

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

March 10, 2009

A. ROLL CALL/POSTING OF AGENDA

At 5:33 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 Michelle Tellez, Human Resources Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:34 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(c) to decide whether to initiate litigation in one potential case.

The City Council also recessed to a closed session, pursuant to Government Code sections 54959 and 54957.6, to give instructions to negotiators, Karen Burnham, Assistant City Manager, and Michelle Tellez, Human Resources Director, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721, the International Association of Firefighters AFL-CIO (IAFF), Local No. 1684, Oxnard Public Safety Management Employees' Association (Police Unit), Oxnard Public Safety Management Employees' Association (Fire Unit), the International Union of Operating Engineers, AFL-CIO (IUOE), Local 501, and the Oxnard Peace Officers' Association (OPOA) and other matters within the scope of representation.

At 7:01 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:04 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission. The meeting opened with the pledge of allegiance to the flag of the United States by baseball players of the Northside Little League, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: Grace Magistrale Hoffman, Deputy City Manager; Mark Norris, Utilities Services Branch Manager; and Phillip Gregoire, Streets Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William "Bill" Terry, wants a community workshop to educate the community of the Ormond Beach Wetlands.

The following individuals requested that the public access be restored: Delilah Garcia; Edgar Mohorko; Meridee Wilson; John R. Hatcher III; Lee Fitzgerald; and Steven Salinas.

Harold Ceja, reduction of business at Wheel Wagon development due to less traffic.

Robert Vera, Sr., concerns regarding illegal immigration.

John Korsten, creating a thrift store and recovery of lost vehicle

Danny Wilborn, being denied a housing voucher.

Nancy Pedersen, Ormond beach clean-up and need for more work in the Ormond beach area.

Pat Brown, against building a school in the Seabridge development area.

David Palmer, exemption of business licenses for veterans honorably discharged.

Trish Munro, wall along Cleveland Drive covered with graffiti and weeds

ITEMS REMOVED FROM AGENDA

The City Manager requested that item L-1 be removed from the agenda. The City Council concurred to continue agenda item L-1.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

William Terry, questioned the property cost (I-7), and street sweeping services (I-8).

Pat Brown, need to help neighborhood residents develop jobs (I-6).

Larry Godwin, questioned the property cost to widen Hueneme Road (I-7).

Shirley Godwin, requested a complete review of street sweeping agreement and services (I-8).

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: First Amendment to Agreement With Genuine Parts Company for the Provision of Tires to the City's Vehicle Fleet. (001)

RECOMMENDATION: Approve and authorize the Mayor to execute the first amendment to the agreement with Genuine Parts Company (A-6801), changing the agreement to enable the vendor to provide tires, in addition to repair parts, to the City's vehicle fleet.

2. SUBJECT: First Amendment to License Agreement With the Boys and Girls Club of Greater Oxnard and Port Hueneme for Use of Portions of Southwest Community Park. (003)

RECOMMENDATION: Approve and authorize the Mayor to sign a first amendment to the license agreement between the City of Oxnard and the Boys and Girls Club of Greater Oxnard and Port Hueneme (A-7043) providing for construction and maintenance of a native plant garden on approximately 900 square feet of Southwest Community Park located at 1500 W. Fifth Street.

City Treasurer Department

3. SUBJECT: Proposed Identity Theft Prevention Program. (007)

RECOMMENDATION: Adopt the proposed Identity Theft Prevention Program.

4. SUBJECT: **Ordinance No. 2804** Amending Sections 2-176(D), 11-1(D), 11-261(C), and 22-42 of the Oxnard City Code Concerning the Collection of License Fees and the Rendering of Bills for Utility Services. (013)

RECOMMENDATION: Second reading and adoption.

5. SUBJECT: **Ordinance No. 2805** Amending Section 10-23 of the Oxnard City Code Concerning the Maximum Amount of Prizes Awarded During Any Single Bingo Game. (015)

RECOMMENDATION: Second reading and adoption.

Community Development Department

6. SUBJECT: Application for State Enterprise Zone (Zone) Designation. (017)

RECOMMENDATION: That City Council: (1) Adopt **Resolution No. 13,607** authorizing the submittal of the City's application for an Enterprise Zone designation to the State of California; (2) Approve the commitment of a staff position to be devoted to Enterprise Zone administration (Zone Manager), and part-time equivalent positions for the functions of Deputy Zone Manager, Vouchering Agent, and support staff; and (3) Approve the proposed Local Incentives to be offered to businesses located within the Zone.

Public Works Department

7. SUBJECT: Hueneme Road Widening Project Right-of-Way Acquisition (029)

RECOMMENDATION: Approve and authorize the Mayor to execute the Right-of-Way purchase agreement in the amount of \$64,200 with, and accept an easement deed, from A & J Oxnard, Limited Liability Company (A-7144) for the property located at the south side Hueneme Road immediately east of Saviers Road.

8. SUBJECT: First Amendment to Agreement for Street Sweeping Services With Venco Power Sweeping, Inc. (043)

RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement with Venco Power Sweeping, Incorporated (A-7030) for street sweeping services to streets recently conveyed and incorporated to the City in the amount of \$6,848.

DISCUSSION: The Streets Manager commented on the observation of sweeping work and tracking of complaints.

The City Council stated there was a need to observe the street sweeping work.

9. SUBJECT: Agreement With California Water Technologies, LLC for Chemical Supply and Delivery of Ferric Chloride to the Wastewater Treatment Plant (WWTP). (047)

RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with California Water Technologies, LLC (A-7142) for an amount not to exceed \$524,000 for chemical supply and delivery of ferric chloride to the WWTP.

Recreation and Community Services Department

10. SUBJECT: Application to the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention's (OJJDP) FY 09 Gang Prevention Coordination & Assistance Program in the Amount of \$200,000. (061)

RECOMMENDATION: (1) Adopt **Resolution No. 13,608** authorizing the City Manager or his designee to submit an application for \$200,000 to the U.S. Department of Justice, OJJDP FY 09 Gang Prevention Coordination & Assistance Program to support the implementation of the Oxnard Alliance for Community Strength's purpose of developing more strategic, coordinated and collaborative efforts among the City, law enforcement agencies, public and private service providers and the general public with the objective of significantly curtailing gang involvement and its negative impact in the City of Oxnard; and (2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (065)
ACTION: Reviewed and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Public Works Department

1. **SUBJECT:** An Ordinance of the City Council of the City of Oxnard Repealing and Adopting Sections 22-218 and 22-226 In Chapter 22, Article XII of the City Code Concerning Reduction of Pollutants In Storm Water and Remedies For Violation. (067)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2806** and proposed changes to the City Code to establish minimum measures for mobile car washes, pressure washing of buildings and sidewalks, and landscape irrigation, and to provide language for administrative fines for violations of Chapter 22, Article XII of the City Code.

DISCUSSION: The City Council questioned the enforcement of the car wash system.

The Utilities Services Branch Manager reviewed the process to collect wastewater, inform the public, and enforce the ordinance.

The following individuals commented on enforcement and the banning of commercial mobile car washes: Lucy Cartagena; Pat Brown; and Shirley Godwin.

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

L. PUBLIC HEARINGSDevelopment Services Department

1. **SUBJECT:** Planning and Zoning Permit No. 09-580-2 (Zone Text Amendment) to Amend the Coastal Energy Facilities Subzone (EC) Text. Filed by City of Oxnard. (075)

RECOMMENDATION: Removed from agenda.

ACTION: Approved, unanimously.

M. REPORT OF CITY MANAGER

The City Manager commented on 1) the draft 2030 General Plan and 2006-2014 Housing Element being available for review and comments; 2) Teen Tech Week at the Library (library resources and available technical help by local teenagers); 3) Public Safety (Edward Byrne Memorial Justice Assistance Program) Police grant with assistance from Congresswoman Lois Capps's office; and 4) update of the Gateway Sign Program.

N. CITY COUNCIL BUSINESS COMMITTEE REPORTS

Councilman MacDonald requested that the "City Keeper program" be presented to the City Council with the City Council concurrence.

Councilwoman Pinkard asked if a meeting would be held between the City and the Oxnard Elementary School Board. The City Manager stated staff was working on setting a date.

COMMUNITY DEVELOPMENT

At 8:22 p.m. the joint meeting with the Community Development Commission concluded.

O. REPORTSCity Attorney Department1. SUBJECT: Update on Halaco Site.

RECOMMENDATION: Receive a verbal report on the Halaco site and provide direction to staff.

DISCUSSION: The City Attorney introduced Wayne Praskins, Project Manager Superfund Program, who commented on: 1) the fencing, 2) health risk, 3) testing plan, 4) public comments, 5) feasible of clean-up plans, 6) community involvement plan, 7) site security, 8) periodic inspections, 9) funding of investigation, and 10) clean-up costs. The City Attorney reviewed City's increased security of the site and the efforts to continue to monitor the site.

The City Council questioned the risk of the site, security of the area, funding, and time schedule to clean the site.

The following individuals expressed several concerns regarding security, health safety, ground water, and sitting water on the property: Gloria Roman; William Terry; Bert Perello; Larry Godwin; and Shirley Godwin.

Carla Casillas, Office of Lois Capps, stated that Congresswoman Lois Capps would apply for any federal funding for superfund clean-up and any other federal funding.

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

City Manager Department2. SUBJECT: Adoption of the Strategic Action Framework for Empowered and Thriving Youth (SAFETY) Blueprint. (091)

RECOMMENDATION: Adopt the SAFETY Blueprint developed by the Oxnard Alliance for Community Strength (formerly known as the Community Action Partnership).

DISCUSSION: The Deputy City Manager reviewed the SAFETY Blueprint as a vision and guiding principles and refine the objectives and strategies. Categories include 1) prevention; 2) Intervention; 3) suppression; and 4) community engagement with 24 objectives and 108 strategies for youth programs and involvement of parents and community.

The following individuals commented on the need to have parent participation in the proposed activities: Luann Rocha; Sandra Jaimes; Monica Ayala; Hortencia Herrera; Rosalba Nuno De La Torre; Carmen Hernandez; Maria Mendez; Patricia Gutierrez; Enrique Torres; and Angelica Guzman.

Barbara Marquez O'Neill commented that the parents are the assets of the community and efforts would be made to work with parents, create learning circles, form youth councils, and have parenting classes.

The City Council commented on the need to have parent involvement

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

P. PUBLIC COMMENTS ON REPORTS

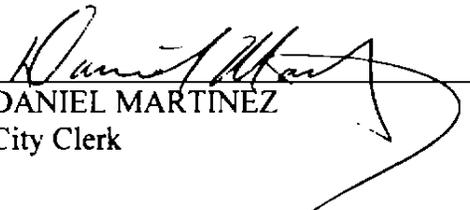
Q. APPOINTMENT ITEMS

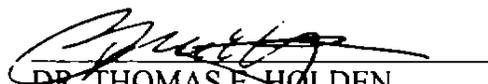
R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:11 p.m. the City Council concurred to adjourn the meeting.


DANIEL MARTINEZ
City Clerk


DR. THOMAS E. HOLDEN
Mayor