

## MINUTES

### OXNARD CITY COUNCIL Regular Meeting October 25, 2011

#### A. ROLL CALL/POSTING OF AGENDA

At 5:36 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; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; and Grace Magistrale Hoffman, Deputy City Manager.

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

Comments were received from Larry Stein.

#### C. CLOSED SESSION

At 5:39 p.m. the City Council recessed to a conduct the Employee Performance Evaluation of the City Attorney and City Manager.

At 7:32 p.m. the City Council reconvened and recessed to the evening session. Mayor Lopez announced the completion of City Attorney evaluation and the City Manager evaluation would continue.

#### D. OPENING CEREMONIES

At 7:34 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: Curtis P. Cannon, Community Development Director; Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Martin Erickson, Special Assistant to the City Manager; Anthony Emmert, Water Resources Manager; and Cynthia Daniels, Project Manager.

#### ITEMS REMOVED FROM AGENDA

Mayor Holden announced the removal of I-7, L-1 and O-1 from the agenda.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Proclamation Designating October 2011 as "Speak Out Against Domestic Violence Month".  
DISCUSSION: The Council recognized Laura Hill, President of the Board Lidares Campesinas, and Suget Lopez, Executive Director, Lidares Campesinas, who commented on the importance of recognizing domestic violence in the community.

2. **SUBJECT:** Presentation of Commendations to Multicultural Festival Volunteers.

**DISCUSSION:** Martha Guillen and Luis Guereca of the City Manager's Office recognized several individuals who helped in the Multicultural Festival.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Gloria Roman; William "Bill" Terry; Harold Ceja; Larry Stein; Steve Nash; Shannon Kelly; Danna Aten; Bert Perello; Linda Caldron; Edgar Mohoro; and Andrea Battazar.

Q. APPOINTMENT ITEMS

1. **SUBJECT:** EDCO Verbal Report.

**RECOMMENDATION:** Receive and consider the verbal report.

**DISCUSSION:** Steve Kinney, President of the Greater Oxnard Economic Development Corporation, commented on the assistance provided to companies which provided jobs to the community. He also highlighted companies coming to Oxnard or expanding facilities.

The following individuals provided comments: Martin Jones and William "Bill" Terry.

**ACTION:** Received and filed the report.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council reviewed agenda items I-1, I-2, I-4, I-5, I-6, and I-8.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: Frank Nilsen (I-5); Danna Aten (I-5); and Paul Graham (I-5).

I. INFORMATION/CONSENT AGENDA

City Manager

1. **SUBJECT:** Agreements for City Council Review. (001)

**RECOMMENDATION:** Pursuant to Ordinance 2835, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

2. **SUBJECT:** Reprogramming of CDBG Funds from the Completed Colonia Parks Playground Replacement Project to the Lemonwood Park Project. (003)

**RECOMMENDATION:** Approve the reprogramming of the \$39,827.06 CDBG funding from the completed Colonia Park Playground Replacement Project #095704 to the Lemonwood Park Project #115750.

3. SUBJECT: Change Order #4 for College Park Improvements –Ph. 1C Project. (005)  
RECOMMENDATION: Approve and authorize the Mayor to execute change order #4 for Project GS09-11 College Park Improvements Phase 1C (A-7379) for a reduction of (\$1,050,120.23) and the new contract amount of \$10,087,900.15.

#### Community Development Department

4. SUBJECT: Supplemental Lease Agreement to be Entered into Between the City of Oxnard and the United States Government by and Through the Government Services Administration for the Social Security Administration located at 315 North Fifth Street. (011)  
RECOMMENDATION: 1) Approve and authorize the Mayor Pro Tem to execute the Supplemental Lease Agreement (A-7111) between the City of Oxnard and the Government Services Administration for the Social Security Administration located at 315 North Fifth Street in substantially the form presented at this meeting or with such non-substantive changes and amendments as may be approved by the Community Development Director and City Attorney; and 2) Authorize the Mayor Pro Tem and/or the Community Development Director to sign all documents necessary and appropriate to carry out and implement the Government Services Administration's Supplemental Lease Agreement and its required change of ownership notice.\*

#### Development Services Department

5. SUBJECT: Project Specification No. GS09-18 for Oxnard Boulevard Bicycle & Pedestrian Path at Sports Park (029)  
RECOMMENDATION: Adopt plans, specifications, and working details for Project Specification No. GS09-18 for the Oxnard Boulevard bicycle and pedestrian path at the Sports Park at the southeast corner of Gonzales Road and Oxnard Boulevard (State Route 1).

#### Finance Department

6. SUBJECT: State Controller Financial Transactions Report. (031)  
RECOMMENDATION: Receive the State Controller Financial Transactions Report and make the report available per sections 53891 and 53893 of the Government Code.

#### Housing Department

7. SUBJECT: Affordable Housing and Rehabilitation Loan Program Policies. (037)  
RECOMMENDATION: Removed from the agenda.

#### Police Department

8. SUBJECT: **Ordinance No. 2850** Amending Security Requirements at Public Dances and at Business Establishments Offering Live Entertainment. (041)  
RECOMMENDATION: Second reading and adoption.

#### Public Works Department

9. SUBJECT: Agreement with Southwest Environmental, Inc. to Implement a Residential High Efficiency Toilet Exchange Program. (045)

**RECOMMENDATION:** Approve and authorize the Mayor to execute an agreement with Southwest Environmental, Inc. (A-7443) in the amount not-to-exceed \$411,090 to implement a Residential High Efficiency Toilet (HET) Exchange Program for single-family water customers.

**INFORMATION/CONSENT AGENDA ACTION:** Approved as recommended. (Holden/MacDonald) Ayes: Pinkard, MacDonald, Flynn, Ramirez, and Holden. \*Abstain: Holden only on I-4.

J. **TRANSMITTAL OF INFORMATION ONLY ITEMS**

**Finance Department**

1. **SUBJECT:** Monthly Budget Status Report for the Period Ending September 30, 2011. (069)  
**ACTION:** Received and filed.

K. **INFORMATION/CONSENT PUBLIC HEARINGS**

L. **PUBLIC HEARINGS**

**Development Services**

1. **SUBJECT:** Amendments to: RiverPark Specific Plan (PZ 09-630-03) and Development Agreement (PZ 11-670-01). Filed by RiverPark Legacy, LLC, 1250 Corona Pointe Court, Suite 600, Corona, CA 92879, on Behalf of the RiverPark Developers. (083)  
**RECOMMENDATION:** That City Council (in accordance with the Planning Commission's recommendation) deny the applicant's requests for: 1) Amendment to the RiverPark Specific Plan (PZ 09-630-03) to: (i) increase the maximum number of residential units; (ii) reduce the maximum amount of commercial building area; (iii) require a Parking Management Plan for all high density residential projects; and (iv) make other miscellaneous minor changes to the specific plan; and 2) Amendment to the Development Agreement [A-6128 (PZ 11-670-01)], between the City of Oxnard and RiverPark A, KOH 12-17, E.D.-KOH, E.D. 2, SCOM I, RiverPark Pointe, RiverPark Landing, RiverPark Hotel, Aldersgate Investments, and AGS Destination/AGS Market Street.  
**ACTION:** Removed from agenda.

M. **REPORT OF CITY MANAGER**

The City Manager reported on: "Recycle Day" at Del Norte Facility and Library "Cover to Cover" program.

N. **CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS**

The City Council discussed: status of the Public Access Channel; update railroad crossing at Rose Avenue and Fifth Street; update of Spanish translation of Council meetings; status of levee at Wagon Wheel; update of street infrastructure; post retirement benefit program update; Police Dispatch System (Police Chief provided comments); and. Wagon Wheel development update report.

Bert Perello asked for a Wagon Wheel development update.

**O. REPORTS**

1. **SUBJECT:** Planning and Zoning Permit No. 11-600-2 (Pre-Application): Request to Pay an Affordable Housing Payment In-Lieu of Providing Affordable Housing Units on the Site of a Proposed 64-Unit Single-Family Subdivision. Located North and East of Catamaran Street, East of the Intersection of Dunes Street and Beachcomber Street, and North of the Canal Street terminus. Filed by Oxnard Shores Co. LLC, 1015 South Harbor Boulevard, Oxnard, CA 93035. (119)  
**RECOMMENDATION:** Consider a request to make an in-lieu affordable housing payment to the Affordable Housing In-Lieu Fee Fund instead of providing on-site affordable housing units.  
**ACTION:** Removed from agenda.

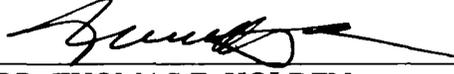
**P. PUBLIC COMMENTS ON REPORTS****R. STUDY SESSION****S. PUBLIC COMMENTS ON STUDY SESSION****F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

The following individuals provided comments: Daniel Lechliter; Antonio Zavala; Paul Graham; Frank Nilsen; and Andrew Pongracz.

**T. ADJOURNMENT**

At 9:37 p.m. the City Council concurred to adjourn the meeting.

  
DANIEL MARTINEZ  
City Clerk

  
DR. THOMAS E. HOLDEN  
Mayor