

MINUTES

OXNARD CITY COUNCIL Regular Meeting June 13, 2006

A. ROLL CALL/POSTING OF AGENDA

At 8:31 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission and Housing Authority. 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: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Gary L. Gillig, City Attorney; and Sue Martin, Planning and Environmental Services Manager.

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: Presentation to Haas Automation for Community Service by Agreeing to Participate in the City of Oxnard's Fair Share Program.
DISCUSSION: Mayor Holden presented certificate of appreciation to Peter Zierhut of Haas Automation for its participation in the Fair Share Program.
2. SUBJECT: American Public Works Association Project of the Year Award.
DISCUSSION: Ken Matsouka, American Public Works Association – Ventura County, presented an award to the City Council for the Redwood Trunk Project.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Jose G. Moreno, 315 North Bonita Avenue, closing of traffic roads at Cooper Road and Colonia at Oxnard Boulevard.

Ed Ellis, 515 DE Anza Way, liquefied natural gas (LNG) facility terminal presentation.

Manny Gonzalez, 1411 Fifth Street, presented an affordable housing award to the City.

Cesar Hernandez, 3033 South "L" Street, HIV prevention program.

The following individuals discussed an Oxnard High School student project regarding local traffic: Jean Rountree, 215 Ocean Drive; Gabriella Munoz, 714 Dunkirk Drive; and Victor Vaca, 901 West Gonzales Road.

Larry Stein, 1965, Falkner Place, road work and code enforcement.

Pat Brown, 205 East Drifill Avenue, Meta Street development.

John Korsten, 1174 South "N" Street, property lien.

Edward Castillo, 811 Raft Lane, supported the proposed sport park.

Bert Perello, 2391 Redwing Lane, proposed Lowe's Home Improvement Center at Gonzales Road and Oxnard Boulevard.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Pat Brown supported this type of affordable housing (I-5).

I. INFORMATION/CONSENT AGENDA

City Manager's Office

2. **SUBJECT:** Letters in Opposition to Proposed Legislation AB 2987 the "Digital Infrastructure and Video Competition Act of 2006." (027)
RECOMMENDATION: That the Mayor and City Council execute a letter to our State Legislators in opposition to AB 2987 the "Digital Infrastructure and Video Competition Act of 2006" limiting the rights of local governments in franchising cable television providers.

Development Services Department

3. **SUBJECT: Ordinance No. 2720**, Approving Planning and Zoning Permit No. 05-630-01 (Specific Plan Amendment) Amending Section No. 4.2.4 of the Commercial/Manufacturing Land Use Designating of the Rose-Santa Clara Corridor Specific Plan to Allow Office Uses, Affecting 33.6 acres of the Commercial/Manufacturing Land Use area which is generally bounded by Auto Center Drive, Santa Clara Avenue, Ventura Boulevard and Paseo Mercado. (031)
RECOMMENDATION: Second reading and adoption.

Finance Department

4. **SUBJECT:** Fiscal Year (FY) 2006-07 Property Tax Rate for Voter Approved Obligations. (033)
RECOMMENDATION: Adopt **Resolution No. 13,071** establishing the FY 2006-07 tax rates on property in the City of Oxnard for the payment of voter approved obligations.

Housing Department

5. SUBJECT: Hacienda Guadalupe Affordable Housing Agreement and Marketing Plan. (037)
RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an agreement providing for forms of resale restriction agreements and a marketing plan to be used in connection with the sale by Cabrillo Economic Development Corporation {CEDC} (A-6698) of affordable units in the Hacienda Guadalupe project, located southeast of the intersection of Seventh Street and Meta Streets.
6. SUBJECT: Loan Agreement with Las Cortes, Inc. (Las Cortes). (039)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute a Loan Agreement (A-6700 & D-3639) with Las Cortes providing initial funds for the operation of Las Cortes in the amount of \$590,000; and (2) Approve the appropriation of funds in the amount of \$590,000 from the housing In-Lieu Fee Fund balance for the loan.

Police Department

7. SUBJECT: Appropriation of Peace Officer Standards and Training (POST) Police Training Funds. (061)
RECOMMENDATION: Recognize revenue in the amount of \$66,000 in the POST Reimbursement Training Fund and appropriate these funds to the Oxnard Police Department Training Program to support police training requirements through the end of Fiscal Year 2005-2006.

Public Works Department

8. SUBJECT: Adoption of Resolution Levying Fiscal Year (FY) 2006-2007 Assessments in Landscape Maintenance Districts Nos. 27 through 56. (063)
RECOMMENDATION: Adopt **Resolutions No. 13,072-13,101** levying FY 2006-2007 assessments for Landscape Maintenance Districts Nos. 27 through 56.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMSCity Manager's Office

1. SUBJECT: Executed Contracts. (069)

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Opened by Mayor Holden, hearing was noticed and no communications received.

Public Works Department

1. SUBJECT: Fiscal Year (FY) 2006-07 Assessments for the Mandalay Bay Waterway Maintenance District. (073)

RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding proposed assessments for the Waterway Maintenance District for FY 2006-07; and (2) Adopt **Resolution No. 13,102** for FY 2006-07 fixing assessments for the Waterway Maintenance District.

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

L. PUBLIC HEARINGS

ACTION: Opened by Mayor Holden, hearing was noticed and no communications received.

Development Services Department

1. SUBJECT: Revision to the Art in Public Places Program. (075)
RECOMMENDATION: Adopt **Resolution No. 13,103** adopting a revised Art in Public Places Program and establishing a Public Art fee.
DISCUSSION: The Development Services Director reviewed the current and proposed Art in Public Places program, make-up of committee membership and reviewed the proposed fees.

The Councilmembers commented on: the current program, proposed fee amount, the expansion of the program and having minimal administrative costs.

The following individuals commented on the proposed Art in Public Places Program: Loree Campos, 641 La Canada Avenue; Cesar Hernandez; Margaret Cortese, 732 West Vineyard Avenue; Deborah DeVries, 4800 Oceanaire Avenue; Carmen Ramirez, 528 Holly Avenue; Gloria Roman, 250 Pleasant Valley Road; and Bert Perello.

ACTION: Public hearing closed. (Maulhardt/Holden) Approved with additional conditions: 1) increase fee to \$.20 per square foot of building area with future review; 2) review the composition of committee including having a representative of the community art organizations; and 3) apply to all new development with the exception of attached and detached additions to residential dwellings units. (Herrera/Holden) Ayes: Zaragoza, Flynn, Holden, Herrera and Maulhardt.

ACTION: Opened by Mayor Holden, hearing was noticed and no communications received.

Public Works Department

2. SUBJECT: Public Hearing and Adoption of Resolutions to Levy Fiscal Year (FY) 2006-2007 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (097)
RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding the proposed FY 2006-2007 assessments for Landscape Maintenance Districts Nos. 1 through 3, and 7 through 26; (2) Adopt resolutions for FY 2006-2007 confirming assessments for Landscape Maintenance Districts Nos. 1 through 3, and 7 through 26 in the following tracts: Tract No. 2247, District No. 1 (Summerfield) **Resolution No. 13,104**;

Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park) **Resolution No. 13,105**; Tract No. 3384, District No. 3 (River Ridge) **Resolution No. 13,106***; Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park) **Resolution No. 13,107**; Tract Nos. 3051-2, 3051-3 and 4351, District No. 9 (Strawberry Fields) **Resolution No. 13,108**; Tract No. 4405, District No. 10 (Country Club Estates) **Resolution No. 13,109**; Tract No. 4376, District No. 11 (St. Tropez) **Resolution No. 13,110**; Tract No. 4294, District No. 12 (Standard Pacific) **Resolution No. 13,111**; Tract No. 4424, District No. 13 (Le Village) **Resolution No. 13,112**; Tract No. 4492, District No. 14 (California Cove) **Resolution No. 13,113**; Tract No. 4443, District No. 15 (Pelican Pointe) **Resolution No. 13,114**; Tract No. 4810, District No. 16 (California Lighthouse) **Resolution No. 13,115**; Tract No. 4702, District No. 17 (Village of San Miguel) **Resolution No. 13,116***; Parcel Map Nos. 213-03-28 and 213-03-29, District No. 18 (St. John's Regional Medical Center) **Resolution No. 13,117**; Tract No. 4827, District No. 19 (Shopping at the Rose) **Resolution No. 13,118**; Parcel Map Nos. 231-020-200, 210, 240 District No. 20 (Wallenius Vehicle Preparation Center) **Resolution No. 13,119**; Tract No. 3384-7, 8 District No. 21 (Cypress Pointe) **Resolution No. 13,120**; Tract No. 4611, District No. 22 (McDonald's Median) **Resolution No. 13,121**; Tract No. 4529, District No. 23 (Greystone) **Resolution No. 13,122**; Tract No. 4529, District No. 24 (Vineyards) **Resolution No. 13,123**; Tract No. 4840, District No. 25 (The Pointe) **Resolution No. 13,124**; Parcel Map No. 94-5-25, District No. 26 (Albertson's) **Resolution No. 13,125**. **ACTION:** Public hearing closed. (Zaragoza/Maulhardt) Approved as recommended. (Herrera/Zaragoza) Ayes: Maulhardt, Zaragoza, Flynn, Holden, and Herrera. Abstain: Maulhardt only for District 17; Zaragoza only for District No. 3.

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager commented on: Multi-Cultural Festival Art Contest, and new interchange lights/signage at Rose Avenue and San Gorgonio Street.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Clerk's Office

1. **SUBJECT:** Rules of Procedures for the Conduct of Meetings. (101)
RECOMMENDATION: Adopt **Resolution No. 13,126** establishing revised rules of procedure for the conduct of meetings (changing time for public hearings and identification requirements for speakers) and repeal resolutions currently in effect.
ACTION: Approved as recommended. (Holden/Flynn) Ayes: Zaragoza, Flynn, Holden, Herrera and Maulhardt.

HOUSING AUTHORITY

At 10:06 p.m. the joint meetings with the Housing Authority concluded.

O. REPORTSCity Manager's Office

1. SUBJECT: Midyear Budget Request for Funding for the Mobile Satellite City Hall Program in Fiscal Year (FY) 2005-06. (129)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$17,980 from the General Fund Operating Reserve to the Mobile Satellite City Hall Program to meet program costs in FY 05-06.
ACTION: Approved as recommended. (Herrera/Zaragoza) Ayes: Zaragoza, Flynn, Holden, Herrera and Maulhardt.

Housing Department

3. SUBJECT: Midyear Budget Request for the Rainbow House Recovery Center. (137)
RECOMMENDATION: (1) Approve an appropriation of \$275,000 from the City's In-Lieu Fee Fund for the completion of the renovation of the Rainbow House Recovery Center (1450 South Rose Avenue); and (2) Approve an appropriation of \$18,000 from the City's General Fund to reimburse the Rainbow House Recovery Center's capital fund for maintenance of the facility.
ACTION: Removed from agenda.

Library Department

4. SUBJECT: Midyear Budget Request for the Library Department. (147)
RECOMMENDATION: (1) Approve the appropriation of funds in the amount of \$52,600 from the Library's Revenue and Expense Budgets to the Library's Literacy Outreach Program for ongoing personnel and supply costs; (2) Approve the appropriation of funds in the amount of \$67,700 from the General Fund Operating Reserve to the Library Information/Reference Services, Library Support Services, and Library Branch Services Programs for electronic databases, periodical subscriptions, and material processing costs; and (3) Approve the appropriation of funds in the amount of \$10,028 from the General Fund Operating Reserve to the Library Circulation Services Program for the annual maintenance cost of the self check-in book return system.
ACTION: Approved as recommended. (Herrera/Zaragoza) Ayes: Zaragoza, Flynn, Holden, Herrera and Maulhardt.

Public Works Department

5. SUBJECT: Appropriation of Funds to Construction Services. (153)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$200,000 from Encroachment Inspection Fees to Construction Services for Overtime and Professional Services.
ACTION: Approved as recommended. (Herrera/Zaragoza) Ayes: Zaragoza, Flynn, Holden, Herrera and Maulhardt.

COMMUNITY DEVELOPMENT

At 10:08 p.m. the concurrent meeting with the Community Development Commission concluded.

P. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONDevelopment Services Department

1. SUBJECT: Pre-Application Review of a Request for the Redevelopment of 1830 South Victoria Avenue with 121 Attached Townhome/Condominium Units, Filed by Courtyard at Mandalay Bay, LLC. (155)
RECOMMENDATION: Review and provide preliminary comments on a pre-application to redevelop a parcel of approximately 6.82 acres (northeast corner of Victoria Avenue and Hemlock Street), known as the Channel Islands Shopping Center, with up to 121 townhome/condominium units.
DISCUSSION: The Planning and Environmental Services Manager briefly outlined the proposed development.

Bill Tucker, Michael Wright, Manny Gonzalez of Courtyard at Mandalay Bay briefly reviewed the proposed for-sale development, meeting with neighborhood, school district discussions, traffic circulation and property security.

The City Council discussed: possible other developments at the site, traffic circulation, discussion with school districts and neighborhoods,

ACTION: The City Council provided comments and directions to staff.

S. PUBLIC COMMENTS ON STUDY SESSIONT. ADJOURNMENT

At 10:51 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor