

# MINUTES

## OXNARD CITY COUNCIL

Regular Meeting  
September 25, 2012

### A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Irene G. Pinkard and Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Mayor Thomas E. Holden was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Pinkard presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; Curtis P. Cannon, Community Development Director; Mike O'Malia, Interim Fire Chief; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Rob Roshanian, Interim Public Works Department; Grace Hoffman, Assistant City Manager; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Steven Fischer, Assistant City Attorney; Martin Erickson, Special Counsel to City Manager; Marisue Eastlake, Recreation/Human Relations Coordinator; and Stephanie Diaz, Contract Planner.

### 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.

### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation to Mayor Thomas E. Holden from the Sister City Committee on behalf of the Mayor of Ocotlan  
ACTION: Continue to October 2, 2012.
2. SUBJECT: Presentation by David Wilk and Lee Stanliland from the Brain Injury Center of Ventura County  
DISCUSSION: David Wilk and Lee Stanliland, Brain Injury Center of Ventura County commented on the importance of community awareness regarding brain injury.
4. SUBJECT: Presentation of Employee of the Third Quarter 2012  
DISCUSSION: Mayor Pro Tem Pinkard and Rob Roshanian, Interim Public Works Department, recognized Phillip Gregoire, Streets Manager, as the Employee of the Third Quarter.
3. SUBJECT: Presentation to City Council from the Oxnard Firefighters Association in Partnership with the Oxnard Fire Department of Pink T-Shirts in Honor of Breast Cancer Awareness Month, October 2012.  
DISCUSSION: Jeff Bonabedian, Oxnard Firefighter Union President, explained the Pink T-Shirts campaign taking place during the month of October.

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove L-1 and N-1 from the agenda and place both items on the October 2, 2012.

L. PUBLIC HEARINGSDevelopment Services Department

1. SUBJECT: Review of the Planning Commission's Approval of Special Use Permit No. 11-500-2 for the Reuse of a Vacant Commercial Retail Building and Alcohol Sales for Off-Site Consumption for a Vallarta Market Shopping Center, Located at 2600 N. Vineyard Avenue. (061)  
RECOMMENDATION: Adopt a resolution upholding the Planning Commission's approval for reuse of a vacant building for a shopping center with alcohol sales for off-site consumption, located at 2600 N. Vineyard Avenue.  
ACTION: Moved to continue this item to October 2, 2012 (Pinkard/Ramirez), unanimously

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: East County Courthouse Funding. (129)  
RECOMMENDATION: Approve \$30,000 funding request for FY 2012-13 from the general fund reserve to retain limited, part-time judicial services at East County Courthouse.  
ACTION: Moved to continue this item to October 2, 2012.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Inez Tuttle; Francisco Romero; Donald Thibeault; Ed Ellis; Coach Chino; Jim Lavery; Larry Stein; Harold Ceja; Orlando Dozier; Patrick Barrios; Bert Perello; and Pat Brown.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Police Chief (I-1 (G)); Public Information Officer (I- I (H)); Recreation/Human Relations Coordinator (I-2); and Development Services Director (I-4 & I-5).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following comments were received from: Larry Stein (I-1); Orlando Dozier (I-1); and Pat Brown (I-5).

I. INFORMATION/CONSENT AGENDACity Manager Department

1. SUBJECT: Agreements for City Council Review. (001)  
RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

2. SUBJECT: Acceptance of the Retired and Senior Volunteer Program (RSVP) Grant for Fiscal Year 2012/2013. (005)  
RECOMMENDATION: 1) Recognize grant revenue in the amount of \$67,777 and appropriate matching funds for the Retired and Senior Volunteer Program grant; and 2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims, and approve special budget appropriations for the use of grant funds.

#### City Treasurer Department

3. SUBJECT: Quarterly Investment Report for the Fourth Quarter F/Y 2011-2012. (009)  
RECOMMENDATION: Accept the quarterly Investment Report for the Fourth Quarter F/Y 2011-2012.

#### Development Services Department

4. SUBJECT: Vacation of Excess Right-of-Way Along the South Side of Gonzales Road East of Williams Drive. (017)  
RECOMMENDATION: Adopt **Resolution No. 14,274** summarily vacating a strip of excess right-of-way along the south side of Gonzales Road east of Williams Drive.
5. SUBJECT: Planning and Zoning Permit No. 12-660-01 (Street Vacation)  
Vacation of a Four Foot Wide Strip Right-of-Way Along the East Side of I Street Southerly of Wooley Road, adjacent to Oralia's Bakery. (025)  
RECOMMENDATION: Adopt **Resolution No. 14,275** summarily vacating a four foot wide strip (616 square feet) of excess right-of-way along the east side of I Street southerly of Wooley Road.

#### Fire Department

6. SUBJECT: Authorization to Accept an Award for Emergency Management Performance Grant in the Amount of \$45,588 and Adopt Resolution Authorizing Agents to Act on Behalf of the City. (031)  
RECOMMENDATION: 1) Authorize the City Manager to accept a grant award in the amount of \$45,588; 2) Authorize the Chief Financial Officer to appropriate the funds and perform all other required financial actions; and 3) Adopt **Resolution No. 14,276** authorizing the City Manager, the Chief Financial Officer, and the Police Finance Manager to execute for and on behalf of the City, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub granted through the State of California.

#### Police Department

7. SUBJECT: State of California AVOID the 14 DUI Enforcement Grant. (035)  
RECOMMENDATION: Adopt **Resolution No. 14,277**: 1) Authorizing the City Manager to execute and submit an application for \$145,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2012/13 AVOID the 14 DUI Enforcement Program; 2) Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura, the California State University at Channel Islands, The Ventura County Community

College District, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks, designating the City of Oxnard as the lead agency and fiscal agent for the AVOID the 14 grant; 3) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 4) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of AVOID the 14 funds; and 5) Authorizing the Chief of Police or designee to submit all program related progress or status reports.

- 8. **SUBJECT:** State of California Grant for Selective Traffic Enforcement. (039)  
RECOMMENDATION: Adopt **Resolution No. 14,278:** 1) Authorizing the City Manager to submit an application for \$150,000 to the State of California, Office of Traffic Safety (OTS); 2) Authorizing the City Manager or designee to execute grant agreements; 3) Authorizing the Chief Financial Officer or designee to submit financial reports and grants claims and approve Special Budget Appropriations for the use of grant funds; and 4) Authorizing the Chief of Police or designee to submit non-financial reports.
  
- 9. **SUBJECT:** Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding 2012/14. (043)  
RECOMMENDATION: Adopt **Resolution No. 14,279** authorizing the City Manager to submit an application for \$500,000 in Board of State and Community Corrections (BSCC) 2012/14 California Gang Reduction, Intervention and Prevention (Cal GRIP) funds to be used to reduce gang and youth violence through direct intervention, job training, and community engagement.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended, (Pinkard/Flynn), unanimously with Mayor Holden absent.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

- 1. **SUBJECT:** Monthly Budget Status Report for the Period Ending August 31, 2012. (045)  
RECOMMENDATION: Receive Report.  
DISCUSSION: The Chief Financial Officer stated 2012/13 budget approved a loan from Water non-operating funds to help the golf course and that the Community Development Successor Agency budget was not being stated in the report at this time due to waiting for review from State Finance Department.

Comments were received from: Bert Perello and Jim Lavery.

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

ACTION: Mayor Pro Tem Pinkard declared the public hearing open.  
DISCUSSION: The City Clerk reported on posting, publication and two letters were received.

2. **SUBJECT:** Zone Text Amendment (PZ 10-580-01), Pertaining to Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing. (111)

**RECOMMENDATION:** Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City of Oxnard Code pertaining to emergency shelters, transitional housing, supportive housing and farmworker housing pursuant to Senate Bill 2.

**DISCUSSION:** The Contract Planner reviewed the different types of permitted uses under SB 2 and restrictions of individuals with past criminal history. The Assistant City Attorney reviewed opposed restrictions of the housing regulations.

Comments were received from: Peggy Rivera; Eileen Tracy; John Saltee; Cassie Sorenson; Mark Smith; David Courtland; Ron Mulvihill; Bert Perello; Pat Brown and Greg Runyon.

The City Council expressed concern that more input was needed from interested individuals and agencies.

**ACTION:** Close the public hearing. (Ramirez/Flynn) Move to continue this item to a future date and provided comments to staff. (Pinkard/MacDonald), unanimously.

#### M. REPORT OF CITY MANAGER

The Interim City Manager provided information regarding the upcoming Spanish translation service.

#### O. REPORTS

##### Housing Department

2. **SUBJECT:** Terraza de Las Cortes, L.P. by the Housing Authority and Las Cortes, Inc. (173)

**RECOMMENDATION:** Approve a special budget appropriation in the amount of \$3.3 million to the Project.

**DISCUSSION:** The Housing Director reviewed the location of the proposed construction of housing within the Courts area of Colonia and options of the current residents.

The Council discussed: financing of 64 units; date of completion; other development of Courts replacement;

**ACTION:** Approved as recommended. (Pinkard/MacDonald). Ayes: MacDonald, Flynn, Ramirez and Pinkard. Absent: Holden.

#### HOUSING AUTHORITY

At 10:12 p.m. the concurrent meeting with the Housing Authority concluded.

##### City Treasurer Department

1. **SUBJECT:** Investment Policy and Annual Report of Investment Activity. (135)

**RECOMMENDATION:** 1) Approve the Investment Policy for the City of Oxnard; and 2) Adopt **Resolution No. 14,280** delegating investment authority to the City Treasurer.

DISCUSSION: The City Treasurer reviewed objectives of investment policy, types of acceptable investments instruments and bench marks.

Comments received from: Bert Perello.

ACTION: Approved as recommended. (Pinkard/MacDonald). Ayes: Flynn, Ramirez, Pinkard, and MacDonald. Absent: Holden.

Community Development Department

- 3. SUBJECT: Processing of Documentation in Order to Reflect Ownership of the Commission Properties and Other Assets by the Successor Agency. (177)

RECOMMENDATION: Adopt **Resolution No. 14,281** authorizing the processing of documentation reflecting ownership of the Commission properties and other assets by the Oxnard Community Development Commission Successor Agency ("Successor Agency").

DISCUSSION: The Community Development Director outlined the documentation regarding the properties and assets of the Successor Agency.

Todd Moody, Legal Counsel, stated that this action would reflect the action of the State and create a long range maintenance plan for the properties.

Comments received from Bert Perello.

ACTION: Approved as recommended. (MacDonald/Ramirez). Ayes: Ramirez, Pinkard, MacDonald, and Flynn. Absent: Holden.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:44 p.m. the concurrent meeting with the Community Development Successor Agency concluded.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

City Manager's Office

- 1. SUBJECT: Discuss Transition of Gold Coast Transit (GCT) from a Joint Powers Agency to a Transit District. (239)

RECOMMENDATION: Consider a report concerning the transition of GCT from a joint powers agency to a transit district.

DISCUSSION: The Special Counsel to City Manager commented on a proposed to establish a regional transit district, future legislature transit requirements and differences between joint powers agency to a regional transit district.

Steve Brown, General Manager of Gold Coast Transit, commented on the positive aspects of having a regional transportation system.

The Council discussed the importance of having a regional transit system.

ACTION: Received the information and provided comments.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:02 p.m. the City Council concurred to adjourn the meeting.

  
DANIEL MARTINEZ  
City Clerk

  
DR. IRENE G. PINKARD  
Mayor Pro Tem