

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

February 9, 2010

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 Housing Authority. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. Mayor Holden presided and called the meeting to order. The Deputy City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Staff members present were: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Grace Magistrale-Hoffman, Deputy City Manager; Alan Holmberg, City Attorney; Matthew Winegar, Development Services Director; Bill Wilkins, Housing Director; James Cameron, Finance Director; and Yolanda Gutierrez, Deputy City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. **SUBJECT:** Proclamation Designating February 20-28, 2010 as "2010 Oxnard Saves Week".

DISCUSSION: Accepted by Brenda Lopez, Chief Operating Officer of Sure Path Financial, for financial education and awareness throughout the community.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Jim McComb, traffic light issues; road conditions in the Wagon Wheel area.

Lori Davison and Jean Joneson expressed concerns over the impact of parking due to Ventura Road Project; lack of notification of project to residents.

John Korsten, VA hospitals; return of vehicles.

Sandy Gonzales, INCF Chair, request for English/Spanish simulcast.

Mario Quintana, League of Latin American United Citizens, closing of Colonia Road; English/Spanish simulcast.

Jorge Napoles, League of Latin American United Citizens, Asalia Barrera, and Baltazar Garcia spoke in support of English/Spanish simulcast and document translation.

Shirley Godwin, clarification of public comment section for General Plan recommendations.

Larry Stein, public bathrooms at beaches and parks; English/Spanish simulcast & document translation; Measure O Committee appointments.

Diane Delaney, in opposition of expansion of Mandalay Bay Embassy Suites.

Daniel Lechliter, paving of Holly Road between Lantana and Ventura Road.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

William Bill Terry, concerns about Catalyst Project use of funds (I-3).

I. INFORMATION/CONSENT AGENDA

City 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 2009-2010 fiscal year.

City Treasurer Department

2. SUBJECT: **Ordinance No. 2823** Regulating Massage Professionals and Massage Businesses. (019)
RECOMMENDATION: Second reading and adoption.

Development Services Department

3. SUBJECT: Authorization for an Application Submittal for the Catalyst Project for California Sustainable Strategies Pilot Program. (027)
RECOMMENDATION: Adopt **Resolution No. 13,771** authorizing the Development Services Director to submit an application for the Catalyst Project for California Sustainable Strategies Pilot Program.

Public Works Department

7. SUBJECT: First Amendment to Agreement with Layne Christensen Company for Maintenance and Repair of Well No. 34. (071)

RECOMMENDATION: (1) Approve and authorize the Mayor to execute the first amendment to the agreement with Layne Christensen Company (**4886-09-PW**) for \$158,900 for a total amount of \$183,800 for the maintenance and repair of Well No. 34, and to extend the contract expiration date to June 30, 2010; and (2) Approve the appropriation of funds in the amount of \$172,278 from Water Operating Fund balance to the Well No. 34 Maintenance and Repair Project No. 10XXX for the following: (a) \$158,900 to cover the cost of the contract; and (b) \$13,378 to cover the cost of City project management and indirect costs.

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

HOUSING AUTHORITY

At 7:50 p.m. the joint meeting with the Housing Authority concluded.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

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

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Adoption of the Final Draft Oxnard 2030 General Plan (2030 Plan) (PZ 10-620-01) and Adoption of Statement of Overriding Considerations and Findings of Fact; Call of Special Election for Voter Adoption of Goals and Policies of the 2030 Plan and Amendment to the City Urban Restriction Boundary (CURB) for the Del Norte Community Extension (DNCE). (079)

RECOMMENDATION: (1) Hold a hearing to take public comments on the 2030 Plan; (2) Separately consider and finally decide the land use issues for the 107-acre parcel at 1853 Camino Del Sol; (3) Adopt a resolution adopting the Statement of Overriding Considerations and Findings of Fact related to the adoption of the 2030 Plan and adopting the 2030 Plan subject to voter adoption of the Goals and Policies thereof; and (4) Adopt a resolution calling a Special Municipal Election on June 8, 2010, to adopt the proposed Goals and Policies for the 2030 Plan including an amendment to the CURB to include the DNCE area and redesignation of land uses within that area, and requesting the Ventura County Board of Supervisors to Consolidate the Oxnard Special Municipal Election with the June 8, 2010 Statewide Primary Election.

RECESS

At 7:51 p.m., the City Council recessed and at 7:59 p.m., the City Council reconvened.

ACTION: Mayor Holden opened the public hearing.

DISCUSSION: The Deputy City Clerk reported on publication and that there were written communications received from: Environmental Defense Center, Ormond Beach Observers, Senator Fran Pavley, Supervisor Kathy Long, Community Environmental Council, Patricia Munro, and Wishtoyo.

Councilmember Maulhardt asked that City Attorney clarify the proceedings as they will pertain to his participation and possible conflict of interest.

The Development Services Director and Senior Planner reviewed past actions, background and time-line, and issues and options for consideration.

Councilmembers commended the Development Services Department on the time and work that was put into the Plan. They also expressed concerns with various elements of the document and asked that it be brought back at a later date.

The following people expressed various concerns: Callie Hurd, Darcel Elliott, Jim McComb, Shannon McComb, Nancy Pederson, Peter Brand, Larry Older, Susan Jordan, Paul Felix, Julie Tumamait-Stenslie, Karen Kraus, Richard L. Francis, Nancy Lindholm, Jeri Byrne, Catherine McCalvin, Trisha Munro, Mario Quintana, Carmen Hurd, Michael Stubblefield, Lisa Cordova Schwarz, Dr. Anthony Monreal, Rob Corley, Mark Gajardo, Carmen Ramirez, William Bill Terry, Jason Weiner-Wishtoyo, Larry Stein, Beatriz Garcia, Steve Kinney, Al Duff, Sr., and Eileen Tracy.

RECESS

At 9:59 p.m., the City Council recessed and at 10:16 p.m., the City Council reconvened.

The following people expressed various concerns: Larry Godwin, Tim Flynn, Peter Hearst, Daniel Lechliter, Linda Calderon, Greg Kenney, Megan Birney, Bert Perello, Martin Jones, and Jurgen Gramckow.

ACTION: At 10:45 p.m., Councilmember Maulhardt left the meeting due to possible conflict and at 10:46 p.m. returned to the meeting.

The following people expressed various concerns: Barbara Macri-Ortiz, Edward Castillo, Dennis Ralph, Pat Brown, Shirley Godwin, and Ernest Stein.

ACTION: At 10:58 P.M. the Mayor asked for a motion to close the public hearing. (Maulhardt/Herrera) unanimously.

DISCUSSION: The Development Services Director reviewed the reason for the change in size and the name of Jones Ranch to the Del Norte Extension.

The City Council commented on the need to review various details of the Plan, including: Ormond Beach development, SOAR boundaries, Agromin, power plants, school issues, and Local Coastal Plan. The Councilmembers concurred that a complete re-write was not necessary. Councilmember Maulhardt stated, for the record, "This is the General Plan that we're being proposed. There is some potential changes that might be done on it but it is in substance the one we have." He continues, "I also would like to comment on the SOAR. I said it, and we've all said it before: I think just about every other City has had a SOAR initiative vote already. The City of Oxnard has not had one. The SOAR initiative is very specific. It calls for a change if a change is wanted - an amendment - and I don't see why there would ever be an objection to allowing the voters to vote on that amendment. I think it does need to be a stand-alone amendment. But I don't see why there would be, if it is not accepted by the voters - which, some people in this room believe it will never be - then that's what it will turn out to be. But I don't see why there should be any reason not to, if there is a belief and there is a plan, to put it...to do something out there, that would be what's required, and it is very clear what the steps should be.

ACTION: No action taken.

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Housing Department

1. SUBJECT: Appointments to Commission on Homelessness. (121)
RECOMMENDATION: That the Mayor, with the approval of the City Council, appoint three members to the Commission on Homelessness.
ACTION: The following individuals were appointed: Maria Collier, Jennifer Scott Gomez, Uriah Glynn, Carolyn Casas Hedgepeth, and Andrea Renee Houchin to the five vacant positions. (Holden/Herrera) unanimously.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:08 p.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

YOLANDA GUTIERREZ
Deputy City Clerk