

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

June 9, 2009

A. ROLL CALL/POSTING OF AGENDA

At 6:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. 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; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; James Cameron, Chief Financial Officer; Matthew Winegar, Development Services Director; Michael Henderson, Parks and Facilities Superintendent; Martin Erickson, Legislative Affairs Manager; and Grace Magistrale Hoffman, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

RECESS

At 6:04 p.m., the City Council recessed and at 6:23 p.m., the City Council reconvened.

O. REPORTS

Finance Department

1. SUBJECT: Fiscal Year (FY) 2009-2010 Budget Savings Alternatives. (001)

RECOMMENDATION: Provide direction to staff based on the Fiscal Year 2009-2010 Budget Savings Alternatives.

DISCUSSION: The Chief Financial Officer reviewed: decline in revenues in near future; use of one-time sources; reduction of travel; vacate positions; employees suggestions; and possible impact of the State budget.

The Council commented on: possible energy savings programs; worker's compensation program; employee position vacancies; future balancing of City budgets; and suggestions from employees/residents.

ACTION: The City Council provided comments to staff.

RECESS

At 6:44 p.m., the City Council recessed to the evening session.

D. OPENING CEREMONIES

At 7:05 p.m. the meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove City Urban Restriction Boundary Amendment (O-2) and Convention and Visitors Bureau Annual Report (Q-1) from the agenda.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Tom Cady, deconstruction of the former Halaco site and discussions with Washington D.C. representatives regarding funding to deconstruct the Halaco facilities.

Bert Perello thanked the Council for the scheduled rebroadcasting of INCF meeting regarding the FEMA flood map and suggested Richard Francis be placed on the team regarding changing of SOAR boundaries (O-2).

The following individuals opposed change of current SOAR boundaries: Harold Ceja and Ed Ellis.

Nancy Yanez invited the public to the Ed Hunt's Rehab Point Annual Picnic Celebration, July 12.

John Korsten: keeping street cleaning vehicle dust down; needed the return of the vehicle removed from his house; and questioned the environmental safety of children playing on school playgrounds.

Tanya Kellam, 211 Services (phone) database funding.

Beatriz Garcia, invited the public to Green Jobs and the Green Economy Action Summit, June 17, 2009 at Oxnard College and importance of Ormond Beach Wetland site.

Pat Brown, development of 2030 Plan in regards to downtown and South Oxnard.

Larry Stein, request for records; traffic congestion; SOAR; and the golf course.

Charleen Morla, invited the public to Filipino celebration events (Flag raising, June 11 and Plaza Park events, June 20 and 21.)

E. Gloria Roman, removal of contamination materials at the former Halaco site

Daniel Lechlitter opposed the proposed Jones Ranch development, and condition on the bad road conditions on north Ventura Road and Holly Avenue.

Shirley Godwin, 2030 General Plan discussion needs to include Ormond Beach, and a local green building plan.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Councilmember MacDonald requested Five Star Market (I-2) be moved for discussion.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown and Al Velasquez: opposed granting a beer and wine license (I-2).

William Terry, supported City Corps providing landscape maintenance of drainage channels (I-15).

Larry Stein, the need to fund school crosswalk guards (I-16).

Amelia Sugden, Haydock Intermediate School Principal, and Ginger Shea; supported providing of after-school programs (I-16).

The City Council commented: City Corps bidding on projects (I-15); street crossing guard program update (I-16) and the rights of the applicant (I-2).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Assembly Bill 715 (AB 715) Publishing and Posting Requirements of City Ordinances. (003)

RECOMMENDATION: Authorize the City Clerk to sign and forward a letter supporting AB 715 allowing cities to post ordinances on their official websites and to mail notice of passage of the ordinance to those who have filed written request for mailed notices in lieu of publishing the ordinance in the newspaper.

Development Services Department

2. SUBJECT: Denial of Planning and Zoning Permit No. 08-510-10 (Special Use Permit) Requesting to Allow the Sale of Beer and Wine for Off Site Consumption at an Existing Convenience Market (Five Star Market), Located at 200 South Ventura Road, Suite 250. (005)
RECOMMENDATION: Adopt **Resolution No. 13,700** denying Planning and Zoning Permit No. 08-510-10 consistent with the Council's vote at the April 14, 2009 meeting.
DISCUSSION: The Councilmembers commented on their review of the market's request for a beer and wine license. The City Attorney stated the applicant would have to wait a year before re-applying for the same permit but a different application could be applied for within the one year period.

Finance Department

3. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 88-1 (Oxnard Town Center). (009)
RECOMMENDATION: Acting as the legislative body of CFD No. 88-1, adopt **Resolution No. 13,701** setting a special tax rate within CFD No. 88-1 (Oxnard Town Center) for Fiscal Year 2009-2010.

4. SUBJECT: Fiscal Year (FY) 2009-10 Property Tax Rate for Voter Approved Obligations. (013)
RECOMMENDATION: Adopt **Resolution No. 13,702** establishing the FY 2009-10 tax rates on property in the City for the payment of voter approved obligations.
5. SUBJECT: Special Tax Levy for Community Facilities Districts (CFD) No. 1 and No. 2 (Westport at Mandalay Bay). (017)
RECOMMENDATION: Acting as the legislative body of CFDs No. 1 and No. 2: (1) Adopt **Resolution No. 13,703** setting a special tax rate within CFD No. 1 (Westport at Mandalay Bay) for Fiscal Year (FY) 2009-2010; and (2) Adopt **Resolution No. 13,704** setting a special tax rate within CFD No. 2 (Westport at Mandalay Bay) for FY 2009-2010.
6. SUBJECT: Special Tax Levy for Community Facilities Districts (CFD) No. 3 and No. 4 (Seabridge at Mandalay Bay). (037)
RECOMMENDATION: Acting as the legislative body of CFDs No. 3 and No. 4: (1) Adopt **Resolution No. 13,705** setting a special tax rate within CFD No. 3 (Seabridge at Mandalay Bay) for Fiscal Year (FY) 2009-2010; and (2) Adopt **Resolution No. 13,706** setting a special tax rate within CFD No. 4 (Seabridge at Mandalay Bay) for FY 2009-2010.
7. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 5 (Riverpark). (059)
RECOMMENDATION: Acting as the legislative body of CFD No. 5, adopt **Resolution No. 13,707** setting a special tax rate within CFD No. 5 (Riverpark) for Fiscal Year 2009-2010.
8. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 6 (Northshore at Mandalay Bay). (061)
RECOMMENDATION: Acting as the legislative body of CFD No. 6, adopt **Resolution No. 13,708** setting a special tax rate within CFD No. 6 (Northshore at Mandalay Bay) for Fiscal Year 2009-2010.
9. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange). (067)
RECOMMENDATION: Acting as the legislative body of CFD No. 2000-3, adopt **Resolution No. 13,709** setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2009-2010.
10. SUBJECT: Sale of Property on Statham Parkway. (077)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement for the sale of property on Statham Parkway with Gruny, LLC in the amount of \$1,000, along with a grant deed and any and all related documents required to consummate the transaction; (2) Approve and authorize the Mayor to execute access easements over the property benefitting certain adjacent landowners, and a public utility easement for the benefit of the City.
11. SUBJECT: Appropriation of Bond Reserve Fund Proceeds. (091)
RECOMMENDATION: Approve a special budget appropriation to exchange \$1,871,817 of proceeds of the Lease Revenue Refunding Bonds, Series 2003A reserve fund for capital outlay funds in the College Park Project.

Police Department

12. SUBJECT: First Amendment to Agreement for Transcription Services. (093)

RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to Agreement for Trade Services for a one year extension to the agreement for transcription services with Huntington Court Reporters and Transcription, Inc. (3745-06-PO) in the amount of approximately \$100,000, with an option to exercise two additional one-year extensions, for a total value of approximately \$300,000, to continue transcription services for the Police Department.

Public Works Department

13. **SUBJECT:** Recycled Water Master Plan Phase I. (099)

RECOMMENDATION: Authorize the City Manager to adopt the City's Recycled Water Master Plan Phase I per City Ordinance No. 2728 "Establishing Requirements for Use of Recycled Water".

14. **SUBJECT:** Application for the United States Bureau of Reclamation (BOR) Challenge Grant Program 2009 for Oxnard Parks Weather-Based Evapotranspiration Controller Program. (101)

RECOMMENDATION: (1) Receive and file the BOR Challenge Grant application submitted by the Water Resources Division; (2) Approve **Resolution No. 13,710** approving an application for and execution of a cooperative agreement with the United States BOR; and (3) Authorize the City Manager or his designee to appropriate grant and matching funds to Water Fund 601 upon award of the grant.

15. **SUBJECT:** First Amendment to Agreement with Oxnard Harvest Company for Stormwater Drainage Channel Cleaning and Landscape Maintenance. (105)

RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement for Trade Services with Oxnard Harvest Company (4517-08-PW) to increase the amount by \$250,000 for a total of \$500,000 for stormwater drainage channel cleaning and landscape maintenance and extend the contract expiration date to June 30, 2010.

Recreation and Community Services Department

16. **SUBJECT:** Agreement with the Oxnard School District to Receive Grant Funds for the City's Participation in the After School Education and Safety (ASES) Program in Fiscal Year (FY) 09-10. (109)

RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with the Oxnard School District (A-7185) 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 ASES Program at 19 schools in FY 09-10, containing an option to renew the agreement annually.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended including changes to (I-2). (Herrera/ Maulhardt) Ayes: Herrera, Maulhardt, Pinkard, MacDonald, and Holden.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. **SUBJECT:** Executed Contracts. (125)
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

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

Public Works Department

1. **SUBJECT:** Fiscal Year (FY) 2009-10 Assessments in Waterway Maintenance District. (127)
RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding proposed assessments for the Waterway Maintenance District for FY 2009-10; and (2) Adopt **Resolution No. 13,711** for FY 2009-10 fixing assessments for the Waterway Maintenance District.

DISCUSSION: William Terry supported City Corps providing landscape maintenance and learning skills.

ACTION: Close the public hearing. (Holden/Herrera) Approved as recommended. (Herrera/Maulhardt) Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

L. PUBLIC HEARINGS**M. REPORT OF CITY MANAGER**

The City Manager announced: Assist Dogs Reading Program at Main Oxnard Library; Ventura County Wine Trail Celebration at Heritage Square; Philippine Flag Raising and Fiestas Filipinas events; and Village Project (former Wagon Wheel development site) nominated for Southern California Association of Governments award "Excellence in Livable" for redevelopment opportunities, transportation, and replacement housing.

COMMUNITY DEVELOPMENT

At 8:16 p.m. the joint meeting with the Community Development Commission concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Mayor Pro Tem Herrera announced Ventura County would be naming of the Oxnard Airport Terminal after John Spoor "Jack" Broome and asked that the City Council consider providing some financial support to the local Ventura County Maritime Museum at Channel Islands Harbor.

City Manager Department

1. **SUBJECT:** U.S. Postal Service's Intent to Conduct an Area Mail Processing (AMP) Study of Mail Processing That May Affect the Oxnard Processing and Distribution Facility. (129).
RECOMMENDATION: Consider a report on the potential impact of the U.S. Postal Service's intent to conduct an AMP study that may close the Oxnard Processing and Distribution Facility; and (2) Execute a letter from the City Council to the City's Congressional delegation expressing concerns over the effect this proposal may have on mail delivery and job losses in the City of Oxnard.

DISCUSSION: The Legislative Affairs Manager briefly outlined the possible closure of the Oxnard Processing and Distribution Facility, effect of local mail service including delays, possible local job losses and possible letter opposing the closure.

Jack Villa with several members of the local Postal workforce asked that the City Council protest the proposed consolidation of the Oxnard Processing and Distribution Facility and possible reduction of other local services within the City of Oxnard.

Bert Perello, the Postal Service needed to investigate local mail theft.

Pat Brown supported keeping the current level of local mail service.

ACTION: Approve as recommended. (Pinkard/Holden) Unanimously.

O. REPORTS

Development Services Department

2. SUBJECT: Authorization to Prepare and Place a City Urban Restriction Boundary (CURB) Amendment to the Save Open-Space and Agricultural Resources (SOAR) as Proposed in the Draft 2030 General Plan and Draft 2006-2014 Housing Element for Next Available Consolidated State Election. Filed by City of Oxnard. (133)

RECOMMENDATION: Continue.

ACTION: The City Council concurred to continue to June 16, 2009.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

1. SUBJECT: Convention and Visitors Bureau Annual Report.

ACTION: The City Council concurred to continue to June 16, 2009.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:33 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor