

DRAFT

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 1, 2008

A. 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, Dean Maulhardt, John C. Zaragoza, Andres Herrera, 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; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and James Cameron, Chief Financial Officer.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:16 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to negotiators, Karen Burnham, Assistant City Manager, and Michelle Tellez, Human Resources Director, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721, 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 7:06 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission. 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; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, Parks and Facilities Superintendent; Brian Pendleton, Redevelopment Services Manager and Martin Erickson, Legislative Affairs Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Tom Cady, importance of a full study regarding the proposed traffic initiative.

The following individuals provided comments supporting the proposed Oxnard Traffic Initiative: Bert Perello; Marika Arthur; David Harris; Karen Abbott; Daniel Lechlitter; Matt Lechlitter; Harold Ceja; and Steve Yue.

Ed Ellis, sales of alcohol at the proposed CVS Pharmacy at Five-Points Intersection.

Jan Thompson, the many activities at the Carnegie Art Museum.

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Katie Behrens, restoring the former Oxnard High School pool.

Vince Behrens, downtown activities including showing outdoor movies.

John Korsten, loss of vehicle and property lien.

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G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

William Bill Terry questioned use of consultants and need to review cost overruns (I-1).

Bert Perello, increased security costs (I-4) amendment. The Public Works Director outlined the status of security of the site and future consolidation of security services in the area.

I. INFORMATION/CONSENT AGENDA

Development Services Department

1. SUBJECT: Second Amendment to Consulting Services Agreement with Douglas E. Barnhart, Inc. (001)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to Agreement with Douglas E. Barnhart, Inc. (**3385-05-DS**) in the amount of \$224,952, for construction management service costs for a total of \$2,937,540.

Finance Department

2. SUBJECT: Resolution Establishing an Appropriation Limit for Fiscal Year 2008-2009. (005)
RECOMMENDATION: Adopt **Resolution No. 13,531** establishing an appropriation limit for Fiscal Year 2008-2009.

Public Works Department

3. SUBJECT: Special Budget Appropriation for Gas Tax Bond Street Improvement Projects. (009)
RECOMMENDATION: Approve a special budget appropriation for the reallocation of \$1,299,459 to provide for cost increases and decreases for various street improvement projects funded by the Gas Tax Revenue Certificates of Participation.
4. SUBJECT: Fourth Amendment to Agreement with Parrent Security for Construction Site Security Services at the Blending Station No. 1, 251 South Hayes Avenue. (013)
RECOMMENDATION: Approve and authorize the Mayor to execute the Fourth Amendment to Agreement with Parrent Security (**No. 3302-04-PW**) in an amount not to exceed \$184,400, for a total agreement amount of \$900,062, for the purpose of providing construction site security services at the Blending Station No. 1, located at 251 South Hayes Avenue.*

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

DRAFTJ. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Development Services Department

1. SUBJECT: PZ 08-300-2 (Tentative Parcel Map for Tract No. 5747) at 2801 East Channel Islands Boulevard. Filed by Tim White. (019)

RECOMMENDATION: Adopt **Resolution No. 13,532** approving Planning and Zoning Permit No. 08-300-2 (Tentative Subdivision Map), subject to the conditions set forth in Planning Commission Resolution No. 2008-35.

DISCUSSION: The following individuals expressed concern regarding any building development and increased traffic: Robert Thompson and Jan Thompson.

The Development Services Director reviewed the zoning history of the property.

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

L. PUBLIC HEARINGS

At 8:03 p.m., the City Council recessed while the Community Development Commission met. At 8:21 p.m., the City Council returned to the meeting.

M. REPORT OF CITY MANAGER

The City Manager announced that City residents could receive emergency information by using the reverse 911 system; and presentation by Betsy Ross at the Main Library, July 28 to provide an American history lesson.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed fireworks laws; new law regarding use of cell phones while driving; the initiative process and their understanding that the City Clerk would be reporting the results of the Oxnard Traffic Initiative on the agenda of July 8, 2008.

COMMUNITY DEVELOPMENT COMMISSION

At 8:24 p.m. the joint meeting with the Community Development Commission concluded.

O. REPORTSCity Manager Department

1. SUBJECT: Potential One-Half Cent Sales Tax Increase Measure for November 4, 2008, Ballot. (039)

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RECOMMENDATION: (1) Consider a presentation on the results of the Public Information and Community Outreach Program "We Hear You" authorized by City Council on February 12, 2008, regarding a potential one-half cent sales tax increase measure for the November 4, 2008, ballot; (2) At City Council's discretion, adopt by a two-thirds vote a resolution placing on the ballot for submission to the voters a measure relating to a general purpose one-half cent sales tax increase for a term of twenty years at the general municipal election to be held on November 4, 2008; and (3) Introduce an ordinance, to be adopted upon subsequent voter approval on November 4, 2008, establishing a general-purpose one-half cent sales tax increase for a term of twenty years.

DISCUSSION: The City Manager reviewed the many public presentations made on the proposed measure. Rick Sklarz, Fairbanks, Maslin, Maullin & Associates, reviewed the survey process and the results of the recent poll showing overall positive support of the proposed tax measure. The Assistant City Manager outlined the outreach to the community including 48 public presentations, mailing of literature to the public, web site information and over 1500 survey responses. The Chief Financial Officer reviewed accountability provisions including an annual community report, voters to review the measure within twenty years, independent annual audit, and citizen oversight committee to review use of revenues.

The following individuals supported placing the proposed tax measure on the ballot: John Albin; Greg Rungon; Ernest Stein; Ricardo Conde; Jorge Perez; Sarah Cotton; Maria Nava; Jose Montoya; Maria Martinez; Hilda Ruiz; Jorge Rocha; Maraya Rocha; Joe Ruscio; Rudy Guillen; Isabel Dominguez; Gustavo De Haro; Joe O'Neill; and Paola Rocha.

The following individuals opposed the proposed tax measure: Ed Ellis; Ventura Fernandez; Larry Godwin; Edward Castillo; Shirley Godwin; Gloria Roman; Al Velazquez; Dennis Ralph; and Matt Lechliter.

The following individuals provided comments either supporting or opposing the measure: Preston Davis; Angela Whitecomb; Steve Fleisher; Carmen Ramirez, CAUSE; Sandra Bates; and Martin Jones.

The following individuals questioned the use of revenues: William Terry; Pat Brown; Bert Perello; and Steve Amasun.

The City Attorney requested correction to the agenda item to remove reference to the rebuttal process.

The City Council commented on issues including accountability (tracking of funds), the survey process, voters decision at election box, and the many community requests for services.

ACTION: Approved as recommended with removal of reference to rebuttal process. (Zaragoza/ Maulhardt). Ayes: Holden, Maulhardt, Zaragoza, and Herrera. Noes: Flynn.

At 10:57 p.m., Mayor Pro Tem Maulhardt and Councilmember Zaragoza left the meeting due to a possible conflict of interest.

2. SUBJECT: Third Amendment to the Second Agreement with High Tide and Green Grass, Inc. Related to the River Ridge Golf Club. (057)

RECOMMENDATION: (1) Approve and authorize the Mayor to execute a Third Amendment to the Second Agreement with High Tide and Green Grass, Inc. (A-5626) for the operation, maintenance and management of a thirty-six hole golf course referred to as the River Ridge Golf Club located at 2401 Vineyard Avenue; and (2) Approve a Special Budget Appropriation form to recognize and appropriate \$425,500 for the increased revenue associated with adding nine holes of golf operations to the River Ridge Golf Club in account number 651-6401-842-8209.

DISCUSSION: The Parks and Facilities Superintendent commented on: (1) the existing agreement; (2) the new agreement; (3) audit procedures; and (4) the completion of the additional nine-hole golf course; and (5) that the new course will be added to the current agreement.

Martin Jones, audit expenditures of golf course.

Bert Perello, past records of the River Ridge Golf course.

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Kent Smith, concern regarding towing of cars with temporary signs.

Gloria Roman, the traffic initiative process.

Shirley Godwin, the importance of having councilmembers attend Ormond Beach Task Force meetings, the former Halaco site, and a park at Ormond Beach.

Edward Castillo, traffic initiative, Code Enforcement supporting the community, success of the Summer Concerts series, and dog parks.

Martin Jones, River Ridge golf course records and financial reports.

Catherine Serros, placement of the traffic initiative on the November ballot.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:35 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

MINUTES

DRAFT

OXNARD CITY COUNCIL

Regular Meeting

July 8, 2008

A. ROLL CALL/POSTING OF AGENDA

At 6:01 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 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; Gary L. Gillig, City Attorney; and Grace Magistrale Hoffman, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:06 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to negotiators regarding the salary or compensation paid in the form of fringe benefits to an unrepresented employee occupying the classification of City Attorney.

At 6:35 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:01 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Jim Lauterbach. Mayor Holden presided. Additional staff member present was: Brian Pendleton, Redevelopment Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Proclamation Designating July 2008 as "Parks & Recreation Month".
DISCUSSION: Gloria Postel, Parks and Recreation Commissioner, and Richard Arias, Recreation Supervisor, commented on general community recreational activities.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Jerry Lucero, cars parking in front of his house near Rio Lindo Park.

The following individuals commented on the relationship between the Councilmembers and residents of the community: Jean Joneson; Harold Ceja; Ed Ellis; Dennis Ralph; and Bert Perello.

Bob Balwin, public health and safety regarding housing foreclosures and falling property values.

Rebecca Ralph, Big League Dreams costs at Oxnard College Park.

Martin Jones, documents regarding development of Big League Dreams facilities, and opposes the proposed sales tax measure.

Erica Fernandez and Gloria Roman, invited the community to attend a meeting to discuss the Halaco site on July 17.

Linda Perez, opposition to build an adult prison in Camarillo and the effect the development would have on the City of Oxnard and Ventura County.

John Korsten, City property lien.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council discussed: Oxnard being a charter city, proposed sales tax measure being placed on the ballot, and removal of lien on property.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Ernest Stein, support removal of property lien (I-1) and sales tax measure (I-2).

John Korsten, support removal of property lien (I-1).

Larry Stein, requested more left turns (I-3) and opposed the sales tax measure (I-2).

Bert Perello, more specifics on how the proposed sales tax measure will be spent

The following individuals opposed the sales tax measure (I-2): Jim McComb; Inez Tuttle; Jean Joneson; and Edward Castillo.

I. INFORMATION/CONSENT AGENDA

City Attorney Department

- 1. SUBJECT: Removal of FY 2003-2004 Lien from Parcel No. 203-0-011-180 (1174 South N Street). (001)
RECOMMENDATION: Adopt **Resolution No. 13,534** directing the Chief Financial Officer to remove the lien from the property.

City Manager Department

- 2. SUBJECT: One-Half Cent Sales Tax Increase Measure Ordinance No. 2779 and Resolution. (003)
RECOMMENDATION: (1) Second reading of the one-half cent sales tax increase ordinance for adoption upon approval by the Oxnard voters on November 4, 2008; and (2) Adopt **Resolution No. 13,535** amending Resolution No. 13,533, only as to the written description of the measure for inclusion on the November 4, 2008, ballot to comply with the seventy-five word limit on such measures imposed by State law.*

Public Works Department

- 3. **SUBJECT:** Traffic Signal Modifications at Rose Avenue / Fifth Street Intersection. (013)
RECOMMENDATION: (1) Approve a Capital Improvement Program (CIP) project and adopt Project Specification No. PW 08-17 for traffic signal modifications at the intersection of Rose Avenue and Fifth Street; (2) Approve the appropriation of \$132,500 from the Circulation System Improvement Fund (CSIF), to the traffic signal modifications project; and (3) Adopt **Resolution No. 13,536** authorizing the Mayor to execute Cooperative Agreement between the State of California and the City of Oxnard (A-7073) to share the construction cost of the subject project at the rate of 50% from each party.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Maulhardt/Herrera) Ayes: Maulhardt, Zaragoza, Herrera, Flynn, and Holden. *Noes: Flynn item 2 only.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

- 1. **SUBJECT:** Executed Contracts. (019)
DISCUSSION: The City Council discussed the Wellness Program medical costs and benefits. The Police Chief and Assistant Fire Chief commented that the Wellness Program benefits reduced injuries and medical exposure.
ACTION: Reviewed and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Development Services Department

- 1. **SUBJECT:** Appeal of Planning Commission's Denial of Permit Nos. 06-500-14 (Special Use Permit/PRG); 06-300-12 (Tentative Subdivision Map for Tract No. 5580 for Condominium Purposes); 06-620-05 (General Plan Amendment); and 06-570-09 (Zone Change) for Property Located At the Northeast Corner of Victoria Avenue and Hemlock Street.
RECOMMENDATION: Continue to July 22, 2008.
ACTION: Approved as recommended (Maulhardt/Herrera). Approved unanimously.

M. REPORT OF CITY MANAGER

The City Manager reviewed: (1) upcoming California Coastal Commission meeting regarding the proposed Edison Peaker Plant, August 6-8; (2) Oxnard Fire Fighters assisting Northern California in fighting fires; and (3) the upcoming Dallas Cowboys Training Camp, starting July 25.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

DRAFT**O. REPORTS****City Clerk Department**

1. **SUBJECT:** Certification of the Results of the Examination of Petition Signatures for the Oxnard Traffic Initiative. (021)
RECOMMENDATION: (1) Receive the certification of the results of the examination of petition signatures submitted to qualify the Oxnard Traffic Initiative for submission to the City Council and/or the voters of Oxnard; (2) Consider and select one of these three options: a) Adopt the Oxnard Traffic Initiative ordinance, without alteration, immediately or by July 18, 2008; or b) Submit the Oxnard Traffic Initiative ordinance, without alteration, to the voters of Oxnard at the next regular municipal election on November 4, 2008; or c) Order a report on the effect of the Oxnard Traffic Initiative; such report to be considered by City Council on or before August 7, 2008; and (3) If City Council selects option No. 2b above, adopt **Resolution No. 13,537** placing on the ballot for submission to the voters a measure relating to amendments to the Circulation Element and Growth Management Element of the Oxnard 2020 General Plan, commonly called the "Oxnard Traffic Initiative".
DISCUSSION: The City Clerk reviewed the history and current status of the initiative process and forwarded three options to the City Council to select.

The following individuals supported placing the initiative on the November 4 ballot: William "Bill" Terry; Ed Ellis; Gloria Roman; Steve Yue; Daniel E. Lechliter; Shannon McComb; Karl Thompson; Matt Lechliter; Trish Munro; Larry Stein; and Inez Tuttle.

The following individuals requested an impact report: Gayle Paul; and Tom Cady.

The following individuals expressed comments and concerns with the proposed initiative: Sergio Martinez; Leo Valenzuela; Mark Capron; Ernest Stein; Bert Perello; Jim McComb; Preston Davis; Steve Fiescher; and Jerry Moreno.

ACTION: Approved recommendations 1, 2b, and 3. (Maulhardt/Herrera). Ayes: Zaragoza, Herrera, Flynn, Holden, and Maulhardt. Moved that an impact report come forward regarding this matter (Holden/Zaragoza). Ayes: Herrera, Flynn, Holden, Maulhardt, and Zaragoza.

COMMUNITY DEVELOPMENT COMMISSION

At 9:20 the City Council recessed while the Community Development Commission held a meeting and at 9:31 the City Council reconvened.

P. PUBLIC COMMENTS ON REPORTS**Q. APPOINTMENT ITEMS****R. STUDY SESSION****S. PUBLIC COMMENTS ON STUDY SESSION**

COMMUNITY DEVELOPMENT COMMISSION

At 9:33 p.m. the joint meetings with the Community Development Commission concluded.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Trish Munro, park naming policy.

Larry Stein, theft of fruit and other items from property.

Steve Fleischer, supports the proposed medical prison in Camarillo.

The following individuals commented on the relationship between the Councilmembers and residents of the community: Daniel Lechliter; Inez Tuttle; and Matt Lechliter.

Norman Kanter commented on the disappearing bee population.

T. ADJOURNMENT

At 9:59 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor