

MINUTES

OXNARD CITY COUNCIL Regular Meeting May 12, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:19 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission. 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; Grace Magistrale Hoffman, Deputy City Manager; Alan Holmberg, City Attorney; Ken Ortega, Public Works Director; Curtis P. Cannon, Community Development Director; John Crombach, Police Chief; Matthew Winegar, Development Services Director; Michael Henderson, General Services Manager; and Norma Owens, Grants Manager.

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

B. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of the 2009 Strawberry Festival Poster.
DISCUSSION: Patrick Mullen, Director of the Strawberry Festival, invited the public to attend the Strawberry Festival.
3. SUBJECT: Bike to Work Week.
DISCUSSION: Gil Ramirez and Justin Beranich invited the public to bike to work and to other activities.
5. SUBJECT: Police Memorial Week.
DISCUSSION: The Police Chief invited the public to attend the Oxnard Police Memorial on May 13, 2009.
4. SUBJECT: Proclamation Designating May 17 - 23, 2009 as Public Works Week.
DISCUSSION: Ken Ortega, Public Works Director, commented on the importance of Public Works activities in the community.
2. SUBJECT: Water Conservation Calendar Art Contest Award Presentation.
DISCUSSION: Dakota Corey, Water Conservation Coordinator, presented art work to the Council and community by Diego Camarena; Marissa Dempsey; Angelica Garibay-Hernandez; Olivia Cisneros; Lea Meschke; Joanna Adelina Garcia; Cyanne Cueva; Alejandra Perez; Tiffany Franco; Gabriela Perez; Jason Martinez; Maggie Moran; Arianna Hernandez; and Cristina Flores.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Greg Abille, Senior Fire Environmental Specialist, invited the public to the Oxnard Firefighters booth at the Strawberry Festival for a Fire House Feed to benefit the "Firefighters Quest for Burn Survivors", a non-profit organization dedicated to assist those that have suffered burn injuries.

Ed Ellis, questioned the proposed 2030 General Plan.

John Korsten questioned enforcement duties of Code Compliance and questioned the environmental safety of children playing on school playgrounds.

Edgar Mohorko stated mentors were needed for local junior high schools and thanked the assistance received from the City Police Department.

Bert Perello, Chair of INCF, requested broadcast of the Water Agency of FEMA on the local government channel regarding the floodplain map and the need for proper local flood insurance.

Marvin Boos, bus stops need to be cleaned and ice cream trucks also needed to be cleaned up.

Pat Brown, the need for the community to support downtown development.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown questioned who would be operating the soccer fields at College Park (I-3) and supports the GREAT Program (I-8). The General Services Manager stated the City would manage the soccer fields.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. **SUBJECT:** Minutes of the Regular Meetings of the City Council for April 7, 14, 21, and 28, 2009; Minutes of the Special Meetings of the City Council for March 17 and 18, 2009. (001)
RECOMMENDATION: Approve.

City Manager Department

2. **SUBJECT:** Scheduling of Public Hearing and Adoption of Resolutions to Declare Intent to Levy Fiscal Year (FY) 2009-2010 Assessments for Landscape Maintenance District Nos. 1 Through 3, and 7 Through 26. (027)
RECOMMENDATION: Adopt resolutions declaring City Council's intention to levy FY 2009-2010 assessments for Landscape Maintenance Districts Nos. 1 through 3, and 7 through 26 in the following tracts: **Resolution No. 13,617**, Tract No. 2247, District No. 1 (Summerfield); **Resolution No. 13,618**, Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); **Resolution No. 13,619**, Tract No. 3384, District No. 3 (River Ridge); **Resolution No. 13,620**, Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park); **Resolution No. 13,621**, Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); **Resolution No. 13,622**, Tract No. 4405, District No. 10 (Country Club Estates); **Resolution No. 13,623**, Tract No. 4376, District No. 11 (St. Tropez); **Resolution No. 13,624**, Tract No. 4294, District No. 12 (Standard Pacific); **Resolution No. 13,625**, Tract No. 4424, District No. 13 (Le Village); **Resolution No. 13,626**, Tract No. 4492, District No. 14 (California Cove); **Resolution No. 13,627**, Tract No. 4443, District No. 15 (Pelican Pointe); **Resolution No. 13,628**, Tract No. 4810, District No. 16 (California Lighthouse); **Resolution No. 13,629**, Tract No. 4702, District

No. 17 (Village of San Miguel); **Resolution No. 13,630**, Parcel Map Nos. 213-03-28 and 213-03-29, District No. 18 (St. John's Regional Medical Center); **Resolution No. 13,631**, Tract No. 4827, District No. 19 (Shopping at the Rose); **Resolution No. 13,632**, Parcel Map Nos. 231-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center); **Resolution No. 13,633**, Tract No. 3384-7, 8, District No. 21 (Cypress Pointe); **Resolution No. 13,634**, Tract No. 4611, District No. 22 (McDonald's Median); **Resolution No. 13,635**, Tract No. 4529, District No. 23 (Greystone); **Resolution No. 13,636**, Tract No. 4529, District No. 24 (Vineyards); **Resolution No. 13,637**, Tract No. 4840, District No. 25 (The Pointe); and **Resolution No. 13,638**, Parcel Map No. 94-5-25, District No. 26 (Albertson's); and (2) Set a public hearing for June 2, 2009, on the levy of the proposed assessments in Landscape Maintenance District Nos. 1 through 3, and 7 through 26. Abstain: Pinkard Districts 3 and 16 only; and Maulhardt Districts 17 & 18 only. *

3. **SUBJECT:** Agreement with Penfield & Smith Engineers for the College Park Project Phase 1C. (167)

RECOMMENDATION: Approve and authorize the Mayor to execute the agreement with Penfield & Smith Engineers (4761-09-CM) in the amount of \$498,000 for the design of College Park Project Phase 1C. The design will include five lighted soccer fields, associated parking lots and lights, skate park lighting, completion of the 40' wide perimeter road, restrooms, picnic areas, bicycle and pedestrian walkways, maintenance facility, utilities, hardscape, and landscaping, and wetland area improvements.

DISCUSSION: Councilwoman Pinkard requested a review of the recreational plan at Oxnard College Park.

Development Services Department

4. **SUBJECT:** Special Budget Appropriation; First Amendment to Agreement with Overland, Pacific & Cutler, Inc. (OPC) for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101; Cooperation Agreement Between City and Community Development Commission (CDC). (169)

RECOMMENDATION: (1) Approve a special budget appropriation of \$808,000 from the HERO fund balance to "HWY 101-Rice Interchange" for the Rice Avenue/Santa Clara Avenue interchange improvements at Highway 101; (2) Approve and authorize the Mayor to execute the First Amendment to the Agreement with OPC (4512-08-DS) to increase the contract amount by \$435,000 for a total of \$615,000 for right of way acquisition and relocation services for the Rice Avenue/Santa Clara Avenue interchange improvements at Highway 101; (3) Approve and authorize the Mayor to execute a cooperation agreement by and between the City and CDC (A-7181) in an amount not to exceed \$808,000 for the Rice Avenue/Santa Clara Avenue interchange improvements; (4) Authorize the Mayor or City Manager, on behalf of the City, to sign all documents necessary and appropriate to carry out and implement the Cooperation Agreement, and to administer the City's obligations, responsibilities, and duties to be performed thereunder; and (5) Approve and adopt **Resolution No. 13,639** entitled "A Resolution of the City Council of the City of Oxnard, California, Consenting to the Payment or Reimbursement by the Oxnard Community Development Commission of a Portion of the Costs Related to Certain Public Improvements in the Historic Enhancement And Revitalization Of Oxnard (HERO) Project Area, and Making Certain Determinations and Findings (Rice Avenue/Santa Clara Avenue Interchange Improvements)".

*At the June 2, 2009 Council meeting, Councilwoman Pinkard clarified her abstention of District 3 (River Ridge) and District 16 (California Lighthouse).

5. SUBJECT: Final Map for Tract No. 5797 (PZ No. 09-300-02). Filed by Yolanda Morton. (189)
RECOMMENDATION: Adopt **Resolution No. 13,640** approving Final Map for Tract No. 5797 (PZ No. 09-300-02) for property located at the northwest corner of the intersection of West Wooley Road and Seahorse Way.
6. SUBJECT: Denial of Planning and Zoning Permit No. 08-510-10 (Special Use Permit) Requesting to Allow the Sale of Beer and Wine for Off Site Consumption at an Existing Convenience Market (Five Star Market), Located at 200 South Ventura Road, Suite 250. Filed by Salvador Magallon. (199)
RECOMMENDATION: Remove from the agenda.

Finance Department

7. SUBJECT: Extension of Financial Agreements Concerning Rose Avenue Bridge Project. (203)
RECOMMENDATION: (1) Approve and authorize the City Manager and Public Works Director to execute a Fifth Amendment to Financial Agreement (A-5291) to extend the maturity of the loan from the Water Enterprise to the Rose Avenue Bridge Project until June 30, 2011; and (2) Approve and authorize the City Manager and Public Works Director to execute a Fifth Amendment to Financial Agreement (A-5292) to extend the maturity of the loan from the Environmental Resources Enterprise to the Rose Avenue Bridge Project until June 30, 2011.
8. SUBJECT: Reimbursement Resolution for Capital Expenditures Related to the Groundwater Recovery Enhancement And Treatment (GREAT) Program – Phase I. (209)
RECOMMENDATION: Adopt **Resolution No. 13,641** declaring its intent to reimburse the City of Oxnard for capital expenditures related to the resolution of intent projects and the GREAT Program – Phase I from proceeds of taxable or tax-exempt indebtedness.

Public Works Department

9. SUBJECT: Prequalification and Selection of Electrical Equipment and Instrumentation and Control Systems Integration (Project Specification No. PW07-21) for the Advanced Water Purification Facility (AWPF) Project Phase I, at Perkins Road North of Magellan Way. (213)
RECOMMENDATION: Approve Project Specification No. PW07-21 for prequalification and selection of electrical equipment and instrumentation and control systems integration for the AWPF Project Phase I at Perkins Road north of Magellan Way.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Maulhardt/ Holden) Ayes: Holden, Herrera, Maulhardt, Pinkard, and MacDonald. Abstain: Pinkard Districts 3 and 16 only; and Maulhardt Districts 17 & 18 only.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (217)
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGS

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

City Manager Department

1. **SUBJECT:** Levy of Fiscal Year (FY) 2009-2010 Assessments in Mandalay Beach Maintenance District. (219)

RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding the proposed FY 2009-2010 assessments for the Mandalay Beach Maintenance District; and (2) Adopt **Resolution No. 13,642** fixing the special assessment tax in the Mandalay Beach Maintenance District for FY 2009-2010.

DISCUSSION: The General Services Manager briefly outlined the maintenance district.

ACTION: Close the public hearing. (Holden/Herrera) Approved as recommended.

(MacDonald/Herrera) Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

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

Finance Department

2. **SUBJECT:** Public Hearing to Consider Oxnard's Fiscal Year 2009-2010 Annual Action Plan Component of Fiscal Years 2008-2013 Consolidated Plan, Including Applications to the U.S. Department of Housing and Urban Development (HUD) and Projected Use of Community Development Block Grant, HOME Investment Partnerships Act and Emergency Shelter Grant Funds. (229)

RECOMMENDATION: (1) Conduct a public hearing to receive comments and provide direction to staff regarding any changes to the Plan; (2) Authorize the City Manager to make changes to the Plan as directed by City Council; (3) Approve the Plan and the recommended proposed use of funds; (4) Authorize the City Manager to execute the required applications, certifications, and other pertinent documents and submit the Plan to HUD; and (5) Authorize the City Manager to execute any agreements and other documents necessary to implement the Plan after approval of the Plan by HUD.

DISCUSSION: The Grants Manager reviewed the Action Plan including job creation. She stated HUD outlined that regional data would be collected.

At 8:39 p.m., Councilmember Maulhardt left the meeting.

Bert Perello would have preferred that the data used was only from Oxnard and stressed the importance of job creation.

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

COMMUNITY DEVELOPMENT

At 8:44 p.m. the joint meeting with the Community Development Commission concluded.

M. REPORT OF CITY MANAGER

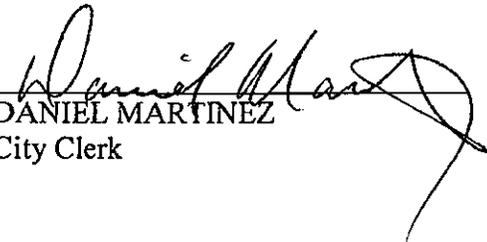
The City Manager commented: the City is accepting Community Relations Awards applications; invited youth to help with a Ormond Beach Clean-up on May 30; and the opening of a Dog Park at College Park on June 2. The Chief Financial Officer outlined the creation of a web site regarding federal stimulus dollars received, status of requested funds and web links for information.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council commented on possible "Charter City" opportunities and Measure "O" funding options and requested both items to be placed on a future agenda.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONB. PUBLIC COMMENTS ON CLOSED SESSION ITEMSC. CLOSED SESSIONT. ADJOURNMENT

At 8:57 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor

MINUTES

OXNARD CITY COUNCIL Special Meeting May 12, 2009

A. ROLL CALL/POSTING OF AGENDA

At 5:03 p.m., the special meeting of the Oxnard City Council convened in the Council Chambers concurrent with the Planning Commission. 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. Planning Commissioners Deirdre Frank; Randall Elliot; Sonny Okada; Michael Sanchez; Patrick Mullen; and staff members were present: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Alan Holmberg, City Attorney; Matt Winegar, Development Services Director; Grace Magistrale Hoffman, Deputy City Manager; and Chris Williamson, Senior Planner.

RECESS

At 5:04 p.m., the City Council and Planning Commission recessed. At 5:28 p.m., the City Council and Planning Commission reconvened with Commissioner Saul Medina present.

B. PUBLIC COMMENTS

C. STUDY SESSION

Development Services Department

1. **SUBJECT:** Update Report on the Draft 2030 General Plan, Draft 2006- 2014 Housing Element, and Draft Program Environmental Impact Report.
RECOMMENDATION: Receive Report and provide direction on the Draft 2030 General Plan, Draft 2006-2014 Housing Element, and Draft Program Environmental Impact Report.
DISCUSSION: The Development Services Director and Senior Planner reviewed the General Plan process including visioning process, goals (housing, traffic, water), policies, draft 2030 General Plan, affordable housing, implementation, Environmental Impact Report, adoption process, and presentations of future informational/hearings/workshops.

Mark Petit, building height requirements, housing overlay, gateways to the City, and zoning differences within the City.

Larry Godwin, differences between goals and land use along the Pacific coast.

Shirley Godwin, land use of the former Halaco site and opposed industrial sites near the beach.

Dennis Hardgrade, development of property along Teal Club Road.

Gary Roach, buying family property near Ormond Beach.

Jerry Hopkins, opposed industrial zoning south of Hueneme Road.

Sonia Flores, farm worker housing elements and creation of farm worker housing.

Barbara Macri-Ortiz, quality of life issues including concern about housing imbalance.

Linda Calderon, opposed the proposed Peaker Plant and favored eco-friendly developments.

Eileen McCarthy, the importance of open public communications and inappropriate affordable housing sites.

Jodie Solorio, affordable housing overlay and mixed use development.

Karen K. Kraus, Ventura County Environmental Defense, providing more opportunities for comments.

Yissel Barajas, development of farm worker housing.

Mike Stubblefield, Chairperson of the Los Padre Sierra Club, opposed industrial development along beach and wetland areas.

Victor K. Nose, supported preservation of agriculture sites.

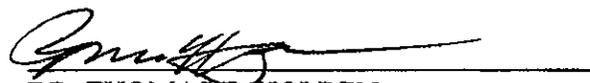
The City Council discussed public future meetings, work of staff and Planning Commission, SOAR, traffic issues, housing issues and energy issues.

ACTION: Receive the report and provide comments to staff.

D. ADJOURNMENT

At 7:06 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor