

DRAFTMINUTES
CITY COUNCIL
March 14, 2006

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 Oxnard Community Development Commission. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza and Timothy P. Flynn were present. Mayor Pro Tem Andres Herrera was absent. The Deputy 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: Edmund F. Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; Anthony Emmert, Water Resources Manager; James Rupp, Assistant City Attorney; Michael Henderson, Parks and Facilities Superintendent; Ernie Whitaker, Housing Rehabilitation Program Manager; Lou Balderrama, Supervising Civil Engineer; and Lourdes A. Lopez, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance, led by the Senior Girl Scout Troop 370, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of March, 2006, as "Developmental Disabilities Awareness Month."
DISCUSSION: Accepted by Fred Robinson, CEO and Gene West, Treasurer of ARC Ventura County who thanked the City Council for the recognition.
2. SUBJECT: Presentation of a Proclamation Designating March 15, 2006, as "Arbor Day Celebration."
DISCUSSION: Accepted by the Parks and Facilities Superintendent, who invited the public to Eastwood Park.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Silvia Ramirez, 1337 West Birch Street, re accessibility to her residence.

Harold Ceja, 401 North Garfield, re tragic death and conditions of roads.

Jessica Arcinega, 118 South Garfield Avenue, re Summit on Sustaining Agriculture.

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John Korsten, 1174 South "N" Street, re property tax, new crosswalk, and public transportation.

Barbara Macri-Ortiz, 1121 West First Street, re residential development at the proposed Sports Park.

Francisco Romero, 344 Wolff Street, re the gang injunction.

David Diaz, 1280 Hacienda Drive, re of the Sports Park.

Bert Perello, Southbank Neighborhood Council re upcoming Mobile Satellite City Hall.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The Supervising Civil Engineer stated that on Item I-3, the second recommendation should read \$90,000 for a total of \$140,000.00.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Attorney's Office

1. SUBJECT: **Ordinance No. 2714** Amending Chapter 4 of the City Code Concerning Procedure to Execute Contracts, Leases and Purchase Orders. (001)
RECOMMENDATION: Second reading and adoption.

Housing Department

2. SUBJECT: Hacienda Guadalupe, Easement from Cabrillo Economic Development Corporation (CEDC). (003)
RECOMMENDATION: Approve and authorize the Mayor to execute an "Access Easement between the City of Oxnard and CEDC" pertaining to property located immediately south of the intersection of 7th Street and Meta Street (**D-3599**).

Public Works Department

3. SUBJECT: Design of Improvements to Ventura Road Under Highway 101 and Improvements to Vineyard Avenue Southbound On-Ramp on Highway 101. (013)
RECOMMENDATION: (1) Approve the appropriation of funds in the amount of \$50,000 from the Water Bond fund balance to Ventura Road/Highway 101 capital improvement project for the design of the recycled water distribution line and the widening of Ventura Road under Highway 101; and (2) Approve the appropriation of funds in the amount of \$90,000 from the Circulation System Improvement Fees fund balance to Vineyard Ramp/Highway 101 capital improvement project for the design of the improvements for the Vineyard Avenue southbound on-ramp on

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Highway 101.

INFORMATION/CONSENT AGENDA ACTION: Approved (Zaragoza/Maulhardt).
Ayes: Holden, Maulhardt, Zaragoza and Flynn. Absent: Herrera.

J. INFORMATION/CONSENT PUBLIC HEARINGS

K. PUBLIC HEARINGS

Public Works Department

- 1. SUBJECT: Urban Water Management Plan Update 2005. (017)
RECOMMENDATION: Adopt **Resolution No. 13,015**: (1) adopting the City of Oxnard 2005 Urban Water Management Plan update; (2) authorizing the City Manager to file the Plan with the State of California; and (3) declaring City Council's intent to implement water conservation measures.

ACTION: Open hearing (Holden); Deputy City Clerk reported on publication and that no written communication were received.

DISCUSSION: The Water Resources Manager summarized his report.

Bert Perello re RiverPark lakes.

Pat Brown re drought resistant gardens and water conservation.

DISCUSSION: City Council commented on population estimate and water demands.

ACTION: Close hearing (Zaragoza/Maulhardt). Approved recommendation (Maulhardt/Holden). Ayes: Maulhardt, Zaragoza, Flynn and Holden. Absent: Herrera.

L. REPORT OF CITY MANAGER

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

N. REPORTS

City Attorney's Office

- 1. SUBJECT: Ordinance Regulating the Parking of Oversized Vehicles. (023)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an **Ordinance No. 2715** that amends Oxnard City Code sections 8-41.1 (A)(1) and 8-41.1(C)(1) establishing a new definition of an "oversized vehicle" and amending the exemption for loading and unloading an oversized vehicle.

Bert Perello re street conditions.

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ACTION: Approved, Ordinance No. 2715 for first reading only (Holden/Zaragoza). Ayes: Zaragoza, Flynn, Maulhardt and Holden. Absent: Herrera.

Housing Department

2. **SUBJECT:** Loan of \$400,000 to Cabrillo Economic Development Corporation (CEDC) for Villa César Chávez, Located at 381 East Hueneme Road. (027)
RECOMMENDATION: That City Council: (1) Approve a loan for Villa César Chávez evidenced by a Promissory Note in the amount of \$400,000, secured by a Deed of Trust (**D-3600**); (2) Approve the expenditure of HOME Community Housing Development Organization funds in the amount of \$200,000 for Villa César Chávez; (3) Approve and authorize the Mayor to execute a Release and Termination of Regulatory Agreement (**A-6208**) to terminate a Regulatory Agreement of June 13, 2000, and the encumbrance of \$286,000; and (4) Approve an Amendment to a Promissory Note (**A-6208**) dated April 15, 2003, modifying the definition of "Net Cash Flow".

Pat Brown re low income housing.

ACTION: Approved recommendation (Zaragoza/Maulhardt). Ayes: Flynn, Holden, Maulhardt and Zaragoza. Absent: Herrera.

COMMUNITY DEVELOPMENT COMMISSION

At 8:40 p.m., the concurrent meeting with the Community Development Commission concluded.

Public Works Department

3. **SUBJECT:** Acceptance of An Offer to Dedicate Beachfront Property for Open Space from the California Coastal Commission. (031)
RECOMMENDATION: Approve and authorize the Mayor to execute an acceptance of an offer to dedicate land (**D-3601**) and execute other documents in the form approved by the City Attorney, pursuant to which the City will accept approximately 7.62 acres of beachfront real property located west of Mandalay Beach Road and south of Amalfi Way to be preserved as open space.
ACTION: Approve recommendation (Zaragoza/Maulhardt). Ayes: Holden, Maulhardt, Zaragoza and Flynn. Absent: Herrera.

- O. PUBLIC COMMENTS ON REPORTS
- P. APPOINTMENT ITEMS
- Q. STUDY SESSION
- R. PUBLIC COMMENTS ON STUDY SESSION

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S. ADJOURNMENT

At 9:00 p.m., the City Council concurred to adjourn the meeting.

LULY LOPEZ
Deputy City Clerk

THOMAS E. HOLDEN
Mayor

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MINUTES
CITY COUNCIL
March 21, 2006

A. ROLL CALL/POSTING OF AGENDA

At 7:01 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, John C. Zaragoza, and Timothy B. Flynn were present. Councilmember Dean Maulhardt was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and Grace M. Hoffman, Deputy City 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 Father Jose de Jesus Sanchez of Our Lady of Guadalupe Church, followed by a moment of silence. Mayor Holden presided.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of the Annual Commission on Community Relations Awards.
DISCUSSION: Mayor Holden introduced Commissioners Mike Baxter and Margaret F. Reyes who presented recognition awards to Paulina Cordoba - Youth; Tony V. Grey - Individual; Teatro Inlakech Cultural Arts Center - Organization; Citibank West - Business.
2. Presentation of the Third Annual Strawberry Fields Triathlon.
DISCUSSION: Gil Ramirez, Recreation and Community Services Superintendent, and Nancy Johnston, Strawberry Fields Triathlon Committee Chairperson, invited the public to attend the event and commented on the renaming of the event.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

John Korsten, 1174 South "N" Street, tax lien and various items.

Jean Joneson, 2044 Pamela Street, estimated number of residents per household.

Gary Rodriguez, 131 West Collins Street, school crossing guard and community recreational areas.

Ernest Stein, 1965 Falkner Place, Knights of Columbus fundraisers.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Attorney's Office

1. SUBJECT: **Ordinance No. 2715**, Amending Sections 8-41.1(A)(1) and 8-41.1(C)(1) of the Oxnard City Code (Parking of Oversized Vehicles). (001)
RECOMMENDATION: Second reading and adoption.

City Clerk's Office

2. SUBJECT: Minutes of the Regular Meeting of City Council for February 7, 2006; Minutes of the Special Meetings of City Council for February 3 and 7, 2006. (003)
RECOMMENDATION: Approve.

Development Services Department

3. SUBJECT: Planning and Zoning Permit No. 05-300-09 (Final Maps for Tract Nos. 5538-1, 2 and 3), Filed by RiverPark Legacy LLC. (013)
RECOMMENDATION: Adopt **Resolution No. 13.016** approving Planning and Zoning Permit No. 05-300-09 (Final Maps for Tract Nos. 5538-1, 2 and 3), to subdivide a 26.6-acre site comprised of lots 23, 24, 25, and A of Tract No. 5352-1 (APNs: 132-0-110-02, 132-0-110-03, 132-0-110-28 and 132-0-120-12) which are bounded by Garonne Street to the north, Forest Park Boulevard to the south, and Ventura Road to the west, within Planning District G of the RiverPark Specific Plan.

Housing Department

4. SUBJECT: Workforce Housing Reward Grant Application. (041)
RECOMMENDATION: Adopt **Resolution No. 13,017** authorizing the Housing Director to: (1) execute and submit an application to the California Department of Housing and Community Development for a Workforce Housing Grant; and (2) execute the Standard Agreement, and any other documents necessary and appropriate to pursue the grant application and obtain grant funds.

Public Works Department

5. SUBJECT: Formation of Landscape Maintenance District No. 56. (045)
RECOMMENDATION: Adopt **Resolution No. 13,018** declaring Council's intention to form and levy fiscal year 2006-2007 assessments in Landscape Maintenance District No. 56, consisting of Tract No. 5450 (The Cottages), located on Patterson Road south of Wooley Road, and setting a date for a public hearing thereon.
6. SUBJECT: Letter of Support for South Coast Area Transit's (SCAT) Request for Federal Section 5309 Bus Discretionary Funds. (055)
RECOMMENDATION: Execute a letter of support for SCAT's request for Section 5309 Bus Discretionary Funds.

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7. SUBJECT: Letter of Support for Santa Clara River Estuary Project. (057)
 RECOMMENDATION: Execute a letter of support to the City's federal representatives regarding the Nature Conservancy's funding request for the Santa Clara River Estuary Project.

INFORMATION/CONSENT AGENDA ACTION: Approval as recommended (Holden/Zaragoza). Ayes: Holden, Herrera, Zaragoza, and Flynn. Absent: Maulhardt.

J. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Local Coastal Program Amendment (PZ 06-410-1) Incorporating Minor Text Changes and Reorganization of the City Code. (063)
 RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2716** designating Chapter 17 of the City Code as the Coastal Zoning Ordinance and amending Chapter 17 and the Local Coastal Program by modifying the text to add HCI (Harbor, Channel Islands) and R-BF (Beachfront Residential) zone districts to the list of Coastal Subzones, correcting policy number references, and removing the prohibition against metal roofs for single family dwellings, and directing the Planning and Environmental Services Manager to forward the ordinance to the California Coastal Commission for certification.
 DISCUSSION: Mayor Holden opened the public hearing. The City Clerk reported on posting and no written communications received.
 ACTION: Closed hearing (Herrera/Zaragoza). Approved as recommended (Zaragoza/Herrera), Ayes: Herrera, Zaragoza, Flynn and Holden. Absent: Maulhardt.
2. SUBJECT: Appeal of Planning and Zoning Permit No. 05-400-6 (Coastal Development Permit), Filed by James A. Herzoff. (067)
 RECOMMENDATION: Adopt **Resolution No. 13,019** upholding the Planning Commission's approval of Coastal Development Permit (PZ05-400-6), with an amendment to Condition No. 49 thereof, concerning property located at 1115 Capri Way.
 DISCUSSION: Mayor Holden opened the public hearing, City Clerk reported on posting and no written communications received.
 ACTION: Closed hearing (Herrera/Zaragoza). Approved as recommended (Herrera/Zaragoza). Ayes: Zaragoza, Flynn, Holden and Herrera. Absent: Maulhardt.

Finance Department

3. SUBJECT: Establishment of Community Facilities District (CFD) No. 6 (Northshore at Mandalay Bay), Located North and East of the Intersection of Fifth Street and Harbor Boulevard. (071)
 RECOMMENDATION: (1) Conduct public hearings regarding the formation of CFD No. 6 (Northshore at Mandalay Bay); (2) Adopt **Resolution No. 13,020** establishing CFD No. 6 (Northshore at Mandalay Bay), authorizing the levy of a special tax and calling an election; (3) Adopt **Resolution No. 13,021** determining the necessity to incur bonded indebtedness in an amount not to exceed \$30,000,000 for CFD No. 6 (Northshore at Mandalay Bay) and calling an election; (4) Adopt **Resolution No. 13,022** declaring the results of a special tax election in CFD No. 6 (Northshore at Mandalay Bay) and approving certain related actions; and (5) Approve the first

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reading by title only and subsequent adoption of **Ordinance No. 2717** authorizing the levy of a special tax within CFD No. 6 (Northshore at Mandalay Bay).

DISCUSSION: Mayor Holden opened the public hearing, City Clerk reported on posting and no protests received.

ACTION: Approval of **Resolution No. 13,020** (Herrera/Zaragoza). Ayes: Flynn, Holden, Herrera and Zaragoza. Absent: Maulhardt.

Approval of **Resolution No. 13,021** (Herrera/Zaragoza). Ayes: Holden, Herrera, Zaragoza and Flynn. Absent: Maulhardt.

DISCUSSION: City Clerk opened the ballot and reported all votes in favor of Proposition A and B.

ACTION: Approval of **Resolution No. 13,022** (Herrera/Zaragoza). Ayes: Herrera, Zaragoza, Flynn, and Holden. Absent: Maulhardt.

DISCUSSION: The City Attorney stated that the reading of Ordinance No. 2717 may be waived.

ACTION: Approval of **Ordinance No. 2717** (Herrera/Zaragoza). Ayes: Zaragoza, Flynn, Holden and Herrera. Absent: Maulhardt.

K. PUBLIC HEARINGS

L. REPORT OF CITY MANAGER

The Assistant City Manager commented on: Gang Resistance Education and Training (Police) Program; South Library fundraiser; Earth Day, April 8; and Carnegie Art Museum Art Collection program.

M. CITY COUNCIL BUSINESS

Mayor Holden requested future discussion regarding efforts to unify Camarillo school districts and the related effect on the Oxnard High School community, with City Council concurrence.

N. REPORTS

O. PUBLIC COMMENTS ON REPORTS

P. APPOINTMENT ITEMS

Q. STUDY SESSION

R. PUBLIC COMMENTS ON STUDY SESSION

S. ADJOURNMENT

At 7:55 p.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

THOMAS E. HOLDEN
Mayor

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MINUTES
CITY COUNCIL
Regular Meeting
March 28, 2006

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 and Housing Authority. Councilmembers Herrera, Maulhardt, Zaragoza, and Flynn. Mayor Holden was absent. Staff members present were: Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary Gillig, City Attorney; and Jill Beaty, Assistant City Clerk. Mayor Pro Tem Herrera presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance led by Angela Morgan, third place winner, Oxnard School District's Annual African-American Speech Contest, led followed by a moment of silence. Additional staff members present were: Cyndi Hookstra, Management Analyst II; Michael Henderson, Parks and Facilities Superintendent; Grace Magistrale Hoffman, Deputy City Manager; Gayle Elkins, Telecommunications Coordinator; Mike More, Financial Services Manager; Anthony Emmert, Water Resources Manager; Ken Ortega, Public Works Director; Ernie Whitaker, Housing Rehab Program Manager; Sal Gonzalez, Housing Director; and Matt Winegar, Development Services Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: . Presentation of a Check by the Oxnard Friends of the Library to the Oxnard Public Library.
DISCUSSION: Yvette Osinalde, President, Oxnard Friends of the Library, presented check.
2. SUBJECT: Presentation of **Resolution No. 13,023** to Hedda Markham for Eight Years of Service with the Library Board. (001)
ACTION: Approved (Zaragoza/Maulhardt), with Mayor Holden absent.

3. SUBJECT: Presentation of Commendations to Hueneme High School and Channel Islands High School Ambassadors.
ACTION: Management Analyst presented certificates to Academic Ambassadors for keeping campuses graffiti-free

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Steve Fleischer re former St. John's Hospital site.

Ben Moss re former St. John's Hospital site.

David Diaz re former St. John's Hospital site.

Francisco Romero re gang injunction conference April 8.

Shirley Godwin re BHP Billiton Cabrillo Port/LNG project meeting on April 19.

Rosanne Moss re Rally in the Alley on April 1.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Attorney's Office

1. SUBJECT: Quitclaim of a Portion of Former Ventura Road Right-of-Way and an Adjacent "Future Street" Right-of-Way. (003)
RECOMMENDATION: Approve and authorize the Mayor to execute a Quitclaim Deed (**D-3603**) to RP Apartments Ventures, LLC ("RP") for a portion of Ventura Road right-of-way and an adjacent 7.5-foot wide "future street" right-of-way accepted by the City on the title sheet for Tract No. 4334 recorded in book 114, Pages 62 through 66, inclusive, of Miscellaneous Records (Maps), with the two former rights-of-way located along the southwesterly side of Ventura Road approximately 1200 feet north of the Ventura Road/Town Center Drive intersection.

Development Services Department

2. SUBJECT: **Ordinance No. 2716**, Designating Chapter 17 of the City Code as the Coastal Zoning Ordinance and Making Minor Amendments thereto. (009)
RECOMMENDATION: Second reading and adoption.

Finance Department

3. SUBJECT: Declaration of Surplus Land - Lot 3 of Tract No. 4132-1. (013)
RECOMMENDATION: Determine that Lot 3 of Tract No. 4132-1, located at 4201 West Hemlock Street (the "Property"), is no longer necessary for the City's use and declare the Property to be surplus land.

4. SUBJECT: **Ordinance No. 2717**, Acting in its Capacity as the Legislative Body of Community Facilities District No. 6 (Northshore at Mandalay Bay) of the City of Oxnard Authorizing the Levy of Special Taxes within said Community Facilities District. (025)
RECOMMENDATION: Second reading and adoption.

Housing Department

5. SUBJECT: Grant of Easement to Verizon California, Inc. (Verizon). (049)
RECOMMENDATION: Approve and authorize the Mayor to execute a "Grant of Easement," (**D-3604**) granting to Verizon an easement to run cable under the rear five-feet of City owned property at 126 East 7th Street, leased to the Boys and Girls Club.

Public Works Department

7. SUBJECT: Appropriation of Interest Earnings. (061)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$1,165,977 from the 2004 Water Revenue Project Bonds interest earnings to various Capital Improvement Projects.

INFORMATION/CONSENT AGENDA ACTION: Approved
(Maulhardt/Zaragoza). Ayes: Herrera, Maulhardt, Zaragoza, and Flynn. Absent: Mayor Holden.

J. INFORMATION/CONSENT PUBLIC HEARINGS

MAYOR/CHAIRMAN PRESENT AT 7:42 P.M.

K. PUBLIC HEARINGS

Public Works Department

1. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year (FY) 2006-2007 Assessments in Landscape Maintenance District No. 54. (075)
RECOMMENDATION: (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 54, consisting of Tract No. 5459

L. REPORT OF CITY MANAGER

City Manager's Office

1. SUBJECT: Presentation of Video Streaming.
DISCUSSION: The Deputy City Manager and Telecommunications Coordinator presented the new technology.

The City Manager reported on a Library fundraiser, Water Conservation art contest, and Carnegie Art Museum art workshops for youth.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

N. REPORTS

Finance Department

1. SUBJECT: Issuance of Water Revenue Project Bonds, Series 2006. (093)
RECOMMENDATION: (1) Adopt **Resolution No. 13,026** authorizing the sale, issuance, and delivery of not more than \$60,000,000 in principal amount of City of Oxnard Financing Authority Water Revenue Project Bonds, Series 2006, and approving certain documents and authorizing certain actions in connection therewith; (2) Adopt a resolution declaring its intent to reimburse the City of Oxnard (the "City") for capital expenditures related to the acquisition and construction of portions of Phase 1 of the Groundwater Recovery Enhancement and Treatment ("GREAT") Program and certain other water system projects from proceeds of taxable or tax-exempt indebtedness; and (3) Approve a special budget appropriation in the amount of \$50,000,000 to appropriate bond proceeds.

The Financial Services Manager and Water Resources Manager report on the project and financing.

ACTION: Approved (Herrera/Holden).

Housing Department

2. SUBJECT: Affordable Housing and In-Lieu Fee Ordinance. (113)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Ordinance No. 2615 regarding in-lieu fees.
DISCUSSION: The Housing Rehabilitation Program Manager provided a report.

(Meadowcrest), located at Oxnard Boulevard and Robert Avenue, and determine whether a majority protest against formation exists; (2) If a majority protest against formation does not exist, continue with the public hearing to consider all protests against the proposed assessment in the District; tabulate the ballots; and determine whether a majority protest exists as to the assessment; and (3) If a majority protest does not exist as to the assessment, adopt **Resolution No. 13,024** to form and levy FY 2006-2007 assessments in the District.

ACTION: Opened hearing (Herrera); Assistant City Clerk reported on publication and that no written communication were received. There were no public comments. Close hearing (Herrera/Zaragoza), unanimously approved. The Assistant City Clerk: The majority vote was in favor of the assessment. Moved to form the district and levy the assessments (Maulhardt/Zaragoza); Ayes: Herrera, Maulhardt, Zaragoza, and Flynn. Mayor Holden absent.

2. **SUBJECT:** Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year (FY) 2006-2007 Assessments in Landscape Maintenance District No. 55. (081)

RECOMMENDATION: (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 55, consisting of Tract No. 5640 (Wingfield West), located at Dunkirk Drive between Northport Lane and Rivera Court, and determine whether a majority protest against formation exists; (2) If a majority protest against formation does not exist, continue with the public hearing to consider all protests against the proposed assessment in the District; tabulate the ballots; and determine whether a majority protest exists as to the assessment; and (3) If a majority protest does not exist as to the assessment, adopt **Resolution No. 13,025** to form and levy FY 2006-2007 assessments in the District.

ACTION: Opened hearing (Herrera); Assistant City Clerk reported on publication and that no written communication were received. There were no public comments. Close hearing (Herrera/Zaragoza), unanimously approved. The Assistant City Clerk: The majority vote was in favor of the assessment. Moved to form the district and levy the assessments (Maulhardt/Zaragoza); approved: Flynn, Herrera, Holden, Maulhardt, and Zaragoza.

3. **SUBJECT:** Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year (FY) 2006-2007 Assessments in Landscape Maintenance District No. 57. (087)

RECOMMENDATION: Continue to April 11, 2006.

ACTION: The City Council concurred to continue this item.

Holly Shroed, Building Industry Association, Greater Los Angeles/Ventura Chapter (BIA), stated the BIA accepts the fee, but has concerns re inclusionary housing, reporting mechanisms and use of funds.

ACTION: Motion adopted to direct staff to revise language in the ordinance that would grant flexibility to the City Council to decide the amount of the in-lieu fee at not-less-than one percent, and return to City Council for first reading (Holden/Flynn).

O. PUBLIC COMMENTS ON REPORTS

P. APPOINTMENT ITEMS

Finance Department

1. SUBJECT: General Fund Financial Forecast 2006-2011. (119)
RECOMMENDATION: Continued to April 11, 2006.
ACTION: The City Council concurred to continue this item to April 11, 2006.

City Manager's Office

2. SUBJECT: Midyear Report on the Fiscal Year (FY) 2005-2006 Budget. (131)
RECOMMENDATION: Continued to April 11, 2006.
ACTION: The City Council concurred to continue this item to April 11, 2006.

Q. STUDY SESSION

Development Services Department

1. SUBJECT: Pre-Application Review (PZ 06-600-01) of a Request for the Operation of a Homeless Women and Children's Recovery Facility Located at 416-440 North "A" Street, Filed by Rescue Mission Alliance. (159)
RECOMMENDATION: Review and provide preliminary comments on a pre-application to remodel existing office buildings located at 416-440 North "A" Street to operate a homeless women and children's recovery facility.

DISCUSSION: The Development Services Director provided a report.

Gary Gray, President, Rescue Mission Alliance, applicant, presented the project.

Speaking in support of the project were: Brian Elster, Pastor, Lutheran Church of Our Redeemer and Mike Beauchamp, Director, Lighthouse Women and Children Shelter.

Steve Fleischer, Chairman, Wilson Neighborhood, expressed concern.

Denise Paul Elliott opposes.

City Council commented.

R. PUBLIC COMMENTS ON STUDY SESSION

S. ADJOURNMENT

At 10: 15 p.m. the City Council concurred to adjourn.

JILL A. BEATY
Assistant City Clerk

ANDRES HERRERA
Mayor Pro Tem

THOMAS E. HOLDEN
Mayor

MINUTES
OXNARD CITY COUNCIL
Special Meeting
March 28, 2006

A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m. the special meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Herrera, Maulhardt, Zaragoza, and Flynn were present. Mayor Holden was absent. Staff members present were: Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary Gillig, City Attorney; and Jill Beaty, Assistant City Clerk. Mayor Pro Tem Herrera presided and called the meeting to order.

B. PUBLIC COMMENTS

C. INFORMATION/CONSENT AGENDA

Public Works Department

1. SUBJECT: Support of AB 2522 (Nava) Groundwater Protection: Septic Tank Systems. (001)
RECOMMENDATION: Execute a letter of support for AB 2522 (Nava) Groundwater Protection: Septic Tank Systems.
ACTION: Approved (Maulhardt/Zaragoza). Absent: Mayor Holden.

D. ADJOURNMENT

At 7:37 p.m. the City Council concurred to adjourn the special meeting.

JILL A. BEATY
Assistant City Clerk

ANDRES HERRERA
Mayor Pro Tem