

Minutes
OXNARD CITY COUNCIL
Regular Meeting
April 10, 2007

A. ROLL CALL/POSTING OF AGENDA

At 5:32 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 Assistant 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: Ed Sotelo, City Manager; Karen Burnham, Assistant City Manager; Grace Magistrale Hoffman, Deputy City Manager; Gary L. Gillig, City Attorney; and Jill A. Beaty, Assistant City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:33 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 discussed is The Sammis Company, Hagestad Management Co., et al. v. City of Oxnard American Arbitration Association Case No. 72 181 Y 00182 06 SHST.

Based on existing facts and circumstances and on the advice of the City Attorney, the City Council also recessed to a closed session, pursuant to Government Code section 54956.9(c), to decide whether to initiate litigation in one potential case.

At 7:03 p.m. the City Council recessed to the evening session.

D. OPENING CEREMONIES

At 7:03 p.m. the meeting opened with the pledge of allegiance to the flag of the United States, led by students Nia Ferrer, Rose Avenue School, and Angela Francisco, Lemonwood School, followed by a moment of silence. Staff present included: Barbara Murray, Library Director; Trish Honigsberg, Recycling Specialist; Lori Rice, Parks Maintenance Supervisor; and Matt Winegar, Development Services Director.

E. CEREMONIAL CALENDAR

2. SUBJECT: Presentation of a Proclamation Designating the Week of April 15 - 21, 2007, as "Library Week."

DISCUSSION: The Library Director encouraged all residents to use the Library and its resources.

3. SUBJECT: Presentation to City Council of Commemorative Plaque by Lauterbach & Associates.

DISCUSSION: Presented by Steven Geoffrion for Oxnard Housing Authority's new Pleasant Valley Village Housing Complex.

1. SUBJECT: Presentation of Earth Day Celebration, April 14, 2007.

DISCUSSION: The Recycling Specialist commented on the Earth Day festival.

4. SUBJECT: Supervisor John Flynn.

DISCUSSION: The Supervisor discussed a Channel Islands Harbor presentation.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Terry, Nancy Pedersen, LNG hearing, Oxnard certified Coastal Plan eliminate Western Petroleum

Barbara Rosalan, homeless shelter for women and children

John Korsten, property issues re code compliance

Lawrence Stein, tree replacement and response to public records requests

Alfred Velasquez, requests extension of parking program in Fremont South neighborhood and notification of activities at Campus Fields (old Oxnard High School)

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Lawrence Stein and Bert Perello questioned if there has been forgiveness of this tax (I-1) in the last 10 years. The City Attorney explained the amendment is to comply with the statutory ordinance changes adopted by the State legislature, regarding retention of records, statute of limitation extension for collection of taxes, and it modifies duties of successor officer to pay taxes

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Amendments to Transient Occupancy Tax Ordinance Exemptions. (001)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2736** amending portions of Chapter 13 of the City Code, including Sections 13-18, 13-20, 13-46 and 13-47, concerning exemptions from the transient occupancy tax, period for retention of records, duty of successor operator and issuance of tax clearance certificates.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of City Council for March 6 and 13, 2007.(007)
RECOMMENDATION: Approve.

Public Works Department

3. SUBJECT: Assessment for the City's National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program. (019)
RECOMMENDATION: Adopt **Resolution No. 13,214** authorizing an assessment for the City's NPDES Storm Water Management Program for inclusion in the Ventura County Watershed Protection District's Benefit Assessment Program.
4. SUBJECT: Amendment to Agreement with Noble Consultants, Inc.(023)
RECOMMENDATION: Approve and authorize the Mayor to execute an amendment to agreement, (**3020-04-PW**) with Noble Consultants, Inc. in the amount not to exceed \$300,000 annually for the purpose of on call professional engineering services for the inland waterways of 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.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Authorization of Mills Act Agreements. (031)
RECOMMENDATION: Adopt **Resolution No. 13,215** authorizing Mills Act agreements for historical property.
ACTION: Mayor Holden opened the public hearing.
Gary Blum, Chairman, Ventura County Cultural Heritage Board, and Steve Fleischer, in favor
ACTION: Public hearing closed and recommendation approved (Holden/Herrera), Ayes: Holden, Maulhardt, Zaragoza, Flynn, and Herrera.

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

1. SUBJECT: Oxnard Public Library Centennial Celebration and South Oxnard Branch Library Grand Opening.

DISCUSSION: The Library Director invited the community to the grand opening on April 19th and other centennial celebration activities.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council commented on the Lands Commission denial of the application and thanked all those who participated in the liquefied natural gas hearings. This included the City Manager and staff, local residents and business owners. The City Council requested for a follow-up on what this denial means for the future of this project.

The City Council concurred that 1) future budget hearings on the more significant issues be scheduled to allow more time for discussion; and 2) that future reporting on College Park be separated out from the Parks Master Plan.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

Public Works Department

2. SUBJECT: Cellular Sites in City Parks.(051)

RECOMMENDATION: Consider a report and provide direction to the City Manager regarding installation of cell sites in City parks.

DISCUSSION: The Parks Maintenance Supervisor reviewed recommended guidelines for cell sites at City parks. The City Council expressed that they like to have individual requests brought to City Council for discussion.

William Terry, health affects of cell sites on nearby residents.

Mario Mussel, Sprint Nextel, guidelines of the Federal Communications Commission re safety of cell sites can be provided upon request

RECESS

At 8:32 p.m. the City Council concurred to recess and at 8:53 p.m. the meeting resumed.

Development Services Department

1. SUBJECT: Pre-Application Review of a Request for the Redevelopment of the Wagon Wheel Project Area with a Variety of Land Uses to be Located South of the 101 Freeway, West of Oxnard Boulevard, North of the Railroad Tracks, and East of Ventura Road.

Filed by Oxnard Village Investments.(041)

RECOMMENDATION: Review and provide preliminary comments on a pre-application to redevelop approximately 63 acres known as the Wagon Wheel Project Area with a high-density mixed-use development project including up to 1,500 high density residential dwelling units, a mixed use village commercial center, and bus transfer station.

DISCUSSION: The Development Services Director reviewed that this project would require a Development Agreement/Owner Participation Agreement; General Plan Amendment, Zone Change and approval of a Specific Plan; Mobile Home Closure Permit; Planned Development Permit; and Tentative Tract Map. Staff will return to City Council to request authorization to enter into negotiations on a development agreement. The major issue is relocation of the mobile home park and residents. A third tower was added to provide opportunities for relocation of mobile home park residents.

Vince Daly, speaking for the applicant, outlined the changes to the concept since first presenting this proposal to City Council, including negotiating voluntary relocation agreements with mobile home residents, refining the transportation element, and submission of closure impact report. He reviewed the concepts in greater detail including addition of a third tower and modification of another building of 120 units, creating 118 affordable units in Phase I. He concluded requesting direction on giving qualified mobile home park owners priority and for site plan change

Residents of the Owl Mobile Home Park who expressed concern over the closure of the park are: Enedina Rivera, Patti Bailey, Jesus Diaz, Leonardo Heredia, Raul Tellez, Stuart Barley, Jose Luis Luna

Fran Goble and Trisha Manning, in support the plan for existing tenants to be located within the site in the affordable units

Rebecca Barkley, Gary Blum, Karen Martin, Miguel Fernandez wish to see the Wagon Wheel structures preserved as a historical landmark area

Expressing concerns with the project: Jean Joneson, Norma Van Riper, Angela Whitecomb, Bert Perello.

Barbara Macri Ortiz, the developer should first replace the 160 units and then figure the 15 percent to meet the affordable housing requirements.

ACTION: The City Council reviewed the presentation and provided comments on: 1) the relocation of the mobile home park tenants and the importance of addressing their concerns; 2) changes in number and height of the towers; 3) impact on outlying

neighborhoods and on traffic and its joint affects with the nearby RiverPark and old Levitz property projects; 4) opinions over the historic value of the Wagon Wheel structures and 5) the challenges of providing workforce housing is not market rate housing.

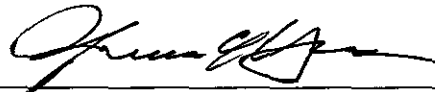
S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

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



JILL A. BEATY
Assistant City Clerk



THOMAS E. HOLDEN
Mayor