

MINUTES

OXNARD CITY COUNCIL Regular Meeting September 18, 2012

A. ROLL CALL/POSTING OF AGENDA

At 5:31 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Successor Agency. Councilmembers Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez 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; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; and Curtis P. Cannon, Community Development Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:32 p.m. the City Council and Successor Agency recessed to a closed session, pursuant to Government Code section 54956.9(c) based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in two potential cases, and discuss litigation which the City has decided to file in the Superior Court of the State of California in Sacramento, City of Bellflower, et al. v. Ana Matasantos, et al., case not yet filed.

At 6:59 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:05 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Housing 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: Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; William Wilkins, Housing Director; Rob Roshanian, Interim Public Works Director; Grace Magistrale Hoffman, Deputy City Manager; Sue Martin, Planning and Environmental Services Manager; and Grant Dunne, Environmental Resources Management Analyst.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Martin Jones; Ed Ellis; Charles Dennis; Larry Stein; Ernest Winnerholm; Robert Sanchez; Orlando Dozier; Daniel Lechliter; Inez Tuttle; Dolores Ochoa; and Jesus Rocha.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

- 1. SUBJECT: Minutes of the Regular Meeting of the Oxnard City Council for July 17 and July 24, 2012. (001)
RECOMMENDATION: Approve.

Fire Department

- 2. SUBJECT: Authorization to Accept a Grant Award from the Federal Emergency Management Assistance to Firefighters Grant – Fire Prevention and Safety Grant in the Amount of \$351,200. (0009)
RECOMMENDATION: 1) Adopt **Resolution No. 14,273** accepting a grant award from the Federal Emergency Management Agency (FEMA) Assistance to Firefighters grant in the amount of \$351,200, authorizing the execution of grant agreements, authorizing the submittal of grant claims and financial and non-financial reports, and authorizing the approval of special budget appropriations for the use of grant funds; and 2) Approve special budget appropriation to recognize and appropriate funds in amount of \$351,200.

Public Works Department

- 3. SUBJECT: **Ordinance No's. 2859, 2860 and 2861** to Continue and Establish Water, Wastewater and Environmental Resources User Fees and Charges. (013)
RECOMMENDATION: Second reading and approval.*
- 4. SUBJECT: PW 12-16 Wells Numbers 22, 32 and 33 Rehabilitation Project. (045)
RECOMMENDATION: Approve Project Specification No. PW 12-16 for the rehabilitation of Wells Numbers 22, 32 and 33, located at 251 South Hayes Avenue, and authorize staff to solicit bids for the project.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Holden/Ramirez)
 Ayes: Pinkard, MacDonald, Flynn, Ramirez and Holden. Noes: Flynn only item 1-3.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

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.

Housing Department

- 1. SUBJECT: The City of Oxnard's Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year 2011-2012. (047)
RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2011-2012.
ACTION: Close the public hearing. (MacDonald/Holden) Approved as recommended.
 (MacDonald/Holden) Ayes: Ramirez, Holden, Pinkard, MacDonald and Flynn.

L. PUBLIC HEARINGS

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

Development Services Department

1. SUBJECT: Appeal of the Planning Commission's Denial of Planning & Zoning Permit No. 11-570-02 (Zone Change) Requesting a Zone Change to General Commercial Planned Development (C-2-PD), and Planning & Zoning Permit No. 11-510-09 (Special Use Permit – Alcohol) Requesting a Type 20 ABC License for a Proposed 7-Eleven Store. Located at 1001 and 1051 East Channel Islands Blvd. Filed by Designated Agent Lucy Dinneen, Cadence Capital Investments LLC, on Behalf of Property Owner Channel Islands Inn LP. (115)
RECOMMENDATION: Adopt a resolution denying the appeal and: a) Deny Planning & Zoning Permit No. 11-570-02 (Zone Change); and b) Uphold the Planning Commission's denial of Planning & Zoning Permit No. 11-510-09 (Special Use Permit – Alcohol).
DISCUSSION: The Planning and Environmental Services Manager reviewed the actions of the Planning Commission, proposal of developer and proposed floor layout.

Mr. Brian Corbell, Channel Islands Inn LP., reviewed efforts to find a restaurant to locate at the site and has belief that placing a 7-11 store would be very successful (with good signage).

The following individuals opposed placing a 7-11 at the site: Ed Ellis; William Terry; Nancy Perderson; Larry Stein; Lucy Cartagena; Linda Calderon; Pat Brown; Larry Godwin; Shirley Godwin; Rebecca Ralph; and Inez Tuttle.

The following individuals supported placing a 7-11 at the site: David Corrubias; Jerry Luque; Lesly Elenes; Margarita Morales; Rosalia Madrigal; Marina Madrigal; and Broderick Huggins.

The City Council commented on: efforts to find a restaurant for the site; having an empty building.

ACTION: Close the public hearing. (Holden/Pinkard) Mayor Holden moved approve the appeal (died due to lack of second). Moved to continue this item. (Pinkard/ Ramirez) Ayes: MacDonald, Flynn, Ramirez, Holden and Pinkard.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 9:47 p.m. the joint meeting with the Community Development Successor Agency concluded.

M. REPORT OF CITY MANAGER

The Interim City Manager stated that next week the Spanish language agreement would be presented to the City Council.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Verbal Report – Status of Request for Proposal for Operator of the Del Norte Regional Recycling and Transfer Station.
RECOMMENDATION: Receive the Report.

DISCUSSION: The Interim Public Works Director reviewed the RFP process and use of consultants. The Chief Financial Officer review the request for qualified companies and then negotiations would take place. The City Attorney outlined the RFP process. The Interim City Manager commented on the use of the consultants and selection process.

The following individuals provided comments: William Terry; Nancy Pedersen; Steven MacIntosh; Larry Stein; Mary Anne Rooney; Gus Sanchez; Larry Godwin; Bert Perello; Robert Solomon; and Dan Rosenthal.

The Council discussed: the selection process; use of consultants; members of the selection team; the proposed schedule of the selection process and safe guards in the process.

The Environmental Resources Management Analyst reviewed types of recycled materials being collected and the past citywide recycling rate.

ACTION: Received the report and provided comments.

The Council commented on the 16th of September Celebrations in downtown Oxnard.

O. REPORTS

Housing Department

1. SUBJECT: Verbal Follow-up Report Regarding Plan to Address Housing Repairs Within The Courts.

RECOMMENDATION: Receive the Report.

DISCUSSION: The Housing Director reviewed the inspection of the Courts, reported on conditions of the units, schedule of repairs and that all 260 units were livable.

ACTION: Received report.

At 10: 31 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

2. SUBJECT: Authorization to Execute a Development Agreement with Urban Housing Communities for The Courts. (049)

RECOMMENDATION: Authorize the Housing Director to execute a Development Agreement with Urban Housing Communities for the public housing site, commonly known as The Courts, consisting of approximately 25 acres south of Camino Del Sol, east of Marquita Street, west of Rose Avenue and north of First Street.

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

At 10: 34 p.m., Mayor Holden returned to the meeting and presided.

3. SUBJECT: Terraza de Las Cortes, L.P. by the Housing Authority and Las Cortes, Inc. (111)
RECOMMENDATION: 1) That the Housing Authority Board of Commissioners authorize negotiation of a Partnership Agreement to be returned for approval, between the Housing Authority and Las Cortes, Inc. for purpose of developing and operating a 64 unit multi-family affordable housing project to be known as Terraza de Las Cortes ("Project") on property currently owned by the Housing Authority; and 2) That the City Council approve a special budget appropriation in the amount of \$3.3 million to the Project.

ACTION: Moved to continue to this item to September 25, 2012. (Ramirez/Pinkard), unamiously.

HOUSING AUTHORITY

At 10:38 p.m. the joint meeting with the Housing Authority concluded.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

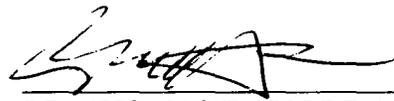
F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Lucy Cartagena and Francisco Romero.

T. ADJOURNMENT

At 10:43 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor


DR. IRENE G. PINKARD
Mayor Pro Tem