

MINUTES

OXNARD CITY COUNCIL Regular Meeting September 22, 2009

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, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. Mayor Tem Pro Andres Herrera was absent. 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; Alan Holmberg, City Attorney; and Ken Ortega, Public Works Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:02 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 is City of Oxnard, et al. v. California Coastal Commission, Los Angeles Superior Court, Case No. BS122248

The City Council also recessed to a closed session, pursuant to Government Code section 54956.8, to give instructions to negotiator, Edmund Sotelo, City Manager, regarding the price and terms of payment for the sale by the City of land located at 4201 West Hemlock Street, Oxnard, California to Nation Wide Property Holdings, LLC.

At 7:01 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:04 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 for Tomas Herrera, father of Mayor Pro Tem Andres Herrera. Mayor Holden presided. Additional staff members present were: Danielle Navas, City Treasurer; Rob Roshanian, Development Services Manager; and Martin Erickson, Legislative Affairs Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: 14th Multi-Cultural Festival at Plaza Park
DISCUSSION: Commission on Community Relations Commissioners Ken Robinson and Mike Baxter invited the community to the 14th Multi-Cultural Festival on October 3, 2009.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Nack Clerkcic, regulations to control barking dogs.

Harold Ceja, citing a neighbor who parks four cars over 72 hours in neighborhood.

Yolanda Anguiano, need for more downtown and transportation center security.

John Korsten, loss of vehicles and personal items from his property, and questioned the condition of repaved City roads.

Marvin R. Cayou, landscape design to help the environment.

Bert Perello, safety of using traffic crosswalk at RiverPark (Forest Park and Thames River Street)

Edward Castillo, Boys & Girls Club event for the youth.

Martin Jones, financing for the purchase of the Casden property and belief that an election was required for approval of the financing.

Kenneth Kenichi Smith, commented on his life as a homeless person and becoming an advocate for the homeless community.

G. REVIEW OF INFORMATION/CONSENT AGENDAH. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDAI. INFORMATION/CONSENT AGENDACity Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the City Council for September 1, 2009. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Revenue from Termination of the Channel Islands Harbor Maintenance Yard Agreement A-2075. (007)
RECOMMENDATION: Recognize the revenue and approve the transfer of funds in the amount of \$19,000 for Corporate Yard Improvements Project No. 997403.

Development Services Department

3. SUBJECT: Agreement with the County of Ventura for Cultural Heritage Board Services. (015)
RECOMMENDATION: Approve and authorize the Mayor to sign an agreement with the County of Ventura (A-7218) for Cultural Heritage Board services to the City.

Finance Department

4. SUBJECT: Sale of Vacant Land Located at 4201 West Hemlock Street for the Sum of \$700,000. (021)
RECOMMENDATION: Removed from the agenda.

Public Works Department

5. SUBJECT: Agreement for Professional Services with GIE Technologies, Inc. (GIE) for Pavement Management System (PMS) Update. (035)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement for professional services with GIE (A-7195) in an amount not to exceed \$152,565.34 for PMS update.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Maulhardt/ Holden) Ayes: Holden, Maulhardt, Pinkard, and MacDonald. Absent: Herrera.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSFinance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending August 31, 2009. (037)
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Finance Department

1. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year (FY) 2008-2009. (047)
RECOMMENDATION: Consider and accept the City's CAPER for FY 2008-2009.
ACTION: Close the public hearing. (Maulhardt/Pinkard) Approved as recommended. (MacDonald/Maulhardt) Ayes: Maulhardt, Pinkard, MacDonald, and Holden. Absent: Herrera.

L. PUBLIC HEARINGSDevelopment Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 09-410-01 (Coastal Land Use Plan Amendment), 09-630-01 (Specific Plan Amendment), and 09-580-1 (Zone Text Amendment) to Allow School Use in the Coastal Land Use Plan, Mandalay Specific Plan, and Coastal Planned Community Zone. Filed by Oxnard School District. (049)
RECOMMENDATION: Continue to October 13, 2009.
ACTION: Approved. (Maulhardt/Pinkard) Unanimously.

M. REPORT OF CITY MANAGERDevelopment Services Department

1. SUBJECT: Verbal Update on Santa Clara River Levy Certification and FEMA Map Issues.
DISCUSSION: The Public Works Director reviewed the FEMA process, the findings of FEMA, future map activities, and providing information to the public (flood insurance). The Development Services Manager reviewed the FEMA evaluation of the levee and possible changes to maps.

The following individuals expressed concern with the proposed FEMA map: Cesar Escobar; Pat Brown; Chuck Bauman; Bert Perello; and Ernie Stein.

Gerado Karucek and Norma Camacho, Ventura County Watershed District, 1) reviewed re-certification process, 2) working cooperatively with City staff FEMA and other agencies to find a solution.

John Korsten, managing residential rain water.

Bruce Bindahl, Ventura County Water Protection District, past water flow, measurement of water flow, and changes made by Army Corps of Engineers.

Sal Gonzalez, need for Council staying focused on finding solutions.

The City Council commented: 1) on the new FEMA maps standards; 2) on the need to work together with other local agencies to deliver the same message to the public and FEMA; 3) working with FEMA; 4) the condition of the levee, including testing and safety; and 5) impact this process is having on the community.

ACTION: Provided comments to staff.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council 1) asked that staff provide a report looking at changes that other cities have done regarding barking dogs and bring a report to Council, and 2) discussed SB375 (green gas emissions bill) requirements and the implementation process.

O. REPORTSCity Treasurer Department

1. SUBJECT: Investment Policy and Annual Report of Investment Activity. (095)
RECOMMENDATION: (1) Approve the Investment Policy for the City; and (2) Adopt **Resolution No. 13,740** delegating investment authority to the City Treasurer.
DISCUSSION: The City Treasurer reviewed the financing policy and periodically reviewing the use of possible other banks.

Bert Perello, reviewing the use of other banks and other collections of funds

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Convention and Visitors Bureau Destination Development/Branding.
RECOMMENDATION: Consider a verbal report by the Executive Director of the Bureau.
ACTION: The City Council concurred that this item be continued to a future meeting.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:12 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor