

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 4, 2007

A. ROLL CALL/POSTING OF AGENDA

At 5:35 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. Andres Herrera was absent. The Assistant City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Maulhardt presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and Grace Magistrale Hoffman, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:37 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 numbers of the litigation being discussed are Lumas v. Oxnard, Workers' Compensation Appeals Board Case Nos. OXN 073057 and VEN 0087746. Mayor Thomas E. Holden was present at 5:45 p.m.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6, to give instructions to its negotiators, Karen Burnham, Assistant City Manager, Lino Corona, Acting Human Resources Director, and Lynn Hutton, Human Resources Manager, regarding the salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the International Union of Operating Engineers (IUOE), Local No. 501, the International Association of Firefighters AFL-CIO (IAFF), Local 1684, the Service Employees International Union (SEIU), Local No. 998, the Oxnard Peace Officers' Association (OPOA), and the Oxnard Public Safety Management Employees Association (OPSMEA), and other matters within the scope of representation.

At 7:06 p.m. the City Council adjourned to the evening session.

D. OPENING CEREMONIES

At 7:09 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers, concurrently with the Community Development Commission, Housing Authority, and Financing Authority. Mayor Holden presided and called the meeting to order. The meeting opened with the pledge of allegiance led by Councilmember Zaragoza, followed by a moment of silence. Additional staff members were: Jill A. Beaty, Assistant City Clerk

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of **Resolution No. 13,369** to Scott E. Swenson for 29 Years with the City of Oxnard. (001)
RECOMMENDATION: Approve.
ACTION: Approved (Maulhardt/Zaragoza); Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera.
DISCUSSION: Mr. Swenson thanked the City Council, his family, and staff.
2. SUBJECT: Presentation of **Resolution No. 13,370** to Ernest Edward Eglin, Jr. for 29 Years with the City of Oxnard. (003)
RECOMMENDATION: Approve.
ACTION: Approved (Holden/Maulhardt); Ayes: Holden, Maulhardt, Zaragoza, and Flynn. Absent: Herrera.
DISCUSSION: Mr. Eglin thanked the City Council.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

E. Gloria Roman expressed appreciation for Scott Swenson's service:

Ed Ellis reported on the old swap meet site;

John Korsten, lien on his property;

Nancy Stehle, Habitat for Humanity open house on Cooper Road and to volunteer training sessions;

Jill Dolan, appreciation for those who helped with the Holiday Hometown events;

Steve Fleischer, Christmas Tree Lane activities;

Luciano Ortiz, West Village Neighborhood Chairman, re winter potluck;

Larry Stein re, Comprehensive Annual Financial Report, downtown theater, and certificate of occupancy for Rose Avenue property;

Shirley Godwin, opposed to vesting tentative maps and development fees;

Larry Godwin favors weekly pickup of 3-container trash receptacle;

Beatriz Garcia, appreciated the showing of the December 1st presidential candidate forum;

Pat Brown, lack of notice re postponement of agenda item;

Martin Jones, traffic initiative petition;

Norman Kanter, touring the Code Compliance building.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council concurred to pull Item I-6 for discussion.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Marianne Robles, Danny Carillo, SEIU, Rhea Voll thanked the City Council for successful SEIU negotiations.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of City Council for November 20, 2007 (005)
RECOMMENDATION: Approve.

Development Services Department

2. SUBJECT: Parcel Map No. 05-300-11, Filed by Jim Mitchell. (027)
RECOMMENDATION: Adopt **Resolution No. 13,371** approving Parcel Map No. 05-300-11 for property located at 3301 Sturgis Road on the northeast corner of Del Norte Boulevard and Sturgis Road intersection within the McInnes Ranch Business Park.
3. SUBJECT: **Ordinance No. 2762**, Approving Planning and Zoning Permit No. 06-570-06 to Change the Zone District for Property Located on the Southeast Corner of Victoria Avenue and Teal Club Road, Known as Parcel 3 as Part of Planning and Zoning Permit No. 05-300-30. (037)
RECOMMENDATION: Second reading and adoption.
4. SUBJECT: License Agreement with Oxnard Union High School District to Install a Data Wiring Conduit Under Second Street East of K Street. (041)
RECOMMENDATION: Approve and authorize the Mayor to sign a "License to Encroach on City Property" with the Oxnard Union High School District (**A-6976**) for the installation of a conduit and data wiring under Second Street approximately 383 feet east of K Street.
5. SUBJECT: Termination of a Non-Exclusive Access Easement For Landscape Maintenance Purposes and Acceptance of a Replacement Easement within Lots 1, 2, and 9 of Tract 5352-1 (RiverPark). (049)
RECOMMENDATION: Adopt **Resolution No. 13,372** (1) terminating all rights obtained under the Grant of Non-Exclusive Access Easement For Landscape Maintenance Purposes recorded October 29, 2007, as Instrument Number 20071029-00201175-0 of Official Records, said easement being located within Lots 1, 2, and 9 of Tract 5352-1 (RiverPark); and (2) accepting a replacement Grant of Non-Exclusive Access Easement For Landscape Maintenance Purposes within Lots 2, and 9 of Tract 5352-1 (RiverPark).

Housing Department

7. SUBJECT: Agreement with Housing Opportunity Management and Education Corporation. (089)
RECOMMENDATION: Authorize the Mayor to execute an Agreement for Professional Services with Housing Opportunity Management and Education Corporation (**A-6975**) providing \$53,420 for general operating assistance.

8. SUBJECT: Affordable Housing Agreement with Habitat for Humanity of Ventura County, Inc., Pertaining to Property at the Northeast Corner of Detroit and Stroube Streets. (095)
RECOMMENDATION: Approve and authorize the Mayor to execute an Affordable Housing Agreement with Habitat for Humanity of Ventura County, Inc. (**A-6977**) conveying two lots at the northeast corner of Detroit and Stroube Streets for the development of two single family residences to be sold to very low income families.

Human Resources Department

9. SUBJECT: Memorandum of Understanding (MOU) with the International Association of Firefighters, Local 1684, AFL-CIO (IAFF). (099)
RECOMMENDATION: (1) Ratify an MOU between the City and the IAFF (**A-6981**), commencing June 30, 2007, and expiring on June 27, 2008; (2) Adopt **Resolution No. 13,374** implementing the MOU for the IAFF; and (3) Authorize the City Manager to transfer funds between accounts, in amounts to be determined, to implement the terms and conditions of the MOU.
10. SUBJECT: Memorandum of Understanding (MOU) with the Oxnard Peace Officers' Association (OPOA). (103)
RECOMMENDATION: (1) Ratify an MOU between the City and OPOA (**A-6982**), commencing September 8, 2007, and expiring on September 5, 2008; (2) Adopt **Resolution No. 13,375** implementing the MOU; and (3) Authorize the City Manager to transfer funds between accounts, in amounts to be determined, to implement the terms and conditions of the MOU.
11. SUBJECT: Memorandum of Understanding (MOU) with the Service Employees International Union, Local 998 (SEIU). (107)
RECOMMENDATION: (1) Ratify an MOU between the City and SEIU (**A-6983**), commencing June 30, 2007, and expiring on June 27, 2008; (2) Adopt **Resolution No. 13,376** implementing the MOU for SEIU; and (3) Authorize the City Manager to transfer funds between accounts, in amounts to be determined, to implement the terms and conditions of the MOU.
12. SUBJECT: Amendment to the Public Employees' Retirement System (PERS) Contract. (111)
RECOMMENDATION: (1) Adopt **Resolution No. 13,377** of intention to amend the City's contract with PERS for employees represented by the International Association of Firefighters (IAFF) to include Government Code sections 20434 and 20434.5 "Local Firefighter" inclusions; (2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2763** amending the City's contract with PERS for employees represented by the IAFF to include benefits of Government Code sections 20434 and 20434.5 "Local Firefighter" inclusions; and (3) Authorize the City Manager to execute the documents necessary to implement the amendments to the contract with PERS, as provided in the resolution and ordinance.

Public Works Department

13. SUBJECT: PW07-22 Southwinds Resurfacing Project. (121)
RECOMMENDATION: Approve Project Specification No. PW 07-22 (The Southwinds Resurfacing Project) for pavement reconstruction and resurfacing, sidewalk, curb and gutter repair, replacement of street name signs, installation of a new fence between Haycox School and the alley north of Cuesta Del Mar and improvement of refuse enclosures in an area located in the southeastern portion of the City between Pleasant Valley Road, Saviers Road, Hueneme Road, and J Street.
14. SUBJECT: **Ordinance No. 2761**, Amending Certain Sections of Oxnard City Code Chapter 19 Relating to the Wastewater System and Wastewater Disposal. (125)
RECOMMENDATION: Second reading and adoption.

INFORMATION/CONSENT AGENDA ACTION: Approved (Maulhardt/Zaragoza); Ayes: Holden, Maulhardt, and Zaragoza, Noes: Flynn on Items I-2 and I-3; Absent: Herrera.

Finance Department

6. SUBJECT: Execution and Delivery of City of Oxnard Gas Tax Revenue Certificates of Participation (2007 Street Improvement Program). (073)
RECOMMENDATION: That City Council: (1) Adopt **Resolution No. 13,373** approving certain purchase and disclosure documents and authorizing certain actions in connection with the sale, execution, and delivery of not more than \$30 million in principal amount of City of Oxnard Gas Tax Revenue Certificates of Participation (2007 Street Improvement Program) (the "Certificates"); and (2) Approve a special budget appropriation in the amount of \$25,834,465 to allocate \$24,388,000 of the net proceeds of the Certificates to the Project as described in this agenda report and \$1,446,465 from the Traffic Congestion Relief Fund to the Project.

DISCUSSION: The City Council discussed structuring and financing; how neighborhoods are identified and prioritized for street repairs; having staff bring a costing update at a future meeting; and getting this to the public on a broad basis, such as in water bills.

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

- J. TRANSMITTAL OF INFORMATION ONLY ITEMS
- K. INFORMATION/CONSENT PUBLIC HEARINGS
- L. PUBLIC HEARINGS
- M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council wished Santa Clara High School well in the upcoming CIF playoffs. Mayor Holden thanked the community for the outpouring of support during the days prior to and following the passing of his father, Pat Holden.

City Manager Department

1. SUBJECT: 2008 Meeting Schedule for Legislative Bodies. (147)
RECOMMENDATION: Meet on the following dates during the calendar year 2008:
 January 8, and 15; February 5, 12, and 26; March 4, 11, 18, and 25; April 8, 15, and 22;
 May 6, and 13; June 3, 10, 17, and 24; July 1, 8, 15, and 22; August (no meetings);
 September 9, 16, and 23; October 7, 14, 21, and 28; November 18, and 25; December 2, 9,
 and 16.
ACTION: Approved (Maulhardt/Zaragoza); unanimously.

COMMUNITY DEVELOPMENT COMMISSION/HOUSING AUTHORITY/FINANCING AUTHORITY

At 8:21 p.m. the joint meetings with the Community Development Commission, Housing Authority, and Financing Authority concluded.

- O. REPORTS
 P. PUBLIC COMMENTS ON REPORTS
 Q. APPOINTMENT ITEMS
 R. STUDY SESSION

Development Services Department

1. SUBJECT: Meta District Plan. (151)
RECOMMENDATION: Continue to future date.
ACTION: Approved unanimously.

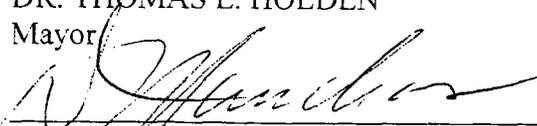
- S. PUBLIC COMMENTS ON STUDY SESSION
 T. ADJOURNMENT

At 8:21 p.m. the City Council concurred to adjourn the meeting.



 JILL A. BEATY
 Assistant City Clerk



 DR. THOMAS E. HOLDEN
 Mayor


 DEAN MAULHARDT
 Mayor Pro Tem