

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 9, 2014

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 Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Mayor Tim Flynn was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Ramirez presided and called the meeting to order. Staff members present were: Greg Nyhoff, City Manager; Stephen Fischer, Interim City Attorney; Grace Magistrale Hoffman, Deputy City Manager and Lyn McGraw, Deputy City Clerk.

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(d)(1) to confer with its attorneys. The title and case number of the litigation being discussed was City of Oxnard v. Southern California Gas Co., et al., Ventura County Superior Court, Case No. 56-2013-00439270-CU-BC-VTA.

At 6:09 p.m. the City Council reconvened and recessed to the evening session. The Interim City Attorney announced the instructions provided by Council.

D. OPENING CEREMONIES

At 6:12 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers concurrently with the Community Development Commission Successor Agency, Housing Authority and Finance Authority. The meeting opened with the pledge of allegiance to the flag of the United States followed by a moment of silence for Ester Sorzano and Victor Nose. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; Marty Meyers, Police Commander; Daniel Rydberg, Interim Utilities Director; Gregory Barnes; Interim Recreation Supervisor; Michael Henderson, General Services Manager; Chris Williamson, Principal Planner; Carrie Sabatini, Interim Housing Director; Karl Lawson, Compliance Services Manager and Kymberly Horner, Interim Redevelopment Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: A Visitor From the North Pole

DISCUSSION: Santa Claus, Ms. Claus and helpers wished everyone a Merry Christmas.

2. SUBJECT: Employee of the Fourth Quarter

DISCUSSION: The Police Chief introduced Officer Dale McAlpine and commented on his work with the community. Officer McAlpine thanked his family and his work team for their support. He commented on his desire to continue working for the City of Oxnard.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Steve Nash; Joseph Contaoi; Elias Banales; Dan Lechlitter; Linda Calderon; Maricela Atlatorre; Tomas Rebecchi; Lupe Anguiano; George Miller; Larry Stein; Juan Jose Rangel; Martin Jones; Vince Behrens and Al Velasquez.

J. APPOINTMENT ITEM**City Attorney Department****1. SUBJECT: Verbal Report on Proposition 218.**

RECOMMENDATION: Receive verbal report on the background and procedures regarding Proposition 218, "Right to Vote on Taxes Act," and its implementing legislation.

DISCUSSION: The Interim City Attorney introduced Holly O. Whatley, Colantuono, Highsmith, & Whatley, PC.; who commented on the history of Proposition 218, purpose of the proposition and restrictions (local elections for special taxes; limited tax restrictions; fees and charges; and special benefit to real property.) She outlined commented on: 1) the election process; 2) what services may be included; 3) enforcement options and 4) the use of streets by municipal vehicles including trash pick-up.

Public comment were received from: Larry Stein, Joseph Contaoi, William Terry and George Miller.

The Council commented on: the 218 process; use of funds and the levy of Proposition 218 fees.

ACTION: Received and provided comments to staff.

H. INFORMATION/CONSENT PUBLIC HEARINGS**I. PUBLIC HEARINGS**

Mayor Flynn opened the public hearing. The City Clerk reported on publication, posting and three written communications received.

Planning Department

1. **SUBJECT:** Appeal of Planning and Zoning Permit No. 14-400-01 (Coastal Development Permit to amend Planned Development Permit No. 42), to Uphold Planning Commission Denial to Convert RV and Parking to Three Mobile Home Sites Located at 5540 West Fifth Street, Oxnard Shores Mobile Home Park. Filed by Mike Marlow on behalf of Oxnard Shores Co., LLC. (001)
RECOMMENDATION: Adopt a resolution upholding the Planning Commission's denial of Planning and Zoning Permit No. 14-400-01 to modify Planned Development (PD) Permit 42.
DISCUSSION: The Principal Planner reviewed the appeal of the Planning Commission and the requested changes to the mobile home park.

Public comments were received from: Frank McCafferty; Jeffery Geist; Debe Bloom and Judy Pena.

The Council discussed: parking within the park; actions of the Planning Commission and requested changes within the Mobile Home park.

ACTION: Moved to close public comments (Perello/MacDonald) unanimously. Moved to return item to Planning Commission (MacDonald/Perello) Ramirez, MacDonald, Padilla, Perello and Flynn.

Mayor Flynn opened the public hearing. The City Clerk reported on publication and that three written communications received.

2. SUBJECT: Planning and Zoning Permit (PZ) Nos. 14-620-02 (General Plan Amendment), 14-630-02 (Specific Plan Repeal), 14-500-07 (Special Use Permit - Planned Residential Group), and 14-300-06 (Tentative Subdivision Map for Tract No. 5952) for property bounded by Rose Avenue, East First Street, Marquita Street, and Del Sol Park. Filed jointly by the City of Oxnard Housing Authority, 435 South "D" Street, Oxnard, CA 93030 and Urban Housing Communities, LLC, 2000 East Fourth Street, Santa Ana, CA 92705. (033)

RECOMMENDATION: 1) Adopt **Resolution No. 14,407** approving Planning and Zoning Permit No. 14-620-02 (General Plan Amendment) to reflect the repeal of the Las Cortes Specific Plan and adopting Subsequent Mitigated Negative Declaration (S-MND) No. 2014-04; 2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2808** approving Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal) to repeal the Las Cortes Specific Plan in its entirety; 3) Adopt **Resolution No. 14,408** approving Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map for Tract No. 5952), subject to certain findings and conditions; and 4) Adopt **Resolution No. 14,409** upholding the decision of the Planning Commission approving Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group) to establish development standards and future administrative entitlement procedures for the Las Cortes replacement public housing project on approximately 25 acres bounded by Rose Avenue, East First Street, Marquita Street, and Del Sol Park, subject to certain findings and conditions.

DISCUSSION: The Principal Planner and Interim Housing Director reviewed the building plan and reasons for requested actions.

Public comments were received from: George Miller; Larry Stein; Pat Brown; Sandra Sudac and Daniel Lechlitter.

The Council discussed: HUD requirements; affordable housing needs and need to make amendments of Los Cortes plan.

ACTION: Moved to close public comments (Perello/Ramirez) unanimously. Moved to approve (MacDonald/ Perello) MacDonald, Padilla, Perello, Flynn and Ramirez.

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. REPORTS

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

L. REPORT OF CITY MANAGER

1. SUBJECT: 2015 Meeting Schedule for Legislative Bodies. (187)

RECOMMENDATION: Meet on the following dates during the calendar year 2015: January 13 and 27; February 3, 10 and 24; March 3, 17 and 24; April 7, 14, 21* and 28; May 5, 12 and 19; June 2, 9, 16* and 23; July 7, 14, 21* and 28; August NO MEETINGS; September 1, 15 and 22; October 6, 13, 20* and 27; November 3, 10 and 17; and December 1, 8, and 15, 2015. * Potential Work Session dates.

DISCUSSION: The Deputy City Manager presented a proposed schedule

Public comment received from: George Miller.

The Council commented on: having scheduled vacation; the number of scheduled meetings and having efficient meetings.

ACTION: Moved to approve as recommended (MacDonald/Ramirez) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

The City Manager commented on: the Oxnard Christmas Parade; Water Purification scheduled for February; City assessment; and Harbor Agreement being approved by County.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Police Chief and Police Commander (S-2); Police Chief (S-3); Interim Recreation Supervisor (S-4) and Interim Utilities Director (S-5).

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Sandra Sudac and Abel Magana (S-2).

S. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for October 14, 21 and 28; November 18, 2014; and Minutes of the Special Meeting of the Oxnard City Council for November 17, 2014. (191)

RECOMMENDATION: Approve.

Police Department

2. SUBJECT: Central Business District Security Contract. (233)

RECOMMENDATION: Approve and authorize the Mayor to execute a three-year agreement for security services in the Central Business District and Centennial Plaza with Professional Security Consultants (A-7735) in the amount of approximately \$933,000, with an option to exercise two one-year extensions.

3. SUBJECT: Supplemental Law Enforcement Services Fund. (257)

RECOMMENDATION: 1) Recognize \$321,598 in grant revenue from the State Supplemental Law Enforcement Services Fund (SLESF) for Citizens Option for Public Safety (COPS) Program; and 2) Approve a budget appropriation in the amount of \$321,598 for Records improvements and computer equipment.

Recreation and Community Services Department

4. SUBJECT: Senior Services Contribution Awards to Agencies. (261)
RECOMMENDATION: 1) Approve the Senior Services Commission's (SSC) recommended distribution of \$44,600 from the General Fund for Senior Services Contribution Awards to ten agencies providing services to seniors; 2) Direct the Interim Recreation Supervisor to notify recipients of Senior Services Contribution Awards; 3) Authorize the Interim Recreation Supervisor to execute a letter of agreement for each recipient in the format set forth in the attachment #2; and 4) Authorize the Chief Financial Officer to make disbursements in accordance with the letter agreements.

Utilities Department

5. SUBJECT: Project Specification UD 14-15 Wells 23 and 31 Repairs Project. (269)
RECOMMENDATION: Approve Project Specification UD 14-15 for the repairs of Well 23 at Blending Station No. 1, located at 251 South Hayes, and Well 31 at Blending Station No. 3, located at 1700 Solar Drive, and authorize staff to solicit bids for the project.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Padilla/Ramirez)
Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY, FINANCING AUTHORITY AND HOUSING AUTHORITY

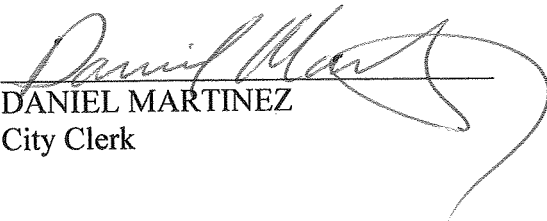
At 10:14 p.m. the joint meetings with the Community Development Commission Successor Agency, Financing Authority and Housing Authority concluded.

M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

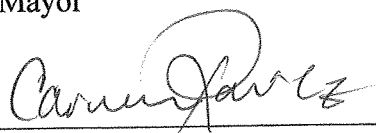
The Council commented on: the Christmas parade; letter regarding possible placement of a power plant at the beach; filming on City property; the Santa Clara Waste incident and the Anterra (oil field disposal site).

T. ADJOURNMENT

At 10:31 a.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


TIM FLYNN
Mayor


CARMEN RAMIREZ
Mayor Pro Tem