

MINUTES

OXNARD CITY COUNCIL

Regular Meetings

June 23, 2009

A. ROLL CALL/POSTING OF AGENDA

At 5:32 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; Ken Ortega, Public Works Director; Michelle Tellez, Human Resources Director; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, General Services Manager; and Michael More, Financial Services Manager. At 5:32 p.m., Mayor Holden left the meeting and Mayor Pro Tem Herrera presided.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:34 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.8, to give instructions to negotiator, Edmund Sotelo, City Manager concerning negotiations with Casden Properties LLC regarding the price and terms of payment for the purchase and/or sale of (a) 4.53 acres of land located immediately east of the River Ridge Golf Club and west of Ventura Road, commonly referred to as River Ridge Fields, (b) 20 acres of land west of Ventura Road and North of Vineyard Avenue and (c) 9.54 acres of land located east of the River Ridge Golf Club, west of Ventura Road and south of the Santa Clara River.

The City Council also recessed to a closed session, pursuant to Government Code section 54959 and 54957.6, to give instructions to negotiators, Edmund Sotelo, City Manager, Karen Burnham, Assistant City Manager, Grace Magistrale-Hoffman, Deputy City Manager, James Cameron, Chief Financial Officer, and Michelle Tellez, Human Resources Director, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721, the International Association of Firefighters AFL-CIO (IAFF), Local No. 1684, Oxnard Public Safety Management Employees' Association (Police Unit), Oxnard Public Safety Management Employees' Association (Fire Unit), the International Union of Operating Engineers, AFL-CIO (IUOE), Local 501, and the Oxnard Peace Officers' Association (OPOA) and other matters within the scope of representation.

At 7:04 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:10 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission. 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: John Crombach, Police Chief; William "Joe" Milligan, Fire Chief; Barbara Murray, Library Director; William "Bill" Wilkins, Housing Director; Sue Martin, Planning and Environmental Services Manager; and Martin Erickson, Legislative Affairs Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Employee of the Quarter.
DISCUSSION: The Human Resources Director introduced Sheri Paniagua as employee of the first quarter who thanked family and co-workers.

SUBJECT: Recognition of Downtown Manager.

DISCUSSION: Loren Pintor, out going Downtown Management District Manager, was recognized for many downtown activities to help promote the downtown community as a clean, safe and exciting downtown.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ed Ellis, questioned when residents would be able to have a dialog with Councilmembers and asked that residents consider coming to Council meetings to address the City Council with any concerns.

William Bill Terry, requested a process report on the proposed Peaker Plant.

Harold Ceja questioned the cost developing farm land (Jones Ranch) that may have used insecticides chemicals to grow crops.

John Korsten, loss of vehicle from property and questioned the environmental safety of children playing on school playgrounds.

Edgar Mohorko, efforts of the Clergy Council to guide youth to other life paths.

Pat Brown, development of the Meta Street garden and cleaning of the neighborhood community.

Gloria Roman, transparent use of stimulus monies, especially for youth programs.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDACity Manager Department

2. **SUBJECT:** Adoption of a Resolution Authorizing the City Attorney to Cooperate with the League of California Cities, Other Cities and Counties in Litigation Challenging the Constitutionality of Any Seizure by State Government of the City's Gas Tax Funds. (009)
RECOMMENDATION: Adopt **Resolution No. 13,713** authorizing the City Attorney to cooperate with the League of California Cities, other Cities and Counties in litigation challenging the constitutionality of any seizure by State Government of the City's gas tax funds.

4. **SUBJECT:** City Election to Receive Tax Sharing Amounts From the Community Development Commission Redevelopment Project Areas: Central City Revitalization Project Area (CCRP), Downtown Project Area (R-108), Southwinds Project Area, and Ormond Beach Project Area; and Confirmation of Election From the Historic Enhancement and Revitalization (HERO) Project Area and the HERO Annex Project Area. (019)
RECOMMENDATION: Adopt **Resolution No. 13,714** to receive the City's share of statutory tax sharing amount from the CCRP; adopt **Resolution No. 13,715**, R-108 (Downtown Renewal Project; adopt Resolution No. 13,716, Southwinds and adopt **Resolution No. 13,717**, Ormond Beach project areas; and adopt **Resolution No. 13,718**, confirm its election to receive the City's share of statutory tax sharing from the HERO and adopt **Resolution No. 13,719**, HERO Annex project areas.

Police Department

5. **SUBJECT:** First Amendment to Agreement for Consulting Services with the Ventura County District Attorney. (035)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to Agreement for Consulting Services (**4565-08-PO**) for a one year extension to the agreement for a full time Deputy District Attorney to vertically prosecute violations of the Colonia Chiques and Southside Chiques gang injunctions in the amount of \$191,509.

6. **SUBJECT:** Regional Anti-Gang Intelligence-LED Policing Program Grant. (041)
RECOMMENDATION: Authorize: (1) The City Manager or designee to execute and submit a proposal for California Emergency Management Agency grant funds in the amount of \$200,000 to establish a Regional Anti-Gang Intelligence-LED Policing network; and (2) The City Manager to approve a special budget appropriation upon grant award in the amount awarded.

Public Works Department

7. **SUBJECT:** Special Budget Appropriation for Landscape Project for Fire Station Nos. 1 and 4. (043)
RECOMMENDATION: Approve a special budget appropriation in the amount of \$88,400 from the Water Enterprise Fund for Landscaping Project Specification PW07-17 for Fire Station No. 1, located at 491 South K Street and Fire Station No. 4, located at 230 West Vineyard Avenue.

8. **SUBJECT:** Blanket Purchase Order with Aqua Metric Sales Company. (047)
RECOMMENDATION: Approve and authorize the Mayor to execute a blanket purchase order with Aqua Metric Sales Company in the amount of \$150,000 for the purpose of purchasing water meters and related parts (Blanket Purchase Order No. B-3386).
9. **SUBJECT: Ordinance No. 2810** Amending Certain Sections of Articles VII, IX and X of Chapter 22 of the City Code Concerning Water Waste Restrictions, Requirements for Water Conservation and Water Shortage Response, and Water Recycling. (053)
RECOMMENDATION: Second reading and adoption.
10. **SUBJECT:** Public Works Mutual Aid Agreement. (063)
RECOMMENDATION: Authorize the City Manager to execute the Public Works Mutual Aid Agreement (A-7194).
11. **SUBJECT:** Application for American Recovery and Reinvestment Act of 2009 (ARRA) Funding Allocation for the U.S. Bureau of Reclamation's Water Reclamation and Reuse Program Under Title XVI. (081)
RECOMMENDATION: (1) Receive and file application submitted by the Water Resources Division for the U.S. Bureau of Reclamation's Water Reclamation and Reuse Program under Title XVI; (2) Authorize the City Manager to execute the required application (including certifications and other pertinent documents and agreements necessary to implement the grant) for Water Reclamation and Reuse Program under Title XVI and submit it to the Department of Energy; and (3) Authorize the City Manager or designee to appropriate grant and matching funds to Water Fund 601 upon award of the grant.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. **SUBJECT:** Monthly Budget Status Reports for the Period Ending May 31, 2009. (085)
ACTION: Reviewed and filed.

COMMUNITY DEVELOPMENT COMMISSION

At 7:44 p.m., the joint meeting with the Community Development Commission concluded.

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.

Police Department

1. **SUBJECT:** Edward Byrne Memorial Justice Assistance Grant Formula Program (JAG): Fiscal Year (FY) 2009 Local Solicitation. (095)
RECOMMENDATION: Adopt **Resolution No. 13,720:** (1) Authorizing the City Manager to execute and submit an application for U.S. Department of Justice grant funds in the amount of \$233,184 from the JAG Formula Program's FY 2009 Local Solicitation; (2) Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura and the Cities of San Buenaventura, Simi Valley, Santa Paula, and Port Hueneme (**4819-09-PO**), designating the City of Oxnard as the lead agency and fiscal agent for the JAG; (3) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of JAG funds; and (4) Authorizing the Chief of Police or designee to submit all program related progress or status reports.
ACTION: Close the public hearing. (Herrera/Maulhardt) Approved as recommended. (Herrera/MacDonald) Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

L. 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:** Construction of a 43-Unit Affordable Housing Project Located at 457 West Gonzales Road. Filed by Cabrillo Economic Development Corporation. (101)
RECOMMENDATION: (1) Adopt **Resolution No. 13,721** and **13,722**, to approve planned development permits (PZ 08-540-02 and 03) for zoning modifications; (2) Adopt **Resolution No. 13,723**, to approve a density bonus permit and three incentives (PZ 08-535-01) for a 43-unit Affordable Housing project; and (3) Adopt **Resolution No. 13,724**, to approve a tentative parcel map (PZ 08-300-08) for a two-lot subdivision.
DISCUSSION: The Planning and Environmental Services Manager reviewed the history of the site, new density law requirements, past change of zoning, the proposed development sites, housing amenities, requested modifications, and staff review process.

Nicole Norori, Cabrillo Economic Development, reviewed the efforts to create affordable housing units for the needs of the community. She stated that fill-dirt at the site had been tested and no problems were found.

Barbara Macri-Ortiz supports the proposed project.

Pat Brown, importance of housing and learning programs for residents.

William Terry questioned if fill dirt had been tested.

The City Council discussed: special needs housing units; traffic circulation; storage use, management of the development, and on-site arts programs.

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

M. REPORT OF CITY MANAGER

The City Manager commented on: FEMA flood insurance rate maps meetings and available information; first public 2010 Census out-reach event; Graffiti Task Force and Operation Neighborhood Up-Lift event at Fremont North neighborhood; and trimming of Fifth Street eucalyptus trees. The General Services Manager reviewed the trimming hours of the trees.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

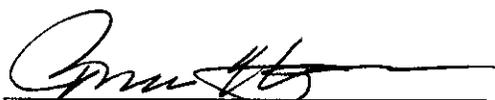
R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:25 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor


ANDRES HERRERA
Mayor Pro Tem