

MINUTES
OXNARD CITY COUNCIL
October 27, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:07 p.m. the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission and the Housing Authority. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene Pinkard, and Bryan MacDonald were present. Staff members included: Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; Grace Magistrale Hoffman, Deputy City Manager; Jill Beaty, Assistant City Clerk; and Yolanda Gutierrez, Deputy City Clerk. Mayor Holden presided and called the meeting to order.

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 in memory of Mike Sandoval, a Santa Clara High School teacher. Mayor Holden presided. Additional staff members present were: Matthew Winegar, Development Services Director; Martin Erickson, Legislative Affairs Manager; Michael Henderson, General Services Manager; Chris Williamson, Senior Planner; and Ken Ortega, Public Works Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2009 as "Domestic Violence Awareness Month".
DISCUSSION: Accepted by Noelle Lopez, Shelter Supervisor for the Coalition to End Family Violence.
2. SUBJECT: Presentation of the Blackberry Mobile GIS Award - 2009 Beacon Award.
DISCUSSION: Presented by David Endelman, GIS Coordinator to the City Council.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ernest Stein remembers Santa Clara High School teacher, Mike Sandoval, and thanks the Council for supporting the PAL annual haunted house event.

John Korsten, Code Compliance issues.

Manny Gonzalez of KTG Y presented a Serenade at RiverPark award as the outstanding neighborhood site plan and thanked the Development Services Director.

Robert Vera Sr., public comments should be supportive of the City.

John Hernandez, Code Compliance issues.

Vince Behrens, art program for Downtown Oxnard.

Lynn Bulock, Community Educator of the Ventura County Homeless and County Coalition updates Council on homeless count and surveys.

Bert Perello, give police car washing services contract to City Corps.

Kenneth Kenichi-Ichara-Smith, cited sidewalk needs to be fixed at 6th and Meta Street, also at the lot on 7th Street.

Larry Stein, giving preference points to businesses that reside in the City for public bidding projects within the City.

Shirley Godwin, street paving within her neighborhood.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Ordinance Amending the Definition of "Disaster Service Worker".
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2815** amending the definition of "Disaster Service Worker" set forth in Subdivision A of Section 6-2 of the City Code.

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the City Council for April 14, October 6, 13, and 20, 2009.
RECOMMENDATION: Approve.

Development Services Department

4. SUBJECT: Resolutions and Ordinance to Approve Planning and Zoning Permit Nos. 09-410-01 (Coastal Land Use Plan Amendment), 09-630-01 (Specific Plan Amendment), and 09-580-1 (Zone Text Amendment) to Allow School Use in the Coastal Land Use Plan, Mandalay Specific Plan, and Coastal Planned Community Subzone, Respectively. Filed by Oxnard School District.
RECOMMENDATION: Adopt **Resolution No. 13,744** approving Planning and Zoning Permit Nos. 09-410-01 (Coastal Plan Amendment) and **Resolution No. 13,745** 09-630-01 (Specific Plan Amendment) and approve the first reading by title only and subsequent

adoption **Ordinance No. 2816** for Planning and Zoning Permit No. 09-580-01 (Zone Text Amendment).

Fire Department

5. **SUBJECT:** Office of Traffic Safety Grant.
RECOMMENDATION: Authorize the Chief Financial Officer to approve a special budget appropriation in the amount of \$181,022 for the purchase of vehicle extrication equipment.

Public Works Department

6. **SUBJECT:** Third Amendment to Agreement with Harbor Offshore, Inc., for Maintenance of Seawall, Slope Protection, Rip Rap, and Mud Slopes of All Waterways and On-Call Diving Services and Debris Removal in Mandalay Bay, Westport, and Seabridge Waterway Communities.
RECOMMENDATION: (1) Approve and authorize the Mayor to execute the Third Amendment to the Agreement with Harbor Offshore, Inc. (3234-04-PW) to increase the amount by \$400,000 for a total of \$1,200,000 for the purpose of annual in-water physical inspections, evaluations, and maintenance for seawall, slope protection, rip rap, and mud slopes of all waterways and extend the contract expiration date to September 30, 2011. Also, included are diving services and debris removal services for the Mandalay Bay Waterways Assessment District (Mandalay Bay), Westport Community Facilities District (CFD No. 2) and Seabridge (CFD No. 4) waterway communities and extend the contract expiration date to September 30, 2011; and (2) Approve a special budget appropriation in the amount of \$400,000 from the Mandalay Bay Fund for maintenance and repair of the Mandalay Bay seawalls.
7. **SUBJECT:** Hueneme Road Widening Project - Right-of-Way Acquisition.
RECOMMENDATION: Approve and authorize the mayor to execute the Right-of-Way Purchase Agreement (D-4496) in the amount of \$49,000 and accept an easement deed for property that is located at the south side of Hueneme Road immediately east of Saviers Road from the Ellisman Family Trust, Harold E. Dressler Family Trust and Mark L. Goldenson Trust (A-7227).
8. **SUBJECT:** PW09-24 Del Norte Facility Waste Tipping Floor Restoration Project.
RECOMMENDATION: Approve plans and specifications for PW09-24 (Del Norte Facility Waste Tipping Floor Resurfacing Project) for the restoration of the waste tipping floor at the Del Norte Regional Recycling and Transfer Station located at 111 South Del Norte Boulevard and authorize staff to solicit bids for the project.
9. **SUBJECT:** Major Electrical Equipment and Instrumentation and Control Systems Integration (Project Specification No. PW07-21E) for the Advanced Water Purification Facility (AWPF) Phase I, at Perkins Road North of Magellan Way.
RECOMMENDATION: Approve and authorize Mayor to execute an agreement with Rockwell Automation, Incorporated (A-7225) for the electrical equipment and instrumentation and control systems integration for the AWPF Project in the amount of \$5,300,000.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending September 30, 2009.
ACTION: Received and filed.

INFORMATION/CONSENT PUBLIC HEARINGS

Finance Department

1. SUBJECT: Fourth Amendment of the Fiscal Year (FY) 2008-2013 Consolidated and FY 2008-2009 Annual Action Plan (The Plans) to Change the Activities to be Funded Under the Community Development Block Grant (CDBG-R) Program.
RECOMMENDATION: (1) Conduct a public hearing to receive comments on the proposed Fourth Amendment to The Plans; (2) Approve a change in activities from Campus Park Gymnasium to Bartolo Square North Neighborhood Water Main Line (Bartolo Square North) and program administration; (3) Approve the appropriation of \$662,213 for Bartolo Square North, and \$73,579 for the administration of the CDBG-R; (4) Authorize the City Manager to submit the substantial amendment to the U. S. Department of Housing and Urban Development for approval; and (5) Authorize the Chief Financial Officer, or designee, to approve the special budget appropriation.

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

K. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 08-510-12 (Special Use Permit), Saviers Market, 3280 Saviers Road. Filed by Zaher Hawara.
RECOMMENDATION: Adopt **Resolution No. 13,746** upholding the Planning Commission's decision to deny Planning and Zoning Permit No. 08-510-12 (Special Use Permit), subject to the findings set forth in Planning Commission Resolution No. 2009-33.

DISCUSSION: The following individuals spoke in favor of the recommendation: Linda Kaplan, Pat Brown, Lucy Cartagena, Shirley Godwin, and Larry Godwin.

The following individuals favor issuance of the permit: Dale Quolas, Imad Askar, Deidre Reyes, Jose Gonzalez C., Jose R. Gonzalez, Olga Delgadillo, Scott Barton, Catalina Diaz Andrade, Nancy Patterson, Zaher Hawara, and Edward Castillo.

The City Council affirmed its overall support of the decisions of the Planning Commission throughout the years and expressed this location is not a proper place to sell distilled spirits.

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

Public Works Department

2. SUBJECT: Ordinances to Continue and Establish Water, Wastewater and Environmental Resources User Fees and Charges, Debt Service and Appropriation of Revenue Funds.
RECOMMENDATION: (1) Hold a public hearing to receive public testimony and consider all protests concerning the adoption of ordinances continuing and establishing certain water, wastewater and environmental resources user fees and charges; (2) Approve the first reading by title only and subsequent adoption of **Ordinance Nos. 2817, 2818, and 2819** continuing and establishing water, wastewater and environmental resources user fees and charges; (3) Approve a special budget appropriation in the amount of \$509,600 to the Water Enterprise Fund, \$1,814,700 to the Wastewater Enterprise Fund and \$1,111,750 to the Environmental Resources Enterprise Fund from the revenue rate increase effective December 2009; (4) Approve and authorize the Mayor to: (a) execute a financial agreement authorizing a loan from the Water Enterprise Fund to the Wastewater Enterprise Fund (**A-7231**) in the amount of \$4 million to be repaid over a 5 year term at an interest rate of 3 percent per annum; (b) execute a financial agreement authorizing a loan from the Water Enterprise Fund to the Environmental Resources Enterprise Fund (**A-7232**) in the amount of \$9.3 million to be repaid over a 10 year term at an interest rate of 3 percent per annum.

DISCUSSION: The Public Works Director reported on the factors driving the adjustments in fees 1) rising costs from annual pass-through of wholesale water supply cost, purchasing water, treatment chemicals and energy, upkeep of aging facilities, and biosolids management; 2) depleted wastewater reserves and cash flow; and 3) environmental resources service cost increases to maintain and repair aging facilities and vehicles, processing refuse and regulatory impacts. He discussed two proposed interfund loans to cover a current deficit created by the economic downturn and to replenish the environmental resources operating reserve. He outlined expected revenue impacts and discussed what the monthly charges a typical family and commercial business will pay.

The following individuals had several concerns and spoke in opposition to the rate increases: John Jay, Nancy Lindholm, President, Oxnard Chamber of Commerce, Larry Stein, and Bert Perello; Shirley Godwin; John Korsten; and Bert Perello.

The Director, Chief Accounting Officer, Assistant Director, and Management Analyst responded about salt discharges into the system, the cost effectiveness of borrowing from a City fund rather than an outside entity, and about large bin rental and tonnage charges.

City Councilmembers commented on the importance of protection of existing infrastructure and long-term planning of the three utilities and their support of costly projects that prepare the City for the future.

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

L. REPORT OF CITY MANAGER

M. CITY COUNCIL

City Manager Department

1. SUBJECT: Cancellation of the Regular Meetings Scheduled for November 10, 2009.
RECOMMENDATION: Cancel the regular meetings scheduled for November 10, 2009.

Bert Perello, in opposition.

ACTION: Approved, unanimously.

COMMUNITY DEVELOPMENT COMMISSION/HOUSING AUTHORITY

At 8:38 p.m. the concurrent meetings with the Community Development Commission and Housing Authority concluded.

Q. APPOINTMENT ITEMS

City Manager Department

1. SUBJECT: Convention and Visitors Bureau (Bureau) Destination Development/Branding.
RECOMMENDATION: Consider a verbal report by the Executive Director of the Bureau.

DISCUSSION: Janet Sederquist made a presentation on branding and development comparing Oxnard's branding campaign with those of other cities around the country, primarily Asheville, NC. The 2nd phase of the process consists of developing a brand for the City. Oxnard's branding may consist of things such as the Strawberry Festival or its agriculture. Community participation and endorsement is encouraged by the Bureau.

The following individuals spoke in favor of the project: Marilyn Miller, Pat Brown, Tom Cady, and Nancy Patterson.

ACTION: The City Council received the presentation, expressed appreciation, and affirmed its strong support of the Bureau's efforts for branding the City.

O. REPORTS

Public Works Department

1. SUBJECT: Water Supply Outlook and Confirmation of Policies Regarding Projects Creating New Water Demands.

RECOMMENDATION: (1) Consider a presentation on the current status of statewide water supplies, long-term water planning, the Groundwater Recovery Enhancement and Treatment (GREAT) Program and the Water Conservation Program; (2) Affirm the January 15, 2008 policy regarding new water supplies for proposed development projects and provide direction regarding strengthening the policy through modification of the City's Water Shortage Emergency Ordinance; and (3) Consider and provide direction regarding intensification of the City's response to the current water supply shortage, as per the Water Shortage Contingency Plan.

DISCUSSION: The Water Resources Manager (Manager) reported on the City's response to reductions in imported water deliveries and strained local groundwater resources, including: 1) enhancement of the Water Conservation Program, including development of a Water Conservation Master Plan; 2) working to implement the first phase of the GREAT Program recycled water system and development of the Advanced Water Purification Facility, and retrofitting potential customers to allow use of recycled water; 3) water planning efforts, including updating the City's Urban Water Management Plan 2005 and carefully assessing water demands of all significant development and redevelopment projects which may require developers to design and construct the project to use recycled water. The City is no longer able to count on any additional imported water.

The Manager commented on the water policy articulated by the City Council at the January 15, 2008 meeting requiring that new projects of significant size be water neutral to the City's water system. A developer may contribute water rights, water supplies, or financial or physical offsets to meet this requirement. Since the 2008 meeting, staffs of Development Services, Public Works, and City Attorney have incorporated the policy into discussions with proposed developers. He asked for City Council's affirmation of the January 15, 2008 policy and to direct staff to develop an ordinance if it believes the policy needs strengthening.

The Manager reviewed water shortage response options, including decreasing allocation of imported water, establishing mandatory water budgets for customers, and drawing down the City's emergency water reserve.

The City Council discussed the advantages and disadvantages of a policy versus an ordinance. The City Attorney explained an ordinance has the strength of law while the policy directs staff how to negotiate with a developer.

City Council commented 1) in favor of a policy that can be more easily managed a) to accommodate economic development considerations beneficial to the City; and b) to allow flexibility in setting rates given Oxnard's unique household profile; 2) that new development must accommodate the water uses it will generate; 3) that the City has a zero water allocation increase; and 4) the City will not allow development that negatively impacts the quality of life for current residents.

Nancy Lindholm, Oxnard Chamber of Commerce, supports a more flexible policy not an ordinance.

Larry Stein, City should receive revenue from Fox Canyon for water the City deposits.

Bert Perello favors an ordinance.

The City Council directed staff and the Task Force to provide ideas for 1) further conservation measures to reduce consumption now while maintaining jobs; 2) profiling residents to address the needs of Oxnard's varied types of households; and 3) not punishing those who have been cutting back and conserving.

ACTION: Affirm the January 15, 2008 policy described in the staff report that development shall be water neutral. (Holden/Pinkard) Ayes: Pinkard, MacDonald, Maulhardt, Herrera, and Holden.

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:12 p.m. the City Council concurred to adjourn the meeting.

JILL A. BEATY
Assistant City Clerk

THOMAS E. HOLDEN
Mayor

YOLANDA GUTIERREZ
Deputy City Clerk

MINUTES

OXNARD CITY COUNCIL Regular Meeting November 3, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene 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.

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. Staff members present were: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; and John Crombach, Police Chief.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Proclamation November 2009 as Alzheimer's Awareness Month.
DISCUSSION: George Ramirez commented on effected persons in the County and services that are provided to the community.
2. SUBJECT: Presentation of Proclamation Designating November 14 as "Oxnard Recycles Day".
DISCUSSION: Trish Honisberg commended on recycling events, other recycling services, and encouraged the public to buy recycling products.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

William Bill Terry invited the public to "Garden Harvest Festival" on November 15 at 2300 West Gonzales Road.

Trisha Munro, need to review of water rates and having a water neutral use policy.

John Korsten wanted the pictures taken by Code Compliance of his vehicle and residential property.

Ed Ellis, concern regarding security and graffiti at the former Halaco site.

Pat Brown, branding of Oxnard by developing Oxnard Boulevard and highlighting Ormond Beach.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

John Jay expressed concern with the increased utility rates (I-6, I-7, I-8).

I. INFORMATION/CONSENT AGENDACity Attorney Department

1. **SUBJECT: Ordinance No. 2815** Amending the Definition of "Disaster Service Worker" Set Forth in Subdivision A of Section 6-2 of the City Code. (001)
RECOMMENDATION: Second reading and adoption.

City Treasurer Department

2. **SUBJECT:** Quarterly Investment Report for the First Quarter Fiscal Year (FY) 2009-2010. (003)
RECOMMENDATION: Accept the quarterly Investment Report for the First Quarter FY 2009-2010.

Development Services Department

3. **SUBJECT: Ordinance No. 2816** Approving Planning and Zoning Permit No. 09-580-1 (Zone Text Amendment) Amending Section 17-15(A)(3) and 17-15(C) of the City Code to Allow School Use Within the Coastal Planned Community Development Subzone. Filed by Anthony Monreal, Oxnard School District. (009)
RECOMMENDATION: Second reading and adoption.

Fire Department

4. **SUBJECT:** State Homeland Security Grant. (013)
RECOMMENDATION: (1) Recognize grant revenue in the amount of \$300,000 from the Federal Department of Homeland Security and subgranted through the State of California for the purchase of self-contained breathing apparatus; and (2) Approve the special budget appropriation of \$300,000.

Public Works Department

5. **SUBJECT:** Appropriation of Interest Earnings and Reallocation of Water Bond Proceeds for Groundwater Recovery Enhancement and Treatment (GREAT) Program Projects. (015)
RECOMMENDATION: (1) Approve the appropriation of: (a) \$14,645 of interest earnings from the Water Revenue Project Bonds, Series 2006 to GREAT Program Project; (b) \$51,315 of interest earnings from the Water Revenue Project Bonds, Series 2006 to GREAT Station No. 1 - Desalter Project; and (2) Approve the transfer of \$535,459 of appropriations from the Blending Station Improvements Project to the Chemical Building No. 3 GREAT Program Project.
6. **SUBJECT: Ordinance No. 2817** Readopting and Establishing Solid Waste System User Fees and Charges. (019)
RECOMMENDATION: Second reading and adoption.
7. **SUBJECT: Ordinance No. 2818** Establishing Wastewater System User Fees and Charges. (031)
RECOMMENDATION: Second reading and adoption.

8. SUBJECT: Ordinance No. 2819 Establishing Fees and Charges for the Use of and for Services Relating to City Water Services. (039)
RECOMMENDATION: Second reading and adoption.
9. SUBJECT: Agreement with AECOM for Construction Management Services for Groundwater Recovery Enhancement and Treatment (GREAT) Program Phase I Advanced Water Purification Facility (AWPF) and Phase I Recycled Water Backbone System (RWBS). (053)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with AECOM (A-7230) in an amount not to exceed \$6,515,685 for construction management services for GREAT Program Phase I AWPF and Phase I RWBS.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

The City Manager reported on: 1) the planned downtown Christmas Parade; 2) a bluegrass concert at the Oxnard Library; 3) City Gateway Wayfinding signage should be completed within a month; and 4) parts of revised 2030 General Plan to be release to public for public comment regarding water supply, air qualify, traffic sections, draft EIR, housing element, goals and policy elements.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Mayor Pro Tem Herrera commented on the ongoing process of talking to FEMA officials regarding the proposed flood map and possible future meetings.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 7:34 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

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

MINUTES
OXNARD COMMUNITY DEVELOPMENT COMMISSION
Regular Meeting
October 27, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:07 p.m. the regular meeting of the Oxnard Community Development Commission convened in the Council Chambers concurrently with the City Council and the Housing Authority. Commissioners Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene Pinkard, and Bryan MacDonald were present. Staff members included: Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; Grace Magistrale Hoffman, Deputy City Manager; Jill Beaty, Assistant City Clerk; and Yolanda Gutierrez, Deputy City Clerk. Chairman Holden presided and called the meeting to order.

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 in memory of Mike Sandoval, a Santa Clara High School teacher. Chairman Holden presided.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Community Development Commission for July 7, 14, 21, 28, September 1, 15, 22, and October 6, 13, and 20, 2009.
RECOMMENDATION: Approve.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF EXECUTIVE DIRECTOR

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS

City Manager Department

- 1. SUBJECT: Cancellation of the Regular Meeting Scheduled for November 10, 2009.
RECOMMENDATION: Cancel the regular meeting scheduled for November 10, 2009.

Bert Perello, in opposition.

ACTION: Approved, unanimously.

CITY COUNCIL/HOUSING AUTHORITY

At 8:38 p.m. the concurrent meetings with the City Council and the Housing Authority concluded.

O. APPOINTMENT ITEMS

P. REPORTS

Q. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:38 p.m. the Community Development Commission concurred to adjourn the meeting.

JILL A. BEATY
Assistant Secretary Designate

THOMAS E. HOLDEN
Chairman

YOLANDA GUTIERREZ
Deputy Secretary Designate

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting
November 3, 2009

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

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting
November 17, 2009

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

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES
OXNARD HOUSING AUTHORITY
Regular Meeting
October 27, 2009

A. ROLL CALL/POSTING OF AGENDA

At 7:07 p.m. the regular meeting of the Oxnard Housing Authority convened in the Council Chambers concurrently with the City Council and the Community Development Commission. Commissioners Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene Pinkard, Bryan MacDonald, Jose Andrade and Francisco Vega were present. Staff members included: Karen Burnham, Assistant Executive Director; Alan Holmberg, General Counsel; Grace Magistrale Hoffman, Deputy Executive Director; Jill Beaty, Assistant Secretary Designate; and Yolanda Gutierrez, Deputy Secretary Designate. Chairman Holden presided and called the meeting to order.

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 in memory of Mike Sandoval, a Santa Clara High School teacher. Chairman Holden presided.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the Housing Authority for July 7, 14, 21, and 28, and September 1, 15, 22, and October 6, 13, and 20, 2009.
RECOMMENDATION: Approve.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. HOUSING AUTHORITY BUSINESS/COMMITTEE REPORTS

City Manager Department

- 1. SUBJECT: Cancellation of the Regular Meeting Scheduled for November 10, 2009.
RECOMMENDATION: Cancel the regular meeting scheduled for November 10, 2009.

Bert Perello, in opposition.

ACTION: Approved, unanimously.

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

At 8:38 p.m. the concurrent meetings with the City Council and the Community Development concluded.

O. APPOINTMENT ITEMS

P. REPORTS

Q. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:38 p.m. the Housing Authority concurred to adjourn the meeting.

JILL A. BEATY
Assistant Secretary Designate

THOMAS E. HOLDEN
Chairman

YOLANDA GUTIERREZ
Deputy Secretary Designate

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
November 3, 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 HOUSING AUTHORITY
Regular Meeting
November 17, 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