

MINUTES

OXNARD CITY COUNCIL Regular Meeting October 26, 2010

A. ROLL CALL/POSTING OF AGENDA

At 7:05 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. 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; John Crombach, Police Chief; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; and Michael Henderson, General Services Manager.

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 for Randall Elliot, Oxnard Planning Commissioner and community activist.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Resolution to David Gonzalez for Thirty-Six Years of Outstanding Service to the City of Oxnard. (001)
ACTION: Approve **Resolution No. 13,925** (Maulhardt/Holden) unanimously.
2. SUBJECT: Presentation of Resolution to Robert MacDonald for Twenty-Nine Years of Outstanding Service to the City of Oxnard. (003)
ACTION: Approve **Resolution No. 13,927** (Herrera/Pinkard) unanimously.
3. SUBJECT: Recognition of Oxnard Fleet Services Awarded # 4 among the Top 100 Fleets in the Nation for 2010.
DISCUSSION: The General Services Manager commented on the award.
4. SUBJECT: Presentation of Proclamation Designating October 2010 as "Magic Month".
DISCUSSION: Ted Wakai accepted the proclamation and preformed a few tricks.
5. SUBJECT: Presentation of Joint Proclamation Designating October as "Breast Cancer Awareness Month" and November as "End Domestic Violence Month".
DISCUSSION: Marissa Vanderwyck, President of the Soroptimist of Oxnard, accepted the proclamation and commented on the importance of public awareness.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ernest Stein, benefit of non-profit organizations having the Cowboys Training Camp.

Harold Ceja, opposed ballot Measure 19 (marijuana).

Marvin Cayou, clean environment issues.

Miguel Espinosa, past actions of Holden, Herrera and Maulhardt on the Council.

Yern Nomstrum, thanked the City for assistance at the community garden (Gonzales Road/Gallatin Place.)

Mory Navarro, offered disposal of political sign at Oxnard Towing, 720 Mountain View.

Jill Martinez, Community Action, comments regarding Community Action organization to hence the lives of community members with activities such as community gardens.

Bert Perello, placement of non-profit flyers information in utility bills.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Jill Martinez, Community Action Commission, thanked City Council for the partnership in helping the community (I-9).

Pat Brown, questioned the funding and joint agreement (I-4). The Development Services Director stated Caltrans and other funding sources would be funding the project.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for July 20 and 27, 2010. (005)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Additional Appropriation for Campus Park Rehabilitation Project Phase II GS09-13. (019)
RECOMMENDATION: Approve the additional appropriation of \$215,370 from the Community Development Block Grant (CDBG) reprogrammed funds from prior year completed projects and program income to project GS09-13 for the Campus Park Rehabilitation Project Phase II, located at 350 South K Street.*
3. SUBJECT: Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding. (021)
RECOMMENDATION: Adopt **Resolution No. 13,927** authorizing the City Manager to submit an application for \$400,000 in California Emergency Management Agency (CalEMA) and the Governor's Office of Gang and Youth Violence Policy (OGYVP) California Gang Reduction, Intervention, and Prevention (CalGRIP) - Cities Initiative funds to be used to reduce gang and youth violence through direct intervention, job training and community engagement.

Development Services Department

4. SUBJECT: Amendment to Agreement with California Department of Transportation (Caltrans) for Rice Avenue/Santa Clara Avenue Interchange Improvements on Highway 101. (023)
RECOMMENDATION: Approve and authorize the Mayor to execute the Amendment No. 1 to the agreement between the City and Caltrans in the amount of \$30,449,000 for the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101 (A-7011).

Finance Department

5. SUBJECT: State Controller Financial Transactions Report. (031)
RECOMMENDATION: Receive the State Controller Financial Transactions Report and make the report available per sections 53891 and 53893 of the Government Code.

Housing Department

6. SUBJECT: City Approval of the Amended and Restated Assignment and Assumption, Amendment, and Modification Agreement for the Camino Gonzalez Apartments project located at 481 W. Gonzales Road. (031)
RECOMMENDATION: Approve and authorize the Mayor and the Housing Director to execute an Amended and Restated Assignment and Assumption, Amendment, and Modification Agreement (A-7098) for the Camino Gonzales Apartments project.

Public Works Department

7. SUBJECT: Presentation of Resolution to John Carter for Twenty-Eight Years of Outstanding Service to the City of Oxnard. (053)
RECOMMENDATION: Approve **Resolution No. 13,928**.
8. SUBJECT: Second Amendment to Agreement with Olin Chlor-Alkali Products for Chemical Supply and Delivery of Sodium Hypochlorite to the Wastewater Treatment Plant. (055)
RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment with Olin Chlor-Alkali Products (A-7141) to increase the encumbrance an additional \$290,000 for a not to exceed total of \$580,000.

Recreation and Community Services Department

9. SUBJECT: Community Development Block Grant (CDBG) Youth Enrichment Program Subrecipient Agreements for FY 10-11. (059)
RECOMMENDATION: 1) Authorize the previously approved Community Development Block Grant Youth Enrichment Program (CDBG YEP) of \$79,445 and Measure "O" funds of \$150,000 to the following local community based organizations: Big Brothers and Big Sisters of Ventura County for \$52,000, City Impact, Inc. for \$40,000, Community Action for Ventura County for \$19,445, El Centrito Family Learning Centers for \$56,000, El Concilio Family Services for \$42,000 and Palmer Drug Abuse Program for \$20,000; and 2) Authorize the City Manager or his designee to execute CDBG subrecipient agreements requiring such groups to provide enrichment programs that target at-risk youth from very low, low and moderate income families.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.
(Maulhardt/Herrera) Ayes: Herrera, Maulhardt, Pinkard, MacDonald and Holden. *Noes: Holden and MacDonald only for item I-2.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending September 30, 2010. (063)
ACTION: Received and filed.

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: The Anacapa Townhomes Project – Planning & Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance) Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores Co., LLC. (105)
RECOMMENDATION: Continue to December 7, 2010.
ACTION: Approve as recommended (Herrera/Maulhardt) unanimously.

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.

Development Services Department

1. SUBJECT: First Amendment to Development Agreement No. A-7113 (PZ 10-670-03) for Planning District B (West Peripheral Commercial District) in RiverPark. Filed by Oxnard Development Company, LLC, 199 Figueroa St, Suite 100, Ventura CA 93001. (075)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2832** approving the First Amendment to the Development Agreement No. A-7113 (PZ 10-670-03), between Oxnard Development Corporation and the City of Oxnard, for property located east of North Ventura Road and south of Town Center Drive, within the RiverPark Specific Plan area, and authorizing the Mayor to execute the First Amendment to the RiverPark Development Agreement after the second reading of the ordinance.
2. SUBJECT: Planning and Zoning Permit No. 10-630-01 (Amendment to Rose-Santa Clara Corridor Specific Plan) to Amend the Sign Guidelines and Standards Section of the Rose-Santa Clara Corridor Specific Plan for the Marketplace Shopping Center Located West of Paseo Mercado, and North of Ventura Boulevard. Filed by Parkstone Companies. (085)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2833** approving Planning and Zoning Permit No. 10-630-01 (Specific Plan Amendment) amending the Rose-Santa Clara Corridor Specific Plan to allow the installation of one 25-foot tall pylon sign within the landscaped median parallel to Ventura Boulevard, for the Marketplace Shopping Center (1801-1941 Ventura Boulevard). The project area is generally located west of Paseo Mercado, North of Ventura Boulevard.

The Development Services Director compared the signage to other commercial stores and this proposal was reasonable.

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

M. REPORT OF CITY MANAGER

The City Manager announced that this would be the Police Chief last meeting since he will be retiring next month and commented on a few of his accomplishments as Police Chief.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

Finance Department

1. SUBJECT: Contract Approval Limits. (131)

RECOMMENDATION: 1) Consider a report on contract approval limits; and 2) Consider adoption of a resolution establishing purchasing procedures.

DISCUSSION: The Chief Financial Officer (CFO) outlined present contract limits and presented options to the City Council.

The Council commented on: changing limits, availability of the register, contract changes after approval, emergency policy and public review of information.

The following individuals expressed concerns with several aspects of the current policies regarding approval of contracts: Cindy Eaves, Construction Industry Force Account Council; Bert Perello; Ed Ellis; and Edward Castillo.

ACTION: Provided direction to staff to bring a resolution reflecting their comments.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:58 p.m. the City Council concurred to adjourn the meeting.