

OXNARD CITY COUNCIL  
Regular Meeting  
September 14, 2010

A. ROLL CALL/POSTING OF AGENDA

At 5:31 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. 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; and Alan Holmberg, City Attorney. At 5:46 p.m., Mayor Holden is present and presided.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Carmen Ramirez, opposed Peaker plant (C-2).

Bert Perello, opposed Peaker plant (C-2) and supported a Seabridge development settlement with DR Horton (C-3).

Edward Castillo supported a Seabridge development settlement (C-3).

C. CLOSED SESSION

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 litigations being discussed are City of Oxnard, v. Sakioka Farms, et al. Ventura Superior Court Case No. CIV 237760; City of Oxnard, et al. v. California Coastal Commission Los Angeles Superior Court, Case No. BS122248; and Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resources Adequacy Requirements Program PUC Rulemaking No. 05-12-013; and Oxnard School District v. D.R. Horton Los Angeles Holding Co., et al. Ventura County Superior Case No. 56-2008-00320518-CU-MC-VT

At 7:01 p.m., Mayor Holden announced the signature of settlement of the case of City of Oxnard, v. Sakioka Farms, et al. Ventura Superior Court Case No. CIV 237760. Mayor Holden also announced the City Council decision to appeal the case of City of Oxnard, et al. v. California Coastal Commission, Los Angeles Superior Court, Case No. BS122248; and Mayor Holden also announced the signature of the settlement of the case of Appeal Superior court decision Oxnard School District v. D.R. Horton Los Angeles Holding Co., et al. Ventura County Superior Case No. 56-2008-00320518-CU-MC-VT.

D. OPENING CEREMONIES

At 7:01 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: James Cameron, Chief Financial Officer; Curtis P. Cannon, Community Development Director; Grace Magistrale Hoffman, Deputy City Manager; Kymberly Horner, Redevelopment Project Manager; and Michael More, Financial Services Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation Employee of the Second Quarter of 2010.  
DISCUSSION: George Iafrate thanked the City Council and City staff for the recognition.
2. SUBJECT: Presentation of Resolution Presented to Alice Haskins for 47 Years of Service. (001)  
ACTION: Approved **Resolution No. 13,907** (Holden/Herrera) unanimously.  
DISCUSSION: Ms. Haskins thanked the Council and City employees for the many years serving the City of Oxnard.
3. SUBJECT: Presentation of Resolution Presented to Theresa Doyle for 41 Years of Service. (003)  
ACTION: Approved Resolution No. **Resolution No. 13,908** (Holden/Herrera) unanimously.  
DISCUSSION: Ms. Doyle thanked the Council and City for the many years being
4. SUBJECT: Recognition of Oxnard Fleet Services Awarded #4 among the Top 100 Fleets in the Nation for 2010.  
ACTION: Continue to October 21, 2010.
5. SUBJECT: United Way Campaign.  
DISCUSSION: Ms. Eve Lieman, United Way, thanked the City of Oxnard employees for donations to the local United Way campaign.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ernest Stein, Dallas Cowboys summer camp visit and benefits to non-profit organizations.

Larry Stein, public records requests.

Marty Glatt, finance structure of funding park and bridge structure.

Tim Flynn, accountability of City government and transparency to the public

Harold Ceja, against closure of Colonia Road at Oxnard Boulevard and DA investigation of City records.

Steve Nash, reporting of employees receiving of gifts.

Rod Cobos, importance of fairly hiring a labor compliance company for public works projects.

Frank Nilsen, street lights needed to be fixed (Orchard Lane and Oxnard Boulevard).

Bert Perello, street lights needed to be fixed (Orchard Lane and Oxnard Boulevard) and fire at the Wagon Wheel area.

Martin Jones, costs of hiring of spoke person for the Mayor and individual defense attorney costs.

Diane Delaney, opposed the expansion of Embassy Suites Hotel development and need for EIR.

Vera Gonzeles, expressed concern with the trucks parking next to her residential wall on Rose Avenue.

Ventura Fernandez, concerns with cost of City contracts.

Inez Tuttle, voting in upcoming election and need for Spanish translation of Council meetings.

Greg Ruyon, during a time of crisis, this may be a time to take control of an individual's life.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Larry Stein, opposed granting a beer/wine license to Walmart (I-5).

Bert Perello, questioned when does an agreement go to re-bid (I-7) and questioned amount given to Maritime Museum (I-2). The Deputy City Manager stated that this would be the first contribution given to the Maritime Museum.

Pat Brown, the need to raise funds by all non-profit organizations by applying for grants and writing of reports for funding (I-2) and opposed granting Walmart a beer/wine license (I-5).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for July 13, 2010. (005)  
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Contribution to the Ventura County Maritime Museum. (013)  
RECOMMENDATION: Approve the appropriation of funds in the amount of \$75,000 from the General Fund Operating Reserve to the Ventura County Maritime Museum.

City Treasurer Department

3. SUBJECT: Resolution to commend Deborah Nicks for 27 years of service. (019)  
RECOMMENDATION: Adopt **Resolution No. 13,909**.

Development Services Department

4. SUBJECT: Special Budget Appropriation for Rice Avenue/Santa Clara Avenue Interchange Improvements At Highway 101. (021)  
RECOMMENDATION: Recognize federal grant revenue and appropriate \$490,000 to "Highway 101—Rice Interchange" for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.
5. SUBJECT: Appeal of a Request to Permit the Sale of Beer, Wine, and Distilled Spirits for Off-Site Consumption at an Existing Walmart Supercenter Store, Located at 2001 North Rose Avenue, filed By Lisa Kolieb, on Behalf of Walmart.  
RECOMMENDATION: Continue to September 21, 2010.

Finance Department

6. SUBJECT: Resolution to commend Chris Maxwell for 30 years of service. (025)  
RECOMMENDATION: Adopt **Resolution No. 13,910**.

Housing Department

7. SUBJECT: Third Amendment to Agreement with Comprehensive Housing Services, Inc. (CHS), for Prevailing Wage Monitoring Services. (027)  
RECOMMENDATION: Approve and authorize the Mayor to execute a Third Amendment to Agreement with CHS (4148-07-FN) for prevailing wage monitoring services in an amount not to exceed \$299,000.
8. SUBJECT: Agreements with Cabrillo Economic Development Corporation (CEDC) Regarding \$1,623,840 loan to Paseo De Luz Development and Camino Gonzalez Development at 481 W. Gonzalez Road. (031)  
RECOMMENDATION: Approve and authorize the Mayor to execute certain documents reallocating the previously approved City loan to CEDC: 1) a Regulatory Agreement with CEDC for the Paseo De Luz development, at 457 W. Gonzalez Road; 2) HUD Rider to Regulatory Agreement; 3) Partial Termination and Release of Regulatory Agreement; 4) Substitution of Trustee and Deed of Partial Reconveyance; and 5) Assignment and Assumption, Amendment and Modification Agreement.

Library Department

9. SUBJECT: Resolution to commend Jane Lin for 20 years of service. (055)  
RECOMMENDATION: Adopt **Resolution No. 13,911**.

Police Department

10. SUBJECT: Second Amendment to Agreement for Transcription Services. (057)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to Agreement for Trade Services for a two year extension to the original agreement (3745-06-PO) for transcription services with Huntington Court Reporters and Transcription, Inc. in the amount of approximately \$100,000 per year, for a total amount of approximately \$300,000.

Public Works Department

11. SUBJECT: Second Amendment to Agreement with JCI Jones Chemicals for Chemical Supply and Delivery of Sodium Hypochlorite and Sodium Hydroxide to the Water Campus. (061)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with JCI Jones Chemicals to increase the amount by \$332,564 for a total of \$997,692 for chemical supply and delivery of Sodium Hypochlorite and Sodium Hydroxide (A-7092), and extend the contract expiration date to August 31, 2011.
12. SUBJECT: PW 11-01 Water Blending and Pumping Station #6 Project. (063)  
RECOMMENDATION: 1.) Approve Project Specification No. PW11-01 for the Water Blending and Pumping Station No. 6, located within the existing Water Campus facility, 251 South Hayes Avenue, and authorize staff to solicit bids for the project; and 2.) Approve a special budget

appropriation to transfer funds in the amount of \$992,840 to the Blending Station No. 6 Project No. 116501 from the following: \$500,000 from Blending Station #5 Project No. 026004 Account No. 601-6528-821-8605; \$100,000 from SCADA Security Upgrades Project No. 066008 Account No. 601-6517-821-8605; and \$392,840 in interest earnings from the 2006 Water Bonds.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

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

Development Services Department

1. SUBJECT: Third Amendment to the RiverPark Development Agreement No. A-6128 (PZ 10-670-02). Filed by Tony Talamante c/o RiverPark Legacy LLC, 1250 Corona Pointe Suite 600, Corona, CA 92879 on behalf of the RiverPark developers.  
RECOMMENDATION: Continue to September 28, 2010.

Housing Department

2. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the FY 2009-2010. (069)  
RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2009-2010.

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

L. PUBLIC HEARINGS

At 8:23 p.m., the City Council recessed while the Community Development Commission held a meeting and at 8:47 p.m., the City Council reconvened.

COMMUNITY DEVELOPMENT

At 8:47 p.m. the concurrent meetings with the Community Development Commission concluded.

M. REPORT OF CITY MANAGER

The City Manager commented on the recent DA investigation. The City Council concurred that the subject of possible changes to City policies be placed on a future agenda.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Mayor Pro Tem Herrera commented on the success of a summer art program and asked for a follow-up report of early retirement program. The City Manager stated he anticipated a report by September 28, 2010.

Councilwoman Pinkard commented on the successful census count.

Councilman MacDonald reviewed SCAG information and recent recommendation. He also asked for a report regarding the State marijuana ballot issue.

1. SUBJECT: California Discovery Museum, located at old Levitz property 2420 North Oxnard Boulevard. (075)

RECOMMENDATION: Execute a letter of support for a California Discovery Museum at the old Levitz Furniture Store site.

DISCUSSION: The Development Services Director outlined the idea to use the former Levitz property and develop of a regional museum.

Steven Geoffrion, Lauterbach Architects, need for future funding and planning for the development.

The City Council questioned any future contribution to the development and the need for placement of this subject on a future agenda.

ACTION: Approved as recommended with placement on future agenda. (Holden/ Maulhardt) unanimously.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:13 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

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ANDRES HERRERA  
Mayor Pro Tem

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting  
September 21, 2010

#### 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; Karen Burnham, Assistant City Manager; and Alan Holmberg, City Attorney.

#### B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

#### C. CLOSED SESSION

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

#### D. OPENING CEREMONIES

At 7:08 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Oxnard Industrial Development Financing 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: John Crombach, Police Chief; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Danielle Navas, City Treasurer; and Jason M. Samonte, Traffic Engineer.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Proclamation Designating September 25th as "Coastal Clean Up Day"  
Coastal Clean-up Day Proclamation  
DISCUSSION: Trish Honigsberg, Outreach/Education Specialist, invited the community to be involved in local coastal clean up day.
2. SUBJECT: Presentation of Commendation to Marty Bolger for Eleven Years of Service  
DISCUSSION: Council and City staff recognized the work of Mr. Bolger within the City.
3. SUBJECT: Presentation of Commendation to Under Nine Oxnard United Soccer Team  
DISCUSSION: Coach Juan Melagoza introduced the parents, team members and coaches; he thanked sponsors and parents.

#### F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Martin Jones, public records request and reported closed session action.

Penny Boehm, City Corps donation with funds coming from jury service.

Jean Joneson, Ventura County District Attorney investigation.

Inez Tuttle, hearing comments of the City Manager.

Armando Vazquez, thanked Councilmembers for supporting community activities and having a transparent process.

Ed Ellis, Spanish translation of meetings.

Edgar A. Mohorko, commented on the success of Boys & Girls Club, Hope Boys/Girls, "Peacemakers" program and other community outreach programs.

Larry Stein, public records request, and more students attending Lemonwood School.

Trish Munro, not having a port overlay in 2020 General Plan and proposed in 2030 General Plan.

Christopher Vittona, thanked the City of Oxnard support of public transportation.

Jan Thompson, traffic problems around Lemonwood School.

Frank Nilsen, fixing of street lights at Oxnard Boulevard and Orchard Lane intersection.

Pat Brown, removing of window bars of downtown businesses.

Nancy Pederson, loud noise heard from carnival held at Center Point Mall.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Robert Thompson, supported having a signal light at Rose Avenue and Iverson Street (I-4). The Traffic Engineer reviewed some reasons for the cost for the signal light and funding.

Pat Brown opposed the liquor license to Walmart (I- 3).

I. INFORMATION/CONSENT AGENDA

Development Services Department

3. SUBJECT: Resolution Granting Appeal of a Request to Permit the Sale of Beer, Wine, and Distilled Spirits for Off-Site Consumption at an Existing Walmart Supercenter Store, Located at 2001 North Rose Avenue, filed By Lisa Kolieb, on Behalf of Walmart.

RECOMMENDATION: Continue to October 12, 2010.

- 4. SUBJECT: Traffic Signal Modifications at the intersection of Rose Avenue and Emerson Avenue. (005)  
RECOMMENDATION: 1.) Adopt Project Specification No DS 10-16 for traffic signal modifications at the intersection of Rose Avenue and Emerson Avenue; and 2.) Approve the appropriation of \$72,540 of federal grant funds to the traffic signal modifications at Rose Avenue and Emerson Avenue intersection, project.

Public Works Department

- 5. SUBJECT: Second Amendment to Agreement with Test America Laboratories, Inc. for Laboratory Chemical Testing and Sampling for the Water Resources Division. (009)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with Test America Laboratories, Inc. to increase the amount by \$123,250 for a total of \$340,000 for laboratory chemical testing and sampling (4855-09-PW), and extend the contract expiration date to August 12, 2011.
- 6. SUBJECT: Installation of Electrical Facilities by Southern California Edison for the Advanced Water Purification Facility (AWPF). (013)  
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Southern California Edison Company based on an estimated cost of \$585,180.69 (final cost based on recorded costs) for the installation of electrical facilities necessary to provide high voltage electrical service to the AWPF project (A-7348).
- 7. SUBJECT: Third Amendment to Agreement 4218-07-PW with Black and Veatch Corporation for Utilities Rate Studies. (021)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Third Amendment to the agreement with Black and Veatch Corporation for the Utilities Rate Studies to extend the expiration date from December 31, 2010, to June 30, 2011, and to increase the amount by \$75,500 for a total of \$274,825 (4218-07-PW).

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

- 1. SUBJECT: Executed Contracts. (029)  
ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

- 1. SUBJECT: Appeal of Planning and Zoning Permit No. 10-520-01 (Special Use Permit), Life of Victory Worship Center, 2041 Cabot Place.  
RECOMMENDATION: Continue to September 28, 2010.  
ACTION: Approved as recommended (Holden/Herrera) unanimously.

M. REPORT OF CITY MANAGER

The City Manager reported the California State Firefighters' Association will be recognizing of Oxnard Firefighters Engineer Guillermo Garay and Firefighter Graham Dunbar with Award of Valor 2010 and the fourth work shop of the 2030 General Plan will be held discussing the development of north Oxnard.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Mayor Holden asked that City Manager report on City-wide traffic planning especially around the sites like Lemonwood School and use of volunteers.

Councilwoman Pinkard reviewed information from a recent League of California Cities conference including recognition of Oxnard staff work in combating crime, the peace keeper program, federal issues, Redevelopment funding, having a transparent government, and being a charter City.

O. REPORTS

City Treasurer Department

1. **SUBJECT:** Investment Policy and Annual Report of Investment Activity. (031)  
**RECOMMENDATION:** 1.) Approve the Investment Policy for the City of Oxnard; and 2.) Adopt **Resolution No. 13,912** delegating investment authority to the City Treasurer.  
**DISCUSSION:** The City Treasurer reviewed City investments, policy restrictions, investment summary, and asked for investment authority.

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:22 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting  
September 28, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:02 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Community Development Commission. 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; Matthew Winegar, Development Services Director; Michelle Tellez, Human Resources Director; William "Bill" Wilkins, Housing Director; Curtis P. Cannon, Community Development Director; Sue Martin, Planning and Environmental Services Manager; and Martin Erickson, Legislative Affairs Manager.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Commendation Presented to Kay Swenson for over Seventeen Years of Outstanding Service to the City of Oxnard.  
DISCUSSION: Kay Swenson thanked the Council, co-workers and introduced her husband who is also a former City employee.
2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2010, as "Multicultural Month."  
DISCUSSION: Martha Guillen thanked the sponsors/volunteers who help make the event possible and invited everyone to the event.

#### F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Marvin Cayou, global climate and various items.

Ernest Stein, non-profit organizations, dumping along Teal Club Road and placement of political signs.

Trisha Munro, Del Norte annexation, against future development of Jones Ranch and need to study future sea level rise.

Edward Castillo, INCF Candidate Forum, and Knights of Columbus Civic Night event.

Armando Vasquez, police enforcement and police oversight.

Larry Stein, process to present documents on the agenda, traffic improvement, and placing Spanish translation on the agenda.

Daniel Lechlitter, road improvement at Gonzales Road and Ventura Road intersection.

Bert Perello, City credit card use, replacement of traffic road reflectors, and civic night at Knights of Columbus hall.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Bert Perello expressed concern with the Stroube Street drainage (I-3) issue.

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Approval of Associate Membership Agreement with the California Enterprise Development Authority. (001)  
RECOMMENDATION: Adopt **Resolution No. 13,913** approving the execution and delivery of an Associate Membership Agreement with the California Enterprise Development Authority.
2. SUBJECT: Repealing and Replacement of Resolution No. 13,779 Regarding Urban Greening Grant. (007)  
RECOMMENDATION: 1) Adopt **Resolution No. 13,914** repealing Resolution No. 13,799; 2) Adopt **Resolution No. 13,915** authorizing the City Manager to submit the grant contract to the State of California Department of Parks and Recreation under the Urban Greening Grant for Sustainable Communities Program in the amount of \$804,188 for tree planting in the downtown core area, and certifying that the City will have sufficient funds to maintain the project area to be paid for with these grant funds; and 3) Authorize the City Manager to appropriate grant funds upon award of the grant.

Community Development Department

3. SUBJECT: Infrastructure Reimbursements and Affordable Housing Assistance Memorandum of Understanding Regarding the Owner Participation Agreement for the RiverPark A Development which is adjacent to and North of the Highway 101 Freeway, East of the Santa Clara River. (013)  
RECOMMENDATION: 1) Approve and authorize the Chairman to execute the Memorandum Of Understanding To Owner Participation Agreement (RiverPark)(A-7344) between the CDC and RIVERPARK A, LLC.; 2) Approve an infrastructure reimbursement special budget appropriation in the amount of \$1,302,816; and 3) Approve an affordable housing assistance special budget appropriation in the amount of \$684,815.

4. SUBJECT: Resolution to commend Paula Arceo for 22 years of service. (017)  
RECOMMENDATION: Adopt **Resolution No. 13,916**.

Library Department

5. SUBJECT: Main Library Homework Center. (019)  
RECOMMENDATION: Adopt **Resolution No. 13,917** authorizing the City Manager to accept a \$26,950 Library Services and Technology Act grant to be used for the establishment of a Main Library Homework Center with a City matching funds requirement.

Public Works Department

6. SUBJECT: Recycled Water Backbone System Phase I – Encroachment Permit. (037)  
RECOMMENDATION: 1) Approve and authorize the Interim Public Works Director to execute an Encroachment Permit No. EP 10-064 in the amount of \$877,177 that grants the City of Oxnard the right to construct the Recycled Water Backbone System that lies within the jurisdiction of the City of Port Hueneme; and 2) Approve and authorize the Interim Public Works Director to place the property use fee portion of the encroachment fee (\$298,125) into an escrow account pursuant to an agreement with the City of Port Hueneme.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.  
(Maulhardt/MacDonald) 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 August 31, 2010. (039)  
DISCUSSION: Larry Stein questioned the financial calculations.  
ACTION: Reviewed and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.  
DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Development Services Department

1. SUBJECT: Third Amendment to the RiverPark Development Agreement No. A-6128 (PZ 10-670-02). Filed by Tony Talamante c/o RiverPark Legacy LLC, for the development which is adjacent to and North of the Highway 101 Freeway, East of the Santa Clara River, on behalf of the RiverPark developers. (051)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2830** approving the Third Amendment to the RiverPark Development Agreement No. A-6128 (PZ 10-670-02), between the owners of the RiverPark Project and the City of Oxnard, and authorize the Mayor to execute the Third Amendment to the RiverPark Development Agreement after the second reading of the ordinance.

DISCUSSION: Bert Perello again questioned the Strouble Street drainage. The Development Services Director stated his belief that the Strouble Street drainage issue was in court and was about to be resolved.

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

#### 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. 10-520-01 (Special Use Permit), Life of Victory Worship Center, 2041 Cabot Place. Filed by: Danielle Keys. (057)

RECOMMENDATION: Adopt a resolution granting the appeal and approving the Planning and Zoning Permit No. 10-520-01.

DISCUSSION: The Planning and Environmental Services Manager reviewed the proposed shared parking schedule and established parking hours.

The following individuals questioned parking and the impact to other businesses: Mory Navarro; Bert Perello; and Inez Tuttle.

ACTION: Close the public hearing. ( Holden/Herrera) The City Council concurred to return this item to the Planning Commission.

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

2. SUBJECT: The Anacapa Townhomes Project – Planning & Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance) Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores Co., LLC. (087)

RECOMMENDATION: 1) Adopt a resolution upholding the Planning Commission's approval of the Coastal Development Permit (PZ No. 08-400-04) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-15; 2) Adopt a resolution approving the Tentative Subdivision Map for Tract 5843 (PZ No. 09-300-01) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-16; and 3) Adopt a resolution upholding the Planning Commission's approval of the Coastal Zone Variance (PZ No. 09-590-01) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-17.

DISCUSSION: The Planning and Environmental Services Manager briefly reviewed the proposed development including parking, traffic, and density. The Development Services Director reviewed the street improvements and widening of bridge.

Mitch Kahn, attorney for Oxnard Shores Company, stated that that were no building conditions placed on the site.

The following individuals expressed concerns with the development: Pat Brown; Daniel Lechliter; Edward Casillo and Inez Tuttle.

The City Council discussed road conditions, parking, and bridge.

ACTION: Close the public hearing. (Holden/Herrera) The City Council concurred to continue to October 19, 2010 unanimously.

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were no written communications received.

3. SUBJECT: The Cuesta Del Mar Affordable Housing Project – Planning & Zoning Permit Nos. 10-570-02 (Zone Change), 10-535-01 (Density Bonus), and 10-540-01 (Planned Development) Located at 610 Cuesta Del Mar Drive. Filed by McCarthy Companies, agent for the Housing Authority of the City of Oxnard. (103)

RECOMMENDATION: 1) Adopt **Resolution No. 13,918** approving the Density Bonus (PZ No. 10-535-01) for the Cuesta Del Mar housing project, subject to the conditions set forth in Planning Commission Resolution No. 2010-23; 2) Adopt **Resolution No. 13,919** upholding the Planning Commission's approval of the Planned Development (PZ No. 10-540-01) for the Cuesta Del Mar housing project, subject to the conditions set forth in Planning Commission Resolution No. 2010-22; and 3) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2831** approving a Zone Change (PZ No. 10-570-02) from R-3-PD to R-4-PD for the Cuesta Del Mar housing project, subject to the conditions set forth in Planning Commission Resolution No. 2010-24.

DISCUSSION: The Planning and Environmental Services Manager outlined the proposed development and zone change. Kathy Wilson, Housing Department, reviewed building codes, building plans, and parking requirements.

The following individuals expressed concerns with the planned design of the building: Bert Perello; Pat Brown and Inez Tuttle.

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

#### M. REPORT OF CITY MANAGER

1. SUBJECT: Update on the Early Retirement Incentive Program. (119)  
RECOMMENDATION: Receive an update on the Early Retirement Incentive Program.  
DISCUSSION: The Chief Financial Officer and Human Resources Director reviewed the current status of the program.

Bert Perello questioned the rehiring of retired employees.

ACTION: Provided comments and direction to staff.

#### N. CITY COUNCIL BUSINESS COMMITTEE REPORTS

1. SUBJECT: Strategies Based on Recent Inquiries from the District Attorney. (131)

RECOMMENDATION: Consider a report on the Strategies Based on Recent Inquiries from the District Attorney.

DISCUSSION: The City Manager outlined internal changes including a core management group, contract compliance review committee, and enhancement of employee training programs.

The following individuals expressed concerns with the District Attorney investigation: Bert Perello, Tim Flynn, Ernest Stein, Daniel Lechliter, and Inez Tuttle.

The City Council discussed financial controls, change order process, credit card limits, travel policies, and placing information online.

ACTION: Provide direction to staff.

- 2. SUBJECT: Proposition 19, an Initiative to Legalize Marijuana in California on the November 02, 2010 General Election Ballot. (143)

RECOMMENDATION: That City Council consider a report on Proposition 19, an initiative to legalize marijuana in California on the November 02, 2010 General Election Ballot.

DISCUSSION: The Legislative Affairs Manager reviewed the proposed ballot issue and possible effects on the City.

The following individuals expressed concerns with the City's support of this ballot measure: Harold Ceja, Daniel Lechliter, and Al Vasquez.

ACTION: The Council received the report.

O. REPORTS

COMMUNITY DEVELOPMENT

At 11:23 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 11:23 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

October 5, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrent with the Oxnard Housing Authority. 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.

#### 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. 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; Rob Roshanian, Interim Public Works Director and Development Services Manager; Grace Magistrale Hoffman, Deputy City Manager; Sue Martin, Planning and Environmental Services Manager; Martin Erickson, Legislative Affairs Manager; and Police Officer Clifford Waer.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Recognition of Smith Foundation Grant for "Downtown Beautification".  
ACTION: Continue to future date.
2. SUBJECT: Presentation of Proclamation Designating October 4-10, 2010 as "Mental Illness Awareness Week".  
DISCUSSION: Cindy Zerlin accepted the proclamation on behalf of NAMI which support families and commented on the importance of community awareness.
3. SUBJECT: Presentation of Commendation to Child Development Resources on the Occasion of Its 30th Anniversary.  
DISCUSSION: Deloris Carn, Ginger Robertson, Kent Kellegrew accepted the commendation and commented on the importance of child development in the community.

#### F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Robert Sumpter commented on reasons for running for Mayor.

Marsha Chandler requested help for a client to pay water (utility) bill.

Jean Panelli and Pat Brown, political signs being placed on public property.

Ed Ellis, need for Spanish simulcast of Council meetings.

Bricio Zaragoza, a code compliance issue.

Harold Ceja, against upcoming State ballot measure regarding marijuana use.

Dennis Ralph, cost of sports park development compared to Camarillo and Ventura,

Martin Jones, summons of grand jury of individuals.

Diane Delaney, impact of proposed changes to Embassy Suites Hotel, parking concerns and the need for full EIR.

Steve Nash, concerns with hiring of ERIP personnel.

Greg Kenney, Oxnard Shores/Dunes Neighborhood, requested the Anacapa development item scheduled for October 19, 2010 be continued to another night due to a neighborhood election.

Bert Perello, INCF Candidate Forum.

Walter Ontiveros, his belief in City government.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Cindy Eaves questioned the bid process (I-3).

Pat Brown questioned the bid quote (I-3) and questioned terms & conditions (I-5).

I. INFORMATION/CONSENT AGENDA

Development Services Department

1. SUBJECT: Ordinance No. 2830 Approving Third Amendment to the RiverPark Development Agreement No. A-6128 (PZ 10-670-02) with RiverPark A; RiverPark B; E.D. 2, KOH, KOH 12-17, RP Properties, RiverPark Collection, RiverPark Pointe, RiverPark Landing, and RiverPark Hotel. (001)  
RECOMMENDATION: Second reading and adoption.
2. SUBJECT: Ordinance No. 2831 Approving Planning and Zoning Permit No. 10-570-02 (Zone Change) for property located at 610 Cuesta Del Mar Drive (APN 222-0-095-085) changing the zoning designation from Garden Apartment (R-3-PD) to high rise residential (R-4-PD) subject to certain findings and conditions. Filed by McCarthy Companies on behalf of The Housing Authority of The City of Oxnard. (003)  
RECOMMENDATION: Second reading and adoption.
4. SUBJECT: Resolution Authorizing Execution of Amendment to the Standard Agreement for the Neighborhood Stabilization Program (NSP) with the California Department of Housing and Community Development (HCD). (017)

**RECOMMENDATION:** Adopt a revised **Resolution No. 13,920** authorizing the City Manager to execute and submit an amendment to the standard agreement with HCD (A-7353) to include additional eligible activities for NSP.

Human Resources Department

5. **SUBJECT:** Memorandum of Understanding with the Oxnard Public Safety Managers' Association OPSMA (Fire Unit). (021)  
**RECOMMENDATION:** 1) Adopt **Resolution No. 13,921** ratifying and implementing a Memorandum of Understanding (MOU) (A-7352) between the City and the Oxnard Public Safety Managers' Association (Fire Unit) commencing July 1, 2008, and expiring on June 30, 2014; and 2) Authorize the City Manager to transfer funds between accounts, in amounts to be determined, to implement the terms and conditions of the MOU.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

HOUSING AUTHORITY

At 7:59 p.m. the concurrent meetings with the Housing Authority concluded.

M. REPORT OF CITY MANAGER

The City Manager reported 1) that the Great Program Utility Project process along Ventura Road; and 2) Carnegie Art Museum "Día de Los Muertos" event.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Q. APPOINTMENT ITEMS

1. **SUBJECT:** Verbal Presentation of Oxnard Downtown Management District Annual Report.  
**RECOMMENDATION:** Consider Annual Report from Oxnard Downtown Management District by Mr. Abel Magana, Executive Director.  
**DISCUSSION:** Mr. Magana outlined the PBID program and recent accomplishments, partnership with EDCO, funding of arts program, and location of office with workshop services.

Bert Perello, arts program and placed of downtown information within the City utility billing.

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

O. REPORTS

Development Services Department

1. **SUBJECT:** Report 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. (031)

RECOMMENDATION: Accepts and review status report prepared by the Police Department.  
DISCUSSION: The Planning and Environmental Services Manager commented on the Police report of a lower local crime level. Police Officer Waer stated that reports show two events as having parking problems.

Ed Gurrola, stated that parking problems existed with parking on his property during several events.

Terry Williams, cost of calling tow truck and a need for comparison during holiday period.

Pat Brown, need for more parking and possible other sites for the business.

The City Council discussed continued parking problems and need to solve this parking issue.

ACTION: Provided direction to staff to work with El Rodeo Community Center regarding parking issues.

P. PUBLIC COMMENTS ON REPORTS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:03 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

October 12, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:05 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers, Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. Councilmember 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.

#### 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; Matthew Winegar, Development Services Director; Grace Magistrale Hoffman, Deputy City Manager; and Jason Samonte, Traffic Engineer.

#### E. CEREMONIAL CALENDAR

#### F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals questioned the funding of Measure "O" for Senior Services: Donald Thibeault, Linda Seaholm, Nancy Kobashigawa, and Yukio Kobashigawa.

Kaz Iwamoto praised the work of City Corps especially at the recent Walk 4 Life event.

Angel Diaz, need for planned road construction of Ventura Road and Citywide preventive road maintenance.

Harold Ceja, concern regarding placing marijuana ballot.

Victor Kamai, Ventura County Transportation Commission, possible VISTA Bus Service rate increase and invited public comments.

Larry Stein, public records requests, crossing guards, Measure O, and water credit.

Bert Perello, Oxnard High School lunch reimbursement issue, rebroadcast of recent forums and using City Corps for in-work work opportunities.

Greg Runyon, against California ballot measure regarding marijuana use.

Inez Tuttle, use of Measure "O" funds, DA investigation, and Spanish translation.

Pat Brown, marking and improvement of road conditions along Rose Avenue.

Edgar Mohorko, success of the Clergy Council and the peace keepers program.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals expressed concern or opposed approving an alcohol applicant (I-2): Harold Ceja; Bert Perello; Larry Stein; and Pat Brown.

Nancy Lindholm, supported jobs and local business support (I-1).

Pat Brown questioned reason and City involvement of the program (I-1).

I. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Resolution Supporting Business Friendly Principles as part of Southern California Association of Government's (SCAG) Development of a Southern California Economic Growth Strategy. (005)

RECOMMENDATION: Adopt **Resolution No. 13,922** in support of "Business Friendly Principles" as part of SCAG's development of a Southern California Economic Growth Strategy.

Development Services Department

2. SUBJECT: Resolution granting appeal of a request to permit the sale of beer, wine, and distilled spirits for off-site consumption at an existing Walmart Supercenter Store, located at 2001 North Rose Avenue. Filed by Lisa Kolieb, on behalf of Walmart. (009)

RECOMMENDATION: Adopt **Resolution No. 13,923** upholding the appeal and approving Planning and Zoning Permit No. 10-510-03, consistent with the Council's vote at the July 27, 2010 meeting.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (019)  
ACTION: Received and filed.

**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.

**City Manager Department**

1. **SUBJECT:** Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing and Resolution Approving the Issuance of \$10,000,000 of California Enterprise Development Authority Revenue Bonds for the Benefit of Quattro-Del Norte, LLC. (021)

**RECOMMENDATION:** 1) Conduct a public hearing as required under TEFRA; and 2) Adopt **Resolution No. 13,924** approving the issuance by the California Enterprise Development Authority (the "Authority") of not to exceed \$10,000,000 of the Authority's Revenue Bonds (the "Bonds") for the benefit of Quattro-Del Norte, LLC (the "Company"), for development of an automotive testing, research, and service facility at 201 Del Norte Blvd.

**DISCUSSION:** Steve Kinney, outlined the process to promote a business project with no financial connection.

The following individuals expressed concern approving this item: Bert Perello; and Pat Brown.

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

**L. PUBLIC HEARINGS****M. REPORT OF CITY MANAGER**

The City Manager reported on the upcoming Great Shake-Out Emergency Training Day.

**N. CITY COUNCIL****O. REPORTS****Development Services Department**

1. **SUBJECT:** Update on the Intelligent Transportation System (ITS) Master Plan Implementation. (027)

**RECOMMENDATION:** Consider a report regarding the implementation of the City's ITS Master Plan.

**DISCUSSION:** The Community Development Director and Traffic Engineer reviewed the proposed Intelligent Transportation System including funding, schedule, and other municipal uses.

The following individuals made comments and traffic suggestions: Bert Perello, Larry Stein, Nancy Lindholm, Tom Cady, William Terry, and Edgar Mohorko.

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

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 9:02 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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ANDRES HERREA  
Mayor Pro Tem

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION

Regular Meeting

October 19, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

## MINUTES

### OXNARD CITY COUNCIL

Regular Meeting

October 26, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:05 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard and Bryan A. MacDonald were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Edmund Sotelo, City Manager; Karen Burnham, Assistant City Manager; Alan Holmberg, City Attorney; John Crombach, Police Chief; Matthew Winegar, Development Services Director; James Cameron, Chief Financial Officer; and Michael Henderson, General Services 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 for Randall Elliot, Oxnard Planning Commissioner and community activist.

#### E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Resolution to David Gonzalez for Thirty-Six Years of Outstanding Service to the City of Oxnard. (001)  
ACTION: Approve **Resolution No. 13,925** (Maulhardt/Holden) unanimously.
2. SUBJECT: Presentation of Resolution to Robert MacDonald for Twenty-Nine Years of Outstanding Service to the City of Oxnard. (003)  
ACTION: Approve **Resolution No. 13,927** (Herrera/Pinkard) unanimously.
3. SUBJECT: Recognition of Oxnard Fleet Services Awarded # 4 among the Top 100 Fleets in the Nation for 2010.  
DISCUSSION: The General Services Manager commented on the award.
4. SUBJECT: Presentation of Proclamation Designating October 2010 as "Magic Month".  
DISCUSSION: Ted Wakai accepted the proclamation and preformed a few tricks.
5. SUBJECT: Presentation of Joint Proclamation Designating October as "Breast Cancer Awareness Month" and November as "End Domestic Violence Month".  
DISCUSSION: Marissa Vanderwyck, President of the Soroptimist of Oxnard, accepted the proclamation and commented on the importance of public awareness.

#### F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Ernest Stein, benefit of non-profit organizations having the Cowboys Training Camp.

Harold Ceja, opposed ballot Measure 19 (marijuana).

Marvin Cayou, clean environment issues.

Miguel Espinosa, past actions of Holden, Herrera and Maulhardt on the Council.

Yern Nomstrum, thanked the City for assistance at the community garden (Gonzales Road/Gallatin Place.)

Mory Navarro, offered disposal of political sign at Oxnard Towing, 720 Mountain View.

Jill Martinez, Community Action, comments regarding Community Action organization to hence the lives of community members with activities such as community gardens.

Bert Perello, placement of non-profit flyers information in utility bills.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Jill Martinez, Community Action Commission, thanked City Council for the partnership in helping the community (I-9).

Pat Brown, questioned the funding and joint agreement (I-4). The Development Services Director stated Caltrans and other funding sources would be funding the project.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for July 20 and 27, 2010. (005)  
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Additional Appropriation for Campus Park Rehabilitation Project Phase II GS09-13. (019)  
RECOMMENDATION: Approve the additional appropriation of \$215,370 from the Community Development Block Grant (CDBG) reprogrammed funds from prior year completed projects and program income to project GS09-13 for the Campus Park Rehabilitation Project Phase II, located at 350 South K Street.\*
3. SUBJECT: Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding. (021)  
RECOMMENDATION: Adopt **Resolution No. 13,927** authorizing the City Manager to submit an application for \$400,000 in California Emergency Management Agency (CalEMA) and the Governor's Office of Gang and Youth Violence Policy (OGYVP) California Gang Reduction, Intervention, and Prevention (CalGRIP) - Cities Initiative funds to be used to reduce gang and youth violence through direct intervention, job training and community engagement.

Development Services Department

4. SUBJECT: Amendment to Agreement with California Department of Transportation (Caltrans) for Rice Avenue/Santa Clara Avenue Interchange Improvements on Highway 101. (023)  
RECOMMENDATION: Approve and authorize the Mayor to execute the Amendment No. 1 to the agreement between the City and Caltrans in the amount of \$30,449,000 for the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101 (A-7011).

Finance Department

5. SUBJECT: State Controller Financial Transactions Report. (031)  
RECOMMENDATION: Receive the State Controller Financial Transactions Report and make the report available per sections 53891 and 53893 of the Government Code.

Housing Department

6. SUBJECT: City Approval of the Amended and Restated Assignment and Assumption, Amendment, and Modification Agreement for the Camino Gonzalez Apartments project located at 481 W. Gonzales Road. (031)  
RECOMMENDATION: Approve and authorize the Mayor and the Housing Director to execute an Amended and Restated Assignment and Assumption, Amendment, and Modification Agreement (A-7098) for the Camino Gonzales Apartments project.

Public Works Department

7. SUBJECT: Presentation of Resolution to John Carter for Twenty-Eight Years of Outstanding Service to the City of Oxnard. (053)  
RECOMMENDATION: Approve **Resolution No. 13,928**.
8. SUBJECT: Second Amendment to Agreement with Olin Chlor-Alkali Products for Chemical Supply and Delivery of Sodium Hypochlorite to the Wastewater Treatment Plant. (055)  
RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment with Olin Chlor-Alkali Products (A-7141) to increase the encumbrance an additional \$290,000 for a not to exceed total of \$580,000.

Recreation and Community Services Department

9. SUBJECT: Community Development Block Grant (CDBG) Youth Enrichment Program Subrecipient Agreements for FY 10-11. (059)  
RECOMMENDATION: 1) Authorize the previously approved Community Development Block Grant Youth Enrichment Program (CDBG YEP) of \$79,445 and Measure "O" funds of \$150,000 to the following local community based organizations: Big Brothers and Big Sisters of Ventura County for \$52,000, City Impact, Inc. for \$40,000, Community Action for Ventura County for \$19,445, El Centrito Family Learning Centers for \$56,000, El Concilio Family Services for \$42,000 and Palmer Drug Abuse Program for \$20,000; and 2) Authorize the City Manager or his designee to execute CDBG subrecipient agreements requiring such groups to provide enrichment programs that target at-risk youth from very low, low and moderate income families.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended.

(Maulhardt/Herrera) Ayes: Herrera, Maulhardt, Pinkard, MacDonald and Holden. \*Noes: Holden and MacDonald only for item I-2.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending September 30, 2010. (063)  
ACTION: Received and filed.

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: The Anacapa Townhomes Project – Planning & Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance) Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores Co., LLC. (105)  
RECOMMENDATION: Continue to December 7, 2010.  
ACTION: Approve as recommended (Herrera/Maulhardt) unanimously.

K. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Holden declared the public hearing open.

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

Development Services Department

1. SUBJECT: First Amendment to Development Agreement No. A-7113 (PZ 10-670-03) for Planning District B (West Peripheral Commercial District) in RiverPark. Filed by Oxnard Development Company, LLC, 199 Figueroa St, Suite 100, Ventura CA 93001. (075)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2832** approving the First Amendment to the Development Agreement No. A-7113 (PZ 10-670-03), between Oxnard Development Corporation and the City of Oxnard, for property located east of North Ventura Road and south of Town Center Drive, within the RiverPark Specific Plan area, and authorizing the Mayor to execute the First Amendment to the RiverPark Development Agreement after the second reading of the ordinance.
2. SUBJECT: Planning and Zoning Permit No. 10-630-01 (Amendment to Rose-Santa Clara Corridor Specific Plan) to Amend the Sign Guidelines and Standards Section of the Rose-Santa Clara Corridor Specific Plan for the Marketplace Shopping Center Located West of Paseo Mercado, and North of Ventura Boulevard. Filed by Parkstone Companies. (085)  
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of **Ordinance No. 2833** approving Planning and Zoning Permit No. 10-630-01 (Specific Plan Amendment) amending the Rose-Santa Clara Corridor Specific Plan to allow the installation of one 25-foot tall pylon sign within the landscaped median parallel to Ventura Boulevard, for the Marketplace Shopping Center (1801-1941 Ventura Boulevard). The project area is generally located west of Paseo Mercado, North of Ventura Boulevard.

The Development Services Director compared the signage to other commercial stores and this proposal was reasonable.

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

M. REPORT OF CITY MANAGER

The City Manager announced that this would be the Police Chief last meeting since he will be retiring next month and commented on a few of his accomplishments as Police Chief.

N. CITY COUNCIL/COMMISSION BUSINESS/COMMITTEE REPORTS

Finance Department

1. **SUBJECT:** Contract Approval Limits. (131)

**RECOMMENDATION:** 1) Consider a report on contract approval limits; and 2) Consider adoption of a resolution establishing purchasing procedures.

**DISCUSSION:** The Chief Financial Officer (CFO) outlined present contract limits and presented options to the City Council.

The Council commented on: changing limits, availability of the register, contract changes after approval, emergency policy and public review of information.

The following individuals expressed concerns with several aspects of the current policies regarding approval of contracts: Cindy Eaves, Construction Industry Force Account Council; Bert Perello; Ed Ellis; and Edward Castillo.

**ACTION:** Provided direction to staff to bring a resolution reflecting their comments.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:58 p.m. the City Council concurred to adjourn the meeting.

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DANIEL MARTINEZ  
City Clerk

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DR. THOMAS E. HOLDEN  
Mayor

## MINUTES

### OXNARD HOUSING AUTHORITY

Regular Meeting

July 20, 2010

#### 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 Community Development Commission. Commissioners Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard, Bryan A. MacDonald, Jose Andrade and Francisco Vega were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; and Grace Magistrale Hoffman, Deputy Executive Secretary.

#### 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

#### 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

1. SUBJECT: Minutes of the Regular Meetings of the Housing Authority for June 8, 15, 22 and July 13, 2010. (001)

##### Housing Department

7. SUBJECT: Public Housing Assessment System Certification. (065)  
RECOMMENDATION: Adopt **Resolution No. 1242:** 1) Certifying that the data contained in the Public Housing Assessment Systems (PHAS) Management Operations Certification Form (HUD 50072) for fiscal year ending June 30, 2010, is accurate, and 2) Directing the Housing Director to submit the certification to the U.S. Department of Housing and Urban Development.

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

J. TRANSMITTAL OF INFORMATION ONLY ITEMSK. INFORMATION/CONSENT PUBLIC HEARINGSL. PUBLIC HEARINGSFinance Department

1. SUBJECT: Presentation and Adoption of the Fiscal Year (FY) 2010-2011 City, Community Development Commission, and Housing Authority Operating and Capital Improvement Budgets. (103)

RECOMMENDATION: 1) Conduct a public hearing on the FY 2010-2011 operating and capital improvement budgets for the Housing Authority; and 2) adopt **Resolution No. 1243** approving the Housing Authority's Operating Budget for FY 2010-2011.

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

M. REPORT OF SECRETARYN. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTSCITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

At 9:38 p.m. the joint meetings with the City Council and Community Development Commission concluded.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONT. ADJOURNMENT

At 9:38 p.m. the Housing Authority concurred to adjourn the meeting.

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

## MINUTES

### OXNARD HOUSING AUTHORITY Regular Meeting July 27, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:08 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council and Community Development Commission. Commissioners Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard, Bryan A. MacDonald, Jose Andrade and Francisco Vega were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; Alan Holmberg, General Counsel; and Grace Magistrale Hoffman, Deputy Executive Secretary.

#### 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

#### 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

##### Housing Department

9. SUBJECT: Section 8 Management Assessment Program Certification (Form HUD- 52648). (047)

RECOMMENDATION: 1) Adopt a resolution approving and adopting the data contained in the Section 8 Management Assessment Program (SEMAP) Certification (Form HUD-52648) for the fiscal year ending June 30, 2010; 2) Authorize the Chairman to sign the resolution and Certification (Form HUD-52648); and 3) Authorize the Housing Director to submit the Certification (Form HUD-52648) to the U.S. Department of Housing and Urban Development.

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

#### J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

At 8:44 p.m. the joint meetings with the City Council and Community Development Commission concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 8:44 p.m. the Housing Authority concurred to adjourn the meeting.

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

MINUTES

OXNARD HOUSING AUTHORITY  
Regular Meeting  
September 14, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

MINUTES

OXNARD HOUSING AUTHORITY  
Regular Meeting  
September 21, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

MINUTES

OXNARD HOUSING AUTHORITY  
Regular Meeting  
September 28, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

## MINUTES

### OXNARD HOUSING AUTHORITY

Regular Meeting

October 5, 2010

#### A. ROLL CALL/POSTING OF AGENDA

At 7:04 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council. Commissioners Thomas E. Holden, Andres Herrera, Dean Maulhardt, Irene G. Pinkard, Bryan A. MacDonald, Jose Andrade and Francisco Vega were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Edmund F. Sotelo, Executive Secretary; Karen Burnham, Assistant Executive Secretary; and Alan Holmberg, General Counsel.

#### 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

#### 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

##### Housing Department

3. SUBJECT: First Amendment to Capital Improvement Contract with Vinyl Concepts, Inc., for Demolition and Reconstruction of Public Housing Carports. (005)

RECOMMENDATION: Removed from agenda.

INFORMATION/CONSENT AGENDA ACTION: The Commission removed this item from the agenda.

#### J. TRANSMITTAL OF INFORMATION ONLY ITEMS

#### K. INFORMATION/CONSENT PUBLIC HEARINGS

#### L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. HOUSING AUTHORITY COMMISSION BUSINESS/COMMITTEE REPORTS

CITY COUNCIL

At 7:59 p.m. the joint meetings with the City Council concluded.

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 7:59 p.m. the Housing Authority concurred to adjourn the meeting.

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

October 12, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

MINUTES

OXNARD HOUSING AUTHORITY  
Regular Meeting  
October 19, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

October 26, 2010

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

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DANIEL MARTINEZ  
Secretary Designate

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DR. THOMAS E. HOLDEN  
Chairman