

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 11, 2007

A. ROLL CALL/POSTING OF AGENDA

At 6:04 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, and Andres Herrera 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; Gary L. Gillig, City Attorney; and Grace Magistrale Hoffman, Deputy City Manager. At 6:05 p.m. Councilman Timothy B. Flynn was present.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:05 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 number of the litigation being discussed City of Oxnard v. Sakioka Farms., et al., Ventura County Superior Court Case No. CIV237760, City of Oxnard v. Steven Sandwall, et al., Ventura County Superior Court Case No. CIV237390, City of Oxnard v. Gasprom Inc., Ventura County Superior Court Case No. CIV244478.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to negotiators, Karen Burnham, Assistant City Manager, Lino Corona, Acting Human Resources Director, and Lynn Hutton, Human Resources Manager, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Oxnard Public Safety Management Employees Association (OPSMEA), and other matters within the scope of representation.

At 6:30 p.m. Councilmember Andres Herrera was absent. At 6:40 p.m. Councilman Timothy B. Flynn was absent. At 6:59 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:09 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. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. Mayor Holden presided. Additional staff members present were: Matthew Winegar, Development Services Director; Chris Williamson, Senior Planner; Lettie DeDios, Accounting Manager; Mark Norris, Utilities Services Branch Manager; and Linda Peters, Office Assistant.

E. CEREMONIAL CALENDAR

2. SUBJECT: Presentation of a Commendation to the Tequila Senior Softball All-Star Players.
DISCUSSION: Ted England and Tony Maestas thanked the Council for the recognition.

- 1. SUBJECT: Special Guest from the North Pole.
DISCUSSION: Santa Claus wished a merry Christmas to the community.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ed Ellis, needed repairs to the former swap meet building on Saviers Road.

Joe Ruscio, enjoys the new downtown.

Trisha Munro, water rates, water infrastructure costs, and Jones Ranch.

John Korsten, property lien.

Steve Yue, Christmas neighborhood meeting.

Sunny Atkinson, the efforts to paint the "Mural for Peace" at 535 Meta Street and global warming.

Jean Rountree expressed concerns with a new Channel Islands Harbor County resolution.

Ben Moss requested the repair of historical lights on F Street.

Steve Fleischer, Christmas Tree Lane.

Martin Jones, council elections with nine districts.

Edward Castillo, petition rights and process.

Pat Brown, traffic solutions and needed Channel Islands Harbor changes.

Bert Perello, former swap meet on Saviers Road update, Channel Islands Harbor, and awarding personnel contracts.

Nancy Pedersen, condition of former Skyview Theater site.

ITEMS REMOVED FROM AGENDA

L. PUBLIC HEARINGS

The City Manager requested Vesting Tentative Maps. (L-1) be removed from the agenda.

Development Services Department

- 1. SUBJECT: City Code Amendment Regarding Regulations for Vesting Tentative Maps. (059)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending regulations for vesting tentative maps.
ACTION: Continue to January 8, 2008. (Zaragoza/Holden) Maulhardt, Zaragoza, and Holden. Noes: Flynn. Absent: Herrera.

G. REVIEW OF INFORMATION CONSENT AGENDA

Councilman Flynn requested Wastewater Treatment Plant Headworks Project (I-5) and Supplemental Waste Transfer Hauling Services (I-6) be removed for discussion.

H. PUBLIC COMMENTS ON INFORMATION CONSENT AGENDA

Ben Moss, supported the Mills Act agreement (I-4) and the establishment of a local board.

I. INFORMATION CONSENT AGENDA

City Attorney Department

1. SUBJECT: Amendment to Ordinance Regarding Civil Fines. (001)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2764** that repeals and readopts sections 7-51, 7-53, 7-54, 7-57(B), 7-58(A), 7-58(F), 7-59, 7-60, 7-61(A), 7-63(B)(2), and 7-64(E) of the Oxnard City Code concerning civil fines.

Development Services Department

4. SUBJECT: Approval of Mills Act Contract for Ventura County Landmark No. 161, 102 North "F" Street, Peter J. Weinerth, Applicant. (021)
RECOMMENDATION: Approve and authorize the Mayor to execute a Mills Act contract with Peter J. Weinerth (**A-6980**) to maintain and preserve historic property located at 102 North "F" Street through a reduction in property taxes.*
7. SUBJECT: Interconnect Cables at Different Locations. (043)
RECOMMENDATION: (1) Adopt Project Specification No. PW07-20 for traffic signal interconnect cables at different locations throughout the City; (2) Approve the appropriation of \$398,385 of federal grant funds, \$142,380 from the Circulation System Improvement Fund, and the transfer of \$54,107 from the Wooley/ Offshore traffic signal project to the Interconnect Cables project; and (3) Adopt **Resolution No. 13,378** authorizing the Mayor to execute Master Agreement Administering Agency-State Agreement for Federal-Aid Projects No. 07-5129R, and Program Supplement Agreement No. 033-N to the Master Agreement.
8. SUBJECT: Citywide Court Rehabilitation Project. (051)
RECOMMENDATION: Approve Project Specification PW08-09 for the Citywide Court Rehabilitation Project for the rehabilitation of thirty-three basketball and tennis courts located on eighteen parks throughout the City.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Zaragoza/ Maulhardt) Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera. *Abstain: Flynn only for I-4.

Public Works Department

5. SUBJECT: Appropriation of Funds and Interest Earnings Revenue for the Construction of the Wastewater Treatment Plant Headworks Project. (037)

RECOMMENDATION: Approve the appropriation of \$2,203,800 of fund balance from the Wastewater Treatment Connection Fee Fund, and \$2,296,200 of interest earnings from the Wastewater Revenue Bonds 2004 Series A and B and the Wastewater Revenue Bonds Series 2006, for a total of \$4,500,000 to the Wastewater Treatment Plant Headworks Project budget.

DISCUSSION: The Utilities Services Branch Manager provided an accounting of the project.

6. SUBJECT: Agreement For Supplemental Waste Transfer Hauling Services Between the City of Oxnard and Yura Trucking, Incorporated. (041)

RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement For Supplemental Waste Transfer Hauling Services Between the City of Oxnard and Yura Trucking, Incorporated (A-6936).

DISCUSSION: The Utilities Services Branch Manager reviewed circumstances that increased labor would be on an as-needed basis. The City Council reviewed labor demand needs, changing staffing needs, and public health issues.*

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Zaragoza/Maulhardt) Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera. *Noes: Flynn only for I-6.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager's Office

1. SUBJECT: Executed Contracts. (053)
ACTION: Reviewed and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Police Department

1. SUBJECT: Supplemental Law Enforcement Services Fund. (055)
RECOMMENDATION: Approve the appropriation of State Supplemental Law Enforcement Services Funds in the amount of \$371,115 to the Police Department for partial funding of police positions and for upgrades for the department's computer systems.

Public Works Department

2. SUBJECT: Drinking Water Public Health Goals Report 2007.
RECOMMENDATION: Continue to January 8, 2008.

ACTION: Close the public hearing. (Zaragoza/Holden) Approved as recommended. (Zaragoza/Maulhardt) Ayes: Maulhardt, Zaragoza, Flynn, and Holden. Absent: Herrera.

M. REPORT OF CITY MANAGERCity Manager Department

1. SUBJECT: Graffiti Task Force Progress Report.
RECOMMENDATION: Consider a verbal report on the progress of the Graffiti Task Force.
ACTION: Continue to January 8, 2008.

The City Manager reported the Recreation and Community Services will host the Southern California Municipal Athletic Federation "C" Division Flag Football Champion on December 15 and 16.

COMMUNITY DEVELOPMENT

At 8:33 p.m. the joint meeting with the Community Development Commission concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTSCity Clerk Department

1. SUBJECT: Appointments to Boards, Commissions and Committees. (065)
RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint one member to the Senior Services Commission.
ACTION: Mayor Holden appointed Nancy Rowe with the approval of the City Council to the Senior Services Commission.

The Councilmembers commented regarding the remarks and implied misrepresentations made by Councilman Flynn regarding the "Traffic Initiative" on a L.A. radio program.

Development Services Department

2. SUBJECT: Adoption of 2040 Population Forecast for Inclusion in the Ventura Council of Governments (VCOG) Decapolis Forecast. (067)
RECOMMENDATION: Adopt a 2040 population forecast of 292,000 to be included as part of the VCOG Decapolis Forecast.
DISCUSSION: The Development Services Director and Senior Planner reviewed the process to create the forecast, population profiles, youth of the community, population trends and future housing needs.

Larry Stein, the importance of the forecast.

The City Council reviewed: (1) the methods of calculations compared to other County cities, (2) rate of growth, (3) number per household, (4) housing elements of other cities and (4) SOAR boundaries and restrictions.

ACTION: Staff to return to City Council on January 8, 2008.

O. REPORTS

Finance Department

- 1. SUBJECT: Comprehensive Annual Financial Report (CAFR) for Fiscal Year (FY) 2006-2007. (069)
RECOMMENDATION: Receive and file the City of Oxnard CAFR for FY 2006-2007.
DISCUSSION: The Accounting Manager briefly reviewed the CAFR including revenues, expenditures, and the general fund balance.

Bert Perello, CAFR missing from Library.

Larry Stein, many funds in the CAFR needed to be discussed during a meeting.

ACTION: Approved as recommended. (Zaragoza/Maulhardt). Ayes: Flynn, Holden, Maulhardt, and Zaragoza. Absent: Herrera.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Development Services Department

- 1. SUBJECT: Pre-Application Review (Planning and Zoning Permit No. 07-600-08) of a Request to Develop 23 Townhomes on 1.5 Acres, Filed by Mercy Housing California. (071)
RECOMMENDATION: Review and provide preliminary comments on a pre-application to develop 23 townhomes, located at the southeast corner of North H Street and Palm Drive.
ACTION: The City Council concurred to continue to a future meeting.

S. PUBLIC COMMENTS ON STUDY SESSION

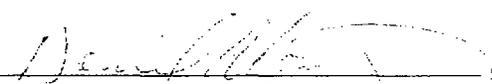
F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

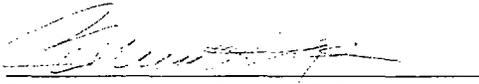
Larry Stein stated his belief that the theater agreement was not being properly monitored and enforced.

Daniel Litliger questioned the amount of new residential and commercial development in the community and his support of the "Traffic Initiative".

T. ADJOURNMENT

At 10:18 p.m. the City Council concurred to adjourn the meeting.


 DANIEL MARTINEZ
 City Clerk


 DR. THOMAS E. HOLDEN
 Mayor