

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
September 23, 2008

AGENDA ITEM NO.

I-1

A. ROLL CALL/POSTING OF AGENDA

At 6:04 p.m. the meeting of the Oxnard City Council convened in Council Chambers. Councilmembers Tom Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Tim Flynn were present. Staff members present included Daniel Martinez, City Clerk; Karen Burnham, Assistant City Manager; Grace Magistrale Hoffman, Deputy City Manager; and Alan Holmberg, Acting City Attorney. Mayor Holden presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:05 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(a), to confer with its attorneys. The titles and case numbers of the litigation being discussed are Affholder, Inc. v. City of Oxnard, United States District Court Case No. CV 07-06562 RGK (CWx), and Wilson v. Polo, et al., United States District Court Case No. CV07-06191 GPS (SHX).

At 7:10 p.m. the City Council reconvened to the evening session.

D. OPENING CEREMONIES

At 7:10 p.m. the regular meeting of the City Council convened, concurrently with the Community Development Commission and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, led by Police Chief John Crombach, followed by a moment of silence. Additional staff members were Michael Henderson, Parks and Facilities Superintendent; Phil Gregoire, Streets Manager; Matt Winegar, Development Services Director; Karl Lawson, Compliance Services Manager; and Jill A. Beaty, Assistant City Clerk.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of the Employee of the Quarter.
DISCUSSION: Michael Lorenzana was named Employee of the Quarter, Assistant Chief Scott Whitney spoke of his accomplishments.
2. SUBJECT: Presentation of Commendation to the Oxnard School District for the Donation of the Botke Mural to the City of Oxnard Public Library.
DISCUSSION: Accepted by Superintendent Richard Miller, President Ana Del Rio-Barba, and Trustees Deborah DeVries, Al Duff, Arthur Lopez, and Dennis O'Leary.
3. SUBJECT: *Presentation of Proclamation Designating the Month of October 2008 as "Multicultural Month"*.
DISCUSSION: Accepted by Chairman Mike Baxter and Commissioner John Sherwood.

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4. SUBJECT: Presentation of the 2008 Multicultural Festival Art Contest Winners.
DISCUSSION: The City Council presented certificates to the winners.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Edgar Mohorko, volunteers are needed for youth programs/gang prevention.

Harold Ceja, Colonia Neighborhood Chairman, Colonia and Cooper Roads closures.

Dennis Ralph opposes Measure O.

The following individuals spoke in opposition to Measure V: Roger Brooks, Steward, Union 501 of Operating Engineers, Robert Sumpter, Leo Valenzuela, Sergio Martinez.

Ernest Stein Relay for Life, praised Oxnard Explorers, and upcoming Town Hall meeting.

Ed Ellis, supports Measure V.

Martin Jones, ideas to improve office of City Treasurer and improve transparency in government.

Wayne Otella, questions construction on water system in his neighborhood.

John Korsten, property issues.

Inez Blanco, Meta Street Coalition, and Angelica Hernandez requested a 3-way Stop sign at Meta and 7th Streets.

Steve Fleischer, Friends of Old Oxnard, enhancing the downtown parking strips on 5th between H and C.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Staff recommends continuance of I-5 to October 7, 2008.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown, I-9 questions; answered by Police Sgt. Randey Cole.

LuAnn Rocha, El Centrito, supports I-14.

Bryant Jones, supports approval of I-2.

Lawrence Stein, concerns with grant application I-2. The Parks & Facilities Superintendent described how three grants are being expended at College Park.

Barbara Dubkin and Luciano Ortiz, expressed ideas for park development re I-2. The City Council reviewed the grant request, which will add minimal improvements by private community donations.

Bert Perello, on I-13 questions dollar amount. The Streets Manager explained a typographical error.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for July 15 and 22, 2008; Minutes of the Special Meeting of City Council for September 2, 2008. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Submission of Grant Application for Sports Park Project Funding. (025)
RECOMMENDATION: Authorize the City Manager to execute and submit a grant application to the Martin V. and Martha K. Smith Foundation for capital construction funding for the Sports Park, located at the southeast corner of Gonzales Road and Oxnard Boulevard.

Development Services Department

3. SUBJECT: Agreement with Kanji Holdings, Inc. for Assignment of Reimbursement Rights at Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (027)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute the agreement with Kanji Holdings, Incorporated (A-7089) in the estimated amount of \$838,158 to assign reimbursement rights to the California Underground Storage Tank Cleanup Fund at 3025 Santa Clara Avenue; and (2) Approve a special budget appropriation in the amount of \$838,158 to recognize State revenue and appropriate funds to "Highway 101-Rice Interchange."
4. SUBJECT: Final Map for Tract No. 5669 for the 2201 Statham Project. Filed by Oxnard Industrial Partners, LLC. (035)
RECOMMENDATION: Adopt **Resolution No. 13, 553** approving the Final Map for Tract No. 5669 for 18 light-industrial condominiums located at 2201 Statham Boulevard.

Fire Department

5. SUBJECT: Recognize Revenue and Appropriate Funds for the 2008 Emergency Management Performance Grant (EMPG). (055)
RECOMMENDATION: Continue to October 7, 2008.

Police Department

9. SUBJECT: Photo Red Traffic Light Enforcement Program. (081)
RECOMMENDATION: Approve and authorize the Mayor to execute a five-year Agreement for Consulting Services with Redflex Traffic Systems, Inc. (A-7044) to continue the photo red light traffic enforcement program.

Public Works Department

10. SUBJECT: Agreement for Supplemental Waste Transfer Hauling Services Between the City of Oxnard and Ecology Auto Parts Inc. (083)

RECOMMENDATION: Approve and authorize the Mayor to execute an agreement for Supplemental Waste Transfer Hauling Services between the City of Oxnard and Ecology Auto Parts, Inc. (A-7095).

11. SUBJECT: Agreement with JCI Jones Chemicals for Chemical Supply and Delivery of Sodium Hypochlorite and Sodium Hydroxide to the Water Campus. (085)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with JCI Jones Chemicals (A-7092) for chemical supply and delivery of Sodium Hypochlorite and Sodium Hydroxide.
12. SUBJECT: Second Amendment to Attorney Services Agreement with Hunt Ortmann Palffy Nieves Lubka Darling & Mah, Inc. for Legal Fees Associated with the Affholder United States District Court Case No. CV 07-06562 RGK (CWx). (099)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute a Second Amendment to an Agreement with Hunt Ortmann Palffy Nieves Lubka Darling & Mah, Inc. (4055-07-CA) increasing the contract amount by \$700,000 to an amount not to exceed \$1,050,000 for legal and expert fees associated with the Affholder United States District Court Case No. CV 07-06562 RGK (CWx) ("Affholder Case"); and (2) Approve a special budget appropriation of \$700,000 from the Wastewater Collection Operating Reserve to the Wastewater Redwood Trunk Sewer Project for legal and expert fees associated with the Affholder Case.
13. SUBJECT: Second Amendment to Agreement with Harbor Offshore, Inc., for On-Call Diving Services and Debris Removal in Mandalay Bay, Westport, and Seabridge Waterway Communities. (103)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with Harbor Offshore, Inc. (No. 3234-04-PW) to increase the amount by \$300,000 for a total of \$900,000 for the purpose of "on call" diving services and debris removal services for the Mandalay Bay Waterways Assessment District (Mandalay Bay), Westport Community Facilities District (CFD No. 2) and Seabridge (CFD No. 4) waterway communities located between Wooley Road on the north, Victoria Avenue on the east, Channel Islands Boulevard on the south, and Harbor Boulevard on the west and extend the contract expiration date to September 30, 2010.

Recreation and Community Services Department

14. SUBJECT: Community Development Block Grant (CDBG) Youth Enrichment Program Subrecipient Agreements for FY 08-09. (107)
RECOMMENDATION: (1) Approve the allocation of \$68,597 in CDBG Youth Enrichment Program (YEP) funds to five non-profit community based organizations: Big Brothers Big Sisters (A-7099) for \$12,937, Camp Fire USA (A-7100) for \$10,000, City Impact Incorporated (A-7101) for \$15,000, El Centrito (A-7102) for \$18,125, and Palmer Drug Abuse Program (A-7103) for \$12,535; and (2) Authorize the City Manager or his designee to execute CDBG subrecipient agreements requiring such groups to provide enrichment programs that target at-risk youth from very low, low and low-moderate income families.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Reports for the Period Ending August 31, 2008. (111)
DISCUSSION: Lawrence Stein questioned figures.
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: The Mayor opened the public hearings.

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

Development Services Department

1. SUBJECT: Parcel Map Planning and Zoning Permit No. 07-300-13 Located on the Southwest Corner of Channel Islands Boulevard and Rose Avenue. Filed by Churchyard Development LLC. (125)
RECOMMENDATION: Adopt **Resolution No. 13,554** approving Planning and Zoning Permit No. PZ 07-300-13 (Parcel Map), for property located on the southwest corner of Channel Islands Boulevard and Rose Avenue (APN 221-0-232-515).
2. SUBJECT: **Ordinance No. 2784** Regarding Planning & Zoning Permit 08-570-01 (Zone Change) for 5489, 5527, and 5557 Saviers Road. Filed by City of Oxnard, Development Services Department. (133)
RECOMMENDATION: Second reading and adoption.

Finance Department

3. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year 2007-2008. (137)
RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2007-2008.

INFORMATION/CONSENT PUBLIC HEARINGS ACTION: Close public hearing (Herrera/Zaragoza); Approved (Maulhardt/Herrera); Ayes: Councilmembers Maulhardt, Zaragoza, Flynn, Herrera, and Holden.

L. PUBLIC HEARINGS

ACTION: The Mayor opened the public hearing.

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

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 07-500-18 (Special Use Permit), 07-570-06 (Zone Change), 08-300-05 (Tentative Subdivision Map), and 08-670-04 (Development Agreement)

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for the Old Colonial House Site, Located at the Southwest Corner of Oxnard Boulevard and Roderick Avenue. Filed by Aldersgate Investments, LLC. (139)

RECOMMENDATION: (1) Adopt **Resolution No. 13,555** upholding the Planning Commission's approval of Planning and Zoning Permit No. 07-500-18 (Special Use Permit), subject to the conditions set forth in Planning Commission Resolution No. 2008-53; (2) Adopt **Resolution No. 13,556** approving Tentative Subdivision Map for Tract No. 5796 for condominium purposes (Planning and Zoning Permit No. 08-300-05), subject to the conditions set forth in Planning Commission Resolution No. 2008-54; (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2785** approving a Zone Change from C-2 zoning to C-2-PD (Planning and Zoning Permit No. 07-570-06), subject to the conditions set forth in Planning Commission Resolution N. 2008-55; and (4) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2786** approving a Development Agreement (**A-7112**) for the proposed development (Planning and Zoning Permit No. 08-670-04).

DISCUSSION: The Development Services Director provided an overview of the 3-story mixed-use condominium project, 40 residential condominium units over retail uses on the ground floor, staff recommends allowing for variation of standards (building heights, setbacks) based on unique characteristics. He reviewed floorplans, architectural elevations, parking, and reuse of the fireplace bricks from the Colonial House Restaurant.

Martin Jones inquired about the appraised value.

Luciano Ortiz, concern with mixed use and pedestrian crossing.

Pat Brown suggested using wire fencing with trailing plants and noise absorption ideas.

Dan Lechlitter opposes.

ACTION: Close public hearing (Herrera/Maulhardt).

DISCUSSION: Councilman Flynn expressed concern with traffic congestion on A Street and pedestrian safety. Approve (Herrera/Zaragoza); Ayes: Herrera, Holden, Maulhardt, and Zaragoza. Noes: Flynn.

2. **SUBJECT:** Appeal of Planning Commission's Action on Planning and Zoning Permit (PZP) Nos. 06-500-14 (Special Use Permit for a Planned Residential Group); 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 the Construction of Residential Condominium Units to be Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Courtyard at Mandalay Bay, LLC.

RECOMMENDATION CONTINUE TO NOVEMBER 18, 2008.

ACTION: Approved unanimously.

M. REPORT OF CITY MANAGER

The Assistant City Manager reported on the success of Coastal Cleanup Day.

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N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council commented on Latino Heritage Month and Seabridge Amphitheater events.

HOUSING AUTHORITY

At 9:50 p.m. the concurrent meeting with the Housing Authority concluded.

1. SUBJECT: Discussion of Costs, Benefits, and Community Impacts of "Public/Private Partnerships" Between the City, Community Development Commission and Private Entities.

DISCUSSION: Councilman Flynn expressed his concerns about whether some contracts are beneficial to the public. He cited the Republic contract as an example. The Mayor Pro Tem presented a defense by highlighting contract terms of two other partnerships, the theater lease and Market Place Fry's, and The Esplanade, and The RiverPark. He cited the overall benefits and positive ways these projects have contributed to the betterment and beauty of Oxnard. The Mayor provided costs of the different phases of development of College Park; total, all phases, \$48 million, including \$5 million if the City elects to have a Big League Dreams facility.

The City Council discussed the benefits to the community and aesthetic improvements these projects have brought to the City as well as the rigorous negotiations to secure the projects that would bring the most benefits to the City while meeting State mandates. The MRF project has earned numerous awards and receives tour groups from other states and nations because of its excellence.

Martin Jones, the theater will continue to lose money.

Ernest Stein, in support of City Council decisions.

Lawrence Stein, concern with golf course being an enterprise fund, City subsidies, and the inavailability of financial statements from the downtown theater.

ACTION: The City Council discussed the item.

COMMUNITY DEVELOPMENT COMMISSION

At 11:02 p.m. the concurrent meeting with the Community Development Commission concluded.

City Clerk Department

2. SUBJECT: Agreements for Publication of Legal Notices and Legal Advertisements and for Publication of Display Advertisements and Classified Advertisements. (151)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with the Ventura County Star (A-7068) for publication of legal notices and legal advertisements for Fiscal Year (FY) 2008-09; and (2) Authorize the City Manager or designee to negotiate and execute agreements with other newspapers to allow for the publication of legal advertisement, display advertisements and classified advertisements for FY 2008-09.

ACTION: Approved (Herrera/Maulhardt) with specific direction to negotiate with Vida Newspaper for a reasonable rate on duplicate legal and display advertisements and return to City Council for approval; Ayes: Flynn, Herrera, Holden, Maulhardt, and Zaragoza.

City Manager Department

- 3. SUBJECT: Ventura Youth Correctional Facility. (159)
RECOMMENDATION: Execute a letter opposing the proposed closure of the Ventura Youth Correctional Facility of the Division of Juvenile Justice, to be replaced with a 1,500 maximum-security health care facility.

Eileen Tracy supports the facility because of the job opportunities.

The following individuals spoke in opposition to the facility: Pat Brown, Ernest Stein, and Lawrence Stein.

The City Council commented on their opposition.

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

O. REPORTS

Housing Department

- 1. SUBJECT: Annual Report of Mobilehome Park Rent Review Board. (161)
RECOMMENDATION: Consider and accept the 2007 Annual Report of the Mobilehome Park Rent Review Board.

DISCUSSION: The Compliance Services Manager provided the report, which included summarizing the history of the City's rent control ordinance and it's being upheld in court actions. He reviewed the current Royal Palms Mobile Home Park case.

ACTION: The City Council accepted the report and commended the Board members. They requested a report to come back regarding mobile home park conversions.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

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T. ADJOURNMENT

At 11:50 p.m. the City Council concurred to adjourn the meeting.

JILL A. BEATY
Assistant City Clerk

DR. THOMAS E. HOLDEN
Mayor

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

October 7, 2008

DRAFT

A. ROLL CALL/POSTING OF AGENDA

At 6:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, and Andres Herrera were present. Timothy B. Flynn 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; Edmund Sotelo, City Manager; and Julie Doi, Assistant City Attorney. At 6:04 p.m., Councilman Flynn was present.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:04 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957, to meet to consider recruitment for and appointment of a City Attorney.

At 6:54 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:04 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission, and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States by the second grade class of Rio Rosales School, followed by a moment of silence for the Miranda family. Mayor Holden presided. Additional staff members present were: Curtis P. Cannon, Community Development Director; John Crombach, Police Chief; Grace Magistrale Hoffman, Deputy City Manager; and Michael Henderson, Parks and Facilities Superintendent.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to "Name that Pond" Contest Winners.
DISCUSSION: The City Councilmembers presented commendations to Mr. Robert Wagstaff's second grade class of Rio Rosales School.
2. SUBJECT: Presentation of a Proclamation designating October 4-11, 2008 as "No Drugs Down the Drain" Campaign.
DISCUSSION: Mark Pumford reviewed the proper disposal of household medications.
3. SUBJECT: Presentation of a Resolution to Gary Gillig for 20 Years of Outstanding Service to the City of Oxnard. (001)
ACTION: Adopt **Resolution No. 13,558** (Maulhardt/Holden) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn.
DISCUSSION: Gary Gillig commented on accomplishments of the City during his twenty years as Oxnard City Attorney and the commitment of elected officials.

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DRAFT**F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

The following individuals opposed Measure V and expressed concern regarding comments by Councilman Flynn in a local newspaper: Leo Valenzuela; Penny Boehm; Greg Runyon; Lupe Anguiano; Edgar Mohorko; Gary Stiles; Roger Banker; Sergio Martinez; Broderick Huggins; Mike Young; and Jim Seitz.

The following individuals supported Measure O: Scott Whitney and Eric S. Sonstegard.

William Bill Terry, upcoming community meeting to discuss the proposed Peaker Plant.

G. REVIEW OF INFORMATION/CONSENT AGENDA**H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA**

Bert Perello expressed concerns regarding I-2, I-8, I-10 and I-12.

I. INFORMATION/CONSENT AGENDA**City Clerk Department**

1. **SUBJECT:** Minutes of the Regular Meetings of City Council for September 9 and 16, 2008. (003)
RECOMMENDATION: Approve.

City Manager Department

2. **SUBJECT:** Agreement with Lauterbach & Associates, Architects, Inc. for the River Park Maintenance Facility Project. (033)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Lauterbach & Associates, Architects, Inc. (A-7109) in the amount of \$498,280 for the design of the River Park Maintenance Facility located south of River Park Boulevard at Colonia Street.
DISCUSSION: The Parks and Facilities Superintendent reviewed the selection process.

Development Services Department

4. **SUBJECT:** Parcel Map (Planning and Zoning Permit No. 06-300-6), for Property Located at 1950 Solar Drive, North of East Gonzales Road. Filed by TM Mian & Associates. (055).
RECOMMENDATION: Adopt **Resolution No. 13,559** approving PZ06-300-6, a parcel map subdividing one lot into two lots.
5. **SUBJECT:** Amendment to Agreement with WorleyParsons Komex for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (063)
RECOMMENDATION: Approve and authorize the Mayor to execute the first amendment to the agreement with WorleyParsons Komex (A-6920) in the amount of \$59,125.50 (total agreement amount of \$599,780.60) for remediation of contamination at the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101.

6. SUBJECT: Amendment to Agreement with California Department of Transportation (Caltrans) for Rice Avenue/Santa Clara Avenue Interchange Improvements on Highway 101. (065)
RECOMMENDATION: Approve and authorize the Mayor to execute the Amendment No. 2 to the agreement between the City and Caltrans (**A-5560**) to extend the expiration date for the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101
7. SUBJECT: **Ordinance No. 2785** Regarding Zone Change from C-2 Zoning to C-2-PD. (069)
RECOMMENDATION: Second reading and adoption.
8. SUBJECT: **Ordinance No. 2786** Regarding Adopting a Development Agreement with Aldersgate Investments, LLC. (073)
RECOMMENDATION: Second reading and adoption.*

Fire Department

9. SUBJECT: Recognize Revenue and Appropriate Funds for the 2008 Emergency Management Performance Grant (EMPG). (075)
RECOMMENDATION: (1) Recognize Revenue and Appropriate Funds in the amount of \$27,855 from the 2008 Emergency Management Performance Grant; and (2) Adopt **Resolution No. 13,560** authorizing the City Manager, Fire Chief, or Assistant Fire Chief to take actions necessary to obtain financial assistance from the federal Department of Homeland Security.

Public Works Department

10. SUBJECT: Appropriation of Interest Earnings Revenue for the Construction of the Wastewater Treatment Plant Headworks Project, Redwood Trunk Project and Septic Conversion Project. (081)
RECOMMENDATION: (1) Approve the appropriation of \$137,474 of interest earnings from the Wastewater Revenue Bonds 2004 Series A and \$12,526 of interest earnings from the Wastewater Revenue Bonds 2004 Series B to the Wastewater Treatment Plant Headworks Project budget; (2) Approve the appropriation of \$25,000 of interest earnings from the Wastewater Revenue Bonds 2004 Series A to the Redwood Trunk Project budget; and (3) Approve the appropriation of \$50,386 of interest earnings from the Wastewater Revenue Bonds 2004 Series B to the Septic Conversion Project.
11. SUBJECT: Agreement for Solid Waste Transportation, Disposal, and Landfill Services. (085)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement (**A-7096**) for transportation, disposal, and landfill service of solid waste from the City of Oxnard Del Norte Recycling and Transfer Station to the Cold Canyon Landfill in San Luis Obispo County.

Recreation and Community Services Department

12. SUBJECT: Agreement with the Oxnard School District to Receive Grant Funds for the City's Participation in the After School Education and Safety Program in FY 08-09. (087)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement (**A-7106**) with the Oxnard School District for the City to receive an amount not to exceed \$330,000 for providing the recreation component in the Educational and Enrichment Element of the State funded After School Education and Safety Program at 19 schools in FY08-09, containing an option to renew the agreement annually; and (2) Approve the special budget appropriation to recognize State grant revenue and the appropriation in the amount of \$330,000 for the use of grant funds.

INFORMATION/CONSENT AGENDA ACTION: Moved to place an item on a future agenda to discuss the "purchase agreement with Aldersgate Investments, LLC to buy the former Colonial House site". (Herrera/Zaragoza) Ayes: Unanimously. Approved as recommended. (Maulhardt/Herrera) Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn. Noes: Flynn only 1-8.

Q. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Final Report on the Potential Impacts and Effects of the Oxnard Traffic Initiative. (097)

RECOMMENDATION: Consider a report and presentation on the impacts and effects of the Oxnard Traffic Initiative and provide direction to City Manager.

DISCUSSION: Tim Yeomnas, Economic & Planning Systems, and Richard Dowling, Principal, Dowling & Associates reviewed the final evaluation impacts if Measure V would pass: 1) traffic circulation would not improve and may become worse due to: a) more traveling to several sites; b) more intersections would fall below LOS "C" due to reduction of funding; c) smaller projects produce more traffic than larger developments; 2) companies wanting to expand more than 10,000 square feet would probably move from the City rather than place the matter on the ballot; creating a loss of jobs; 3) redevelopment would be reduced, also creating a loss; and 4) funding for municipal services and facilities would decrease due to less growth of new development and redevelopment projects.

The following individuals supported Measure V: William Terry; Gloria Roman; Glen Hening; Larry Stein; Pat Brown; Jean Joneson; Martin Jones; Daniel Lechliter; Chuck Bauman; Bert Perello; and Harold Ceja.

The following individuals opposed Measure V: Edgar Mohorko; Greg Runyon; Sergio Martinez; Gary Stiles; Nancy Lindholm; Leo Valenzuela; and Tom Cady.

The City Council discussed several possible impacts of Measure V including the new development and redevelopment process, relocating of businesses, growth of businesses, SOAR, current and future traffic circulation.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Finance Department

1. SUBJECT: Amendment to the 2008-2013 Consolidated Plan and the 2008-2009 Annual Action Plan of the City of Oxnard. (091)

RECOMMENDATION: (1) Conduct a public hearing to approve the proposed amendment to the Consolidated Plan for the fiscal years 2008-2013 and the Annual Action Plan for the fiscal year 2008-2009 by adding a Homebuyers Assistance activity to both the HOME Investment Partnerships Grant (HOME) Program with a budgeted amount of \$313,000, and the Community Development Block Grant (CDBG) Program with a budgeted amount of \$47,000; (2) Authorize the City Manager to submit the Plan Amendment to the U.S. Department of Housing and Urban Development for approval.

ACTION: The City Council concurred to continue to October 14, 2008.

M. REPORT OF CITY MANAGER

Housing Department

1. SUBJECT: Cabrillo Economic Development Report.

RECOMMENDATION: Consider a verbal report by the Cabrillo Economic Development Corporation.

ACTION: The City Council concurred to continue to future date.

N. CITY COUNCIL/COMMITTEE REPORTS

COMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 11:21 p.m. the joint meetings with the Community Development Commission and Housing Authority concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (continued)

John Korsten, loss of vehicles and other property.

Gloria Roman, public meeting (October 12) to discuss local issues and solutions.

Ventura Fernandez, campaign funding of candidates and jobs provided by building a hospital.

Barbara Macri-Ortiz asked for a public hearing regarding the proposed Wagon Wheel development which is within a redevelopment area.

Martin Jones, past Ventura County Grand Jury report recommendations.

Ed Ellis, guidelines to development projects including parking requirements.

Ernest Stein, success of the Multi-Cultural Festival and the Cancer Relay for Life event at Oxnard High School.

Courtney Abbott invited the public to attend the Santa Clara Elementary School carnival.

Bert Perello, information regarding Grand Jury actions, traffic circulation at River Park development, and need to film and publicize political events in the community.

Larry Stein, police response time to emergency calls.

Daniel Lechliter questioned opposition to building a Veteran's hospital.

T. ADJOURNMENT

At 11:58 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

DRAFT

MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION
Regular Meeting
September 23, 2008

A. ROLL CALL/POSTING OF AGENDA

At 7:10 p.m. the meeting of the Oxnard Community Development Commission convened in Council Chambers concurrently with the City Council and Housing Authority. Commissioners Tom Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Tim Flynn were present. Staff members present included Daniel Martinez, Secretary; Karen Burnham, Assistant Executive Director; Grace Magistrale Hoffman, Deputy Executive Director; and Alan Holmberg, General Counsel. Chairman Holden 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 to the flag of the United States, led by Police Chief John Crombach, followed by a moment of silence.

E. CEREMONIAL CALENDAR

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF EXECUTIVE DIRECTOR

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS

HOUSING AUTHORITY

At 9:50 p.m. the concurrent meeting with the Housing Authority concluded.

1. SUBJECT: Discussion of Costs, Benefits, and Community Impacts of "Public/Private Partnerships" Between the City, Community Development Commission and Private Entities.

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DISCUSSION: Commissioner Flynn expressed his concerns about whether some contracts are beneficial to the public. He cited the Republic contract as an example. The Vice Chairman presented a defense by highlighting contract terms of two other partnerships, the theater lease and Market Place Fry's, and The Esplanade, and The RiverPark. He cited the overall benefits and positive ways these projects have contributed to the betterment and beauty of Oxnard. The Mayor provided costs of the different phases of development of College Park; total, all phases, \$48 million, including \$5 million if the City elects to have a Big League Dreams facility.

The Community Development Commission members discussed the benefits to the community and aesthetic improvements these projects have brought to the City as well as the rigorous negotiations to secure the projects that would bring the most benefits to the City while meeting State mandates. The MRF project has earned numerous awards and receives tour groups from other states and nations because of its excellence.

Martin Jones, the theater will continue to lose money.

Ernest Stein, in support of Community Development Commission decisions.

Lawrence Stein, concern with golf course being an enterprise fund, City subsidies, and the inavailability of financial statements from the downtown theater.

ACTION: The Community Development Commission discussed the item.

CITY COUNCIL

At 11:02 p.m. the concurrent meeting with the City Council concluded.

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

At 11:02 p.m. the Community Development Commission concurred to adjourn the meeting.

JILL A. BEATY
Assistant Secretary

DR. THOMAS E. HOLDEN
Chairman

DRAFT

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting

October 7, 2008

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard Community Development Commission convened in the Council Chambers, concurrently with the City Council and Housing Authority. Commissioners Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairman Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Director; Alan Holmberg, Acting General Counsel; Karen Burnham, Assistant Executive Director; and Curtis Cannon, Community Development Director.

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 the second grade class of Rio Rosales School, followed by a moment of silence for the Miranda family.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals expressed concern with the proposed theatre appropriation (I-3): Ventura Fernandez; Martin Jones; Bert Perello; Larry Stein; and Pat Brown.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Community Development Commission for June 10, 17, 24, July 1, 8, 15, 22, September 9 and 16, 2008. (003)

RECOMMENDATION: Approve.

DRAFT

Community Development Department

- 3. **SUBJECT:** Loan Purchase and Digital Equipment Agreement and Release with Oxnard Theater Group, LLC, Strand Cinemas, LLC and Oxnard Community Development Commission for Centennial Plaza and Plaza Cinemas. (035)
RECOMMENDATION: Approve and authorize the Chairman to sign a Loan Purchase and Digital Equipment Agreement and Release (A-7108) in the total amount of \$870,500 with Oxnard Theater Group, LLC, Strand Cinemas, LLC, and the Community Development Commission and approve a special budget appropriation in the amount of \$870,500 for Centennial Plaza and Plaza Cinemas.*

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Maulhardt/Herrera)
Ayes: Holden, Maulhardt, Zaragoza, Herrera, and Flynn. Noes: Flynn only for I-3.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL/HOUSING AUTHORITY

At 11:21 p.m. the joint meetings with the City Council and Housing Authority concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:21 p.m., the Community Development Commission concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E HOLDEN
Chairman

MINUTES
OXNARD HOUSING AUTHORITY
Regular Meeting
September 23, 2008

A. ROLL CALL/POSTING OF AGENDA

At 7:10 p.m. the meeting of the Oxnard Housing Authority convened in Council Chambers concurrently with the City Council and Community Development Commission. Commissioners Tom Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Tim Flynn were present. Commissioner Gaudencio Digos was absent. Staff members present included Karen Burnham, Assistant Executive Director; Grace Magistrale Hoffman, Deputy Executive Director; Alan Holmberg, General Counsel; and Jill A. Beaty, Assistant Secretary. Chairman Holden 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 to the flag of the United States, led by Police Chief John Crombach.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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 Meetings of Housing Authority for June 24; July 1, 8,15, 22; September 9 and 16, 2008. (001)
RECOMMENDATION: Approve.

Housing Department

6. SUBJECT: Housing Authority Investment Policy. (061)
RECOMMENDATION: Adopt **Resolution No. 1224** adopting an investment policy for the Housing Authority of the City of Oxnard for FY 2008-2009.

7. SUBJECT: Housing Authority General Depository Agreement. (073)
RECOMMENDATION: Approve and authorize the Chairman to execute a general depository agreement (form HUD-51999) (A-7107) with Bank of America.
8. SUBJECT: Authorization for Housing Authority to Establish a Letter of Credit. (077)
RECOMMENDATION: Adopt **Resolution No. 1225** authorizing the establishment of a \$100,000 letter of credit in support of the Authority's Capital Fund Improvement Bond rating.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. HOUSING AUTHORITY BUSINESS/COMMITTEE REPORTS

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

At 9:50 p.m. the concurrent meetings with the City Council and Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:50 p.m. the City Council concurred to adjourn the meeting.

JILL A. BEATY
Assistant Secretary

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
October 7, 2008

DRAFT

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council and Community Development Commission. Commissioners Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. Gaudencio Digos was absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; and Alan Holmberg, Acting General Counsel.

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 the second grade class of Rio Rosales School, followed by a moment of silence for the Miranda family.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

Housing Department

1. SUBJECT: Cabrillo Economic Development Report.

RECOMMENDATION: Consider a verbal report by the Cabrillo Economic Development Corporation.

ACTION: The Commissioners concurred to continue to future date.

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OCTOBER 7, 2008

OXNARD HOUSING AUTHORITY

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N. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

At 11:21 p.m. the joint meetings with the City Council and Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:21 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

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