

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

The entire agenda packet is available for review in the Library, 251 Sourg "A"St and the City Clerk's Office, 300 West Third St, 4th Floor, during customary business hours. The agenda reports are on the City of Oxnard web site at www.oxnard.org.

This page contains Portable Document Format (PDF) files. To view PDF documents please download and install the free Adobe Acrobat Reader.

AGENDA
July 28, 2009
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD HOUSING AUTHORITY
INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY
City Council Chambers, 305 West Third Street, Oxnard
5:30 P.M. Closed Session
7:00 P.M. Regular Meetings

- B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS
RECOMMENDATION: At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.
- C. CLOSED SESSION - (Please see page 7 for description of closed session items)
- A. ROLL CALL/POSTING OF AGENDA
- D. OPENING CEREMONIES - 7:00 P.M.
RECOMMENDATION: Pledge of allegiance to the flag of the United States.
- E. CEREMONIAL CALENDAR
 - 1. SUBJECT: Presentation of Commendation to ARC of Ventura County.

Jim White, Director of Operations, Fred Robinson, Chief Executive Officer, (he spoke) Gene West, Carolyn Whalen announced opening of 415 South A Street office.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

RECOMMENDATION: At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing. The presiding officer shall limit public comments to three minutes.

Harold Ceja, Peaker Plant, opposes

William Bill Terry, former Halaco site

John Korsten, variety of issues

Ed Ellis, former Halaco site cleanup and slow progress

Priscilla Cisneros, Cabrillo EDC, Arts for Action, and influence on youth; Tomas Hernandez, xx on Prison program re mural production; Richard xx re block party Aug 16 at Arroyo Community Center; Michael Schuman, Victor Aguilar, Connec ??

Armondo Vasquez, art opening July 31 for Michael xx

Burt Perello, July 20 FEMA meeting, deadlines for comment and unavailability of information
Lawrence Stein, 2030 Master Plan clarification of Harbor overlay use precluding parks use and devlpmt of aquatic center

Pat Brown, questions deterioration of streets at various locations

G. REVIEW OF INFORMATION/CONSENT AGENDA

RECOMMENDATION: The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

Maulhardt re I-7 questions the total and wants to see comparison to what was previously approved. Nicole xx , CEDC responded with costs and other potential sources of funding.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

RECOMMENDATION: At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

I. INFORMATION/CONSENT AGENDA

ACTION: Information/Consent Agenda approved, with the removal of I-7.

City Clerk Department

1. SUBJECT: Minutes of the Special Meeting of the Industrial Development Financing Authority for September 16, 2008. (001) RECOMMENDATION: Approve. Legislative Body: IDFA Contact: Daniel Martinez Phone: 385-7803

Document: [View Item \(pdf 77KB\)](#)

City Treasurer Department

2. SUBJECT: Ordinance No. 2811 Amending Sections 11-140 and 11-141, the Title of Section 11-143, Sections 11-143, 11-154, and 11-157 of the Oxnard City Code and Repealing and Readopting Article IX of Chapter 11 of the Oxnard City Code Concerning the Regulation of Massage Professionals and Massage Businesses or Establishments. (003) RECOMMENDATION: Second reading and adoption. Legislative Body: CC Contact: Tammy Gutierrez Phone: 385-7819

Document: [View Item \(pdf 909KB\)](#)

Community Development Department

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

Fund balance to, "CDC Loan/5208 Cypress Road," from which a loan will be provided to Habitat for Humanity. Legislative Body: CDC Contact: Maureen Hooper Phone: 385-7407

Document: [View Item \(pdf 162KB\)](#)

Document: [View Attachment 1 \(pdf 1068KB\)](#)

Development Services Department

4. SUBJECT: Planning and Zoning Permit No. 09-300-03 (Final Map for Condominium Purposes for Tract No. 5852), for 2831-2861 North Ventura Road. Filed by Martin Teitelbaum, RiverPark Gateway, Ltd. (021) RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 09-300-03 (Final Map for Condominium Purposes for Tract No. 5852), to subdivide four community ownership building/lots (Lots 1, 2, 3, & 4 of Tract 5852) located at 2831-2861 North Ventura Road, within the RiverPark Specific Plan. Legislative Body: CC Contact: Juan Martinez Phone: 385-7556

Document: [View Item \(pdf 3488KB\)](#)

ACTION: Approved, R-13,733.

Finance Department

5. SUBJECT: Ordinance No. 2812 Concerning the Deferral of Payment of Development Fees for Homewood Suites. (033) RECOMMENDATION: Second reading and adoption. Legislative Body: CC Contact: Sabrina Rodriguez Phone: 385-7465

Document: [View Item \(pdf 109KB\)](#)

6. SUBJECT: Election of Authority Officers for Fiscal Year 2009-10. (035) RECOMMENDATION: Appoint Mayor Holden as Chairperson and Mayor Pro Tem Herrera as Vice Chairperson, each to serve a one-year term. Legislative Body: IDFA Contact: Steve Kinney Phone: 385-7444

Document: [View Item \(pdf 66KB\)](#)

Housing Department

7. SUBJECT: Amended and Restated Affordable Housing and Loan Agreement with Cabrillo Economic Development Corporation (CEDC) for an Increase of \$323,840 in the Loan Amount for a Total Loan of \$1,623,840. (037) RECOMMENDATION: (1) Approve and authorize the Mayor to execute an Amended and Restated Affordable Housing and Loan Agreement with CEDC (A-7098) providing additional financing in the amount of \$323,840 (for total loan of \$1,623,840) for the development of 43 affordable apartments at 457 West Gonzales Road; and (2) Authorize the award of funds in the amount of \$323,840 from the 2007-2008 fiscal year HOME funds. Legislative Body: CC Contact: Ernest Whitaker Phone: 385-7400

Document: [View Item \(pdf 109KB\)](#)

Document: [View Attachment 1 \(pdf 3052KB\)](#)

ACTION: Removed from agenda, no action taken.

8. SUBJECT: Authorization to Award and Execute Contract for the Direct Administration of the Homeless Prevention and Rapid Re-Housing Program (HPRP) Stimulus Funds. (039) RECOMMENDATION: Approve and authorize the City Manager to execute an agreement in the amount of \$1,096,869.15 with the Ventura County Human Services Agency (4864-09-HO) to administer the HPRP stimulus money awarded to the City under the American Recovery and Reinvestment Act. Legislative Body: CC Contact: Will Reed Phone: 385-8044

Document: [View Item \(pdf 1319KB\)](#)

9. SUBJECT: Section Eight Management Assessment Program (SEMAP) Certification. (057) RECOMMENDATION: Adopt a resolution: (1) Certifying that the data contained in the SEMAP Certification for the fiscal year ending June 30, 2009, is accurate; (2) Authorizing the Chairman to sign the resolution and certification; and (3) Directing the Housing Director to submit the certification form to the U.S. Department of Housing and Urban Development. Legislative Body: HA Contact: William E. Wilkins Phone: 385-8094

Document: [View Item \(pdf 270KB\)](#)

ACTION: Approved, R-1233.

Police Department

10. SUBJECT: Ordinance Regulating Private Security Officer Uniforms.
(061) RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance adding sections 7-260 through 7-262 to the Oxnard City Code regulating private patrol officers, proprietary private security officers, and security officer uniform apparel. Legislative Body: CC Contact: Tom Chronister Phone: 385-7746

Document: [View Item \(pdf 171KB\)](#)

ACTION: Approved, O-2813, first reading only.

11. SUBJECT: Recognize State Grant Award and Appropriate Funds for the DUI Enforcement and Awareness Program. (065) RECOMMENDATION: Adopt a resolution: (1) Authorizing the City Manager or designee to submit an application for \$350,806 to the State of California, Office of Traffic Safety (OTS); (2) Recognizing grant revenue in the amount of \$350,806 from the OTS; (3) Authorizing the City Manager or designee to execute grant agreements; (4) Authorizing the Chief Financial Officer or designee to submit financial reports and grants claims and approve special budget appropriation for the use of grant funds; and (5) Authorizing the Chief of Police or designee to submit non-financial reports. Legislative Body: CC Contact: Randy Latimer Phone: 385-7847

Document: [View Item \(pdf 236KB\)](#)

ACTION: Approved, R-13,734.

12. SUBJECT: AVOID the 14 DUI Grant Memoranda of Understanding (MOU).
(069) RECOMMENDATION: Authorize the City Manager or his designee to execute MOUs between the cities, and agencies specified in the attached AVOID the 14 DUI Grant Agreement in an amount not to exceed \$100,000 per city or agency, with the total of all MOUs not to exceed \$559,104. Legislative Body: CC Contact: Randy Latimer Phone: 385-7847

Document: View Item (pdf 1113KB)

ACTION: Approved, Agreement No. 4850-09-PD.

Public Works Department

13. SUBJECT: PW06-17 Saviers Road Improvement Project, Located in the Historic Enhancement and Revitalization Project Area (HERO) and Southwinds Project. (083) RECOMMENDATION: (1) Approve Project Specification No. PW06-17 for pavement resurfacing, traffic modifications and water main improvements along Saviers Road between Wooley Road and Hueneme Road and authorize staff to solicit bids for the project; and (2) Approve a special budget appropriation to transfer and appropriate funds in the amount of \$6,729,019 to the Saviers Road Improvement Project No. 10XXX from the following: (a) transfer \$4,715,876 from HERO Street Projects Project No. 078701 Account No. 405-8751-826-8605; (b) transfer \$1,633,143 from Cast Iron Pipe Replacement Project No. 026001 Account No. 601-6510-821-8605; (c) transfer \$80,000 from Saviers Road Median Improvement Project No. 023106 Account No. 354-9924-826-8604; (d) transfer \$45,000 from Utility Undergrounding - Various Locations Project No. 083109 Account No. 358-3031-826-8605; and (e) appropriate \$255,000 in interest earnings from the CDC Southwinds Area Bonds. Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 2754KB)

14. SUBJECT: PW06-16 Gonzales Road Arterial Resurfacing Project. (089) RECOMMENDATION: Approve Project Specification No. PW06-16 for pavement resurfacing on Gonzales Road between Oxnard Boulevard and Rice Avenue and authorize staff to solicit bids for the project. Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 1560KB)

15. SUBJECT: PW07-04 Ventura Road Arterial Resurfacing Project Phase I. (093) RECOMMENDATION: Approve Project Specification No. PW07-04 for pavement resurfacing along Ventura Road between Gonzales Road and Vineyard Avenue and authorize staff to solicit bids for the project. Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 1572KB)

16. SUBJECT: Construction of Chemical Building No. 3 Project.
(097) RECOMMENDATION: (1) Approve Project Specification No. PW08-10 for the construction of Chemical Building No. 3 at Blending Station No. 1, located at the City's Water Campus on 251 South Hayes Avenue, and authorize staff to solicit bids for the project; and (2) Approve a special budget appropriation of \$1,493,375 transferring from the Blending Station #3 Desalter Project No. 066011 to the Chemical Building No. 3 - Groundwater Recovery Enhancement and Treatment Program Project No. 086503 for the construction of Chemical Building No. 3. Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 1841KB)

17. SUBJECT: Recognize Revenue and Appropriate Funds for Bicycle Path Maintenance.
(103) RECOMMENDATION: Recognize and appropriate funds in the amount of \$25,259 to the Bike Path at Various Locations Project No. 103103. Legislative Body: CC Contact: Grant Dunne Phone: 340-8365

Document: View Item (pdf 105KB)

18. SUBJECT: Appropriation of Interest Earnings for Projects at the Wastewater Treatment Plant Headworks Facility. (105) RECOMMENDATION: Approve the appropriation of funds in the amount of \$198,782 in interest earnings from the Wastewater Revenue Bonds Series 2004 A; \$73,241 in interest earnings from the Wastewater Revenue Bonds 2004 Series B; and \$180,898 in interest earnings from the Wastewater Revenue Bonds Series 2006 to the Wastewater Treatment Plant Headworks Project. Legislative Body: CC Contact: Jeanine Hutton Phone: 385-7779

Document: View Item (pdf 150KB)

Burt Perello, I-5 opposes approval w/o requiring something of developer Lawrence Stein, I-13
William Bill Terry I-13, safety concerns w/truck traffic on Saviers Rd Jonathan Ziv, I-16

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Larry Stein questions perceived discrepancies (listen to tape)

Finance Department

1. SUBJECT: Monthly Budget Status Reports for the Period Ending June 30, 2009.
(109) Legislative Body: CC Contact: James Cameron Phone: 385-7475

Document: View Item (pdf 483KB)

K. INFORMATION/CONSENT PUBLIC HEARINGS
Development Services

1. SUBJECT: Major Modification to PZ 06-570-09, Amending Part 2 of Ordinance No. 2790, for Property Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Tucker Investment Group/Courtyard at Mandalay Bay, LLC.
(119) RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance to extend the existing commercial non-conforming uses for a period up to fifteen years from the date of said ordinance. Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

Burt Perello concerns with property maintenance over such a lengthy extension.

ACTION: Approved, O-2814, first reading only.

Document: View Item (PDF 336 KB)

L. PUBLIC HEARINGS

- M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY
RECOMMENDATION: The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

Recreation and Community Services Department

1. SUBJECT: Update of City Corps Town Keeper Program. RECOMMENDATION: Receive verbal report.
Legislative Body: CC Contact: Gil Ramirez Phone: 385-7994

Efren Gorre, 14th year and current efforts for addtâ€™ having a direct impact on safety of City streets. Townkeeping: transformation of young people from a challenging existence to contributing members of the City, maintaining higher level of cleanliness of neighborhoods, instilling strict standards, including monitoring catch basins, cleanout of storm drain channels, assisting GAP in out of site locations, to serve individuals for their lifetime to have the greater impact on their community.

N. CITY COUNCIL/HOUSING AUTHORITY/COMMUNITY DEVELOPMENT
COMMISSION BUSINESS/COMMITTEE REPORTS

Development Services Department

1. SUBJECT: Adoption of the City of Oxnard Cultural Master Plan.
(125) RECOMMENDATION: (1) Adopt by resolution the Cultural Master Plan; (2) Adopt a resolution amending the Art in Public Places resolution pertaining to the Public Art Fund; and (3) Direct staff to return to Council a recommendation regarding creating or appointing a Cultural Arts Coordinator position.
Legislative Body: CC Contact: Matthew Winegar Phone: 385-7896

Andres Herrera re background of Cityâ€™s development of a Cultural Master Plan, acknowledged entities. Development Services introduced Patrick Ela, Facilitator of Steering Committee, who highlighted Committeeâ€™s goals, development of a needs assessment, that it would cover all the visual arts, dance, theater, etc., priorities established, Plan components, including xx(see report).

Carmen Ramirez requested continuance to allow the Steering Committee opportunity to review and comment on the Plan.

ACTION: Approved, R-13,735 and 13,736.

Document: View Item (PDF 884 KB)

1. SUBJECT: Adoption of the City of Oxnard Cultural Master Plan. (125)
RECOMMENDATION: RECOMMENDATION: (1) Adopt by resolution the Cultural Master Plan; (2) Adopt a resolution amending the Art in Public Places resolution pertaining to the Public Art Fund; and (3) Direct staff to return to Council a recommendation regarding creating or appointing a Cultural Arts Coordinator position.

Legislative Body: Legislative Body: CC Contact: Matthew Winegar Phone: 385-7896

MacDonald on the success of the Salsa Festival and acknowledged City Corps and other volunteers.

Pinkard positive, colorful, mural done by Arts for Action.

O. REPORTS

City Manager Department

1. SUBJECT: Donation of Used, Unserviceable City Vehicles to Oxnard College.
(137) RECOMMENDATION: Approve the donation of three unserviceable vehicles to the Oxnard College Automotive Program for their use in training college students in auto repair. Legislative Body: CC Contact: Dan Berlenbach Phone: 385-8047

Dan Berlenbach and Automotive Program provided the report; Dean xx thanked the City Council for supporting the Program.

ACTION: Approved.

Document: View Item (PDF 137 KB)

Public Works Department

2. SUBJECT: Two-Year Comprehensive Utilities Revenue Increases.
(139) RECOMMENDATION: (1) Review and provide direction to the Public Works Director to implement a two-step revenue increase for the Water, Wastewater and Environmental Resources Enterprises. The proposed increases are one and one-half percent in Fiscal Year (FY) 2009-10 and two percent in FY 2010-11 for the Water Section; eight percent in both FY 2009-10 and FY 2010-11 for the Wastewater Section; and three

and one-half percent in both FY 2009-10 and FY 2010-11 for the Environmental Resources Division; and (2) Authorize staff to proceed with the Proposition 218 process. Legislative Body: CC Contact: Michelle Romney Phone: 385-8309

ACTION: Approved.

Document: View Item (PDF 266 KB)

P. PUBLIC COMMENTS ON REPORTS

RECOMMENDATION: At this time, a person may address the legislative body only on matters appearing on the reports. The presiding officer shall permit a person to address the legislative body after the staff presentation on the report and before the consideration of the report by the legislative body. The presiding officer shall limit public comments to three minutes.

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

RECOMMENDATION: At this time, a person may address the legislative body only on matters appearing on the study session agenda. The presiding officer shall permit a person to address the legislative body after the staff presentation on the item and before the consideration of the item by the legislative body. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION - (Continued from page 1)

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR. Instructions to negotiators, Karen Burnham, Assistant City Manager and Anthony Emmert, Water Resources Manager, concerning negotiations with United Water Conservation District regarding the price and terms of payment for the purchase or lease of appurtenant water rights associated with property located outside city limits, east of the Santa Clara River, northwest of Vineyard Avenue, known as the Ferro Pit, Assessor Parcel Numbers 129-0-020-080, 129-0-030-035, 129-0-030-215, 129-0-030-235, 129-0-030-245, 129-0-030-255, 129-0-030-265, 129-0-030-280, 129-0-030-290, 129-0-040-160, 129-0-040-195 and 147-0-060-015.

The Public Works Director requested that this item be discussed in closed session under

the Brown Act exception of Conference with Real Property Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations for the potential purchase and/or long-term lease of water rights appurtenant to the described parcels and to provide instructions to the negotiators. Legislative Body: CC

2. CONFERENCE WITH LABOR NEGOTIATOR. Instructions to negotiators, Karen Burnham, Assistant City Manager, and Michelle Tellez, Human Resources Director, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721, the International Association of Firefighters AFL-CIO (IAFF), Local No. 1684, Oxnard Public Safety Management Employees' Association (Police Unit), Oxnard Public Safety Management Employees' Association (Fire Unit), the International Union of Operating Engineers, AFL-CIO (IUOE), Local 501, and the Oxnard Peace Officers' Association (OPOA) and other matters within the scope of representation.

The Assistant City Manager and the Human Resources Director requested that these items be discussed in closed session under the Brown Act exception of Conference with Labor Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations and to provide instructions to negotiators. Legislative Body: CC

T. ADJOURNMENT