

## MINUTES

### OXNARD CITY COUNCIL Regular Meeting October 9, 2012

#### 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 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 James Cameron, Chief Financial Officer.

#### B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Bert Perello. The City Attorney reviewed the Brown Act requirements during Closed Session.

#### C. CLOSED SESSION

At 6:05 p.m. the City Council 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.

At 7:03 p.m. the City Council reconvened and recessed to the evening session.

#### D. OPENING CEREMONIES

At 7:12 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 Holden presided. Additional staff members present were: Jeri Williams, Police Chief; Michael O'Malia, Interim Fire Chief; Rob Roshanian, Interim Public Works Director; Michael Henderson, General Services Manager; Martin Erickson, Special Assistant to the City Manager; and Grace Magistrale Hoffman, Deputy City Manager.

#### E. CEREMONIAL CALENDAR

##### ITEMS REMOVED FROM AGENDA

The City Council concurred to remove Library Board Bylaws (I-4) and move Operation of Mobile Food Facilities, Citywide (L-1) to January 8, 2013.

#### L. PUBLIC HEARINGS

##### Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 12-580-01 (Zone Code Text Amendment), Regulations Concerning Operation of Mobile Food Facilities, Citywide. (083)

RECOMMENDATION: Continue to January 8, 2012.

ACTION: Moved to continue this item to January 8, 2012 (Holden/Pinkard), unanimously.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: William Bill Terry; Ed Ellis; Eileen Tracy; Jim Hensley; Jace Martin; Martin Jones; Donald Thibeault; Jim Lavery; Jeff Maulhardt; Inez Tuttle; Pedro Brito; Pat Brown; Abel Magana; and Morey Navarro.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Clerk explained that minutes were action minutes and full meetings were available to be viewed online (I-1); the General Services Manager reviewed the renovation of Durley Park and the Finance Chief Officer commented on financing options (I-3).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: Orlando Dozier (I-2); Pat Brown (I-3); Larry Stein (I-3); Jim Lavery (I-3); Pat Brown (I-3); and Bert Perello (I-3).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for September 11 and 18, 2012. (001)  
RECOMMENDATION: Approve with changes to September 11, 2012.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (013)  
RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.
3. SUBJECT: Project Specification No. GS12-04-Durley Park Renovation. (015)  
RECOMMENDATION: Approve Project Specification No. GS12-04 for Durley Park renovation, and authorize staff to solicit bids for the project.

Library Department

4. SUBJECT: Library Board Bylaws, Terms of Office, and Powers and Duties. (019)  
RECOMMENDATION: Continue to October 23, 2012.

Public Works Department

5. SUBJECT: Lessee Consent Agreement, Easement Agreement and Easement Deed with Ito Farms, Inc. (035)

RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Lessee Consent Agreement with George Ito for the property identified by the County Assessor as APN 223-0-030-310, located at the north side of Hueneme Road and east of Edison Drive, (A-7523); 2) Approve and authorize the Mayor to execute an Easement Agreement with Ito Farms, Inc., for the property identified by the County Assessor as APN 223-0-030-310, located at the north side of Hueneme Road and east of Edison Drive, (A-7524); and 3) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with Ito Farms, Inc., for the property identified by the County Assessor as APN 223-0-030-310, located at the north side of Hueneme Road and east of Edison Drive.\*

6. SUBJECT: Lessee Consent Agreement with Hiji Bros., Easement Agreement and Easement Deed with Ito Family Trust and Sachiko Ito Trust. (053)

RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Lessee Consent Agreement with Hiji Bros., Inc. for the property identified by the County Assessor as APN 223-0-030-295, located at the north side of Hueneme Road and east of Edison Drive, (A-7525); 2) Approve and authorize the Mayor to execute an Easement Agreement with Ito Family Trust and Sachiko Ito Trust, for the property identified by the County Assessor as APN 223-0-030-295, located at the north side of Hueneme Road and east of Edison Drive, (A-7526); and 3) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with Ito Family Trust and Sachiko Ito Trust, for the property identified by the County Assessor as APN 223-0-030-295, located at the north side of Hueneme Road and east of Edison Drive.\*

7. SUBJECT: Easement Agreement and Easement Deed with Plum Vista L.P. (071)

RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Easement Agreement with Plum Vista L.P., for the property identified by the County Assessor as APN 223-0-030-320, located at the north side of Hueneme Road and east of Edison Drive, (A-7532); and 2) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with Plum Vista L.P., for the property identified by the County Assessor as APN 223-0-030-320, located at the north side of Hueneme Road and east of Edison Drive.\*

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with changes to September 11, 2012 minutes. (Pinkard/Holden) Ayes: Holden, Pinkard, MacDonald, Flynn, and Ramirez. Noes: Flynn only 5, 6, 7.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

The City Manager commented on new hires of Police Department.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed several items including the development of the Collections Shopping Center; filling of street pot holes by street staff; and success of the Multicultural Festival.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSFinance Department

1. SUBJECT: Measure "O" Half-Cent Sales Tax Review, Project Discussion, and Consideration of Additional Appropriations. (115)

RECOMMENDATION: 1) Approve Measure O funding for \$2,090,000 for projects identified in the staff report and authorize the City Manager to make the required budget appropriations; and 2) Discuss and provide direction for new Measure O project funding options and authorize the City Manager to establish appropriate budgets for the approved projects and programs.

DISCUSSION: The Special Assistant to the City Manager reviewed possible use of Measure "O" funds including Durley Park renovations, Lemonwood Park environmental work; SW Community Park parking; replacement of Fire ladder truck; WiFi service at Library and Spanish language interpretation of Council meetings. The Interim Fire Chief commented on the reasons for a new Fire ladder truck. The Interim Public Works stated the needs of infrastructure of roads and alleyways.

The Council commented on possible projects including a swimming program; expansion of Lemonwood park; replacement of Fire ladder truck; and infrastructure needs.

At 8:54 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided. At 9:07 p.m., Mayor Holden returned and presided.

The following individuals provided comments: Eileen Tracy; Inez Tuttle; David Courtland; Bert Perello; Pat Brown; Larry Stein; Harold Ceja; Jim Lavery; and Steve Nash.

ACTION: Approve as recommended (Pinkard/Holden) Ayes: Flynn, Ramirez, Holden, Pinkard, and Holden.

R. STUDY SESSIONCity Manager Department

1. SUBJECT: Review of Joint Use Agreement between the City of Oxnard and the Rio School District. (121)

RECOMMENDATION: Receive the report and provide direction to staff regarding the joint use agreement.

DISCUSSION: The General Services Manager reviewed the history of the park site, current agreement to use of park site by school, and proposed future agreement.

The following individuals provided comments: Joshua Singletary; Steve Nash; Bert Perello; Larry Stein.

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

S. PUBLIC COMMENTS ON STUDY SESSION

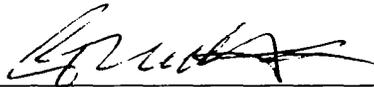
F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Larry Stein and Alejandro Rivera.

T. ADJOURNMENT

At 10:52 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