

Minutes
OXNARD CITY COUNCIL
Regular Meeting
February 13, 2007

A. ROLL CALL/POSTING OF AGENDA

At 6:15 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. 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; Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; and Gary L. Gillig, City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

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 Molina v. Oxnard, United States District Court Case No. CV 00-02291 CAS (Shx).

At 7:06 p.m. the City Council reconvened to the evening session.

D. OPENING CEREMONIES

The City Council reconvened, concurrently with the Community Development Commission. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Staff present included: Matt Winegar, Development Services Director; Ernie Whitaker, Housing Rehab Program Manager; Sal Gonzales, Housing Director; Ken Ortega, Public Works Director; Dennis Scala, Management Analyst III; and Jill A. Beaty, Assistant City Clerk.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of February, 2007, as "Teen Dating Violence Awareness and Prevention Month."
DISCUSSION: Accepted by Nicole Gonzales and Laura Quintera, Interface Children's Family Services.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Terry, Liquified Natural Gas environmental impact report

Harold Ceja, curb cuts

Pattie Ortiz, opposes housing development at Oxnard Boulevard and Gonzales Road

Charlottie Iverson, financial losses because of parking signs in front of business

Elias Banales, requests permanent sign honoring Officer James O'Brien

Steve Fleischer, progress at Old St. John's site

Barbara Dubkin and Ronald Casada, favor a sports park at Oxnard Boulevard and Gonzales Road

John Korsten, removal of lien on his property

Bob Ridgeway, waiver of fine for handicapped parking ticket

Lawrence Stein, public reporting of recommendations made by citizen committees

Rebecca Ralph, Molina case

Eugenia Hernandez, assistance with housing discrimination issues

Pat Brown, need for more public parks

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council concurred to remove I-4 and I-6 for discussion.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

William Terry favors passage of a "clean money campaign ordinance" (I-1)

Ed Ellis, City needs a public restroom downtown (I-2)

Lawrence Stein, maintenance of alleyways (I-2)

Rebecca Ralph believes Parks Commissioners and coaches should report potential conflicts (I-1)

Antonio Flores and Pat Brown in support of I-2

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Update of Conflict of Interest Standards. (001)

RECOMMENDATION: Adopt **Resolution No. 13,193** repealing the current conflict of interest standards and adopting new conflict of interest standards to reflect changes in authorized classifications.

Community Development Department

2. SUBJECT: Project Specifications for Phase II Improvements to Parking Lots and Alleys, Located Between Fifth Street, Wooley Road, Oxnard Boulevard, and the Railroad Crossing East of Meta Street. (015)

RECOMMENDATION: That City Council: (1) Approve Project Specification No. PW07-14 Downtown Parking Lots, Alleys, and Lighting Phase II for pavement improvements of two parking lots, five sections of alleys, and lighting in the Downtown area between Fifth Street, Wooley Road, Oxnard Boulevard, and the Railroad Crossing East of Meta Street; and (2) Adopt Resolution No. 13,194 consenting to the payment of certain costs related to certain public improvements in the merged Downtown Renewal (R-108) and Central City Revitalization Project Area (CCRP) by the Oxnard Community Development Commission

and making certain determinations and findings pursuant to Health and Safety Code Section 33445 (Project Specification No. PW07-14 Downtown Parking Lots, Alleys, and Lighting Phase II).

5. SUBJECT: Final Map for Tract No. 5441-3 (PZ 07-300-1) for Property Located Northeast of the Cypress Road and Clara Street Intersection Commonly Known as Cypress Neighborhood Park, Filed by Paragon Communities, Inc. (039)CC
RECOMMENDATION: Adopt **Resolution No. 13,195** approving the Final Map for Tract No. 5441-3 (PZ 07-300-1).

Public Works Department

7. SUBJECT: Amendment to Agreement with Harbor Offshore, Inc. (049)
RECOMMENDATION: Approve and authorize the Mayor to execute an amendment to agreement with Harbor Offshore, Inc. (**No. 3234-04-PW**) in the amount not to exceed \$250,000 annually for the purpose of "on call" diving services and debris removal services for the Mandalay Bay Waterways Assessment District, Westport, Community Facilities District (CFD No. 2) and Seabridge (CFD No. 4) waterways communities located between Wooley Road on the north, Victoria Avenue on the east, Channel Islands Boulevard on the south and Harbor Boulevard on the west.
8. SUBJECT: Support for Groundwater Recovery Enhancement and Treatment Program (GREAT), Delegation of Authority to the City Manager to Execute Letters.(055)
RECOMMENDATION: (1) Execute a letter of support requesting inclusion of financial support for the GREAT Program in the Water Resources Development Act; and (2) Authorize the City Manager to execute letters of support to advance legislation favorably benefiting GREAT program activities and which letters are required to be written and mailed under severe time constraints.

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

Development Services Department

4. SUBJECT: First Amendment to Consulting Services Agreement for Construction Management Services for the Downtown Street Tree and Sidewalk Replacement Project. (031)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to Agreement with Douglas E. Barnhart, Inc. (**3385-05-DS**) in the amount of \$529,633, for construction management services for the Downtown Street Tree and Sidewalk Replacement Project for a total of \$2,712,588.
DISCUSSION: The City Council discussed 1) whether the project was originally underbid or are projects being added to original project. 2) If a significant amount of new work is needed, should new bids be opened and give the City Council an opportunity to review the additional significant work. The Development Services Director stated this is for very intensive construction management services, including traffic control and on-street supervision involving 16 phases as well as storm control. The City Council would like more clarity up front with future projects, bidding a reserve amount for estimated additional costs.

ACTION: Approved (Maulhardt/Herrera). Ayes: Flynn, Herrera, Holden, Maulhardt, and Zaragoza.

Housing Department

6. SUBJECT: Appropriation of \$200,000 for Traffic Light on Victoria Avenue at Villa Victoria. (047)

RECOMMENDATION: Approve the appropriation of funds in the amount of \$200,000 from the Housing In-Lieu Fee Fund Balance for the installation of a traffic light on Victoria Avenue at Villa Victoria.

DISCUSSION: The Housing Rehab Program Manager stated that funds are needed for design and construction costs. The City Council questioned why the City is proceeding before the County agrees on jurisdiction. The Public Works Director discussed liability, traffic safety and affordable housing issues; pedestrian safety, and problems regarding storm drain and eucalyptus tree location in conjunction to sidewalks. The City Council believes the City, County and school districts should meet to develop a comprehensive plan with staff then presenting a total picture of issues and costs at a future meeting; or, research a transportation fix.

ACTION: The City Council concurred to remove this item from the agenda.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

The City Manager reported on a decline in Oxnard's crime rate for 2006, continuing a long-term trend in dropping crime rates by approximately 60% since 1992.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council reported on 1) Oxnard participation in a National League of Cities Gang Violence Prevention Conference in Oakland, commending Oxnard's Police Department leadership and officers. 2) a lobbying trip to Washington, D.C. where solid working relationships continue to grow; and 3) safety in the downtown area and declining crime rates overall.

City Clerk Department

1. SUBJECT: Appointments of Councilmembers to Various Boards, Commissions, and Committees. (061)

RECOMMENDATION: (1) That the Mayor, with the approval of the City Council, appoint members and alternates from the City Council to the: a) Association of Water Agencies for Ventura County; b) Base Realignment and Closure 2005 Ventura County Task Force; c) Beach Erosion Authority for Control of Operation & Nourishment; d) Big Independent Cities Excess Pool Joint Powers Authority; e) Economic Development Corporation; f) Intercity Transit (subcommittee of Ventura County Transportation Commission); g) Joint

Oxnard/Ventura Cooperative Committee; h) Joint Oxnard/Ventura Santa Clara Bridge Committee; i) Ormond Beach Property Oversight Ad Hoc Committee; j) Oxnard Convention and Visitors Bureau; k) Oxnard Plain/RiverPark Reclamation and Recharge Joint Powers Authority; l) Performing Arts and Convention Center Corporation; m) Point Mugu Regional Airport Authority; n) Regional Defense Partnership for the 21st Century; o) South Coast Area Transit; p) Southern California Association of Governments; q) Ventura Council of Governments; r) Ventura County Animal Regulation Commission; s) Ventura County Regional Energy Alliance; t) Ventura Regional Sanitation District; u) Ventura County Air Pollution Control District Board; v) Ventura County Local Agency Formation Commission; w) Ventura County Transportation Commission; x) Channel Islands Harbor Task Force; y) City Wide Enhancement Program; z) Downtown Improvement Task Force; aa) Graffiti Task Force; bb) Homeless Plan Working Group; cc) Transportation Policy Committee; and dd) Water Task Force; (2) That the City Council, as a whole, appoint two Councilmembers to the Oxnard Airport Authority and one Councilmember as an alternate; (3) That the City Council create and appoint two Councilmembers to the Fiscal Policy Task Force; and (4) That the City Council create and appoint two Councilmembers to the Neighborhood Conservation Task Force.

ACTION: Mayor Holden, with concurrence of the City Council, announced changes as follows: Citywide Enhancement Program: Herrera will remain, Flynn to discontinue; Downtown Improvement Task Force: Holden will remain, Herrera will replace Maulhardt; Ventura County Regional Energy Alliance: Change Herrera to main representative and Maulhardt to alternate. The City Council appointed Maulhardt and Herrera to the Fiscal Policy Task Force; and appointed Zaragoza and Flynn to the Neighborhood Conservation Task Force. The Base Realignment and Closure 2005 Ventura County Task Force is now the Regional Defense Partnership for the 21st Century.

COMMUNITY DEVELOPMENT COMMISSION

At 9:12 p.m. the concurrent meeting with the Community Development Commission concluded.

O. REPORTS

Housing Department

1. SUBJECT: Rainbow House Recovery Center, 1450 South Rose Avenue.(071)
RECOMMENDATION: Consider a report concerning the Rainbow House Recovery Center and authorize the Housing Director to invite proposals from other agencies that provide services similar to the Rainbow House Recovery Center for occupancy and use of 1450 South Rose Avenue.

DISCUSSION: The Housing Director discussed the vacation of the premises by Rainbow House, options for use of the recovery center, federal and state fund requirements, and staff recommendation to issue request for proposals for a new service provider, which will preserve State and Federal grant funds of \$843,858 or a combination of Options 1 and Option Two: consider alternative use of a shelter for women and women with children, which will require prepayment of HUD grant.

Jose Moreno and Juliana Moreno, Casa de Vida, a State licensed non-profit agency, discussed their 6- to 12-month rehabilitation program, which could include services for men and women.

Pablo Ortiz supports the Casa de Vida for this project.

Lawrence Stein, lack of progress of construction on the Rose Avenue site.

Shirley Godwin and Pat Brown, in favor of a facility serving women and children.

ACTION: Directed the Housing Director to invite proposals from other agencies to include proposals in Options 1 and 2; and return to City Council with recommendation.

Public Works Department

2. **SUBJECT:** Allocation of Funds from Sale of 14 Acres of City Property and Victoria Lakes Course Construction Phase III. (073)

RECOMMENDATION: Remove from agenda.

ACTION: Unanimously approved.

P. **PUBLIC COMMENTS ON REPORTS**

Q. **APPOINTMENT ITEMS**

RECESS

At 9:50 p.m. the City Council took a recess and at 10:00 p.m. the meeting resumed.

R. **STUDY SESSION**

Public Works Department

1. **SUBJECT:** Citywide Park Inventory: Parks Master Plan, Phase Zero. (083)

RECOMMENDATION: Receive and file the Citywide Park Inventory Report, and provide comments and direction to the Public Works Director on developing a comprehensive Citywide Parks Master Plan (Plan).

DISCUSSION: The Public Works Director identified goals and objectives to include guidance on maintenance, rehabilitation and replacement of existing facilities. This first phase will be a detailed parks and open space inventory, followed by an assessment on each park's condition. The Plan will be coordinated with the update to the 2020 General Plan. He broke down existing parks categories based on size, amenities, and population served and summarized current inventory and future additions, totaling 667 acres current and future opportunities. He provided an estimated current facilities assets value and capital reinvestment value. The Public Works Director stated the inventory can be conducted in-house.

Jerome Hopkins would like to see Gateway Park in the Plan to include a visitors' center.

Lawrence Stein, recommendations of Parks & Recreation Commission should be implemented.

Shirley Godwin, Larry Godwin, Nancy Pederson, and Pat Brown request the City acquire Ormond Beach property for a wetlands park.

ACTION: Received report and provided comments: Include estimated cost to accomplish completion of existing projects; what beach-front properties are open spaces vs. parkland, who currently owns, what is useable.

City Manager Department

2. SUBJECT: Time Warner Cable Price and Programming Changes. (085)

RECOMMENDATION: Consider a report concerning Time Warner Cable's price and programming changes and provide direction to the City Manager.

DISCUSSION: The Management Analyst III outlined the City's current role and how new State and Federal law affects the City's ability to regular cable television providers. Patricia Cox, Steve Nabor, of Time Warner Cable, discussed the acquisition of Adelphia and Comcast properties and resultant unprecedented growth, recent tier and channel line-up changes, and newest services to television, telephone, and computer.

Bernadette Ostrowski and Larry Stein, problems with current service.

Gloria Roman requests Spanish simulcast.

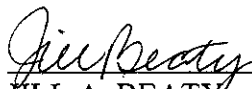
Pat Brown found no changes to her service.

ACTION: The City Council considered the report.

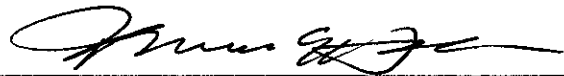
S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:42 p.m. the City Council concurred to adjourn.



JILL A. BEATY
Assistant City Clerk



THOMAS E. HOLDEN
Mayor