

MINUTES

OXNARD CITY COUNCIL Regular Meeting September 20, 2011

A. ROLL CALL/POSTING OF AGENDA

At 6:01 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Councilmember 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; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; James Cameron, Chief Financial Officer; Rob Roshanian, Interim Public Works Director; and Jason Benites, Assistant Police Chief.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:02 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(a) to confer with its attorneys. The title and case numbers of the litigation being discussed were Southern California Edison v. City of Oxnard, et al., Ventura County Superior Court Case No. 56-2011-00399096-CU-WM-VTA; City of Oxnard, et al. v. California Coastal Commission and Southern California Edison, Court of Appeal of California, Second Appellate District, Case No. B227835; Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resources Adequacy Requirements Program PUC Rulemaking No. 09-10-032 and Fernandez, Alejandro v. City of Oxnard; U.S. District Court, Case No. CV10-07300-JFW (JCGX)

At 7:02 p.m. the City Council reconvened and Mayor Pro Tem Pinkard announced that the City Council would not seek a State Supreme Court review.

D. OPENING CEREMONIES

At 7:02 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Pro Tem Pinkard presided. Additional staff members present were: Matthew Winegar, Development Services Director; Michelle Tellez, Human Resources Director; Sue Martin, Planning and Environmental Services Manager; Grant Dunne, Management Analyst III; and Lou Balderrama, City Engineer.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from: William Bill Terry; Gloria Roman; Jeremy Meyer; Jean Joneson; Larry Stein; and Bert Perello.

The following individuals expressed concern that television program was being considered to be discontinued at Oxnard College: Juan Smith, Ryan Spell, Andrea Baltazar, Laura Reyes, Johnathan Portillo, George Ortega, Peter Salazar, Rene Garcia, Henry Martinez, and Josh Martinez.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Comments were received from: Bert Perello.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for July, 12, 19, and 26, 2011. (001)
RECOMMENDATION: Approve.

City Manager

2. SUBJECT: Agreements for City Council Review. (019)
RECOMMENDATION: Pursuant to Ordinance 2835, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.
DISCUSSION: The City Engineer reviewed the costs of the Rose Avenue railroad crossing repairs.

Fire Department

3. SUBJECT: Authorization to Submit an Application for Federal Emergency Management Agency Assistance to Firefighters Grant in the Amount of \$36,300. (021)
RECOMMENDATION: Adopt **Resolution No. 14,111** authorizing: 1) The City Manager to submit an application to the Federal Emergency Management Agency Assistance (FEMA) to Firefighters grant in the amount of \$36,300; 2) The City Manager to execute the grant agreement if grant funds are awarded to the city; 3) The Chief Financial Officer to appropriate the funds and perform all other required financial actions; and 4) The Fire Chief or designee to submit non-financial reports.

Public Works Department

4. SUBJECT: Second Amendment to Agreement for Solid Waste Disposal Services Between the City of Oxnard and Waste Management Incorporated, Simi Valley Landfill. (023)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement for Solid Waste Disposal Services with Waste Management of California, Incorporated (A-5997) to extend the contract expiration date to February 25, 2012.
DISCUSSION: The Management Analyst III reviewed the impact of outside users.

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

Q. APPOINTMENT ITEMS

SUBJECT: Presentation by Peter Brand, California Coastal Conservancy.

RECOMMENDATION: Hear and consider a presentation by Peter Brand, California Coastal Conservancy, concerning property acquisition efforts in the Ormond Beach area.

DISCUSSION: Mr. Brand commented on the investigation studies of the Ormond Beach area, the (special) benefits of living near the ocean, land use destination process, the power plant site, efforts to buy properties, use of bond funding, best use of land, efforts of restoration of the area, and possible funding sources.

Received comments from the following individuals: Ana Cristina Flores; Jean Roundtree; William Bill Terry; Shannon McComb; Jim McComb; Nancy Pedersen; Jeremy Mayer; Dave Morse; Trevor Smith; Karen Kraus, Environmental Defense Center; Janis McCormick; Beatriz Garcia; Trisha Munro, Jurgen Gramckow; Michael Stubblefield; Steve Nash; and Marilee Anker.

The City Council discussed possible development plans of the area including Ormond Beach and plans of the California Coastal Conservancy.

ACTION: Received the presentation and provided comments to staff.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSL. PUBLIC HEARINGSDevelopment Services Department

1. SUBJECT: Adoption of 2030 General Plan.

RECOMMENDATION: Continued to October 11, 2011.

ACTION: Moved to approve as recommended, (Pinkard/MacDonald), unanimously.

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

2. SUBJECT: Anacapa Townhomes Project - Planning and 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. (053)

RECOMMENDATION: 1) Adopt **Resolution No. 14,112** approving the Tentative Subdivision Map for Tract 5843 (PZ No. 09-300-01), subject to the conditions set forth in Planning Commission Resolution No. 2010-16, and additional traffic conditions; 2) Adopt **Resolution No. 14,113** upholding the Planning Commission's approval of the Coastal Development Permit (PZ No. 08-400-04), subject to the conditions set forth in Planning Commission Resolution No. 2010-15, and additional traffic conditions; and 3) Adopt **Resolution No. 14,114** upholding the Planning Commission's approval of the Coastal Zone Variance (PZ No. 09-590-01), subject to the conditions set forth in Planning Commission Resolution No. 2010-17.

DISCUSSION: The Planning and Environmental Services Manager outlined the proposed development including traffic circulation, recreation area and on-site parking. The Interim Public Works Director and Development Director commented that negotiations are taking place regarding water credit, future new source of water from GREAT Program, and other conditions placed on developer.

Pete Weeger, Oxnard Shores Co, commented on efforts to develop a well designed development having low-water use.

Comments were received from: Bill Shallenberger, Robert Shallenberger, and Bert Perello.

The Council commented on: on-site parking, water use, bike lanes, public transportation, bridge widening, and court agreement regarding this site.

ACTION: Close the public hearing. (Pinkard/Ramirez) unanimously. Approved as recommended, (Pinkard/Flynn). Ayes: Flynn, Pinkard, and MacDonald. Abstain: Ramirez. Absent: Holden.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Pro Tem Pinkard declared the public hearing open.

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

Housing Department

1. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year 2010-2011. (027)

RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2010-2011.

DISCUSSION: Received comments from

ACTION: Close the public hearing. (Ramirez/Flynn) unanimously. Approved as recommended. (MacDonald/Pinkard) Ayes: Flynn, Ramirez, Pinkard, and MacDonald. Absent: Holden.

M. REPORT OF CITY MANAGER

The City Manager commented that 15 new police recruits were hired due to Measure O funding, Spanish translation at council meeting was being researched, and the Multi-Cultural Festival was scheduled for October 1, 2011.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

The City Council commented on the coordinated environmental clean-ups over the weekend.

1. SUBJECT: Discussion of Proposed Oxnard Safe Housing Collaborative (Councilman T. Flynn)
DISCUSSION: Councilman Flynn outlined the housing collaborative concept, working with several community representatives and use of City staff.

The Council discussed: the need to define goals, the need to work with the Housing Department, working with community groups; and use of City staff.

ACTION: The City Council provided directions to staff.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were received from Pat Brown and Aurelio Ocampo.

At 11:17 p.m., moved to continue the Council meeting until 11:45 p.m. (Ramirez/Flynn), unanimously.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

2. SUBJECT: Post-Retirement Benefit. (073)

RECOMMENDATION: That City Council receive and file this report.

DISCUSSION: The City Manager commented on the current administrative manual policy and placement in the administration manual. The City Attorney reviewed the legal weight of the administration manual.

The Council commented on: the need to be aware of benefits provided to department heads; need for possible outside legal review; and the need to review the Government Code.

Comments were received from: Bert Perello; Pat Brown; Ed Ellis; and Steve Nash.

ACTION: The City Council provided comments and directions to staff.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:32 p.m. the City Council concurred to adjourn the meeting.


 DANIEL MARTINEZ
 City Clerk


 DR. IRENE G. PINKARD
 Mayor Pro Tem