

MINUTES

OXNARD CITY COUNCIL

Regular Meeting
November 25, 2008

A. ROLL CALL/POSTING OF AGENDA

At 5:31 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, John C. Zaragoza, Andres Herrera, and Timothy B. Flynn were present. The 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; Grace Magistrale Hoffman, Deputy City Manager; and Alan Holmberg, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:32 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 is Wilson v. Polo, United States District Court Case No. CV07-06191 GPS (SHX).

The City Council also recessed to a closed session pursuant to Government Code Section 54959 and 54957.6, concerning appointment of a City Attorney.

At 6:49 p.m., the City Council reconvened to the evening session.

D. OPENING CEREMONIES

At 7:02 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, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: Michelle Tellez, Human Resource Director; Ken Ortega, Public Works Director; Matthew Winegar, Development Services Director; Mark Norris, Wastewater Supervisor; and Terrel Harrison, Recreation Supervisor/PAL Co-Director.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Harold Ceja, procedures for collecting speaker cards.

John Korsten, loss of vehicles and street maintenance.

Melvin Boos, maintenance of tot park at Fremont School and half-cent sales tax projects.

Ed Ellis questioned when the Ormond EIR would be heard.

Shaun Stanistreet, personal web site and Thanksgiving events.

Pat Brown, Meta Street lights and request for beer and wine license at a local restaurant.

Barbara Marci-Ortiz, law firm hired by City regarding the temporary workers issue.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Transportation Development Act Local Transportation Fund Allocations for FY 2008/09. (001)
RECOMMENDATION: (1) Adopt **Resolution No. 13,568** approving the submittal of a claim with the Ventura County Transportation Commission for allocation of Transportation Development Act funds as follows: (a) Gold Coast Transit to receive \$3,983,489 of the City's Article 4 Local Transportation Fund (LTF) allocation for FY 2008/09 to support and develop the public transportation system in Ventura County; (b) The City's transit services program to receive \$500,000 of Article 8c LTF funding for its operations; (c) Ventura Intercity Transit Authority (VISTA) to receive \$100,789 (\$50,708 for the VISTA Highway 101 corridor service and \$50,081 for the VISTA Conejo Connection service) of the City's Article 4 LTF allocation for FY 2008/09; (d) Use of \$2,118,075 from the City's LTF balance to be utilized for streets and roads purposes (Article 8a); and (2) Approve a special budget appropriation in the amount of \$171,000 from the Air-Pollution Buydown fund balance to be paid to Gold Coast Transit for the provision of transit services.
2. SUBJECT: Agreement for Trade Services with Kaneko Landscaping, Inc. (007).
RECOMMENDATION: Remove from the agenda.

Development Services Department

3. SUBJECT: Planning & Zoning Permit No. 06-300-19 (Final Map for Phases 1, 2 & 3 of Tract No. 5644), Within the RiverPark Specific Plan Area. Filed by RiverPark Legacy, LLC. (009).
RECOMMENDATION: Adopt **Resolution No. 13,569** approving Planning and Zoning Permit No. 06-300-19 (Final Map) for Phases 1, 2 & 3 of Tract No. 5644, located north of Owens River Drive and east of the Santa Clara River within District H of the RiverPark Specific Plan area.

Housing Department

4. SUBJECT: Agreement to Pay Deferred Development Fees. (017).
RECOMMENDATION: Approve and authorize the Mayor to execute an Amendment to Agreement with Sycamore Senior Apartments (**A-6822**), LP for the deferral of approximately \$642,000 of development fees for the Sycamore Senior Apartments project for a 12 month period of time.

5. **SUBJECT:** Amended Affordable Housing and Loan Agreement with HOME Corporation. (021).
RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to Affordable Housing and Loan Agreement with HOME Corporation (A-6723) for the 24 unit sales project "Colonia Villas" at First and Hayes Streets in the Colonia neighborhood, extending times for developer performance.

Human Resources Department

6. **SUBJECT:** Amendment to the Memorandum of Understanding Between the City and the Oxnard Public Safety Management Employee's Association (Fire Unit). (025).
RECOMMENDATION: Approve and authorize the Assistant City Manager to execute the amendment (A-7128) to the parties' collective bargaining agreement to include language that was omitted inadvertently.
DISCUSSION: The Human Resource Director briefly reviewed the amendment.

Public Works Department

7. **SUBJECT:** Amendment Number Two to Implementation Agreement for Countywide Stormwater Program. (033).
RECOMMENDATION: (1) Approve and authorize the Mayor to execute a second amendment to the existing National Pollutant Discharge Elimination System Implementation Agreement Stormwater Regulation Program with the Ventura County Watershed Protection District (VCWPD) (A-4884), which identifies the responsibilities of the City, VCWPD, nine other Ventura County cities, and Ventura County under the Ventura County Municipal Stormwater Permit (VCMSP), and creates a mechanism for the distribution of revenues and the funding for the Principal Permittee activities; and (2) Approve an appropriation of \$95,192 from the Wastewater Collection Operating Fund to the Stormwater Quality Management Program to partially fund Principal Permittee costs under the VCMSP for Fiscal Year 2008/2009.
8. **SUBJECT:** Agreement with Hopkins Groundwater Consultants, Inc. for Hydrogeologic Design, Technical Review, and Consulting Support Services. (037).
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Hopkins Groundwater Consultants, Inc. (A-7115) in an amount not to exceed \$100,000 annually for various hydrogeologic design, technical review, and consulting support services consistent with ongoing groundwater resource planning, development projects, and capital improvement programs, which arise on an ad-hoc basis and often require rapid response. This agreement is for one year and has the option for three one year extensions for a total of four years for a total cost not to exceed \$400,000.
DISCUSSION: The Wastewater Supervisor commented that there was a need for this special type of work.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS**City Manager Department**

1. **SUBJECT:** Executed Contracts. (051).
ACTION: Reviewed and filed.

Finance Department

2. **SUBJECT:** Monthly Budget Status Reports for the Period Ending October 31, 2008. (053).
ACTION: Approved as recommended (Flynn/Herrera); unanimously.

M. REPORT OF CITY MANAGER**City Manager Department**

1. **SUBJECT:** Public Service Announcement Ads for Graffiti.
DISCUSSION: The Recreation Supervisor/PAL Co-Director presented a public service announcement which was produced locally. The City Council commented on the positive effect public service announcements have regarding efforts for graffiti prevention.

The City Manager commented: Centennial Plaza was recognized in the November publication of California Redevelopment Association; and a youth interpretation exhibit of South Oxnard titled "How I See It: South Oxnard" at the South Oxnard library.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. **SUBJECT:** Cancellation of the Regular Meetings Scheduled for December 2, 2008. (169).
RECOMMENDATION: Cancel the regular meeting scheduled for December 2, 2008.
ACTION: Approve as recommended (Zaragoza/Holden); unanimously.

COMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 7:45 p.m. the joint meetings with the Community Development Commission and Housing Authority concluded.

O. REPORTS**Public Works Department**

1. **SUBJECT:** Update on Citywide Traffic Mitigation Plan. (171).
RECOMMENDATION: Receive and file report.
DISCUSSION: The Public Works Director and the Development Services Director briefly discussed planned future meetings regarding the Citywide Traffic Mitigation Plan including intersection/roadways improvements, Intelligence Transportation System Master Plan, and circulation goals related to the 2030 Plan Update.

Pat Brown, need to improve traffic circulation

Tom Cady, development planning to work with public works projects to reduce road construction and the need to meet with neighborhoods and commercial developments.

Saint Pierre, Channel Islands Neighborhood, the developer needs to meet the community (L-1) regarding traffic and other issues.

Bert Perello, the need for qualified engineers for municipal projects.

ACTION: The City Council received and provided comments.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

DISCUSSION: The City Council discussed the timing developments as related to the Citywide Traffic Mitigation Plan.

Development Services Department

1. SUBJECT: Appeal of Planning Commission's Action on Courtyard at Mandalay Bay Project, Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Courtyard at Mandalay Bay, LLC. (063).
RECOMMENDATION: Continue this item to January 6, 2008
ACTION: Approved unanimously.
2. SUBJECT: Appeal of Planning Commission Action on Vineyard-Ventura Homes Project for Development of 201 Residential Units on Vacant Property, Located at 1801 Vineyard Avenue. Filed by Casden Properties LLC. (081).
RECOMMENDATION: Continue this item to January 13, 2008
ACTION: Approved unanimously.
3. SUBJECT: Appeal of Planning Commission Action on Ventura Townhomes Project for Development of 143 Residential Units on Vacant Property, Located at 2501 North Ventura Road. Filed by Casden Properties LLC. (109).
RECOMMENDATION: Continue this item to January 13, 2008
ACTION: Approved unanimously.
4. SUBJECT: Planning and Zoning Permit Nos. 06-620-03 (General Plan Amendment), 08-630-02 (Specific Plan Adoption), 06-570-05 (Zone Change), and 06-670-02 (Development Agreement), and Replacement Housing Plan for the Oxnard Village Specific Plan Project, Located Near the Northwestern Edge of the City of Oxnard, Bounded by Highway 101 to the North, Oxnard Boulevard to the East, the Union Pacific Railroad and El Rio Drain to the South, and North Ventura Road to the West. Filed by the Daly Group. (135).
RECOMMENDATION: Continue this item to January 27, 2008
ACTION: Approved unanimously.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:15 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor