

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

May 18, 2010

A. ROLL CALL/POSTING OF AGENDA

At 5:33 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; and Michelle Tellez, Human Resources Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:35 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(a) to confer with its attorneys. The titles and case numbers of the litigation being discussed are Oxnard School District v. D.R. Horton Los Angeles Holding Co., et al., Ventura County Superior Case No. 56-2008-00320518-CU-MC-VT and Michael O'Leary v. Oxnard, Workers' Compensation Appeals Board Case No.: ADJ 1266340WCAB.

At 6:10 p.m. the City Council reconvened and recessed to a closed session with the Community Development Commission.

D. OPENING CEREMONIES

At 7:00 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission, Housing Authority, and Finance Authority. 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: James Cameron, Chief Financial Officer; Sue Martin, Planning and Environmental Services Manager; and Dakota Corey, Water Conservation Outreach Coordinator.

E. CEREMONIAL CALENDAR

1. SUBJECT: Water Conservation Calendar Art Contest Award Presentation.

DISCUSSION: The Water Conservation Outreach Coordinator introduced contest winners: Margaux Ugalino, Violet Hartley-Pantoja, Cyanne Cueva, Ashlyn Williams, Kirsten Veal, Samantha Ramos Barba, Anabel Barela, Eduardo Carranza, Daniella Orozco Gonzalez, John M. Domingo, Jordan Anthony Edmison, Cassidy Hajducko, Marissa Dempsey and Yazmin Medel.

ITEMS REMOVED FROM AGENDA

The City Manager requested L-1 and O-1 be continued; the City Council concurred to continue both agenda items.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Edward Castillo, INCF requested the City Council place the subject “simulcast of the Council meetings in Spanish” on a future agenda.

John Korsten, proper use of street sweepers, lost vehicles for property and helping veterans.

Martin Jones, closed session results of 319 West 6th Street and having appraisal of the property. The City Attorney stated that there was no final action and information will be made public when a final decision is made.

The following individuals supported the selection of St John’s Hospital as a local Trauma Center within a fair process and asked that the Board of Supervisors are aware of the situation: Carmen Ramirez; Leila Yodkorik; and Janet O’Leary.

Loren Morgan, problems of homelessness (restroom & homeless shelter).

Sarah Overholser, need for homelessness facilities.

Pat Brown, successful Strawberry Festival weekend.

G. REVIEW OF INFORMATION/CONSENT AGENDAH. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Bert Perello questioned why the bonds were being refinanced (I-4). The Chief Financial Officer commented on the reasons to refinance the short-term note as saving costs and stated City’s water bonds rating had recently been upgraded.

I. INFORMATION/CONSENT AGENDACommunity Development Department

2. SUBJECT: Fifth Amended Owner Participation Agreement (OPA) and Related Documents for the Relocation of the Hotel to Accommodate a Target Store at that Site Located in the RiverPark Development which is Adjacent to and North of the Highway 101 Freeway, East of the Santa Clara River, and West of Vineyard Avenue. (007)
RECOMMENDATION: Approve and authorize the Mayor to execute the Assignment and Assumption Agreements (A-7303, A-7305, A-7307) for the Development Agreement (A-6128).

Development Services Department

3. SUBJECT: Vacation of a Portion of Danvers River Street Right-of-Way Westerly of Moonlight Park Avenue within the Riverpark Specific Plan. (011)
RECOMMENDATION: Adopt **Resolution No. 13,808** vacating a portion of Danvers River Street Right-of-Way westerly of Moonlight Park Avenue (formerly Moss Landing Boulevard) Right-of-Way within the Riverpark Specific Plan and authorize the Mayor to sign a quitclaim deed for the vacated right-of-way to Riverpark Collection, LLC.

Finance Department

4. SUBJECT: City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010. (021)
RECOMMENDATION: Adopt **Resolution No. 13,809** authorizing the sale, issuance, and delivery of not more than \$21.5 million in principal amount of Bond Anticipation Notes, Series 2010, and approving certain documents and authorizing certain actions in connection therewith.

Public Works Department

6. SUBJECT: Application for the United States Bureau of Reclamation's (BOR) 2010 WaterSMART: Water and Energy Efficiency Grant Program to Demonstrate Water Savings with Smart Irrigation Controllers. (37)
RECOMMENDATION: (1) Adopt **Resolution No. 13,810** approving an application for and execution of a cooperative agreement with the United States BOR for the United States Bureau of Reclamation's 2010 WaterSMART: Water and Energy Efficiency Grant application; and (2) Authorize the City Manager or his designee to appropriate grant and matching funds to Water Fund 601 upon award of the grant.

Recreation and Community Services Department

7. 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) 2010/11. (041)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with the Oxnard School District (A-7292) 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 2010/11, containing an option to renew the agreement annually.

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

COMMUNITY DEVELOPMENT COMMISSION/HOUSING AUTHORITY/FINANCING AUTHORITY

At 7:54 p.m. the concurrent meetings with the Community Development Commission, Housing

Authority and Financing Authority concluded.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Request to Rename a Portion of Laurel Street to Coach C Lane (PZ No. 10-650-1). Filed by Morey Navarro. (057)
RECOMMENDATION: Deny a request to change the street name of a portion of Laurel Street (between Saviers Road and C Street) to Coach C Lane.
ACTION: Continue to June 8. (Holden/Herrera) Approved unanimously.

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

2. SUBJECT: Appeal of Planning and Zoning Permit No. 09-550-13 (Major Modification to Special Use Permit No. 479), Chevron Carwash, 2251 North Oxnard Boulevard. Filed by Mark Di Cecco, AIA. (061)
RECOMMENDATION: Adopt a resolution denying the appeal and upholding the Planning Commission's denial of Planning and Zoning Permit No. 09-550-13.
DISCUSSION: The Planning and Environmental Services Manager briefly reviewed the proposed car wash facility including landscaping and traffic circulation.

The following individuals stated their belief that there was too much traffic at the intersection to approve this project: Pat Brown and Bert Perello.

Sandy Smith, consultant, asked that the applicant be able to speak. David Natanzi, applicant, commented on the improvements of all his service stations and experience with other car washes at other locations. Mark DiCecco, architect, reviewed the traffic circulation of the site, local community meetings, no landscape area being removed, and efforts to keep a clean facility.

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

DISCUSSION: The City Council discussed: land use, traffic circulation, type of car wash, original conditions of the property, additional driveway and landscaping of site.

ACTION: Uphold the appeal of building the car wash facilities with conditions that staff would return to at a future meeting. (Herrera/Maulhardt) Ayes: MacDonald, Holden, Herrera, Maulhardt, and Pinkard.

M. REPORT OF CITY MANAGER

The City Manager reported: California Emergency Management Agency awarded the Fire

Department an upgrade certification Type I, Search and Rescue Unit; 2030 General Plan Workshop meetings; and the Wilson Neighborhood would be the next neighborhood taking part in the City's Uplift (Clean a Neighborhood) program.

N. CITY COUNCIL BUSINESS COMMITTEE REPORTS

The City Council discussed: (1) the importance of St. John's Hospital being fairly selected as a Trauma Center with concurrence that this come back to a future City Council meeting; (2) success of the gang prevention network (Oxnard working with several other California cities to reduce gang activities) and possible future funding of the program.

Councilmember Maulhardt thanked the community for their support of having a very successful Strawberry Festival.

Councilman MacDonald would be attending a Beach Erosion Authority for Control of Operation & Nourishment meeting to discuss the placement of beach sand along county and Santa Barbara County beaches.

O. REPORTS

City Manager Department

1. SUBJECT: Gold Coast Transit (GCT) Fiscal Year (FY) 2010/11 Capital and Operating Budget. (089)

RECOMMENDATION: Support the GCT FY 2010/11 proposed capital and operating budget in an amount not to exceed \$4,303,073 for fixed route service, senior and disabled paratransit service, and the capital program.

ACTION: The City Council concurred to continue to June 8, 2010.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:42 p.m. the City Council concurred to adjourn the meeting in memory of former City employees Sally Rivera and Susan Miller.