

DRAFT

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
March 6, 2007A. ROLL CALL/POSTING OF AGENDA

At 6:15 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, John C. Zaragoza, 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; Grace Magistrale Hoffman, Deputy City Manager; Gary L. Gillig, City Attorney; Rachel Shaw, Human Resources Director; and Dennis Scala, Special Assistant to the City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMSC. CLOSED SESSION

At 6:17 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to its negotiators, Rachel Shaw, Human Resources Director and Dennis Scala, Special Assistant to the City Manager, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the International Association of Firefighters AFL-CIO, Local 1684, and the Oxnard Public Safety Management Employees' Association, and other matters within the scope of representation.

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

D. OPENING CEREMONIES

At 7:07 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. Mayor Holden presided. Additional staff members present were: Ken Ortega, Public Works Director; Matthew Winegar, Development Services Director; Sue Martin, Planning and Environmental Services Manager; Ernest Whitaker, Housing Rehab Program Manager; Chris Williamson, Senior Planner; Police Officer Clifford A. Wear; and Michael More, Financial Services Manager.

E. CEREMONIAL CALENDAR

SUBJECT: Proclamation March 4-10, 2007, "Women in Construction Week"

DISCUSSION: Susan Howland, Joyce Parker, and Carol Harrison representing National Association of Women in Construction, commented on their focus on education.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals commented on the proposed liquefied natural gas facility: Mike de Martino; William Terry; and Gloria Roman.

Katherine Perez, septic grant for South Oxnard.

Martin Jones, downtown theater maintenance and structure.

The following individuals support the City Corps program: Avie Guerra; and Nancy Pedersen.

Ventura Fernandez, enforcement of the Southwinds Neighborhood parking permit program.

Otto Kanny, invited the public to attend the performance of the U.S. Army Band sponsored by Oxnard Ambassadors at Oxnard Performing Arts Center.

Sandy Gonzales, downtown theater.

John Korsten, property lien.

Ernest Stein, Oxnard High School fundraiser, and City budget.

Phil Molina, commented on a legal court case.

Bernadette Ostrowski, Whale Festival and support of City Corps

Bert Perello, zoning of the sports park site.

Rebecca Ralph, a public records request

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Manager Department

- 1. SUBJECT: Resolution to Lupe Anguiano. (001)
RECOMMENDATION: Adopt **Resolution No. 13,197** commending Lupe Anguiano for her lifetime efforts in improving the human condition.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Finance Department

1. **SUBJECT:** Approval of Tax-Exempt Financing for Catholic Healthcare West. (003)
RECOMMENDATION: Adopt **Resolution No. 13,198** approving for purposes of the Tax Equity and Fiscal Responsibility Act the issuance of revenue bonds by the California Statewide Communities Development Authority to benefit Catholic Healthcare West.
DISCUSSION: Bert Perello questioned the approval of the City for St. John Hospital's bonds.
ACTION: Close the public hearing. (Maulhardt/Holden) Approve as recommended. (Herrera/Holden) Ayes: Maulhardt, Zaragoza, Herrera, Flynn, and Holden.

L. PUBLIC HEARINGS**Development Services Department**

1. **SUBJECT:** Planning and Zoning Permit No. 05-620-08 (General Plan Amendment), 05-570-03 (Zone Change), 05-500-24 (Special Use Permit for a Planned Residential Group) and 05-300-26 (Tentative Subdivision Map for Tract No. 5659), Located at 5482 and 5536 Cypress Road, Filed by Paragon Communities, Inc.
RECOMMENDATION: Continue to March 20, 2007.
ACTION: Approved as recommended, (Herrera/Maulhardt). Approved unanimously.

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

Housing Department

2. **SUBJECT:** Issuance of Multifamily Revenue Bonds for Paseo Santa Clara and Paseo del Rio. (007)
RECOMMENDATION: (1) Adopt **Resolution No. 13,199** approving and directing execution of the Joint Exercise of Powers Agreement (A-6843) relating to the California Municipal Finance Authority (CMFA); (2) Adopt **Resolution No. 13,200** approving the issuance, pursuant to the Tax Equity and Financial Act of 1982 (TEFRA), by the CMFA of \$15 million of multifamily revenue bonds to assist in the construction and development of a 54 unit very low income family rental housing project located at or near 295 Myrtle Street by Cabrillo Economic Development Corporation (CEDC); and (3) Adopt **Resolution No. 13,201** approving the issuance, pursuant to the TEFRA Act of 1982, by CMFA of \$20 million of multifamily revenue bonds to assist in the construction and development of an 86 unit very low income family rental housing project located at or near 295 Myrtle Street by CEDC.
DISCUSSION: The Housing Rehab Program Manager reviewed the joining of the CMFA and the issuing of the bonds.

Bert Perello, requested a close review of this item.

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

M. REPORT OF CITY MANAGER

The City Manager reported on: Santa Clara bridge up-date; 10th Annual Film Festival; Carnegie Arts Museum exhibit, "In the Shades"; City Library examining local Los Angeles operas; and Recreation and Community Services to hold a St. Patrick's Day Dance for seniors on March 25.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Fire Department had a Community Emergency Response Team exercise in both English and Spanish over the weekend. The City Council requested a future update of the Halaco site.

Development Services Department

- 1. SUBJECT: Ventura Council of Governments (VCOG) Adoption of the City's 2006 to 2014 Regional Housing Needs Assessment Allocation (RHNA). (015)
RECOMMENDATION: Review and comment on VCOG's adoption of the City's 2006 to 2014 RHNA allocation of 7,093 housing units.
DISCUSSION: The Development Services Director and Senior Planner reviewed RHNA numbers, projected housing units, other county housing numbers and comparison to other cities.

The City Council discussed: Countywide RHNA numbers, future development, SOAR, population changes and community density.

ACTION: The City Council provided comments to staff.

O. REPORTS

Finance Department

- 1. SUBJECT: Allocation of Funds from Sale of 14 Acres of City Property. (019)
RECOMMENDATION: (1) Approve a special budget appropriation in the amount of \$9,933,108 from the sale of 14 acres of City property (the "Property") to repay the loan due from the Golf Course Enterprise Fund to the Wastewater Enterprise Fund; (2) Approve a special budget appropriation in the amount of \$387,855 from the sale of the Property to the Assessment District 2000-1 (Oxnard Blvd/Highway 101) Fund; (3) Approve the allocation of \$6,793,045 from the sale of the Property toward defeasance of a portion of the bonds associated with the River Ridge Golf Club; (4) Authorize the City Manager to execute a loan agreement providing for a loan of up to the sum of \$8,500,000 from the Water Enterprise Fund to the Golf Course Fund, such agreement to be executed and such loan to be used only in the event funds are needed in connection with the repurchase of 14 acres of property from

Casden Oxnard, LLC pursuant to Agreement No. 6802, executed November 28, 2006; and (5) Authorize the City Manager to execute a loan agreement providing for a loan up to the sum of \$8,500,000 from the Wastewater Enterprise Fund to the Golf Course Fund, such agreement to be executed and such loan to be used only in the event funds are needed in connection with the repurchase of 14 acres of property from Casden Oxnard, LLC pursuant to Agreement No. 6802, executed November 28, 2006.

DISCUSSION: The Financial Services Manager reviewed staff recommendations.

Larry Stein, Golf Course revenue, funding and debt.

Rebecca Ralph, funds from the sale of property should not be used to pay-off bond/loan.

Bert Perello, conflict of interest of Councilmembers who live near the golf course.

The City Council: history of purchasing golf course property, past City Council actions, current use of the golf course, public input and quality of life issues.

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

Police Department

2. SUBJECT: Ordinance Regulating Underage Drinking on Private Property. (027)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2734** adding sections 7-148 through 7-148.13 to the Oxnard City Code regulating underage drinking on private property.
DISCUSSION: Police Officer Wear reviewed the proposed Ordinance.

The following individuals supported the ordinance: Tom Cady; Gil Guevara; and Pat Brown.

ACTION: Approved as recommended. (Holden/Herrera) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn.

RECESS

At 9:51 p.m., the City Council recessed and at 9:59 p.m., the City Council reconvened.

Public Works Department

3. SUBJECT: College Park at 3250 South Rose Avenue. (031)
RECOMMENDATION: (1) Review and approve the grant-funded phase of the development and operation of College Park at 3250 South Rose Avenue; and (2) Direct the Public Works Director to prepare plans and specifications for the construction of the grant-funded phase of College Park.
DISCUSSION: The Public Works Director outlined grant funding, phasing of the development, recreational lighting and removal of hill at College Park.

The following individuals provided comments: Nancy Pedersen; Rebecca Ralph; Shirley Godwin; Larry Godwin; William Terry; Pat Brown; and Bernadette Ostrowski.

The City Council commented on: the development phases, the facility being youth-oriented, and number of youth in the community involved in soccer.

ACTION: Approved as recommended. (Herrera/Maulhardt) Ayes: Maulhardt, Zaragoza, Herrera, Flynn and Holden.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Development Services Department

1. SUBJECT: Pre-Application Review (PZ 06-600-4) of a Request to Develop a Vacant Infill Site Located at the Northwest Corner of Rose Avenue and Gary Drive with Five Single-Family Housing Units, Filed by T. N. Price and Associates. (035)

RECOMMENDATION: Review and provide preliminary comments on a General Plan Amendment pre-application to develop a 0.42-acre vacant infill parcel located at the northwest corner of Rose Avenue and Gary Drive, adjacent to Channel Islands High School, with five single-family homes.

DISCUSSION: The Planning and Environmental Services Manager briefly outlined the proposed development and the concerns of the Fire Department and Solid Waste division.

Shirley Godwin, traffic concerns.

The City Council reviewed: the odd-shaped lot, traffic on Rose Avenue, school district plans, compatibility of adjacent properties, and current zoning of property.

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

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:59 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
March 13, 2007

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Housing Authority and Financing Authority. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, and Timothy B. Flynn were present. Councilmember 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; 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, led by Girl Scouts of Tres Condados, followed by a moment of silence. Staff present included: Matt Winegar, Development Services Director; Ernie Whitaker, Housing Rehab Program Manager; Mark Pumford, Technical Services Manager; and Ken Ortega, Public Works Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Week of March 11 – 17, 2007, as "Girl Scouts Week."
DISCUSSION: Accepted by Diana Patterson, Channel Islands Service Unit Manager, and the Girl Scouts of Tres Condados.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Maria Flores, Francisco Penaloza, school incident and vandalism.

Al DeLorey, City Code re golfing on public property.

Mary Quiroz, Barbara Rosalan, and Ula Myranda LeVine, need for facility for homeless women and children.

Ernest Stein, seeks assistance re home robbery.

John Korsten, City's lien on his property.

Philip Molina, his case against the City.

Shirley Godwin, feels some funds to improve downtown should be spent elsewhere.

Larry Godwin, desires City to purchase land at Ormond Beach for a gateway park.

Walter Ontiveros, Bartolo Square neighborhood parking issues, and in support of a shelter for homeless women and children.

William Stewart, Chancellor, Stewart University, New Scotland International School of Medicine, seeks to purchase old Oxnard High School.

Gary Rodriguez, favors increased hours for sports facilities to be open.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Shirley Godwin, Saviers Road Design Team, I-2, concerned with terms of the financial agreement. The Development Services Director responded.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

- 1. SUBJECT: Minutes of the Regular Meeting of City Council for February 13, 2007; Minutes of the Special Meeting of City Council for February 13, 2007. (001)
RECOMMENDATION: Approve.

Development Services Department

- 2. SUBJECT: Amendment to Agreement for the Improvement of Cypress Neighborhood Park Located at the Intersection of Cypress Road and Clara Street. (009)
RECOMMENDATION: Approve an amendment to the Cypress Neighborhood Park Agreement with Paragon Communities (A-6462).

Finance Department

- 3. SUBJECT: Acquisition of Vacant Lots at Third Street and D Street. (015)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute a Vacant Land Purchase Agreement and Joint Escrow Instructions (A-6856) between the City of Oxnard ("Buyer") and El Concilio De Condado De Ventura ("Seller") for the acquisition of approximately 0.32 acres of real property located on the southeast corner of Third Street and D Street; and (2) Approve a special budget appropriation in the amount of \$410,000 from the General Fund Operating Reserve for the acquisition of the real property located on the southeast corner of Third Street and D Street.

4. SUBJECT: Appropriation of Interest Earnings – LaSalle Lease Purchase. (031)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$51,200 from the LaSalle Lease Purchase Loan, representing interest accrued in the account, for additional capital equipment purchases.

5. SUBJECT: Revisions to Standby Bond Purchase Agreements. (033)
RECOMMENDATION: That City Council: (1) Adopt **Resolution No. 13,202** authorizing the provision of a substitute liquidity facility for the City of Oxnard Financing Authority's outstanding Variable Rate Demand Lease Revenue Bonds, 2003 Series B, the remarketing of such bonds in connection therewith, and the amendment of certain documents in connection therewith, and approving certain documents and authorizing certain actions in connection therewith; and (2) Adopt **Resolution No. 13,203** authorizing the amendment of, extension of term of, and reduction of fees under the standby bond purchase agreement pertaining to the City of Oxnard Financing Authority's outstanding Variable Rate Demand Wastewater Revenue Bonds (Headworks and Septic System Conversion Projects), 2004 Series B, and authorizing certain actions in connection therewith.

7. SUBJECT: Workforce Housing Reward Grant Application. (059)
RECOMMENDATION: Adopt **Resolution No. 13,204** authorizing the City Manager to: (1) execute and submit an application to the California Department of Housing and Community Development for a Workforce Housing Grant; (2) execute the Standard Agreement, and any other documents necessary and appropriate to pursue the grant application and obtain grant funds; and (3) prepare a special budget appropriation for the City Manager to execute upon receipt of the grant award.

8. SUBJECT: CalHome Program Funding Application. (063)
RECOMMENDATION: Adopt **Resolution No. 13,205** authorizing the City Manager: (1) to execute and submit an application to the California Department of Housing and Community Development (HCD) for \$600,000 under the CalHome Program; (2) if the application is granted to execute the Standard Agreement, and all other documents required by HCD for participation in the CalHome Program, as well as any amendments thereto as necessary and appropriate to pursue the funding application and obtain funding; and (3) to prepare a special budget appropriation for the City Manager to execute upon receipt of the grant award.

Library Department

9. SUBJECT: Increase in Projected Revenue and Appropriation of Funds for the Oxnard Public Library Budget. (067)
RECOMMENDATION: (1) Approve an increase in projected revenues in the amount of \$39,681 to record the receipt of additional Public Library Subvention funds from the State of California; and (2) Approve the appropriation of funds in the amount of \$39,681 from the Public Library Subventions revenue account to the Automated Library Circulation Project account for the Oxnard Public Library.

DRAFTPolice Department

10. **SUBJECT: Ordinance No. 2734**, Adding Sections 7-148 through 7-148.13 of the Oxnard City Code Concerning Alcohol Consumption by Minors. (069)
RECOMMENDATION: Second reading and adoption.

Public Works Department

11. **SUBJECT:** Agreement with CH2M Hill for Advanced Water Purification Facility Project Phase I, at Perkins Road north of Magellan Way. (075)
RECOMMENDATION: Approve and authorize the Mayor to execute the agreement with CH2M Hill (**A-6841**) in the amount of \$4,894,411 for the final design of the Advanced Water Purification Facility Phase I.

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

HOUSING AUTHORITY AND FINANCING AUTHORITY

At 8:21 p.m. the concurrent meetings with the Housing Authority and Financing Authority concluded.

J. TRANSMITTAL OF INFORMATION ONLY ITEMSCity Manager's Office

1. **SUBJECT:** Executed Contracts. (077)
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGSM. REPORT OF CITY MANAGERN. CITY COUNCIL/HOUSING BUSINESS/COMMITTEE REPORTSCity Clerk Department

1. **SUBJECT:** Appointment to Boards, Commissions and Committees. (079)
RECOMMENDATION: That the Mayor, with approval of the City Council, appoint: (a) eleven members to the Commission on Homelessness; (b) five members to the Library Board; (c) seven members to the Parks and Recreation Commission; (d) nine members to the Senior Services Commission; (2) That the City Council appoint: (a) three members to the Art in Public Places Committee; (b) seven members to the Commission on Community Relations; (c) five members to the Downtown Design Review Committee; (d) four members to the Mobilehome Park Rent Review Board; and (e) four members to the Planning

Commission; and (3) That the City Council adopt a resolution making findings as to the types of financial interests prohibited by City Code section 24-5(C)(1).

ACTION: Adopted **Resolution No. 13,206** (Holden/Maulhardt); unanimously; The City Council unanimously appointed Jessica Arciniega, David Laufer, Michael Rodriguez, and JoAnn Van Reenan to the Mobilehome Park Rent Review Board. The City Council concurred to continue the remaining appointments to March 27, 2007.

Public Works Department

- 2. **SUBJECT:** Status of Environmental Protection Agency (EPA) Investigation of Former Halaco Site.

RECOMMENDATION: Consider an oral status report and provide direction to the City Manager regarding the EPA Investigation of the Halaco site located at 6200 Perkins Road.

DISCUSSION: The Technical Services Manager reported on the ongoing investigation and clean up of the Waste Management Unit of contaminants, including aluminum, heavy metals, and radioactive material. He reported that the beaches are deemed safe and discussed erosion control measures being taken.

ACTION: The City Council directed staff to work with and obtain regular reports from the EPA re ground water levels and quality.

- 3. The City Council 1) concurred to receive a report on Proposition 84; 2) reported that the Community Conservation Committee will review parking issues in the Bartolo Square neighborhood; and 3) requested that when staff brings future developments before the City Council, park space vs. open space should be clearly separated out.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:52 p.m. the City Council concurred to adjourn the meeting.

JILL A. BEATY
Assistant City Clerk

THOMAS E. HOLDEN
Mayor