

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

November 18, 2008

A. ROLL CALL/POSTING OF AGENDA

At 7:02 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, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn 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, Interim City Attorney; Matthew Winegar, Development Services Director; and Sue Martin, Planning and Environmental Services Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, led by Sione Vainuku, followed by a moment of silence for victims of the recent fire storms.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to Tahitian Dance Troupe.
DISCUSSION: Mayor Holden presented a commendation to Tina Vainuku who stated the dance troupe started as a way for her children to learn about their culture.
2. SUBJECT: Presentation of Resolution to James Lung for Over Thirty-One Years of Service to the City of Oxnard. (001).
ACTION: Approved **Resolution No. 13,563** (Herrera/Maulhardt) unanimously.
DISCUSSION: Jim Lung stated it was a pleasure working for the City and introduced his family and co-workers.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals supported the rights of temporary workers: Norma Rios; Marianne Robles; Soledad Ruiz; Ted Perez; Lilia Orozco; and Carmen Ramirez.

John Korsten, loss of vehicles and poor maintenance of streets.

Roger Brooke, employment of temporary workers within the City.

Greg Runyon, that the community would find solutions to solve local problems.

Harold Ceja, outcome of Measure V (Traffic), continued development of homes and building in the community, and street circulation of Colonia neighborhood.

Robert Sumpter, results of November 4, 2008 election.

Ed Ellis, EIR for the Ormond Beach area.

Carlos Rodriguez, street lights at Meta Street, underground power lines, and questioned the placement of newspaper rack in front of his bakery.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown, Meta Street lighting event and alleyways cleaned.

The City Clerk reviewed the process of accepting public speaker cards fifteen minutes prior to meeting and that the process of accepting cards was posted.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for October 14 and 21, 2008; Minutes of the Special Meeting of the City Council for October 14, 2008. (003)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Formation of Landscape Maintenance District No. 60 (The Artisan). (019).
RECOMMENDATION: Adopt **Resolution No. 13,564** proposing the formation of Landscape Maintenance District No. 60 (The Artisan), located on Gonzales Road between Williams Drive and Lombard Street.
3. SUBJECT: Former Oxnard High School Gymnasium Improvements Project at Campus Park, 350 South K Street. (023).
RECOMMENDATION: Approve the transfer of Community Development Block Grant funds in the amount of \$200,000, originally budgeted for the Downtown Facade Improvements Project, to Campus Park Building Improvements for the Former Oxnard High School Gymnasium Improvements Project.
4. SUBJECT: Appropriation of Certificates of Participation, Series 1999 Bond Interest Earnings to the Existing Corporate Yard Project. (025).
RECOMMENDATION: Approve the appropriation of funds in the amount of \$157,000 from the Certificate of Participation accumulated interest earnings to the General Services Division existing Corporate Yard Project for improvements to maximize yard space.

City Treasurer Department

5. SUBJECT: Quarterly Investment Report for the First Quarter F/Y 2008-2009. (027).
RECOMMENDATION: Accept the quarterly Investment Report for the First Quarter F/Y 2008-2009.

Community Development Department

7. SUBJECT: Special Budget Appropriation to Cover Final Payment for the Phase II Lighting Improvements Project in the Meta District. (039).
RECOMMENDATION: That City Council approve the transfer of Community Development Block Grant funds in the amount of \$16,035 from the Downtown Parking Lot and Alley Improvement Project Phase II to the Downtown Lighting Project for lighting improvements in the Meta District area between Fifth Street, Wooley Road, Oxnard Boulevard, and the Railroad Crossing East of Meta Street.

Development Services Department

8. SUBJECT: **Ordinance No. 2787** Adopting a Development Agreement with Oxnard Development Company, LLC (A-7113) for 4.23 Acres Located East of North Ventura Road and South of Town Center Drive, Within the RiverPark Specific Plan Area. (043).
RECOMMENDATION: Second reading and adoption.*
9. SUBJECT: Consideration of Revised Architecture and Prohibition of Applications for Future Alcohol Sales at the CVS Pharmacy Shopping Center, PZ 06-500-1, Located at the Five Points Intersection. (045).
RECOMMENDATION: Adopt **Resolution No. 13,565** approving revised project architecture for the CVS Pharmacy Shopping Center and to prohibit future alcohol sales applications.*

Housing Department

10. SUBJECT: **Ordinance No. 2788** Adopting a Development Agreement With Steadfast Residential Development, LLC, (A-7117) a Delaware Limited Liability Company, Steadfast the Courts I, L.P., a California Limited Partnership, Steadfast the Courts II, L.P., a California Limited Partnership, Steadfast the Courts III, L.P., a California Limited Partnership for the Las Cortes Project Located North of First Street, West of Rose Avenue, South of Del Sol Park and East of Marquita Street. (059)
RECOMMENDATION: Second reading and adoption.*

Police Department

11. SUBJECT: Resolution Regarding an Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding in the Amount of \$400,000. (061).
RECOMMENDATION: Adopt **Resolution No. 13,566** authorizing the (1) City Manager to submit an application to the Governor's Office of Emergency Services for California Gang Reduction, Intervention, and Prevention Cities Initiative grant in the amount of \$400,000; (2) City Manager to execute the grant agreement if grant funds are awarded to the city; (3) Finance Director to appropriate the funds and perform all other required financial actions; (4) Chief of Police or designee to submit non-financial reports.

12. SUBJECT: Recognize Grant Revenue and Appropriate Funds for the COPS Technology Program. (065).
RECOMMENDATION: (1) Recognize Grant Revenue in the amount of \$467,650 from the U. S. Department of Justice, Community Oriented Policing, Technology Program; and (2) Approve the Special Budget Appropriation of \$467,650.

Public Works Department

13. SUBJECT: First Amendment to Agreement with Biwater AEW, Inc. for Supply and Delivery of Reverse Osmosis Membrane System Equipment for the Blending Station No. 1 GREAT Program Desalter Located at 251 South Hayes Avenue. (067).
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement with Biwater AEW, Inc. (3570-05-PW) to increase the amount by \$190,987 for a total of \$2,957,771 for supply and delivery of reverse osmosis membrane system equipment for the Blending Station No. 1 GREAT Program Desalter.
14. SUBJECT: Special Budget Appropriation to Fund the Current Year Requirements for Certification and Maintenance of Water Backflow Assemblies. (071).
RECOMMENDATION: Approve a special budget appropriation in the amount of \$100,000 from the Security-Contamination Prevention Fund Balance for maintenance of water backflow assemblies.
15. SUBJECT: Supplemental Information for Adopted Oxnard Wastewater Collection System Master Plan Report. (073).
RECOMMENDATION: Approve the supplemental information and data, compiled by Kennedy/Jenks Consultants, to be incorporated into the adopted Oxnard Wastewater Collection System Master Plan Report.
16. SUBJECT: Quitclaim Deeds for Victoria Avenue Conveyance. (075).
RECOMMENDATION: Accept and authorize the Mayor to execute the Certificates of Acceptance for the Right-of-Way Quitclaim Deeds (D-4327, D-4328) dated September 23, 2008 from the County of Ventura, for portions of Victoria Avenue, Teal Club Road, and Gonzales Road.

Recreation and Community Services Department

17. SUBJECT: Senior Services Grant Awards. (087).
RECOMMENDATION: (1) Approve the Senior Services Commission's recommended distribution of \$50,000 in Senior Services Grant Awards to thirteen agencies providing services to seniors; (2) Direct the Senior Services Supervisor to notify recipients of Senior Services Grant Awards; (3) Authorize the Senior Services Supervisor to execute a letter of agreement for each recipient; and (4) Authorize the Chief Financial Officer to make disbursements in accordance with the letter agreements.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Herrera/Maulhardt) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn. Noes: Zaragoza only item 9; and Flynn only 8, 9, and 10.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGS

DISCUSSION: The City Council discussed continuing items L-1, L-2, L-3, and L-5 to November 25, 2008 with concurrence from the applicants.

Development Services Department

1. SUBJECT: Appeal of Planning Commission's Action on Courtyard at Mandalay Bay Project, Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Courtyard at Mandalay Bay, LLC. (093.1).
RECOMMENDATION: Continue to November 25, 2008.
2. SUBJECT: Appeal of Planning Commission Action on Vineyard-Ventura Homes Project for Development of 201 Residential Units on Vacant Property, Located at 1801 Vineyard Avenue. Filed by Casden Properties LLC. (111).
RECOMMENDATION: Continue to November 25, 2008.
3. SUBJECT: Appeal of Planning Commission Action on Ventura Townhomes Project for Development of 143 Residential Units on Vacant Property, Located at 2501 North Ventura Road. Filed by Casden Properties LLC. (139).
RECOMMENDATION: Continue to November 25, 2008.
5. SUBJECT: Planning and Zoning Permit Nos. 06-620-03 (General Plan Amendment), 08-630-02 (Specific Plan Adoption), 06-570-05 (Zone Change), and 06-670-02 (Development Agreement), and Replacement Housing Plan for the Oxnard Village Specific Plan Project, Located Near the Northwestern Edge of the City of Oxnard, Bounded by Highway 101 to the North, Oxnard Boulevard to the East, the Union Pacific Railroad and El Rio Drain to the South, and North Ventura Road to the West. Filed by the Daly Group. (185).
RECOMMENDATION: Continue to November 25, 2008.

ACTION: Moved to continue items L-1, L-2, L-3 and L-5 to November 25 (Maulhardt/Holden), unanimously, with concurrence of the applicants.

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

4. SUBJECT: Appeal of Planning Commission Action on Final Environmental Impact Report No. 06-03 for the Oxnard Village Specific Plan Project, Located on the South Side of Highway 101, Between Ventura Road and Oxnard Boulevard, North of the Railroad Tracks. Filed by Stephen Schafer, San Buenaventura Conservancy. (165).
RECOMMENDATION: Adopt **Resolution No. 13,567** upholding the Planning Commission's certification of Final Environmental Impact Report No. 06-03 for the Oxnard Village Specific Plan Project.

DISCUSSION: The Planning and Environmental Services Manager briefly reviewed the proposed development, current building structures, and the final Environmental Impact Report including a heritage component.

The following individuals commented on the need to preserve the heritage of the Wagon Wheel development: Stephen Schafer; Gary Blum; Rebecca Barkley; Cynthia Thompson; Marilyn Keller; Geoffrey Starns; Miguel Fernandez; Dan Lechliter; Eileen Tracy; and Pat Brown.

Bill Shallenberger questioned sufficient availability of recreation area and parking.

Ernest Stein and Ray Slusar supported the proposed development.

Bert Perello, density of project.

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

M. REPORT OF CITY MANAGER

The City Manager reported on: the recognition of "Far West Deal" of the year creating bonds using Gas Tax revenue for municipal projects; downtown improvement paint program; and program for the disposal of medical needles ("Sharps" containers).

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Housing Department

1. **SUBJECT:** Selection of Two Resident Commissioners. (219).

RECOMMENDATION: Appoint two resident Commissioners to the Housing Authority Board of Commissioners to serve a two-year term.

DISCUSSION: The City Councilmembers nominated Francisco Vega, Jose Andrade and Carmen Ortega.

ACTION: The City Council were polled and selected Mr. Andrade and Mr. Vega.

The City Council briefly discussed the classification of temporary employees and the transition of the work force.

COMMUNITY DEVELOPMENT

At 9:44 p.m. the joint meetings with the Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

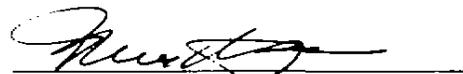
F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ms. Jeanson Jones discussed use of temporary workers.

T. ADJOURNMENT

At 9:48 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor