

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
September 25, 2007

DRAFT**A. ROLL CALL/POSTING OF AGENDA**

At 7:07 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission. Councilmembers John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. Councilmembers Thomas E. Holden and Dean Maulhardt were absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Acting Mayor Zaragoza presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; and Gary L. Gillig, City Attorney.

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 for the "Parents of Murdered Children". Additional staff members present were: Karen Burnham, Assistant City Manager; Ken Ortega, Public Works Director; Curtis P. Cannon, Community Development Director; Sue Martin, Planning and Environmental Services Manager; Brian Pendleton, Redevelopment Services Manager; Martin Erickson, Legislative Affairs Manager; and Ernest Whitaker, Housing Rehabilitation Program Manager.

E. CEREMONIAL CALENDAR

1. **SUBJECT:** Presentation of a Proclamation Designating September 29 – 30, 2007, as "Relay for Life Days."
DISCUSSION: Robert Glenn, Bernadette Glenn and "Relay" committee members invited the community to attend the "Relay for Life" at Oxnard High School.
2. **SUBJECT:** Presentation of Employee of the Year.
DISCUSSION: Carmen Taylor reviewed all the Employees of the Quarters and announced Judith Basco as Employee of the Year. Judith Basco thanked the Council and City staff.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Larry Stein, public records and the construction of 1450 Rose Avenue site.

Pat Brown would like the public to receive more information regarding the status of the clean-up of the former Halaco site.

Jerry Lucero, problem of window breakage due to being next to a park.

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Rev. Edgar Mohorko commented that many good things that were happening in the community.

Martin Jones, Big League Dreams information, Ocean View water system debt, and the City Manager salary.

The following individuals commented that health care benefits were not adequate compared to other County cities: Marie Taylor-Briggs; Kay Swenson; Mary Chappel; Danny Carrillo; Patricia Sanchez.

William "Bill" Terry, cost of traffic initiative study and other traffic (air quality, time, safety) costs.

Gloria Roman, right of residents to speak to the City Council and October 3, discussion regarding liquefied natural gas facility.

Ed Ellis, update on the former Saviers Road swap meet building and status of Spanish translation of Council information.

John Korsten, lien on property and vehicle loss.

Ernest Stein, supported the "Relay for Life" event and improving health care benefits for City employees.

Shirley Godwin, concern with the former swap meet building on Saviers Road,

ITEMS REMOVED FROM AGENDA

The City Council concurred to continue items (L-2) and (L-4) to October 9, 2007. Item (Five Year Street Maintenance Capital Improvement Plan) Q-1 continue to October 2, 2007.

DISCUSSION: Bert Perello, expressed concern that different standards are being used to develop Las Cortes (L-2) and not all staff information was available to the City Council and community.

Gloria Roman, need for Spanish translation (L-2).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Councilman Flynn commented on neighborhoods reporting to City Council (I-1); census count and benefits (I-2); and questioned the specifications costs (I-8).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Neighborhood Council and Inter-Neighborhood Council Forum (INCF) Bylaws Revisions. (001)
RECOMMENDATION: Adopt **Resolution No. 13,353** approving revised bylaws for the Neighborhood Councils and the INCF as recommended by the INCF.

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2. SUBJECT: Transportation Development Act (TDA) Local Transportation Fund (LTF) Allocations for Fiscal Year (FY) 2007/08. (003)
RECOMMENDATION: (1) Adopt **Resolution No. 13,354** approving the submittal of a claim with the Ventura County Transportation Commission for allocation of TDA funds as follows: (a) Gold Coast Transit (GCT) to receive \$3,987,397 of the City's Article 4 LTF allocation for FY 2007/08 to support and develop the public transportation system in Ventura County; (b) The City's transit services program to receive \$500,000 of Article 8c LTF funding for its operations; (c) Ventura Intercity Transit Authority (VISTA) to receive \$98,525 (\$52,755 for the VISTA Highway 101 corridor service, and \$45,770 for the VISTA Conejo Connection service) of the City's Article 4 LTF allocation for FY 2007/08; (d) Use of \$2,689,881 from the City's LTF balance to be utilized for streets and roads purposes (Article 8a); (2) Approve a special budget appropriation to recognize TDA revenue of \$545,815 and appropriate \$1,172,584 of TDA funds to the Street Maintenance Account for various street projects and \$220,000 to Street Maintenance Shop and Field Account for asphalt; and (3) Approve a special budget appropriation in the amount of \$135,000 from the Air-Pollution Buy Down fund balance to be paid to Gold Coast Transit for the provision of transit services.

Development Services Department

4. SUBJECT: **Ordinance No. 2751**, Approving Planning and Zoning Permit No. 06-570-8 (Zone Change), to Change the Zone District for Property Located at the Southwest Corner of Statham Boulevard and Oxnard Boulevard, also known as 2200 Statham Boulevard (APN 220-0-010-325), from Limited Manufacturing (M-L) to Business and Research Park (BRP). (013)
RECOMMENDATION: Second reading and adoption.*

Finance Department

5. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year (FY) 2006-2007. (017)
RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2006-2007.

Public Works Department

6. SUBJECT: **Ordinance No. 2752**, Establishing Fees and Charges for the Provision of Water Service to the former Ocean View Municipal Water District Service Area. (019)
RECOMMENDATION: Second reading and adoption.
7. SUBJECT: PW06-18 Cabrillo Neighborhood Resurfacing Project. (027)
RECOMMENDATION: Approve Project Specification No. PW06-18 for pavement resurfacing, sidewalk, curb and gutter repair, and replacing street name signs throughout the Cabrillo Neighborhood located in the northwestern portion of the City bounded by Gonzales Road, Ventura Road, Doris Avenue, and Patterson Road.

- 8. SUBJECT: PW07-01 Blending Station No. 1 South Yard Administration Building Improvement. (031)
RECOMMENDATION: Approve Project Specification No. PW 07-01 for the Blending Station No. 1 South Yard Administration Building Improvement Project at 251 South Hayes Avenue.

- 9. SUBJECT: Financial Assistance for Property Owners in Septic to Sewer Conversion Project Areas. (037)
RECOMMENDATION: (1) Approve a plan (Plan) for deferred payment by property owners within the Citywide Septic Conversion Project area of City fees and charges to abandon private septic systems and connect to the City wastewater collection system; (2) Approve a special budget appropriation in the amount of \$110,000 to City Account No. 631-xxxx-697-8362 (Project No. 056101) to advance funds to cover permit fees also deferred under the Plan.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Herrera/Zaragoza) Ayes: Herrera, Flynn,* and Zaragoza. Absent: Holden and Maulhardt. Noes: Flynn only on I-4.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

RECESS

At 8:57 p.m., the City Council recessed and at 9:06 p.m., the City Council reconvened.

K. INFORMATION/CONSENT PUBLIC HEARINGS

COMMUNITY DEVELOPMENT COMMISSION

At 9:37 p.m. the joint meeting with the Community Development Commission concluded.

L. PUBLIC HEARINGS

Development Services Department

- 2. SUBJECT: Planning and Zoning Permit Nos. PZ 06-620-02 (General Plan Amendment), PZ 06-640-01 (Specific Plan Review) and PZ 06-570-04 (Zone Change) for Redevelopment of the Courts Development, Located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street, Filed by Steadfast Residential Development LLC., and Oxnard Housing Authority. (061)
RECOMMENDATION: Continue to October 9, 2007
ACTION: Approved as recommended. (Herrera/Zaragoza) Ayes: Zaragoza, Herrera, and Flynn. Absent: Holden and Maulhardt.

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

- 3. SUBJECT: Appointment of a Development Agreement Team and Approval of a Tentative Subdivision Map and Coastal Development Permit for property located on the west side of Harbor Boulevard, between Breakers Way and Reef Way, Filed by City of Oxnard. (091)
RECOMMENDATION: (1) Direct the City Manager to appoint a team to negotiate a development agreement with Elevar Seven, LLC pursuant to the sale and purchase agreement for property located on the west side of Harbor Boulevard, between Breakers Way and Reef Way; (2) Adopt **Resolution No. 13,355** approving a tentative subdivision map for Tract No. 5063, subject to certain findings and conditions; and (3) Adopt **Resolution No. 13,356** upholding the Planning Commission's approval of Coastal Development Permit No. 98-5-106, subject to certain findings and conditions.
DISCUSSION: The Planning and Environmental Services Manager outlined the 1.39 acre site "Breakers Way" property as not being biologically sensitive, action of Coastal Commission, and separation of Whitecap site.

The City Council discussed the separation of the Whitecap and Breakers Way properties, and the current biological investigation of the Whitecap property.

Mary Hardwood, become part of the Mandalay Shores Community Association, adequate parking be built and protection of the Whitecap property.

Alan Freeman, Mandalay Shores Community Association, residents of the development to automatically become members of the association.

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

- 4. SUBJECT: Planning and Zoning 07-580-02 an Ordinance Prohibiting the Sale of Medical Marijuana in the City of Oxnard.
RECOMMENDATION: Continue to October 9, 2007.
ACTION: Approved as recommended. (Herrera/Zaragoza) Ayes: Zaragoza, Herrera, and Flynn. Absent: Holden and Maulhardt.

M. REPORT OF CITY MANAGER

The City Manager announced the annual INCF call-in program will be held on October 3, 2007 and stated that a letter would be forwarded to property owners regarding septic tank hook-up to the City's sewer system.

N. CITY COUNCL BUSINESS/COMMITTEE REPORTS

Councilmember Herrera commented on the opening of Seventh Street Boys and Girls Club.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

DRAFT

Q. APPOINTMENT ITEMS

Public Works Department

1. SUBJECT: Five Year Street Maintenance Capital Improvement Plan. (105)
RECOMMENDATION: Consider and provide direction to the Public Works Director regarding the Five Year Street Maintenance Capital Improvement Plan.
ACTION: Continue to October 2, 2007. (Herrera/Zaragoza) Ayes: Zaragoza, Herrera, and Flynn. Absent: Holden and Maulhardt.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:06 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

JOHN C. ZARAGOZA
Acting Mayor

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MINUTES
OXNARD CITY COUNCIL
Regular Meeting
October 2, 2007

A. ROLL CALL/POSTING OF AGENDA

At 5:31 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. 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: Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and Lourdes Lopez, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:31 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6, to give instructions to its negotiators, Dennis Scala, Special Assistant to the City Manager, Lino Corona, Acting Human Resources Director, and Lynn Hutton, Human Resources Manager, regarding the salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the International Association of Firefighters AFL-CIO (IAFF), Local 1684, the Service Employees International Union (SEIU), Local No. 998, the Oxnard Peace Officers' Association (OPOA), and the Oxnard Public Safety Management Employees Association (OPSMEA), and other matters within the scope of representation.

The City Council also recessed to a closed session, pursuant to Government Code section 54957, to evaluate the performance of the City Attorney.

At 7:15 p.m. the City Council adjourned to the evening session.

D. OPENING CEREMONIES

At 7:08 p.m. the concurrent meeting with the Community Development Commission opened with the pledge of allegiance to the flag of the United States, led by the 2007 Multicultural Festival Art Contest winners, and followed by a moment of silence in memory of Henry Gustafson, former Fire Chief. Additional staff present included: Lou Balderrama, Supervising Civil Engineer; Ken Ortega, Public Works Director; and Jill A. Beaty, Assistant City Clerk.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Siobhion O'Reilley-Hill, Principal for Our Lady of Guadalupe School for Recognition by the National Catholic Educational Association.
ACTION: Accepted by Ms. O'Reilley-Hill

2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2007, as "Multicultural Month."
ACTION: The Commissioners of the Commission on Community Relations accepted the proclamation, thanked the sponsors, and invited the public to the October 7th event.
3. SUBJECT: Presentation of the 2007 Multicultural Festival Art Contest Winners.
ACTION: The Commissioners of the Commission on Community Relations presented the winners: Oliver Nguyen, Arielle Mendoza, Isabella Raad, Savy Cole, Virginia Raad, Moncerath Martinez, Giselle Medina, Christina Gonzalez, and Angelica Quezada.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Terry, oposed to the proposed Clear Water port facility
 Rhea Voll, IUOE member, healthcare for City employees
 Miguel Espinosa, public comments and free speech
 Javier Gomez, promoting the arts in the City
 Martin Jones, former court case
 Soledad Trevino, Nyeland Acres resident, concern over parolee housing in area
 John Korsten, tax lien on his property
 Burt Perello, Planning staff's incomplete agenda packet re August 16 meeting
 Pat Brown, opposes conversion of mobilehome parks to condominiums
 Gloria Roman, diversion of workforce housing grant funds
 Lawrence Stein, traffic congestion issues at Rose and 5th Street and fiscal responsibility of government officials
 Luanne Rocha, El Centrito de Colonia, an event promoting literacy educational programs
 Steve Fleischer, Chairman, Wilson neighborhood, density of Mercy housing on H and Palm
 Rev. Edgar Mohorko, promoting peace and community involvement

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of City Council for September 11, 2007. (001)
RECOMMENDATION: Approve.
ACTION: Approved (Zaragoza/Maulhardt). Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

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M. REPORT OF CITY MANAGER

The City Manager announced receipt of grant by the Oxnard Public Library from the Ventura County Community Foundation for the acquisition of children's literature and Fire Prevention Week, with Safety Day Oct. 13th

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council requested reports on the City's opposition to the Clearwater Port and 2010 Census.

COMMUNITY DEVELOPMENT COMMISSION

At 8:28 p.m. the concurrent meeting with the Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Public Works Department

1. SUBJECT: Street Maintenance Capital Improvement Plan Update. (027)

RECOMMENDATION: Consider and provide direction to the Public Works Director regarding the Street Maintenance Capital Improvement Plan Update.

DISCUSSION: The Design and Construction Services Manager/City Engineer presented the Plan, including capital projects management strategy, pavement condition, current needs and resources, recently completed projects, projects authorized to solicit bids, CDC projects planned to be presented to City Council for authorization to bid in next months, projects under design and and planned, global maintenance plan, and the proposed public outreach/education plan. He outlined challenges, such as timing of funding from various sources, as well as solutions, such as staff continuing to seek grants in all areas and maximize Gas Tax, TDA, and other state and federal funding options.

The City Council commented on the importance of a good maintenance program and realization that for many years there was no funding sources and that is why the streets are in the current condition and require the money to repair today. They suggest use of the Internet for public relations and education.

Burt Perello, neighborhoods in poorest condition should be put at highest priority and school crossing safety.

ACTION: The City Council considered the report and provided direction.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:32 p.m. the City Council concurred to adjourn.

LOURDES A. LOPEZ
Deputy City Clerk

DR. THOMAS E. HOLDEN
Mayor

JILL A. BEATY
Assistant City Clerk