

MINUTES

OXNARD CITY COUNCIL
 Regular Meeting
 October 14, 2008

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

At 7:12 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.

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 Sal Godoy. Staff members present were: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, Interim City Attorney; Ken Ortega, Public Works Director; Matthew Winegar, Development Services Director; Curtis P. Cannon, Community Development Director; Ernest Whitaker, Interim Housing Director; Norma Owens, Grants Manager; Tom Clock, Systems Administrator; Chris Williamson, Senior Planner; and Jason Samonte, Traffic Engineer.

E. CEREMONIAL CALENDAR**F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

The following individuals support Measure V: William Terry; Bert Perello; and Richard Francis.

The following individuals support Measure V and oppose Measure O: Jean Jonson; Ventura Fernandez; Joe Avelar, Inter-Neighborhood Council Chairman (vote of Inter-Neighborhood Council); and Dennis Ralph.

Edward Castillo, neither for or against Measure V.

Courtney Abbott, invited the public to Santa Clara Elementary School carnival on October 19.

John Korsten, safety on school grounds and loss of vehicles from personal residence.

Edgar Mohorko, caution the use of words during election campaign season, support for Measure O and opposition to Measure V.

Martin Jones, appraisal of Colonial House (Roderick and A Street) site and Sports Park (Gonzales Road and Oxnard Boulevard) site.

The following individuals opposed Measure V: Gary Stiles; Rick Conrad; and Ron Powers.

DRAFTG. REVIEW OF INFORMATION/CONSENT AGENDAH. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Bert Perello questioned the bid process (I-5). The Public Works Director reviewed the requested amendment work as scope of work and post work assignments.

Barbara Dubkin questioned the continued building of houses.

I. INFORMATION/CONSENT AGENDACity Manager Department

1. SUBJECT: Purchase Order for Computers and Peripheral Equipment. (001)
RECOMMENDATION: Approve and authorize the Mayor to sign a Blanket Purchase Order/Change Order with Compuwave in an amount not to exceed \$600,000 for purchases of computers and peripheral equipment throughout the 2008-2009 fiscal year.
DISCUSSION: The Systems Administrator reviewed the need to purchase computer equipment, old computers being donated to the Recycling Center and no wireless development.

Development Services Department

2. SUBJECT: Two Special Service Easement Deeds and Agreements with D.R. Horton Los Angeles Holding Company. (005)
RECOMMENDATION: Approve and authorize the Mayor to execute two special service easement deeds and agreements with D.R. Horton Los Angeles Holding Company (**D-4303**) to allow private electrical lines, electrical panels, and electrical meters to be located within two City owned landscape lots within Tract No. 5266, located on the southwest corner of Wooley Road and Victoria Avenue.

Housing Department

3. SUBJECT: Affordable Housing and Loan Agreement with Cabrillo Economic Development Corporation (CEDC). (017)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an Affordable Housing and Loan Agreement with CEDC (**A-7098**) providing gap financing in the amount of \$1,300,000 for the development of 43 affordable apartments at 457 West Gonzales Road; and (2) Approve the appropriation of funds in the amount of \$1,300,000 from the Affordable Rental Housing Trust Fund.
4. SUBJECT: Development Fee Deferrals for Paseo De Luz and Camino Gonzalez Affordable Housing Projects (023).
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Cabrillo Economic Development Corporation (**A-7110**) for the deferral of approximately \$1.2 million of development fees for Paseo De Luz and Camino Gonzalez affordable housing projects at 457 West Gonzalez Road.

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Public Works Department

- 5. **SUBJECT:** Second Amendment to Agreement with Kennedy/Jenks Consultants for Blending Station No. 1 Chemical Building No. 3 (Fluoridation and Orthophosphate) Project Located at 251 South Hayes Avenue. (027)

RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with Kennedy/Jenks Consultants (**A-6869**) to increase the amount by \$476,528 for a total of \$859,380 for the final and post-design services during the construction of the Blending Station No. 1 Chemical Building No. 3 Project and extend the contract expiration date to May 31, 2010.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

- 1. **SUBJECT:** Executed Contracts. (039)
ACTION: No items reported.

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

- 1. **SUBJECT:** PZ 08-670-03 Development Agreement for Approximately 4.23 Acres According to the RiverPark Specific Plan, Located Southwesterly of the Intersection of North Ventura Road and Town Center Drive, Within the RiverPark Specific Plan Area.
RECOMMENDATION: Continue to October 21, 2008.

Housing Department

- 2. **SUBJECT:** Development Agreement for Las Cortes Project, East of Rose Avenue, South of Camino Del Sol, West of Marquita Street, North of 3rd Street.
RECOMMENDATION: Continue to October 21, 2008.

INFORMATION/CONSENT ACTION: Approved as recommended. (Holden/Herrera).
 Unanimously.

L. PUBLIC HEARINGS

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

Finance Department

- 1. **SUBJECT:** Amendment to the 2008-2013 Consolidated Plan and the 2008-2009 Annual Action Plan of the City of Oxnard. (041)
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 (Plan) for the fiscal year 2008-2009 by adding a Homebuyers Assistance activity to both the HOME Investment

Partnerships Grant Program with a budgeted amount of \$313,000, and the Community Development Block Grant 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.

DISCUSSION: The Interim Housing Director and Grants Manager reviewed changes in the market and affects in the home market.

Larry Stein, past use of housing in-lieu fees.

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

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager commented: Operation Neighborhood Uplift clean-up event on Oct 18 at the Colonia neighbor; presentation of community Policing efforts to members the Panamanian Police Agencies; new playground at Oxnard Beach Park; Oxnard Kiwanis Firefighter of the Year event; and the paving of downtown streets in the evening.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Discussion of Purchase of an Approximate 2 Acre Site at Roderick and A Street and Purchase and Exchange Agreement Concerning Such Site and Approximately 21 Acres of Real Property at the Southeast Corner of Gonzalez Road and Oxnard Boulevard. (047)
DISCUSSION: The City Council discussed the process of purchasing of the Sports Park site and selling of former Colonial House site including the negotiation process, appraisal of the properties, and development of the site.

Jerry Lucero, improve of park site by having park sponsors.

The following individuals supported creating a sports park at the Gonzales Road site: Ralph Herrera, Sr.; Ralph Herrera, Jr.; Brent Jacques; Alberto Santana; Ernest Stein; and Gloria Postel, Parks and Recreation Commissioner.

The following individuals discussed the process of purchasing the park site: Luciano Ortiz; Rick Conrad; Martin Jones; Greg Runyon; Larry Stein; Daniel Lechliter; Pat Brown; Bert Perello; Edward Castillo; Mike Nerod; and Preston Davis.

Nancy Lindholm, discussion of this item only because of the upcoming election.

Patti Martinez, improve the former Colonial House site.

The City Manager and City Attorney reviewed the effective signature date of the documents as of March 20, 2007. The Assistant City Attorney reviewed the available of documents and the process in buying the property.

ACTION: The City Council provided comments.

RECESS

At 9:41 p.m., the City Council recessed and at 9:54 p.m., the City Council reconvened.

O. REPORTSDevelopment Services Department

1. SUBJECT: Traffic Mitigation Plan. (085)
RECOMMENDATION: Receive a report on the Traffic Mitigation Plan consisting of the draft 2030 General Plan Update Circulation Element, the Final General Plan Update Traffic Circulation Study, and the proposed Intelligent Transportation Systems Master Plan.
2. SUBJECT: Adoption of the Intelligent Transportation System (ITS) Master Plan. (089)
RECOMMENDATION: Approve and adopt the ITS Master Plan to manage and improve traffic.

DISCUSSION: The Development Services Director, Public Works Director, Senior Planner, Douglas Smith, Traffic Engineer, URS Corp., and Traffic Engineer reviewed the: 1) history of development of traffic model; 2) traffic counts; 3) traffic studies/circulation (General Plan); 4) levels of service using a national standard; 5) mitigation to improve traffic circulation; and 6) Intelligent Transportation System Master Plan. Steve Brown, Gold Coast Transit, bus system improvements and supported a transportation system master plan.

Edgar A. Mohorko, need for more bike racks on buses and funding needed.

Larry Stein, traffic circulation during the whole week including weekends.

Pat Brown, needed changes in traffic circulation in keep traffic moving.

Ernest Stein, twenty year traffic build-out plan.

Eileen Tracy, improvement adjustments needed at Five Points intersection by adding longer left turns.

Tom Cady, recent improvements at traffic intersections have reduce service level time.

The City Council discussed: financing issues, traffic circulation, seeing a current working traffic demonstration, and having a complete plan from start to finish.

ACTION: Approved as recommended (O-1 and O-2). (Maulhardt/Holden). Ayes: Flynn, Holden, Maulhardt, Herrera, and Zaragoza.

P. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals opposed Measure V: Greg Runyon and Tom Cady.

Nancy Pederson thanked participants in judging the naming of the (Ormond Beach) pond contest and other who helped in the process.

Barbara Dubkin, opposed Measure O and supported having family facilities such as ice skating rink, roller rink or bowling alleys.

Harold Ceja, Councilmembers were not working together as a team.

Luciano Ortiz, upcoming candidate forum at Brekky Elementary School and support of Measure V.

Ernest Stein, duties as Grand Juror, community improvements and public use of City parks/Seabridge amphitheater.

Daniel Lechliter, campaign signage, street improvements before elections and downtown theatre.

Larry Stein, communications between City emergency services and the public.

T. ADJOURNMENT

At 12:04 a.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

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OXNARD HOUSING AUTHORITY
Regular Meeting
October 14, 2008

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

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MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION
Regular Meeting
October 14, 2008

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD CITY COUNCIL

Special Meeting

October 14, 2008

A. ROLL CALL/POSTING OF AGENDA

At 4:39 p.m., the special 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: Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, Acting City Attorney; and Jill Beaty, Assistant City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Edward Castillo, selection of City Attorney.

C. CLOSED SESSION

At 4:41 p.m. the City Council recessed to a closed session pursuant to Government Code Section 54956.9(a) to confer with its attorneys. The title and case number of the litigation being discussed was Bill Charles Lewis v. City of Oxnard, Workers' Compensation Appeals Board Court Case No. 83 VE 44093, 83 VE 44094, 84 VE 47290, 86 VE 57660.

The City Council also recessed to a closed session pursuant to Government Code Section 54957, to meet to consider appointment of a City Attorney.

At 7:09 p.m., the City Council reconvened to the evening session.

D. ADJOURNMENT

At 7:09 p.m. the City Council concurred to adjourn the meeting.

JILL. A BEATY
Assistant City Clerk

DR. THOMAS E. HOLDEN
Mayor

MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION
Regular Meetings
October 21, 2008

A. ROLL CALL/POSTING OF AGENDA

At 7:06 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, John C. Zaragoza, Andres Herrera, and Tim Flynn were present. Mayor Pro Tem Dean Maulhardt was absent. Staff members present included Ed Sotelo, Executive Director; Karen Burnham, Assistant Executive Director; Alan Holmberg, Acting 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 led by the Mermaid Girls Softball team followed by a moment of silence.

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 Community Development Commission for September 23 and October 7, 2008. (003).
RECOMMENDATION: Approve.
ACTION: Approved (Zaragoza/Holden); Ayes: Holden, Zaragoza, Herrera, Flynn. Absent: Maulhardt.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGSM. REPORT OF EXECUTIVE DIRECTORN. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTSCity Manager Department

1. SUBJECT: Cancellation of the Regular Meetings Scheduled for October 28, 2008. (049)
RECOMMENDATION: Cancel their regular meetings scheduled for October 28, 2008.
ACTION: Approved (Zaragoza/Holden); Ayes: Holden, Zaragoza, Herrera, Flynn. Absent: Maulhardt.

CITY COUNCIL/HOUSING AUTHORITY

At 8:25 p.m. the concurrent meetings with the City Council and Housing Authority concluded.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONT. ADJOURNMENT

At 8:25 p.m. the Community Development Commission concurred to adjourn the meeting.

JILL A. BEATY
Assistant Secretary

DR. THOMAS E. HOLDEN
Chairman

MINUTES
OXNARD CITY COUNCIL
Regular Meetings
October 21, 2008

A. ROLL CALL/POSTING OF AGENDA

At 6:18 p.m. the meeting of the Oxnard City Council convened in Council Chambers. Councilmembers Tom Holden, John C. Zaragoza, Andres Herrera, and Tim Flynn were present. Mayor Pro Tem Dean Maulhardt was absent. Staff members present included Daniel Martinez, City Clerk; Ed Sotelo, City Manager; Jill A. Beaty, Assistant City Clerk; and Julie Doi, Deputy City Attorney. Mayor Holden presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Burt Perello commented on selection of a City Attorney.

C. CLOSED SESSION

The City Council recessed to a closed session, pursuant to Government Code section 54957, to meet to consider appointment of a City Attorney.

At 7:00 p.m. the City Council adjourned to the evening session.

D. OPENING CEREMONIES

At 7:06 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 the Mermaid Girls Softball team, followed by a moment of silence. Alan Holmberg, Acting City Attorney, was present.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of **Resolution No. 13,561** to Norberto Calimlim for 24 Years of Exemplary Service to the City of Oxnard. (001)
DISCUSSION: Mr. Calimlim received the resolution and thanked the City Council and his family for years of support.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

Edgar Mohorko, Clergy/Pastor event

Speaking in opposition to Measure V: Julie Conrad, Gary Stiles, Rick Conrad, and Greg Runyon.

John Korsten, property conservation issues.

Burt Perello and Harold Ceja in support of Measure V.

Debbie Estrada, Jason Zaragoza, and Angelique deHaro, YDC members of PAL supports Measure O.

Soledad Trevino, Nyeland Family Resource Center open house.

Ed Ellis, request to Coastal Commission to change meeting location to a nearby county.

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 City Council for September 23 and October 7, 2008. (003).

RECOMMENDATION: Approve.

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

M. REPORT OF CITY MANAGER

The City Manager reported on the success of **the Graffiti Task Force Operation Up-Lift** event held in Colonia; dedication of Windrow Park; award of **highway safety and improvement** grant to the Traffic Division for various improvements.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly **Budget Status Reports** for the Period Ending September 30, 2008. (027).

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Development Services Department

1. SUBJECT: Development Agreement (Planning & Zoning Permit No. 08-670-03) for Town Center West (RiverPark), Filed by Oxnard Development Company, LLC. (037).

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2787** approving a development agreement with Oxnard Development Company, LLC (A-7113), for 4.23 acres located east of North Ventura Road and south of Town Center Drive, within the RiverPark Specific Plan area.

Housing Department

2. **SUBJECT:** Development Agreement Between the City of Oxnard and Steadfast Residential Development, LLC, a Delaware Limited Liability Company, Steadfast the Courts I, L.P., a California Limited Partnership, Steadfast the Courts II, L.P., a California Limited Partnership, Steadfast the Courts III, L.P., a California Limited Partnership for the Las Cortes Project Located North of First Street, West of Rose Avenue, South of Del Sol Park and East of Marquita Street. (043)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2788** approving a development agreement between the City of Oxnard and Steadfast Residential Development, LLC, et. al. (A-7117), concerning the above referenced property.

Police Department

3. **SUBJECT:** Resolution Making Certain Private Roads and Alleys in the Riverpark Specific Plan Area Subject to the California Vehicle Code. (047).
RECOMMENDATION: Adopt **Resolution No. 13,562** to make certain private roads and alleys in the Riverpark specific plan area subject to the California Vehicle Code.

DISCUSSION: Burt Perello, Stroube drain construction flaws and responsible entity. He and Yvonne Revelez questioned the use of police officers to patrol private communities. The City Manager responded that because this is a public community, the City is required to provide this service to the community.

INFORMATION/CONSENT PUBLIC HEARINGS: Closed public hearing (Holden/Herrera); Approved (Herrera/Zaragoza); Ayes: Herrera, Holden, Zaragoza, and Flynn (on Item 3). Noes: Flynn on Items 1 and 2. Absent: Maulhardt.

L. PUBLIC HEARINGS

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Manager Department

1. **SUBJECT:** Cancellation of the Regular Meetings Scheduled for October 28, 2008. (049)
RECOMMENDATION: Cancel their regular meetings scheduled for October 28, 2008.
ACTION: Approved (Holden/Herrera), unanimously.

COMMUNITY DEVELOPMENT COMMISSION

At 8:26 p.m. the joint meeting with the Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

Housing Department

- 1. SUBJECT: Cabrillo Economic Development Corporation Report.
RECOMMENDATION: Consider a verbal report by Cabrillo Economic Development Corporation (Corporation) on its developments and activities in the community.
DISCUSSION: Rodney Fernandez, Executive Director, introduced Corporation staff and thanked the City Council for its history of partnership. Carlos DeLira, homeowner, thanked the Corporation and the City of Oxnard for making home ownership affordable to his family and setting up a reasonable loan. Gerard Giacomuzzi, board member, talked about the success of the program: not one Cabrillo homeowner has foreclosed on his/her mortgage in its 25-year history. He cited statistics of production of homes, renovation, and pending projects, upcoming opportunities for partnership with regard to federal grants.

HOUSING AUTHORITY

At 8:46 p.m. the joint meeting with the Housing Authority concluded.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

Martin Jones. League of Women Voters candidate forum October 22.

Shirley Godwin, supports Measure V.

Walter Ontivaros, supports purchase of Sports Park area and Measure O.

Pat Brown, Measure V, money spent opposing should go toward improving issues.

John Todd, resident of Royal Duke Mobile Home Park, warning of a senior citizen fraud attempt.

Luciano Ortiz, supports Measure V.

Darcy DeMitre, neighborhood parking issue in Port Hueneme/bordering with Oxnard.

T. ADJOURNMENT

At 9:08 p.m. the City Council concurred to adjourn.

JILL A. BEATY
Assistant City Clerk

DR. THOMAS E. HOLDEN
Mayor