

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 7, 2009

A. ROLL CALL/POSTING OF AGENDA

At 6:01 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; Alan Holmberg, City Attorney; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; and Anthony Emmert, Water Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 6:03 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(a) to confer with its attorneys. The titles and case numbers of the litigation being discussed are Lazos/Barrera Sr., et al. v. City of Oxnard, et al., United States District Court Case No. CV08-02987 RGK (SHx) and Thomas Barrera, et al. v. City of Oxnard, et al., United States District Court Case No. CV08-05153R(JCx).

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(a) to confer with its attorneys. The titles and case numbers of the litigation being discussed were City of Banning, et al. v. James Jones Company, et al. Los Angeles Superior Court Case No. BC321513; and Armenta, et al. v. James Jones Company, et al., Los Angeles Superior Court Case No. BC1734

At 7:12 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:16 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission and Housing Authority. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: Karen Burnham, Assistant City Manager; Rob Roshanian, Development Services Manager; Michael Henderson, General Services Manager; Beth Vo, Finance Budget Manager; Michael More, Financial Services Manager; and Gil Ramirez, Recreation Superintendent.

E. CEREMONIAL CALENDAR

1. SUBJECT: Recreation Month

DISCUSSION: Park and Recreation Commissioners Gloria Postel, Paul Lemos, Bedford Pinkard, Edgar Leroy Cobb and John Barber commented on some of the many summer recreation activities and thanked the City Council for their strong support in community recreation.

2. SUBJECT: Southern California Association of Governments Award.
DISCUSSION: The City Manager presented the City Council the Compass Blueprint Excellence Award (Visionary Planning for Livability) for the planned Village development at the former Wagon Wheel site.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William "Bill" Terry, in support of effective (federal) health care reform.

Davis Preston, Senior Services Commission, invited the public to Sunday's Ed Hunt's Rehab Point Project annual picnic celebration.

John Korsten, helping disabled veterans, swap meet at Ventura County fairgrounds, hazardous materials use on school playgrounds, and return of a confiscated vehicle.

Armando Vazquez, The Grow Green Oxnard Energy Audit Team program,

Edgar Mohorko, next Clerical Council meeting to discuss mentors, training, high-risk youth programs and other community activities.

Marvin Boos, success of the Up-Lift Clean-up Program and problems getting a municipal phone number.

Pat Brown, recently repaired streets surfaces along Wooley Road in poor condition.

The following individuals commented on the need to repave Morris Street: Jorge Napoles; Arturo Zauela; and Daniel Alejandro.

Shirley Godwin, recent award of \$20 million for the GREAT Program and supports creation of Ormond Beach.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for May 12, and June 2, 9, 16, and 23, 2009; Minutes of the Special Meetings of the City Council for May 12, and June 18, 2009. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Harbor Beaches Dial-A-Ride (HBDAR) Transit Service. (043)
RECOMMENDATION: Authorize the City Manager to execute an amendment continuing the HBDAR transit service for the HBDAR operator (Ventura County Shuttle, Inc.) (A-5806).

Development Services Department

3. SUBJECT: Amendment to Agreement with WorleyParsons Komex for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (047)
RECOMMENDATION: Approve and authorize the Mayor to execute the second amendment to the agreement with WorleyParsons Komex (A-6920) in the amount of \$564,400 (total agreement of \$600,345) for remediation of contamination at the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.

Finance Department

4. SUBJECT: Structured Payment Program for Development Fees for Construction of Homewood Suites. (053)
RECOMMENDATION: Removed from agenda.
DISCUSSION: City Councilmembers provided comments to staff.

Police Department

5. SUBJECT: Police Department Fence Project - Public Safety Building. (061)
RECOMMENDATION: Adopt Project Specification No. PD 06-24 at a cost of approximately \$127,000 for the Police Department Fence Project for the Public Safety Building located at 251 South C Street.
6. SUBJECT: First Amendment to Computer Aided Dispatch and Records Management System (CAD/RMS) Agreement for Maintenance Services. (069)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to Agreement for Maintenance Services for a one year extension to the agreement for hardware and software maintenance services for the CAD/RMS with Northrop Grumman Information Technology, Inc. (A-6696) in the amount of \$175,052.

Public Works Department

7. SUBJECT: Non-Scheduled (Emergency) Repairs to Storm Drains, Sewers and Appurtenances. (075)
RECOMMENDATION: Approve Project Specification PW09-12 for non-scheduled (emergency) repairs to storm drains, sewers and appurtenances located throughout the City.

INFORMATION/CONSENT AGENDA ACTION: Approve as recommended with item I-4 removed from the agenda. (Pinkard/Herrera) Ayes: Herrera, Maulhardt, Pinkard, MacDonald, and Holden.

- J. TRANSMITTAL OF INFORMATION ONLY ITEMS
- 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.

City Manager Department

1. **SUBJECT:** Presentation and Adoption of the Fiscal Year (FY) 2009-2010 City, Community Development Commission (CDC), and Housing Authority Operating and Capital Improvement Budgets. (079)

RECOMMENDATION: (1) Conduct a public hearing on the FY 2009-2010 Operating and Capital Improvement Budgets for the City, CDC, Housing Authority; (2) At the conclusion of the public hearing, at the discretion of City Council, adopt: (a) **Resolution No. 13,725** approving the City Operating and Capital Improvement Budgets for FY 2009-2010; (b) **Resolution No. 13,726** authorizing full-time equivalent positions in the City effective July 1, 2009; (c) **Resolution No. 13,727** authorizing the Classification and Salary Schedule effective July 1, 2009; and (d) **Resolution No. 13,728** establishing FY 2009-2010 Financial Management Policies.

DISCUSSION: The Chief Financial Officer, Finance Budget Manager, and Financial Services Manager reviewed the proposed budget including projected property tax short-falls and budget-tightening measures.

Shirley Godwin questioned the placement of Measure O funds in the budget.

The City Council discussed: difficult future budgets, no employee layoffs, tightening of the municipal budget, impact from the State budget, City employees' efforts, Measure O options, and the efforts of budget reduction without reduction in services.

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

M. REPORT OF CITY MANAGER

The City Manager commented on: 1) the upcoming FEMA flood plain meetings; 2) Ed Hunt's Rehab Point Project annual picnic celebration, July 12; and 3) Oxnard's local PAL program hosting of a Statewide PAL Boxing event this weekend.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTSCOMMUNITY DEVELOPMENT AND HOUSING AUTHORITY

At 8:45 p.m., the concurrent meetings with the Community Development Commission and Housing Authority concluded.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONCity Manager Department

1. **SUBJECT:** Planning for Future Park Development. (175)
RECOMMENDATION: Provide direction to staff regarding planning for future park development.

DISCUSSION: The General Services Manager reviewed possible options for five park sites (College Park, Campus Park, Sport Park, East Village Park, and Southwest Community Park) including possible park amenities, estimated construction costs and annual maintenance costs. The Recreation Superintendent reviewed recreation facility use (soccer use compared to baseball use).

At 9:15 p.m., Mayor Holden and Councilman MacDonald left the meeting due to possible conflicts of interest (Campus Park) and Mayor Pro Tem Herrera presided. At 9:29 p.m. Mayor Holden and Councilman MacDonald returned to the meeting and Mayor Holden presided.

At 9:38 p.m., Councilmember Maulhardt left the meeting due to a possible conflict of interest (East Village Park) and at 9:41 p.m., he returned to the meeting.

Shirley Godwin opposes Big League Dreams being at College Park.

Pat Brown, coordinate the recreation construction costs to reduce costs, using recreational backboards for art murals, and need for benches if a track is built at Campus Park.

Larry Godwin questioned the use of artificial soccer field at College Park and the estimated construction costs for drainage.

The City Council discussed: possible use of "Measure O" funding, review of public use of recreational facilities, use and coordination of school facilities, construction costs, examination of costs of other similar recreational facilities and future options including having alternative phases of park facilities.

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

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:29 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

ANDRES HERRERA
Mayor Pro Tem

MINUTES

OXNARD CITY COUNCIL
Regular Meeting
July 14, 2009

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD CITY COUNCIL Regular Meeting July 21, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:05 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission, Housing Authority, and Financing Authority. Councilmembers Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. Mayor Thomas E. Holden was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Herrera 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; James Cameron, Chief Financial Officer; Michael More, Financial Services Manager; and Maureen Hooper, Redevelopment Project Manager.

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: Presentation by United Way of Ventura County to the City of Oxnard.
DISCUSSION: Eve Liebman, Campaign Division Director, thanked the City employees who donated to the United Way Campaign.
2. SUBJECT: Presentation of the 2009 Ventura County Fair Poster.
DISCUSSION: Leslie Cornejo, Director, 31st District Agricultural Association, invited the public to the Ventura County Fair, Aug 5 – 16.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals commented on the neighborhood garden located at corner of Gonzales Road and Gallatin Place: William Terry; and E. Gloria Roman.

Ernest Stein, opposed a federal lawsuit against a local police officer and the State's possible raid of local funds to balance the State budget.

Larry Stein, placement of a fire station at College Park, not receiving answers to questions from staff, traffic circulation at Highway 101 and Rice Avenue, and the importance of having the harbor overlay included in the 2030 Plan.

Yolanda Anguiano, concern with the funding of local schools and the community helping with time and donations.

John Korsten, helping military veterans, missing vehicles stored by the Police, and the loss of personal property from his residence.

Bill Winter, installing a legal U-turn at Oxnard Boulevard and Orchard Street to improve traffic circulation.

Ignacia de la Cerda, need to fully repair Morris Street for the elderly and impaired pedestrians. The City Manager stated staff was aware of the issue and were investigating possible funding.

Pat Brown, need to advertise wonderful concerts at PAC and new sign at PAC. Mayor Pro Tem Herrera stated that organizations rent the facility and are responsible for advertising of their event.

Bert Perello, evacuation plan of the FEMA flood plan, local school funding, and development of a good traffic circulation plan.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Councilman MacDonald questioned the financial position the City may be placed in and proposed waiving of transportation fees (I-5).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Ed Ellis questioned the requirements addressing the term "dance" (I-2).

Bert Perello questioned: the term "dance" (I-2); bond for a waiver of development fees (I-3); and establishing a master bond required of designated City employees (I-5).

I. INFORMATION/CONSENT AGENDA

City Treasurer Department

1. **SUBJECT:** Quarterly Investment Report for the Fourth Quarter Fiscal Year (FY) 2008-2009. (001)
RECOMMENDATION: Accept the quarterly Investment Report for the Fourth Quarter FY 2008-2009.
2. **SUBJECT:** Ordinance Regulating Massage Professionals and Massage Businesses or Establishments. (007)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2811** amending sections 11-140 and 11-141, the title of section 11-143, sections 11-143, 11-154, and 11-157 of the Oxnard City Code (OCC) and repealing and readopting Article IX of Chapter 11 of the OCC regarding massage professionals and massage businesses or establishments.

Finance Department

3. SUBJECT: Structured Payment Program for Development Fees for Construction of Homewood Suites. (023)
RECOMMENDATION: (1) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2812** allowing a down payment of \$100,000 and payment in monthly installments of the remaining \$389,684 in development fees imposed upon Homewood Suites for construction of an approximately 129 room, four-story hotel at 1950 Solar Drive; and (2) Approve and authorize the Mayor to execute an Agreement to Pay Deferred Development Fees between the City and Homewood Suites (**A-7167**), requiring Homewood Suites to pay interest on and provide trust deed security for payment of the deferred fees and to pay the deferred fees in installments no later than five years from the date of obtaining a building permit to construct the building.*
4. SUBJECT: Resolution Establishing an Appropriation Limit for Fiscal Year (FY) 2009-2010. (031)
RECOMMENDATION: Adopt **Resolution No. 13,730** establishing an appropriation limit for FY 2009-2010.
5. SUBJECT: Master Surety Bond. (035)
RECOMMENDATION: Adopt **Resolution No. 13,731** establishing a master bond required of specified City employees.

Housing Department

6. SUBJECT: Designation of Many Mansions as a Community Housing Development Organization (CHDO). (039)
RECOMMENDATION: Certify Many Mansions as a CHDO under the guidelines of the U.S. Department of Housing and Urban Development's Housing Opportunity Management and Education Investment Partnership Program.

Public Works Department

8. SUBJECT: Agreement with Kennedy/Jenks Consultants for Recycled Water Master Plan Phase 2. (047)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with Kennedy/Jenks Consultants (**A-7198**) in the amount of \$347,000 for the development and preparation of the Recycled Water Master Plan Phase 2A; and (2) Approve a special budget appropriation transferring \$347,000 from the Water Operating Fund (2006 Water Bond) to the Recycled Water Master Plan Project No. 106001.
9. SUBJECT: Wastewater Treatment Plant Yard Resurfacing Project. (051)
RECOMMENDATION: Approve Project Specification No. PW09-17 for pavement resurfacing and striping at the Oxnard Wastewater Treatment Plant located at 6001 Perkins Road and authorize staff to solicit bids for the project.

10. SUBJECT: First Amendment to Agreement for Professional Services with Black and Veatch Corporation for the Final Design of the Recycled Water Backbone System. (055)
RECOMMENDATION: (1) Approve and authorize the Mayor to execute the first amendment to the agreement with Black and Veatch Corporation (A-7134) to increase the amount by \$131,494 for a total of \$1,550,830 for the final design, bid phase and post design services for Phase 1 of the Recycled Water Backbone System; and (2) Approve the appropriation of funds in the amount of \$131,494 from the Blending Station #3 Desalter Project No. 066011 to the Recycled Water Backbone System Phase 1 Project No. 096002 for the final design, bid phase and post design services for Phase 1 of the Recycled Water Backbone System.
11. SUBJECT: PW 07-21 Advanced Water Purification Facility (AWPF). (065)
RECOMMENDATION: Approve Project Specification No. PW 07-21 for the construction of the AWPF, located at 5700 South Perkins Road, and authorize staff to solicit bids for the project.
12. SUBJECT: First Amendment to Agreement with JCI Jones Chemicals for Chemical Supply and Delivery of Sodium Hypochlorite and Sodium Hydroxide to the Water Campus. (069)
RECOMMENDATION: Approve and authorize the Mayor to execute the first amendment to the agreement with JCI Jones Chemicals (A-7092) to increase the amount by \$332,564 for a total of \$665,128 for chemical supply and delivery of Sodium Hypochlorite and Sodium Hydroxide, and extend the contract expiration date to August 31, 2010.

Recreation and Community Services Department

13. SUBJECT: Recognize Grant Funds for the Retired and Senior Volunteer Program (RSVP), Fiscal Year 2009-2010. (071)
RECOMMENDATION: (1) Recognize Grant Funding from the Corporation for National and Community Service in the amount of \$53,127 and appropriate a city match in the amount of \$106,492 for the RSVP; and (2) Authorize the City Manager or designee to execute grant agreements; and (3) Authorize the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds.

INFORMATION/CONSENT AGENDA ACTION: Approve as recommended. (Pinkard/Maulhardt) Ayes: Maulhardt, Pinkard, MacDonald and Herrera. Absent: Holden. Noes: MacDonald I-3 only.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (075)
ACTION: Received and filed.

HOUSING AUTHORITY

At 7:50 p.m. the concurrent meeting with Housing Authority concluded.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Pro Tem Herrera declared the public hearing open.

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

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 09-300-03 (Tentative Subdivision Map for Condominium Purposes for Tract No. 5852), for 2831-2861 North Ventura Road. Filed by Martin Teitelbaum, RiverPark Gateway, Ltd. (077)
RECOMMENDATION: Adopt **Resolution No. 13,732** approving Planning and Zoning Permit No. 09-300-03 (Tentative Subdivision Map for Condominium Purposes for Tract No. 5852), subject to certain findings and conditions.
DISCUSSION: Bert Perello questioned the status of the RiverPark street drain at Stroube Street.
ACTION: Close the public hearing. (MacDonald/Maulhardt) Approve as recommended. (MacDonald/Pinkard) Ayes: Pinkard, MacDonald, Herrera, and Maulhardt. Absent: Holden.

L. PUBLIC HEARINGS

Mayor Pro Tem Herrera opened the public hearing. The City Clerk reported on publication and that there were two written communications received questioning financial decisions of the Council.

Finance Department

1. SUBJECT: City of Oxnard Financing Authority Bond Anticipation Notes (BANs), Series 2009. (097)
RECOMMENDATION: (1) Adopt **Resolution No. 13,729** authorizing the sale, issuance, and delivery of not more than \$21 million in principal amount of BANs, Series 2009, and approving certain documents and authorizing certain actions in connection therewith; (2) Approve a special budget appropriation in the amount of \$20 million from proceeds of the BANs to purchase the Property; and (3) Authorize the City Manager to appropriate funds to pay for costs of issuance associated with the BANs.
DISCUSSION: The Chief Financial Officer and Financial Services Manager reviewed past transactions regarding property, financial options and changes to "financial terms".

The following individuals questioned the proposed financial transactions: William Terry; Larry Stein; Ed Ellis; Bert Perello and E. Gloria Roman.

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

FINANCING AUTHORITY

At 8:19 p.m. the concurrent meeting with the Financing Authority concluded.

M. REPORT OF CITY MANAGER

The City Manager commented on: 1) showing of a movie at Oxnard PAL site, 2) 2009/10 funding of Community Development Downtown HERO Façade, 3) debt classes at the Main Library, 4) water workshop to conserve water resources at homes and businesses at the Water Division facility.

N. CITY COUNCIL BUSINESS COMMITTEE REPORTS

The City Council commented on: FEMA flood plain meetings and a successful Ed Hunt Rehab. Point event.

O. REPORTS**City Manager Department**

1. **SUBJECT:** Donation of Used, Unserviceable City Vehicles to Oxnard College. (113)
RECOMMENDATION: Continue to July 28, 2009.
ACTION: Approve unanimously.

RECESS

At 8:24 p.m., the City Council recessed while the Community Development Commission held a meeting and at 8:41 p.m., the City Council reconvened.

COMMUNITY DEVELOPMENT

At 8:41 p.m., the joint meeting with the Community Development Commission concluded.

P. PUBLIC COMMENTS ON REPORTS**Q. APPOINTMENT ITEMS****R. STUDY SESSION****S. PUBLIC COMMENTS ON STUDY SESSION****T. ADJOURNMENT**

At 8:41 p.m., the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

ANDRES HERREA
Mayor Pro Tem

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
July 28, 2009

A. ROLL CALL/POSTING OF AGENDA

At 6:02 p.m. the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene Pinkard, and Bryan MacDonald were present. Staff members included: Daniel Martinez, City Clerk; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; and Grace Magistrale Hoffman, Deputy City Manager. Mayor Holden presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 7:00 p.m. the City Council reconvened and recessed to the evening meeting.

D. OPENING CEREMONIES

At 7:08 p.m. the regular meeting of the City Council, concurrently with the Community Development Commission, Housing Authority, and Industrial Development Financing Authority, opened with the pledge of allegiance to the flag of the United States of America, led by Councilmember Maulhardt, followed by a moment of silence in memory of Dave Donlon, long time farmer and Oxnard resident. Mayor Holden presided. Additional staff members present included Matt Winegar, Development Services Director; Jim Cameron, Chief Financial Officer; Efren Gorre, Youth Development Manager; Dan Berlenbach, Fleet Services Manager; Mark Norris, Assistant Public Works Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to ARC of Ventura County.
DISCUSSION: Fred Robinson, Gene West, Carolyn Whalen, and Jim White, from ARC, received the commendation and discussed their new location.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Harold Ceja opposes the Peaker Plant.

William Bill Terry, upcoming meeting on health care reform and Ormond Beach.

John Korsten, personal code compliance matters.

Ed Ellis, former Halaco site cleanup and slow progress

Priscilla Cisneros, Cabrillo EDC, Tomas Hernandez, Mike Shuman, Victor Aguilar, and Canek Vargas on the activities of Arts for Action and its influence on youth, specifically the latest mural production on Hueneme Road; to be celebrated on Aug 16 at Arroyo Community Center.

Armondo Vasquez, seeks community support at art exhibit opening July 31 for "Michael."

Burt Perello, July 20 FEMA meeting, deadlines for comment and lack of information.

Lawrence Stein, seeks clarification on 2030 Master Plan re Harbor overlay precluding parks use and development of aquatic center.

Pat Brown, questions deterioration of streets at various locations.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Council discussed I-7 and additional financing. They requested a report from staff to explain the details and whether the item needs must be considered tonight. Nicole Norori, Project Manager with Cabrillo, explained the timing issues related to obtaining tax credit grants, potential additional sources of funding, and other shortfalls due to current market conditions.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Bert Perello re I-5 believes developer should have to put up a bond to guarantee the development of the project. The Chief Executive Officer responded the applicant has put up a down payment, a bond, and a deed of trust on the property.

Lawrence Stein, sources of funding on I-13, and I-17 fund disbursement should be explained for the public.

William Terry, undergrounding utility wires at Saviers Road and Pleasant Valley would enhance the area.

Jonathan Ziv re I-16 wants the City to fluoridate groundwater.

I. INFORMATION/CONSENT AGENDA

City Treasurer Department

2. **SUBJECT: Ordinance No. 2811** Amending Sections 11-140 and 11-141, the Title of Section 11-143, Sections 11-143, 11-154, and 11-157 of the Oxnard City Code and Repealing and Readopting Article IX of Chapter 11 of the Oxnard City Code Concerning the Regulation of Massage Professionals and Massage Businesses or Establishments. (003)
RECOMMENDATION: Second reading and adoption.

Community Development Department

3. SUBJECT: Affordable Housing Loan Agreement with Habitat for Humanity of Ventura County (Habitat for Humanity). (017)
RECOMMENDATION: (1) Approve and authorize the Chairman to execute an Affordable Housing Loan Agreement with Habitat for Humanity (**A-7202**) in the amount of \$300,000 to provide a loan for the purchase of property at 5208 Cypress Road for the development of affordable housing; and (2) Approve the appropriation of funds in the amount of \$300,000 from the Housing Set-Aside Fund balance to, "CDC Loan/5208 Cypress Road," from which a loan will be provided to Habitat for Humanity.

Development Services Department

4. SUBJECT: Planning and Zoning Permit No. 09-300-03 (Final Map for Condominium Purposes for Tract No. 5852), for 2831-2861 North Ventura Road. Filed by Martin Teitelbaum, RiverPark Gateway, Ltd. (021)
RECOMMENDATION: Adopt **Resolution No. 13,733** approving Planning and Zoning Permit No. 09-300-03 (Final Map for Condominium Purposes for Tract No. 5852), to subdivide four community ownership building/lots (Lots 1, 2, 3, & 4 of Tract 5852) located at 2831-2861 North Ventura Road, within the RiverPark Specific Plan.

Finance Department

5. SUBJECT: **Ordinance No. 2812** Concerning the Deferral of Payment of Development Fees for Homewood Suites. (033)
RECOMMENDATION: Second reading and adoption.

Housing Department

7. SUBJECT: Amended and Restated Affordable Housing and Loan Agreement with Cabrillo Economic Development Corporation (CEDC) for an Increase of \$323,840 in the Loan Amount for a Total Loan of \$1,623,840. (037)
RECOMMENDATION: Remove from agenda.*
8. SUBJECT: Authorization to Award and Execute Contract for the Direct Administration of the Homeless Prevention and Rapid Re-Housing Program (HPRP) Stimulus Funds. (039)
RECOMMENDATION: Approve and authorize the City Manager to execute an agreement in the amount of \$1,096,869.15 with the Ventura County Human Services Agency (**4864-09-HO**) to administer the HPRP stimulus money awarded to the City under the American Recovery and Reinvestment Act.

Police Department

10. SUBJECT: Ordinance Regulating Private Security Officer Uniforms. (061)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2813** adding sections 7-260 through 7-262 to the Oxnard City Code regulating private patrol officers, proprietary private security officers, and security officer uniform apparel.

11. SUBJECT: Recognize State Grant Award and Appropriate Funds for the DUI Enforcement and Awareness Program. (065)
RECOMMENDATION: Adopt **Resolution No. 13,734**: (1) Authorizing the City Manager or designee to submit an application for \$350,806 to the State of California, Office of Traffic Safety (OTS); (2) Recognizing grant revenue in the amount of \$350,806 from the OTS; (3) Authorizing the City Manager or designee to execute grant agreements; (4) Authorizing the Chief Financial Officer or designee to submit financial reports and grants claims and approve special budget appropriation for the use of grant funds; and (5) Authorizing the Chief of Police or designee to submit non-financial reports.
12. SUBJECT: AVOID the 14 DUI Grant Memoranda of Understanding (MOU). (069)
RECOMMENDATION: Authorize the City Manager or his designee to execute MOUs between the cities, and agencies specified in the attached AVOID the 14 DUI Grant Agreement in an amount not to exceed \$100,000 per city or agency, with the total of all MOUs not to exceed \$559,104.

Public Works Department

13. SUBJECT: PW06-17 Saviers Road Improvement Project, Located in the Historic Enhancement and Revitalization Project Area (HERO) and Southwinds Project. (083)
RECOMMENDATION: (1) Approve Project Specification No. PW06-17 for pavement resurfacing, traffic modifications and water main improvements along Saviers Road between Wooley Road and Hueneme Road and authorize staff to solicit bids for the project; and (2) Approve a special budget appropriation to transfer and appropriate funds in the amount of \$6,729,019 to the Saviers Road Improvement Project No. 10XXX from the following: (a) transfer \$4,715,876 from HERO Street Projects Project No. 078701 Account No. 405-8751-826-8605; (b) transfer \$1,633,143 from Cast Iron Pipe Replacement Project No. 026001 Account No. 601-6510-821-8605; (c) transfer \$80,000 from Saviers Road Median Improvement Project No. 023106 Account No. 354-9924-826-8604; (d) transfer \$45,000 from Utility Undergrounding - Various Locations Project No. 083109 Account No. 358-3031-826-8605; and (e) appropriate \$255,000 in interest earnings from the CDC Southwinds Area Bonds.
14. SUBJECT: PW06-16 Gonzales Road Arterial Resurfacing Project. (089)
RECOMMENDATION: Approve Project Specification No. PW06-16 for pavement resurfacing on Gonzales Road between Oxnard Boulevard and Rice Avenue and authorize staff to solicit bids for the project.
15. SUBJECT: PW07-04 Ventura Road Arterial Resurfacing Project Phase I. (093)
RECOMMENDATION: Approve Project Specification No. PW07-04 for pavement resurfacing along Ventura Road between Gonzales Road and Vineyard Avenue and authorize staff to solicit bids for the project.
16. SUBJECT: Construction of Chemical Building No. 3 Project. (097)
RECOMMENDATION: (1) Approve Project Specification No. PW08-10 for the construction of Chemical Building No. 3 at Blending Station No. 1, located at the City's Water Campus on 251 South Hayes Avenue, and authorize staff to solicit bids for the

project; and (2) Approve a special budget appropriation of \$1,493,375 transferring from the Blending Station #3 Desalter Project No. 066011 to the Chemical Building No. 3 – Groundwater Recovery Enhancement and Treatment Program Project No. 086503 for the construction of Chemical Building No. 3.

17. SUBJECT: Recognize Revenue and Appropriate Funds for Bicycle Path Maintenance. (103)
RECOMMENDATION: Recognize and appropriate funds in the amount of \$25,259 to the Bike Path at Various Locations Project No. 103103.
18. SUBJECT: Appropriation of Interest Earnings for Projects at the Wastewater Treatment Plant Headworks Facility. (105)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$198,782 in interest earnings from the Wastewater Revenue Bonds Series 2004 A; \$73,241 in interest earnings from the Wastewater Revenue Bonds 2004 Series B; and \$180,898 in interest earnings from the Wastewater Revenue Bonds Series 2006 to the Wastewater Treatment Plant Headworks Project.

INFORMATION/CONSENT AGENDA ACTION: Approved (Maulhardt/Herrera) with removal of I-7 from the agenda. Ayes: Holden, Herrera, Maulhardt, Pinkard, and MacDonald.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Reports for the Period Ending June 30, 2009. (109)
DISCUSSION: Lawrence Stein questioned revised budget versus original budget. The Mayor explained how the budget is reviewed and adjusted during budget hearings and again in recent updates.

HOUSING AUTHORITY

At 8:20 p.m. the concurrent meeting with the Housing Authority concluded.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: The Mayor opened the public hearing.

Development Services

1. SUBJECT: Major Modification to PZ 06-570-09, Amending Part 2 of Ordinance No. 2790, for Property Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Tucker Investment Group/Courtyard at Mandalay Bay, LLC. (119)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2814** to extend the existing commercial non-conforming uses for a period up to fifteen years from the date of said ordinance.

Bert Perello expressed concern with the length of the extension because of the potential for the aesthetic appearance to become run down.

ACTION: Public hearing closed (Holden/Maulhardt). Approved (Herrera/MacDonald);
Ayes: Maulhardt, Pinkard, MacDonald, Holden, and Herrera.

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

Recreation and Community Services Department

1. SUBJECT: Update of City Corps Town Keeper Program.
RECOMMENDATION: Receive verbal report.
DISCUSSION: The Youth Development Manager discussed the Program, an extension of City Corps, that focuses on the transformation of young people facing challenges of development to net contributing citizens of the community. It teaches them about young peoples historically taking care of and protecting their towns, sets high standards through a vigorous work schedule covering such projects as monitoring and cleanout of storm drain channels, assisting with graffiti removal, and neighborhood detailing. It includes youth who must perform community service but gives them realistic goals, sets standards, and rates them to send them away with tools they can use throughout their lives.

The City Council spoke highly of the Program and the difference the young people make in the community.

ACTION: The City Council received the report.

CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Development Services Department

1. SUBJECT: Adoption of the City of Oxnard Cultural Master Plan. (125)
RECOMMENDATION: (1) Adopt by **Resolution No. 13,735** the Cultural Master Plan; (2) Adopt **Resolution No. 13,736** amending the Art in Public Places resolution pertaining to the Public Art Fund; and (3) Direct staff to return to Council a recommendation regarding creating or appointing a Cultural Arts Coordinator position.
DISCUSSION: The Mayor Pro Tem discussed the efforts of the Steering Committee to develop a Cultural Master Plan (Plan), and he acknowledged the participating entities. The Development Services Director introduced Patrick Ela, Comprehensive Arts Services and facilitator of the Steering Committee, who highlighted 1) the Committee's goals in developing the Plan, including development of a needs assessment of arts organizations, artists, community-based organizations, educators, and community members, 2) the guiding principles, that it would cover all the visual arts, dance, theater, with 3) a broad mandate for enhancing the quality of life for citizens of Oxnard through the arts. He touched on financing and implementation, plan components, and sources of potential funding.

Carmen Ramirez, on behalf of Margaret Cortese, requested continuance to allow the Steering Committee more time to review and comment on the Plan.

Steve Kinney, Steering Committee member, expressed his view that the Committee was ready for action on the Master Plan.

ACTION: Approved (Herrera/Maulhardt); Ayes: Pinkard, MacDonald, Holden, Herrera, and Maulhardt.

2. Council commented on the success of the Salsa Festival and acknowledged the efforts of the City Corps and the Arts for Action mural by young people and the skills learned by them in bringing the mural to fruition.

COMMUNITY DEVELOPMENT COMMISSION/INDUSTRIAL DEVELOPMENT
FINANCING AUTHORITY

At 9:47 p.m. the concurrent meeting with the Community Development Commission and Industrial Development Financing Authority concluded.

O. REPORTS

City Manager Department

1. SUBJECT: Donation of Used, Unserviceable City Vehicles to Oxnard College. (137)
RECOMMENDATION: Approve the donation of three unserviceable vehicles to the Oxnard College Automotive Program for their use in training college students in auto repair.
DISCUSSION: The Fleet Services Manager brought the report and the Program's goals, the Fleet Services Division's training and career assistance.
ACTION: Approved (Pinkard/MacDonald); Ayes: MacDonald, Holden, Herrera, Maulhardt, and Pinkard.

Public Works Department

2. SUBJECT: Two-Year Comprehensive Utilities Revenue Increases. (139)
RECOMMENDATION: (1) Review and provide direction to the Public Works Director to implement a two-step revenue increase for the Water, Wastewater and Environmental Resources Enterprises. The proposed increases are one and one-half percent in Fiscal Year (FY) 2009-10 and two percent in FY 2010-11 for the Water Section; eight percent in both FY 2009-10 and FY 2010-11 for the Wastewater Section; and three and one-half percent in both FY 2009-10 and FY 2010-11 for the Environmental Resources Division; and (2) Authorize staff to proceed with the Proposition 218 process.
DISCUSSION: The Assistant Public Works Director provided background of 1) rate study, 2) staff recommendations regarding wastewater rate structure for residential and commercial customers and fine tuning water and environmental resources' existing structures, 3) factors affecting costs of utility services, such as support of debt service (i.e., for Redwood Trunk Sewer Line bond) and proposed changes in rates, 4) rate comparison with other Ventura County cities, and 5) next steps to implementation.

Larry Stein questions the increases in water and wastewater rates based on the report. The Chief Executive Officer explained the practice of minimal rate increases to prevent a rate peak in the future.

ACTION: Approved (MacDonald/Maulhardt); Ayes: Herrera, Maulhardt, Pinkard, MacDonald, and Holden.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:47 p.m. the City Council concurred to adjourn.

JILL A. BEATY
Assistant City Clerk

DR. THOMAS E. HOLDEN
Mayor