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AGENDA ITEM NO. I-1

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 11, 2006

A. ROLL CALL/POSTING OF AGENDA

At 7:08 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 Thomas E. Holden, Andres Herrera, Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. The Assistant 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 Sotelo, City Manager; Karen Burnham, Assistant City Manager; Grace Magistrale Hoffman, Deputy City Manager; Gary L. Gillig, City Attorney; and Jill A. Beaty, Assistant City Clerk.

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. Additional staff members present were: Michael Henderson, Parks and Facilities Superintendent; Ken Ortega, Public Works Director; Ernie Whitaker, Housing Rehabilitation Program Manager; and Dennis Scala, Management Analyst III.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Lydia Ledesma-Reese for her Contributions to the Community.
ACTION: Ms. Ledesma thanked the City Council and community.

2. SUBJECT: Presentation of a Proclamation Designating the Month of July, 2006, as "Parks and Recreation Month."
ACTION: Accepted by Gloria Postel, Chairperson, and Parks and Recreation Commission members Armando Garcia, Leanna Bowman,and Paul Lemos.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

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I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of City Council for June 6, 2006; Minutes of the Special Meeting of City Council for June 6, 2006. (001)
RECOMMENDATION: Approve.

2. SUBJECT: Agreement for Publication of Legal Notices and Legal Advertisements and for Publication Agreements of Display Advertisements and Classified Advertisements.
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with Ventura County Star Newspaper (**A-6702**) for publication of legal notices and legal advertisements for Fiscal Year (FY) 2006-07; and (2) Authorize the City Manager or designee to negotiate and execute agreements with other newspapers to allow for the publication of legal advertisements, display advertisements and classified advertisements for FY 2006-07. (017)

Housing Department

3. SUBJECT: Affordable Housing Agreement with Habitat for Humanity of Ventura County, Inc. ("Habitat") Pertaining to Property at 315 Cooper Road.
RECOMMENDATION: Approve and authorize the Mayor to execute an Affordable Housing Agreement (**A-6707**) with Habitat conveying 315 Cooper Road to Habitat for the development of one or two single-family residences to be sold to very low-income families. (029)

Library Department

5. SUBJECT: Amendment to Agreement with BTC-U.S. Labs.
RECOMMENDATION: Approve and authorize the Mayor to execute the second amendment to the agreement with BTC-U.S. Labs (No. **3395-05-LI**) adding $100,000 for additional inspection and scheduling services for the South Oxnard Branch Library project. (035)

Public Works Department

6. SUBJECT: Intelligent Transportation Systems (ITS) Master Plan.
RECOMMENDATION: Approve the appropriation of funds in the amount of $160,075 from the Circulation System Improvement Fund for the ITS Master Plan. (041)

7. SUBJECT: New Traffic Signal at Wooley Road and Offshore Street Intersection.
RECOMMENDATION: (1) Adopt Project Specification No. PW 06-69 for a new traffic signal at the intersection of Wooley Road and Offshore Street; and (2) Approve the appropriation of funds in the amount of $71,100 from the Circulation System Improvement Fund. (043)

8. SUBJECT: Agreement with the Channel Islands Beach Community Services District for Sewer Transportation and Treatment. (047)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with the Channel Islands Beach Community Services District (**A-6680**) for wastewater transportation and treatment and connection into the Redwood Trunk Sewer System at Channel Islands Boulevard/Victoria Avenue, in West Oxnard.

9. SUBJECT: Agreements with the City of Port Hueneme for Sewer Transportation and Encroachment of Sewer Improvements. (061)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with the City of Port Hueneme (**A-6679**) for sewer transportation and connection into Redwood Trunk Sewer System at Hemlock Street/Patterson Road and Channel Islands Boulevard/Victoria Avenue, in West Oxnard; and (2) Approve and authorize the Mayor to execute a license agreement with the City of Port Hueneme (**A-6695**) allowing the City of Port Hueneme to encroach onto City property pursuant to Agreement A-6679.

10. SUBJECT: Appropriation of Interest Earnings. (079)
RECOMMENDATION: Approve the appropriation of funds in the amount of $2,002,769 from the 2004 Wastewater Revenue Bonds, Series A interest earnings to the Headworks Project.

11. SUBJECT: Purchase Order (PO) for Purchase of Equipment from Central Valley Truck Center. (081)
RECOMMENDATION: Approve and authorize the Mayor to execute a purchase order for the purchase of equipment described on a PO in the amount of $285,789.08.

12. SUBJECT: Amendment of the Contract for Professional Services with Aquatic Bioassay and Consulting Laboratories, Inc. (083)
RECOMMENDATION: Approve and authorize the Mayor to execute the sixth amendment to the agreement with Aquatic Bioassay and Consulting Laboratories, Inc. (**900-00-PW**) extending the agreement from July 1, 2006 to June 30, 2007 in the amount $265,946 for receiving water monitoring services.

13. SUBJECT: Letter of Support for Ventura Regional Sanitation District (VRSD) Biosolids Program. (087)
RECOMMENDATION: That City Council execute a letter in support of the VRSD Biosolids Program.

14. SUBJECT: Agreement For Supplemental Waste Transfer Hauling Services Between the City of Oxnard and Yura Trucking, Incorporated. (091)
RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement For Supplemental Waste Transfer Hauling Services Between the City of Oxnard and Yura Trucking, Incorporated (No. **3784-06-PW**).

15. SUBJECT: Agreement for Trade Services with Kaneko Landscaping, Inc. (093)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Kaneko Landscaping, Inc. (**3837-06-PW**) in the amount of $266,400 for the purpose of providing landscape maintenance services within Landscape Maintenance Districts Nos. 14 (California Cove) located at Ventura Road and Stone Creek Drive, 28 (Harborside) located on Gonzales Road between Bahia Drive and Entrada Drive, 30 (Hass Automation) located at Sturgis Road east of Rice Avenue, 35 (Airport Marina Center) located at Fifth Street and Victoria Avenue, 36 (Villa Carmel/Villa Santa Cruz) located at Camino de la Luna and Rose Avenue.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager's Office

1. SUBJECT: Executed Contracts. (101)

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS.

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

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. 57. (105)
RECOMMENDATION: (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 57, consisting of Tract No. LLA 99-5-78 Lot A, Assessors Parcel Number 144-0-150-055 (Golden State Self Storage), located on Auto Center Drive, and determine whether a majority protest against formation exists; (2) If a majority protest 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. 13,138** to form and levy FY 2006-2007 assessments in the District.
ACTION: Public hearing closed (Maulhardt/Herrera); Clerk reported no majority against formation exists; report of Assistant City Clerk and formation of Assessment District No. 57 approved (Herrera/Maulhardt); Mayor opened hearing to consider all ballots; Clerk reported majority vote in favor of the assessment; Mayor closed public hearing portion to consider ballots. **Resolution No. 13,138** adopted (Herrera/ Maulhardt); Ayes: Councilmembers Maulhardt, Zaragoza, Flynn, Herrera, and Holden.

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M. REPORT OF CITY MANAGER

Public Works Department

1. SUBJECT: Street Construction Update.
DISCUSSION: Provided by Public Works Director.

The City Manager reported on Anti-Graffiti Rally and Volunteer Appreciation Day on July 15 and Passport Fair on July 29th.

N. CITY COUNCIL COMMITTEE REPORTS

City Clerk's Office

1. SUBJECT: Appointments to Commission on Community Relations, Planning Commission, and Commission on Homelessness. (111)
RECOMMENDATION: Remove from the agenda.
ACTION: Approved unanimously.

O. REPORTS

Housing Department

1. SUBJECT: Affordable Housing and In-Lieu Fee Ordinance and Resolution (115)
RECOMMENDATION: That City Council approve the first reading by title only and subsequent adoption of **Ordinance No. 2721** amending and restating Ordinance No. 2615 regarding affordable housing inclusionary requirements and in-lieu fees.
DISCUSSION: The Housing Rehabilitation Program Manager reported on concerns of Building Industry Association and staff's adjustments to the ordinance: Section 7 now allows more flexibility in the design and location of onsite units; the ordinance now includes the provision which allows a developer to appeal the application to a project of affordable housing to the City Council; and the ordinance is now applicable to projects to which the City's density bonus applies.
ACTION: Approved (Holden/Herrera); Ayes: Councilmembers Flynn, Herrera, Holden, Maulhardt, and Holden.

City Manager's Office

2. SUBJECT: Adoption of the Fiscal Year 2006-2007 City, Community Development Commission, and Housing Authority Operating and Capital Improvement Budgets, and Appropriation Limit. (137)
RECOMMENDATION: 1. That the City Council adopt resolutions: (a) approving the City's Operating and Capital Improvement Budgets for FY 2006-2007 (**R-13,139**); (b) authorizing full-time equivalent positions in the City effective July 1, 2006 (**R-13,140**); (c) authorizing the Classification and Salary Schedule effective July 1, 2006 (**R-13,141**); (d) establishing the appropriation limit for FY 2006-2007

(R-13,142); and (e) establishing FY 2006-2007 Financial Management Policies **(R-13,143)**. 2) Approve and authorize the Mayor to execute two financial agreements providing for interfund loans between the Quimby Fund **(A-6711)** and Wastewater Fund **(A-6712)** to the Capital Improvement Fund in the sum of $600,000 each for development of College Park.

Martin Jones discussed a lawsuit concerning Big League Dreams.

Lawrence Stein and Pat Brown expressed concern with the interfund loans.

ACTION: Approved (Maulhardt/Zaragoza); Ayes: Councilmembers Flynn, Herrera, Holden, Maulhardt, and Zaragoza.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

At 10:13 p.m. Mayor Holden and Councilmember Flynn were absent due to a potential conflict of interest.

City Manager's Office

1. SUBJECT: Mills Act Property Tax Abatement Program.
RECOMMENDATION: Consider a report concerning the Mills Act Property Tax Abatement Program (Program) and provide direction to the City Manager. (219)
DISCUSSION: The Management Analyst III stated the Mills Act (Act) grants cities authority to enter into contracts with owners of historic properties to restore and maintain their property and receive property tax savings. He discussed eligible properties; historic property contract provisions; benefits to the City, and next steps.

Speaking in support of passage of an ordinance creating the Program in the City were: Pete Weinerth, Karen Martia, Josie Vasquez, Angela Whitecomb, and Gary Blum.

ACTION: The City Council provided comments to approve the concept, following the County's model.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:45 p.m. the Community Development Commission concurred to adjourn.

JILL A. BEATY
Assistant City Clerk

THOMAS E. HOLDEN
Mayor