

MINUTES

OXNARD CITY COUNCIL Regular Meeting November 17, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. Mayor Pro Tem Andres Herrera was absent. 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; John Crombach, Police Chief; Grace Magistrale Hoffman, Deputy City Manager; Sue Martin, Planning and Environmental Services Manager; Mark Norris, Utilities Services Branch Manager; and Chris Williamson, Senior Planner.

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.

E. CEREMONIAL CALENDAR

1. SUBJECT: Recognition of Wii Tournament Champions.
DISCUSSION: Jocelyn Peterson, Senior Services Supervisor, introduced City staff who introduced three Wii teams that participated in a County tournament with the County champions being the Colonia Senior Center "Hot Tamales" team.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ernest Stein, good Police patrol presence in Lemonwood Neighborhood.

Joe Avelar, the need to cite complaints regarding yard clean-up/car washing requirements and thanked the Council for the Lemonwood Neighborhood clean-up program.

Nancy Pedersen and Rosio Lozano-Knowlton commented on a marine educational program for youth, MERITO Academy.

John Korsten, collecting trash cans by City staff.

Marvin Cayou, root control program when planting trees.

Connie Kornstein and Kay Brainard, Friends of Heritage Square, invited the public to several Christmas events including Taste of the Season at Heritage Square and a Gingerbread House Contest.

Martin Glatt, Seabridge maintenance costs of park and bridges.

Bert Perello, FEMA flood zone map corrections and possible City Attorney direction to file against FEMA if the issue cannot be resolved.

ITEMS REMOVED FROM AGENDA

The City Manger requested I-4 and O-1 be removed from the agenda. The City Council concurred to remove both items from the agenda.

Q. APPOINTMENT ITEMS

Development Services Department

1. SUBJECT: Presentation by Cal Poly Students "The Ormond Beach Wetlands Reserve VISION PLAN: A Community Effort".

RECOMMENDATION: Receive a verbal report by Cal Poly Pomona Landscape Architecture Master students on Ormond Beach wetlands and their proposal for public access, sponsored by the Coastal Conservancy.

DISCUSSION: The Senior Planner introduced Peter Brand, California Coastal Conservancy, who briefly outlined possible investment in the Ormond Beach Wetlands Vision Plan. He introduced Brian Matsumoto, Master of Landscape Architecture Candidate, Cal Poly Pomona, who reviewed the possible solutions to protect the area, developing the wetlands reserve, bike trail along community vision and residents being stalwarts of a wetlands reserve.

The follow individuals supported developing a wetlands reserve at Ormond Beach: Dave Morse; Dan Hultgen; William "Bill" Terry; Trevor Smith, Los Padres Sierra Club; Michael Stubblefield; Pat Brown; and Trish Munro.

ACTION: The City Council received the report and provided comments.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Roger Brooks, thanked the Council and staff for efforts to reach an agreement (I-5).

Pat Brown supported the transportation system improvements and the bicycle and pedestrian facilities master plan (I-2 & I-3).

Bert Perello, importance of notifying the public regarding water quality (I-6). The Utilities Services Branch Manager reviewed water quality and a possible future brine line.

I. INFORMATION/CONSENT AGENDA

City Treasurer Department

1. SUBJECT: Ordinance Regarding Business Licenses and Vendor Permits for Peddlers, Canvassers, and Solicitors. (001)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2820** repealing and readopting section 11-46 of the City Code concerning business licenses and vendor permits for peddlers, canvassers, and solicitors.

City Manager Department

2. SUBJECT: Transportation Development Act (TDA) Local Transportation Fund (LTF) Allocations for Fiscal Year (FY) 2009-10. (007)
RECOMMENDATION: Adopt **Resolution No. 13,747** approving the submittal of a claim with the Ventura County Transportation Commission (VCTC) for allocation of TDA funds as follows: (1) Gold Coast Transit to receive \$4,090,000 of the City's Article 4 LTF allocation for FY 2009-10 to support and develop the public transportation system in Ventura County; (2) The City's transit services program to receive \$500,000 of Article 8c LTF funding for its operations and \$430,000 for its capital program; (3) Ventura Intercity Transit Authority (VISTA) to receive \$85,828 (\$48,634 for the VISTA Highway 101 corridor service, and \$37,194 for the VISTA Conejo Connection service) of the City's Article 4 LTF allocation for FY 2009-10; and (4) Use of \$414,607 from the City's LTF balance to be utilized for streets and roads purposes (Article 8a).

Development Services Department

3. SUBJECT: Special Budget Appropriation for the Santa Clara River Trail Plan and Special Budget Appropriation for the Bicycle and Pedestrian Facilities Master Plan. (011)
RECOMMENDATION: (1) Approve the appropriation of funds in the amount of \$29,775 from the Air Pollution Buy-Down Account (Fund 118), to the Santa Clara River Trail Plan (Project No. 093103); and (2) Approve the appropriation of funds in the amount of \$7,500 from the Air Pollution Buy-Down Account (Fund 118), to the Bicycle and Pedestrian Facilities Master Plan (Project No. 093102).

Human Resources Department

4. SUBJECT: Memorandum of Understanding with the International Association of Fire Fighters, Local 1684, AFL-CIO (IAFF). (015)
RECOMMENDATION: Removed from agenda.
5. SUBJECT: Memorandum of Understanding (MOU) with the International Union of Operating Engineers, Local 501(IUOE). (023)
RECOMMENDATION: (1) Ratify a MOU between the City and the IUOE, commencing October 31, 2009, and expiring on November 23, 2014; (2) Adopt **Resolution No. 13,748** implementing the MOU for the IUOE; and (3) Authorize the City Manager to transfer funds between accounts, in amounts to be determined, to implement the terms and conditions of the MOU.

Public Works Department

6. SUBJECT: Agreement with Harris Water Conditioning Inc. for the City to Provide Wastewater Collection Services. (027)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Harris Water Conditioning Inc. (**A-7236**) for wastewater collection services at 1025 South Rose Avenue.

7. SUBJECT: Blanket Purchase Order with Aqua Metric Sales Company. (033)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute a blanket purchase order with Aqua Metric Sales Company (**B-3480**) in the amount of \$350,000 for the purpose of purchasing water meters and related parts; and (2) Approve the appropriation of funds in the amount of \$350,000 to Account No. 601-6002-843-8104 to cover the cost of the contract from existing revenues.

8. SUBJECT: Amendment Number Three to Implementation Agreement for Countywide Stormwater Program. (039)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute a third amendment to the existing National Pollutant Discharge Elimination System Implementation Agreement Stormwater Regulation Program with the Ventura County Watershed Protection District (VCWPD), which identifies the responsibilities of the City, VCWPD, nine other Ventura County cities, and Ventura County under the Ventura County Municipal Stormwater Permit, and creates a mechanism for the distribution of revenues and the funding for the Principal Permittee activities; and (2) Approve an appropriation of \$242,513 from the Wastewater Collection Operating Fund to the Stormwater Quality Management Program to partially fund Principal Permittee costs under the Ventura County Municipal Stormwater Permit for Fiscal Year 2009-2010.

Recreation and Community Services Department

9. SUBJECT: Senior Service Grant Awards. (043)
RECOMMENDATION: (1) Approve the Senior Services Commission's recommended distribution of \$50,000 in Senior Services Grant Awards to thirteen agencies providing service to seniors; (2) Direct the Senior Services Supervisor to notify recipients of Senior Service Grant Awards; (3) Authorize the Senior Services Supervisor to execute a letter of agreement for each recipient in the format set forth in Attachment 2; and (4) Authorize the Chief Financial Officer to make disbursements in accordance with the letter agreements.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.

(Maulhardt/Holden) Ayes: Maulhardt, Pinkard, MacDonald, and Holden. Absent: Herrera..

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (051)
ACTION: The City Council reviewed and filed the contracts.

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 and Zoning Permit No. 09-550-06 (Major Modification to Special Use Permit No. 02-520-09), El Rodeo Community Center. 451 West Hueneme Road. Filed by Elio Espino. (053)

RECOMMENDATION: Adopt **Resolution No. 13,749** upholding the Planning Commission's decision to approve Planning and Zoning Permit No. 09-550-06 (Major Modification to Special Use Permit No. 02-520-09), subject to the findings and conditions set forth in Planning Commission Resolution No. 2009-37.

DISCUSSION: The Planning and Environmental Services Manager reviewed the history of the site and actions of the Planning Commission to allow one day permit of alcohol sales. Police Officer Wear reviewed the on-site liquor use process and one-day alcohol permits with no rights being placed on property site.

Ed Gurrola requested that 1) liquor not be allowed to be served at the El Rodeo Community Center, 2) the occupancy limit be reduced which would reduce parking requirements, and 3) increase security officer requirements.

Elio Espino and Jim Hensley reviewed the use of the El Rodeo facilities for family events and working with the community to improve the neighborhood.

The following individuals supported allowing the sale of liquor at the El Rodeo Community Center by caterers: Jorge Napoles; Dan Hultgon; Ventura Fernandez; Joel Espino; Joe Espino; Manuel Lopez; Juan Helyoza; Felix Martinez; and Angelica Magana.

The following individuals opposed allowing the sale of liquor at the El Rodeo Community Center: William "Bill" Terry; Camille Rodriguez de Gurrola; Harold Ceja; Shirley Godwin; Cecile Gurrola Faulconer; Pat Brown, and Elaine Gurrola.

The Councilmembers commented on: possible alcohol sales by food caterers, types of site restrictions including parking restrictions, and the history of the site over the last five years.

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

M. REPORT OF CITY MANAGER

The City Manager reported that the Main Library would host a Ronald McDonald Booktime Library Show on November 24; and the Community Development Commission Financing Bond was in last phase of construction with improvement to streets, alleys and gutters in the areas of Rose Park, Ormond Beach, Southwinds and Saviers Road.

N. CITY COUNCIL/COMMISSION BUSINESS COMMITTEE REPORTS

Councilmember MacDonald commented on FEMA floodplain map discussions with FEMA officials. The Assistant City Manager stated Washington D.C. representatives would be sending a letter to FEMA officials supporting the position of the City.

O. REPORTS

City Manager Department

1. SUBJECT: Citywide Gang Prevention Efforts. (083)
RECOMMENDATION: Removed from the agenda.
ACTION: The Council concurred to remove this item from the agenda.

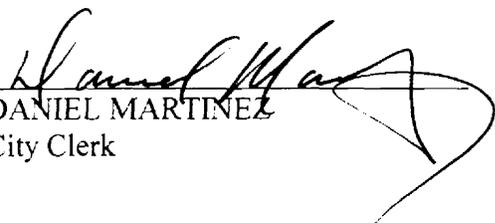
P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:21 p.m. the City Council concurred to adjourn the meeting.



DANIEL MARTINEZ
City Clerk



DR. THOMAS E. HOLDEN
Mayor