

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

March 2, 2010

A. ROLL CALL/POSTING OF AGENDA

At 7:09 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. 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; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; Grace Magistrale Hoffman, Deputy City Manager; Ken Ortega, Public Works Director; Matthew Winegar, Development Services Director; and Michael Henderson, General 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, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Sandy Gonzales, INCF, requested a response to having meetings (Council, Planning Commission, INCF, and other) simulcast in Spanish.

John Korsten, reuse of rain water, a recent parking ticket, and need of vehicle taken from property.

Bill Winter, branding of City, possible closing of a Colonia neighborhood street, downtown parking, and Spanish simulcast of meetings.

Ed Ellis, building removal at former Halaco site/zoning of site and Spanish simulcast.

Pat Brown thanked the City Council for street repairs on Wooley Road.

Chuck Bauman, restoring parking after the repaving is completed and other parking issues along Ventura Road.

G. REVIEW OF INFORMATION/CONSENT AGENDA

## H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Todd McNamee expressed concerns with the development of Campus Park.

Eileen Tracey supports I-2.

The following individuals supported I-3: Trisha Munro and William Terry.

Bert Perello questioned the bidding process (I-4).

## I. INFORMATION/CONSENT AGENDA

### City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the City Council for February 9, 2010. (001)  
RECOMMENDATION: Approve.

### City Manager Department

2. SUBJECT: Proposition 84 Grant – Old Oxnard High School Site. (007)  
RECOMMENDATION: (1) Adopt **Resolution No. 13,773** authorizing the City Manager to submit the grant application to the State of California Department of Parks and Recreation under Proposition 84 in the amount of \$5,000,000 for improvements to the old Oxnard High School site (Campus Park), and certifying that the City will have sufficient funds to operate and maintain the project to be paid for with these grant funds; and (2) Authorize the City Manager to appropriate grant funds upon award of grant.\*
3. SUBJECT: Proposition 84 Grant – Ormond Wetlands Gateway Park. (011)  
RECOMMENDATION: (1) Adopt **Resolution No. 13,774** authorizing the City Manager to submit a grant application to the State of California Department of Parks and Recreation under Proposition 84 in an amount not to exceed \$5,000,000, for the development of the Ormond Wetlands Gateway Park; and (2) Authorize the City Manager to appropriate grant funds upon award of grant.  
DISCUSSION: The General Services Manager outlined the grant process for I-2 and I-3.

### Public Works Department

4. SUBJECT: Appropriation of Funds from the United States Department of Energy (DOE) American Recovery and Reinvestment Act (ARRA) Energy Efficiency Conservation Block Grant Program (EECBG). (015)  
RECOMMENDATION: Approve the appropriation of funds in the amount of \$1,699,500 from the EECBG under the United States DOE ARRA for energy efficiency studies and citywide energy audit as submitted with the awarded grant application and as specified in the staff report.  
DISCUSSION: The Public Works Director outlined the grant program and funding of projects.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Herrera/Maulhardt) Ayes: Herrera, Maulhardt, Pinkard, MacDonald, and Holden. \* Councilmembers Holden and MacDonald abstained for I-2 only.

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

ACTION: Mayor Holden declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and four written communications were received from Fox Canyon Groundwater Management Agency; Patricia Munro; Alan Sanders, Ormond Beach Observers; and Jason Weiner, Wishtoyo's Ventura Coastkeeper. A late letter was also received from Peter S. Brand, Coastal Conservancy.

Development Services Department

1. SUBJECT: Certification of the Ormond Beach Specific Plan Projects Final Environmental Impact Report (EIR) (EIR No. 05-03) (SCH 2005091094). Filed by City of Oxnard. (021)

RECOMMENDATION: (1) Hold a hearing to take public comment on the Final EIR for the Ormond Beach Specific Plan projects; and (2) Adopt resolution certifying the Final EIR (No. 05-03) for the Ormond Beach Specific Plan projects.

DISCUSSION: The Development Services Director and Bob Lagomarsino, URS Corporation discussed: 1) the Ormond Beach Final EIR Specific Plan addresses two developments in the Ormond Beach (South Shore and South Ormond) area; 2) future development consideration; 3) zoning; 4) 2020 General Plan guidelines; 5) parks; 6) schools; 7) lake elements; and 8) the mitigation measures.

Ed Mountford, South Shore commented that the mitigation measure requiring the payment of a specified fee as a result of the projects direct impact to foraging habitat impacts was not supportable.

Jurgen Gramckow, South Ormond, commented water issues, current agriculture land use, and possible future development.

The following individuals commented on the need to protect the Ormond Beach wetlands with many requesting the FEIR be denied or a decision postponed: Jim Hensley; Mary Dodd; Lauraine Effress; Eileen Tracey; Karen Kraus; Trisha Munro; Michael Stubblefield; Marie Lakin (representing Susan Jordan); Gloria Roman; William Terry; Peter Hearst; James Joyce (representing Das Williams); Victor Aguilar; James Joyce; Beatriz Garcia; Jason Weiner, Wishtoyo Foundations; Carmen Ramirez; Carol Kurtz; Lisa Cordova Schwarz; Leslie Purcell; and Julie Pena.

Bert Perello questioned the availability of water for the developments.

The following individuals supported the approval of the EIR: Mark Petit; Lupe Anguiano; Tom Deardorff; and Nancy Lindholm, Oxnard Chamber of Commerce.

ACTION: Close the public hearing. (Herrera/Pinkard) unanimously.

DISCUSSION: The City Council made comments relative to the importance of the wetlands area, foraging habitat, water resource and drainage issues, school impacts, local animal life, and the timeline of Ormond Beach restoration.

RECESS: At 9:59 p.m., the City Council concurred to recess and at 10:08 p.m., the City Council reconvened.

ACTION: Approved certification of the Ormond Beach Specific Plan Projects Final EIR with a revision to Mitigation Measure No. Biology-2 regarding direct impacts to foraging habitat. Staff was directed to revise the resolution to memorialize the City Council's action regarding this mitigation measures and present the resolution at the March 23<sup>rd</sup> City Council meeting (Maulhardt/Pinkard). Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Mayor Pro Tem Herrera reported on the many meetings with representatives in Washington D.C. with Councilman MacDonald and other City staff members.

O. REPORTS

City Manager Department

1. SUBJECT: Measure O Citizen Oversight Committee (COC) Resolution and Appointment of Members. (027)

RECOMMENDATION: (1) Adopt **Resolution No. 13,776** creating the nine-member COC which will meet two times a year to conduct COC business; (2) Appoint five members at-large, one appointed by each member of the City Council to serve on the COC; and (3) Appoint four members of the COC from the following categories: (a) One member representing and/or active in a business organization representing the business community located in the City; (b) One member representing and/or active in a senior citizen organization providing senior services in the City; (c) One member representing and/or active in a neighborhood council, or neighborhood association located in the City; and (d) One member representing and/or active in a City youth organization providing services to youth between the ages of 5 and 18 years of age in the City.

DISCUSSION: The Legislative Affairs Manager reviewed the Measure O election, the establishment of the oversight committee and requested the appointment of members.

ACTION: Approved as recommended with the following appointments: Nancy Lindholm (Business Organization); Kimberley Gibas, Joseph Munoz, Gloria Postel, Mary Ann Rooney, Kenisha Amar (Member at-large); R.S. Cripps (Neighborhood Council/Association); Donald W. Thibeault (Senior Citizen Organization); and Charles Hookstra (Youth Organization). (Maulhardt/Holden), unanimously.

2. SUBJECT: Citywide Gang Prevention Efforts. (033)

RECOMMENDATION: Receive a report and provide direction to the City Manager on the City's gang prevention efforts.

DISCUSSION: The Deputy City Manager and Mike Matlock, Gang Reduction Coordinator, reviewed the program to prevent gang violence, alliance of the community and government agencies, excess to training program and networked to other programs. Rev. Edgar A. Mohorko commented some of the past youth activity events.

Bert Perello questioned the funding and identification of consultants.

ACTION: Received the report and provided comments to staff.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:14 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

The following individuals commented on the need to protect the wetlands, many requested the EIR be denied or postponed:

1. Jim Hensley supported protecting the wetlands
2. Mary Dodd, protecting wetlands
3. Lauraine Effress, protecting wetlands
4. Eileen Tracey, protecting wetlands
5. Karen Kraus, protecting wetlands EIR not aquate water supplies,
6. Mark Pettit, supported the development of South Shore
7. Trisha Munro against certification of EIR
8. Michael Stubblefield deny EIR
9. Bert Perello, high school district, water issue,
10. Marie Lakin (for Susan Jordan) postponed
11. Gloria Roman, postponed the EIR, do not certify EIR
12. William Terry, protecting wetlands
13. Peter Hearst, deny EIR
14. James Joyce, (Das Williams) not to certified EIR
15. Victor Aguilar deny EIR
16. James Joyce, vision of a
17. Beatriz Garcia deny EIR
18. Jason Weiner, Wishtoyo Foundations deny EIR water quality
19. Carmen Ramirez, deny EIR
20. Carol Kurtz, postpont EIR
21. Jurgen Gramckow, agriculture land use, approval
22. Tom Deardorff
23. Lisa Cordova Schwarz, postent
24. Leslie Purcell, restoration of wetland and protection
25. Lupe Anguiano, move ahead with South Shore
26. Julie Pena, not certify EIR
27. Nancy Lindholm supported the development, supported Ormond Beach,

ACTION: Close the public hearing. (Herrera/Pinkard)

DISCUSSION: The City Council commented importance of restoration of the wetland area, water issues, storm drainage, school, animal life, past time line of Ormond Beach restoration, agriculture land,

ACTION: Approved with changes to resolution. (Herrera/MacDonald) Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

## L. PUBLIC HEARINGS

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DISCUSSION: The City Clerk reported on posting, publication and four written communications were received from Fox Canyon Groundwater Management Agency; Patricia Munro; Alan Sanders, Ormond Beach Observers; and Jason Weiner, Wishtoyo's Ventura Coastkeeper. A late letter was also received from Peter S. Brand, Coastal Conservancy.

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Ed Mountford, South Shore, commented that the mitigation measure requiring the payment of a specified fee as a result of the projects direct impact to foraging habitat impacts was not supportable.

**Comment [C1]**: You should check the tape but I don't think Jurgen made comment regarding the foraging habitat mitigation

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Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.