

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
April 21, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald 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 Herrera presided and called the meeting to order. Staff members present were: Edmund Sotelo, City Manager; Grace Magistrale Hoffman, Deputy City Manager; Alan Holmberg, City Attorney; Matt Winegar, Development Services Director; Will Reed, Homeless Prevention Coordinator; and Jill A. Beaty, Assistant City Clerk.

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, led by Councilman MacDonald, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: Proclamation Designating April 23 as "Arbor Day".
DISCUSSION: Accepted by Lori Rice, Parks Manager, who invited the public to the festivities at Community Center East Park.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Bill Terry re attendance at climate change/reducing carbon footprint meeting.

Charles McLaughlin, Ventura County Taxpayers Association, upcoming meetings regarding Prop 1A through 1F on the May 19 Special Election ballot.

Harold Ceja, Ed Ellis, E. Gloria Roman, and Shirley Godwin spoke in support of litigation opposing the Peaker Plant.

John Korsten, code compliance issues.

Nancy Pedersen, school activities at Ormond Point.

Rev. Edgard A. Mohorko announced upcoming Clergy Council meeting and Operation Peacework.

Robert Vera, Sr. offered his services to make improvements in the community.

John Asuncion, Southern California Association of Governments (SCAG), invited the City Council to the 2009 SCAG General Assembly May 7-8 'Planning for Tomorrow Today' to network with leaders of the region

Greg Runyon, positive community efforts to curb violence.

Saul Medina in praise of street improvements being made in Rose Park area.

Larry Godwin re violations at Halaco and current site cleanup.

Burt Perello opposes Peaker Plant and would like the public to be updated on the Casden development.

Lucy Cartagena, appreciation for graffiti cleanup.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Manager requested removal of I-3. He also requested removal of I-4. The City Attorney commented this is based on 1) applicant request; and 2) to make a legally sustainable decision those who were present and voting on the original denial should be present to vote on the resolution.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the City Council for March 24, 2009. (001)
RECOMMENDATION: Approve.

Development Services Department

2. SUBJECT: Vacation of Four Irrevocable Offers of Dedication Within the Riverpark Specific Plan. (009)
RECOMMENDATION: Adopt **Resolution No. 13,611** to vacate two irrevocable offers of dedication for street and public utility purposes and vacate two additional irrevocable offers of dedication for public utility purposes within the Riverpark Specific Plan.
3. SUBJECT: Revised Freeway Maintenance Agreement With California Department of Transportation (Caltrans) for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (013)
RECOMMENDATION: Removed from agenda.
4. 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. Filed by Salvador Magallon. (023)
RECOMMENDATION: Removed from agenda.

Police Department

5. SUBJECT: American Recovery and Reinvestment Act: Edward Byrne Memorial Competitive Grant Program. (027)
RECOMMENDATION: Authorize the City Manager or designee to execute and submit four proposals for U.S. Department of Justice grant funds in an amount not to exceed \$2,166,604 from the Edward Byrne Memorial Competitive Grant Program's "Hiring of Civilian Staff in Law Enforcement Agencies" category.

Public Works Department

6. SUBJECT: Oxnard Boulevard Relinquishment, Memorandum of Understanding (MOU) Between Caltrans and City of Oxnard. (029)
RECOMMENDATION: Approve a draft MOU (A-7165) regarding the relinquishment of State Route 1 (Oxnard Boulevard) from U.S. 101 to the intersection of Rice Avenue and Pleasant Valley Road, Vineyard Avenue from U.S. 101 to Oxnard Boulevard, and Fifth Street from Oxnard Boulevard to Rice Avenue, and authorize the Mayor to execute the final MOU in form and substance substantially similar to the draft.
7. SUBJECT: Yucca Street Storm Drain Improvement Project, Phase II. (041)
RECOMMENDATION: Approve the plans and specifications for the construction of the Yucca Street Storm Drain Improvement Project Phase II.
8. SUBJECT: Sanford Street Storm Drain Improvement Project, Phase II. (045)
RECOMMENDATION: Approve the plans and specifications for the construction of the Sanford Street Storm Drain Improvement Project Phase II.
9. SUBJECT: **Ordinance No. 2809** Amending Certain Portions of Ordinance No. 2709 and Adding Certain Portions to Ordinance 2709 Adjusting Wastewater Facilities Fees. (049)
RECOMMENDATION: Second reading and adoption.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGSCity Manager Department

1. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy FY 2010-2011 Assessments in Landscape Maintenance District No. 60.
RECOMMENDATION: Continue to May 5, 2009.
ACTION: Approved (Maulhardt/Herrera); unanimously. Absent: Holden.

ACTION: Mayor Pro Tem Herrera opened the public hearing.

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

Finance Department

2. SUBJECT: Second Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan of the City of Oxnard to Include the Homelessness Prevention and Rapid Re-Housing Program Funded by the American Recovery and Reinvestment Act of 2009 (ARRA). (051)

RECOMMENDATION: (1) Conduct a public hearing to approve the proposed amendment to the Consolidated Plan for FY 2008-2013 and the Annual Action Plan for FY 2008-2009, accepting the award of \$1,124,994 in Homelessness Prevention and Rapid Re-Housing Program funds from the Department of Housing and Urban Development (HUD) under the ARRA; (2) Authorize the City Manager to submit a substantial amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan to HUD for approval; and (3) Approve the release of a request for proposals, awarding the funds to qualified entities that will provide the eligible activities.

DISCUSSION: The Homeless Prevention Coordinator reported that planned uses under the ARRA are short- and long-term rental assistance, utility and security deposits and assistance, and moving and reallocation costs.

Cathy Brudnicki, Executive Director, Ventura County Housing and Homeless Coalition, spoke in support of staff's recommendation.

ACTION: Close the public hearing (Pinkard/Maulhardt), unanimous; Approved (Macdonald/Pinkard), Ayes: Maulhardt, Pinkard, Herrera, and MacDonald. Absent: Holden.

M. REPORT OF CITY MANAGER

Operation Neighborhood Uplift cleanup event on April 25th in Bartolo Square South Neighborhood; Adult Literacy outreach program training classes; upcoming Peter Fletcher performance at the Library.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Councilwoman Pinkard reported on the successful 20th annual tour of black colleges and universities with local young students.

O. REPORTS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 08-600-1 (Pre-Application): Request to Pay an Affordable Housing Payment in Lieu of Providing Affordable Housing on the Site of a Proposed 70-unit Condominium Project, Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores Co., LLC. (069)

RECOMMENDATION: Consider a request to make an in-lieu affordable housing payment to the Affordable Housing In-Lieu Fee Fund instead of providing on-site affordable housing units.

DISCUSSION: The Development Services Director described the development agreement and settlement agreement of a lawsuit over property in this area. He stated \$350,000 would be paid into the in-lieu fund.

Mitchell Kahn, attorney for applicant, discussed the economics of development and the owner's preference not to amend the project.

William Bill Terry, in favor of neighborhood integration. He opposes the recommendation.

Burt Perello opposes and cited existing affordable housing projects and ongoing problems as well as government goals to integrate communities.

Council comments included: in-lieu fees would be used to buy down seven units by the other 63 units; concerns with density in this proposed development given the project to widen Wooley Road to Harbor Boulevard; and a decision on in-lieu fees would come when a more definitive project is presented.

ACTION: The City Council considered the request and provided comments.

P. PUBLIC COMMENTS ON REPORTS

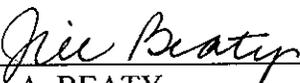
Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:27 p.m. the City Council concurred to adjourn.



JILL A. BEATY
Assistant City Clerk



ANDRES HERRERA
Mayor Pro Tem