MINUTES

OXNARD CITY COUNCIL
Regular Meeting
January 6, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald 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; Alan Holmberg, City Attorney; and Matt Winegar, Development Services 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, followed by a moment of silence for personnel serving in the military.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to Elayne Nix.
DISCUSSION: Janetta Nix Thomas and Y-Nasmin Nix received the commendation on behalf of their family and commented on their mother's dedication to the community.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Harold Ceja, City budget concerns and developers must pay for roads.

Vedla Spann, need to improve streets in the neighborhoods of Oxnard Garden and Bartola Square.

Ed Ellis, need for Spanish translation

John Korsten, school safety and items found in yard.

Robert and Sally Vera, American citizenship issues including primary speaking English.

The following individuals expressed concern with the new bus route on "F" Street: Mike Mislinay; Steve Fleischer; Ben Moss; and Rosanne Moss.

The following individuals expressed concern with the loss of Public Access Television and commented on the importance of having a public channel: Kitty Merrill; Robert Guzman; Reynaldo Garza and Joseph Boeing.

Daniel Lechliter, questioned 1) the effect of Traffic Measure and the timeliness of the City traffic plan and 2) the Gonzales Road (Holly Street) improvement program.

G. REVIEW OF INFORMATION/CONSENT AGENDA

O. REPORTS

Finance Department

1. SUBJECT: Comprehensive Annual Financial Report for Fiscal Year 2007-2008. (079).
RECOMMENDATION: Receive and file the City of Oxnard Comprehensive Annual Financial Report for FY 2007-2008.
ACTION: Continue to future date, unanimously.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

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

Development Services Department

1. SUBJECT: Planning & Zoning Permit No. 07-550-01 (Major Modification) a Request to Remove Two Conditions from Parcel Map No. 84-17 Affecting Property Along the Northern Right-of-Way of Eastbourne Bay and at 4490 Eastbourne Bay. Filed by Dan Voss. (001).
RECOMMENDATION: Adopt **Resolution No. 13,576** (1) approving Planning and Zoning Permit No. 07-550-01 (Major Modification to Parcel Map No. 84-17) to modify Planning Commission Resolution No. 7119; and (2) authorizing the Mayor to sign an Agreement Restricting Use of Property (A-7125) to ensure that the intent of Planning Commission Resolution No. 7119 is followed.

2. SUBJECT: **Ordinance No. 2789** Repealing and Adopting Divisions 7 and 8 of Article 5 of Chapter 16 of the City Code, Concerning Incentives to Create Affordable Housing. (005).
RECOMMENDATION: Second reading and adoption.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

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

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. (015).
RECOMMENDATION (1) Approve PZ 06-620-05 (General Plan Amendment) to amend the land use designation, from Neighborhood Commercial to Medium Density Residential. A resolution amending the General Plan will be subsequently adopted on January 13, 2009; (2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2790** approving Planning and Zoning Permit No. 06-570-09 (Zone Change) to change the zoning from C-2 (General Commercial) to R-3-PD (Garden Apartment, Planned Development); (3) Adopt **Resolution No. 13,577** approving Planning and Zoning Permit No. 06-500-14 (Special Use Permit), subject to certain findings and conditions; and Adopt **Resolution No. 13,579** a resolution approving Planning and Zoning Permit No. 06-300-12 (Tentative Subdivision Map for Tract No. 5580), subject to certain findings and conditions.
DISCUSSION: The Development Services Director reviewed the proposed development including location, traffic circulation and residential units.

William Tucker, Tucker Investment Group, commented that: 1) this was primarily a retail redevelopment project, 2) the location was obsolete as a retail development due to size, 3) traffic circulation (residential vs. commercial), 4) competition from other area retail developments, 5) units per acre, and 6) the proposed development would be more compatible with the new Seabridge development.

Saint Pierre, continue this item to allow for input from new tenant associations.

Christopher Stalcup stated the need to develop the site.

The following individuals opposed the project: Bert Perello and Daniel Lichliter.

The following individuals expressed concern regarding the density of the project: George Arglen; Charles Bauman; and Pat Brown.

The following individuals supported the project: Sonny Okada; Michael Sanchez; Eileen Tracy; and Nancy Lindholm, Oxnard Chamber of Commence.

The City Council discussed the blighted conditions, time period to build project, consistency with the area, retail impact, and maintenance of property.

ACTION: Close the public hearing. (Maulhardt/Herrera) Approved project (Herrera/ Maulhardt) Ayes: Maulhardt, MacDonald, Holden, and Herrera. Abstain: Pinkard.

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

2. SUBJECT: Development of the Rose Ranch Commercial Project Located at the Southwest Corner of the Rose Avenue and Gonzales Road Intersection. Filed by Parkstone Companies. (037).
RECOMMENDATION: (1) Approve Planning and Zoning Permit No. 07-620-06 (General Plan Amendment) to amend the 2020 General Plan land use designation of the subject property from Low-Medium Residential (8-12 dwelling units/acre) to General Commercial, subject to the conditions set forth in Planning Commission Resolution No. 2008-71. A resolution amending the General Plan will be subsequently adopted on January 13, 2009; (2) Adopt **Resolution No. 13,581** approving Planning and Zoning Permit No. 07-630-04 (Specific Plan Amendment) to amend the Northeast Community Specific Plan land use designation of the subject property from Low-Medium Residential (8-12 dwelling units/acre) to General Commercial, subject to the conditions set forth in Planning Commission Resolution No. 2008-72; (3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2791** amending the City zone map (Planning and Zoning Permit No. 07-570-05) to change the zone designation for the project area from Multi-Family Residential Planned Development (R2-PD) to General Commercial Planned Development (C2-PD), subject to the conditions set forth in Planning Commission Resolution No. 2008-73; (4) Adopt **Resolution No. 13,582** approving Tentative Subdivision Map for Tract No. 5768 (Planning and Zoning Permit No. 07-300-15) to divide the property into ten parcels, subject to the conditions set forth in Planning Commission Resolution No. 2008-74; (5) Adopt **Resolution No. 13,583** upholding the Planning Commission's approval of Planning and Zoning Permit No. 07-500-15 (Special Use Permit) to entitle the project with a drive-through pharmacy and allow the general sale of alcohol for off-site consumption (ABC Type 21) at two retail establishments, subject to the conditions set forth in Planning Commission Resolution No. 2008-75; and (6) Adopt **Resolution No. 13,584** approving the Findings of Fact pursuant to the California Environmental Quality Act and adopt a Mitigation Monitoring and Reporting Program as it relates to the Final Subsequent Environmental Impact Report (EIR No. 08-02/SCH #2003051045) certified by the Planning Commission for the Rose Ranch Commercial Project on November 20, 2008.
DISCUSSION: The Development Services Director reviewed proposed development including traffic circulation, new signal light, bus pullout area, landscaping, and architecture of development.

Michael Penrod, Parkstone Companies, reviewed the type of stores, traffic circulation, and the project being a green development. Michael Faulcouer, site architect, commented on the site being pedestrian friendly and reviewed the outdoor space.

The following individuals expressed concern about various development issues including traffic circulation, sale of alcohol, construction schedule and the effect of other local businesses: Bert Perello; Charles Whitaker; Pat Brown; Matt Lechliter; and Harold Ceja.

Dan Lechliter, question if other types of development were considered for this site such as a public park.

The City Council discussed: crime rate statistics due to the location of St. John's Hospital, traffic circulation concerns including Walmart parking lot, and the project having a pedestrian component.

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

M. REPORT OF CITY MANAGER

The City Manager invited the public to attend an upcoming Graffiti Task Force Meeting.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:06 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor