT

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


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor