

# **Mandalay Bay Waterway Maintenance District Annual Report, February 2004**

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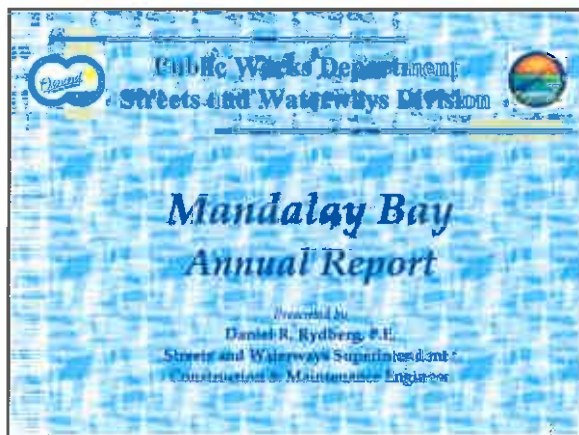
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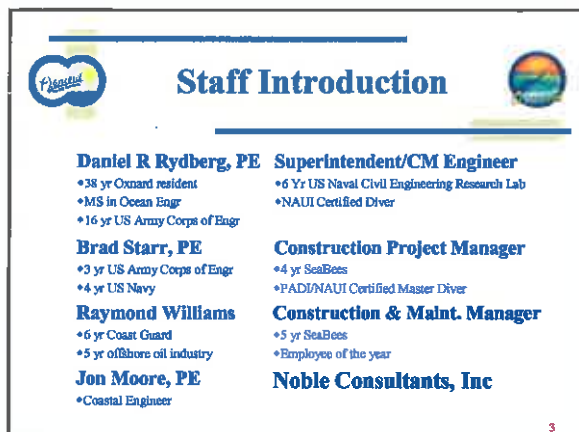
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## Outline



1. Waterways overview
2. History of waterways
3. Dredging
4. Oxnard West Drain
5. Guard Rail Replacement
6. 20 year plan
  - Repair types
  - Work completed
7. Future
  - Remaining work
  - Plan
8. Sound Wall

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## Section 1



### Waterways Overview

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## Site Map



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## Mandalay Bay Facts



- ♦ **7.8 miles of seawall**
  - 3.4 miles Boise Wall
  - 4.4 miles Zurn Wall
- ♦ **79.6 acres of waterways**
  - 23.5 acres Main Channel
  - 30.8 acres East Mandalay Bay
  - 25.3 acres West Mandalay Bay

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## Map of Seawall Type



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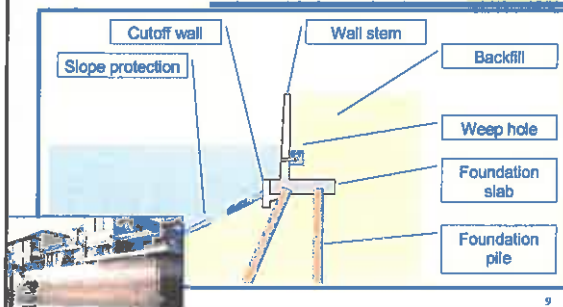
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## Zurn Wall Nomenclature



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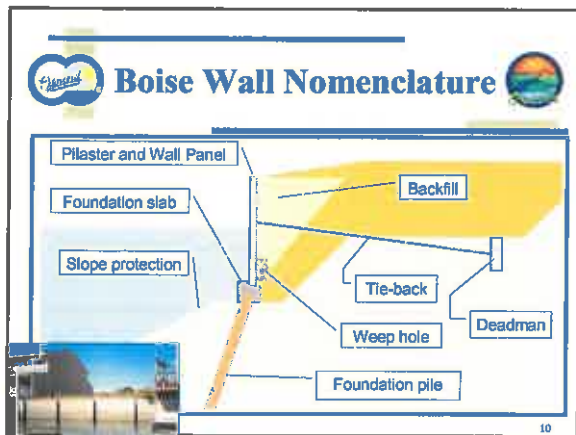
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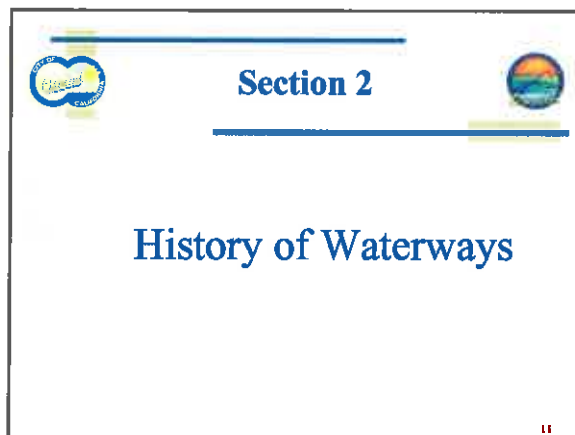
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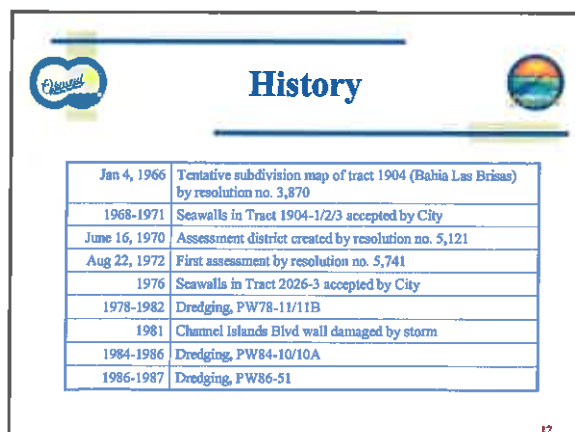
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## History



1987-1993	Annexation of Mandalay Bay Ph IV, Tract 4323-1/2/3
June 28, 1988	Assessment valuation changed by resolution no. 9,476, Harbor Island added to Waterway Maintenance District as Zone 2
1989-1992	Seawall Repair Phase 1, PW89-26
1993-1995	Seawall Repair Phase 2, PW93-20
1999-2003	Seawall Repairs, Harbor Offshore contract
2003-2004	Dredging, PW03-23

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## Assessment District



### Purpose

- Maintenance, repair, operation, cleaning, dredging and supervision of ...
  - Waterways
  - West channel of Channel Islands Marina until VC completes Phase II
  - Edison Canal
- Maintenance and repair required by discharge of the Oxnard West Drain
- Maintenance and operations of landscape

### Assessment calculation

- Prior to 1978 (Proposition 13) - Based on a share of the total assessed valuation of the property and improvements
- 1978 to 1988 - Based on 1977-78 land value
- 1988 to present - Based on April 26, 1988 Engineer Report

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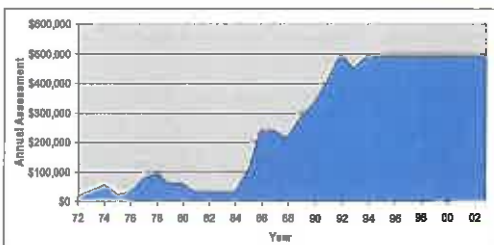
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## Assessment History



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## Historical Work



Year	Const.	Engr.	Inspec.	Survey	Permit	Admin	Totals
1991		6					\$6
1992	26	7	11				\$44
1993	390	84	29				\$503
1994	2	37	10				\$49
1995	234	78	29	29		14	\$384
1996		10		6			\$16
1997	15	43	22	21			\$101
1998	171	26	17	12			\$226
1999	141	3		38			\$182
2000	693	35	30			7	\$765
2001	877	20	15	45	5	7	\$969
2002	879	35	22	12		7	\$955
2003	238	87	15	83	26	7	\$456
2004	1,260						\$1,260
Totals	\$4,926	\$471	\$200	\$246	\$31	\$42	\$5,916

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## Section 3



### Oxnard West Drain

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## Oxnard West Drain Debris Control



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## Background



- Length is 3.39 miles
- Watershed area of 2,800 acres (4.4 square miles)
- Design peak flow in a 50 yr storm is 1,770 cfs (gpm)
- Owned by Ventura County Watershed Protection District (VCWPD)
- Maintained by VCWPD and City of Oxnard Wastewater Division in cooperation with City Corps
- Regulated by National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit

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## Debris Characterization Study



Household Items	28%
Landscape materials	15%
Sports Equipment	15%
Paper products	15%
Plastics	10%
Automotive products	5%
Styrofoam	5%
Personal effects	5%
Glass	5%
Cellophane	3%
Dead animals	2%

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## VCWPD Study



Completed in January 2004

### Recommendations

- Interagency coordination
- Installation of fence along CI Blvd
- Focused public education and outreach
- Further study for a treatment control device

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## Current Efforts



- ♦ Installed booms late last year
- ♦ Coordinating with Port Hueneme to install fence along North side of channel
- ♦ Coordinating with VCWPD to determine best treatment control device

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## Booms Installed



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## United Water Facilities



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## Section 4

# Dredging



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## Background

### Permits

- ♦ Army Corps of Engineers
- ♦ California Coastal Commission
- ♦ Regional Water Quality Board

### Contract status

- ♦ Bids received last month were non-responsive
- ♦ Will re-bid this month



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## Eastern Mandalay Bay Dredging Project



Area II  
18,425 cubic yards

Area I  
9,535 cubic yards

Area III  
2,795 cubic yards



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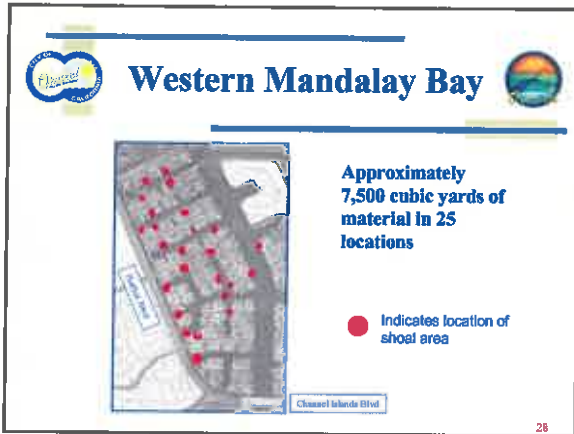
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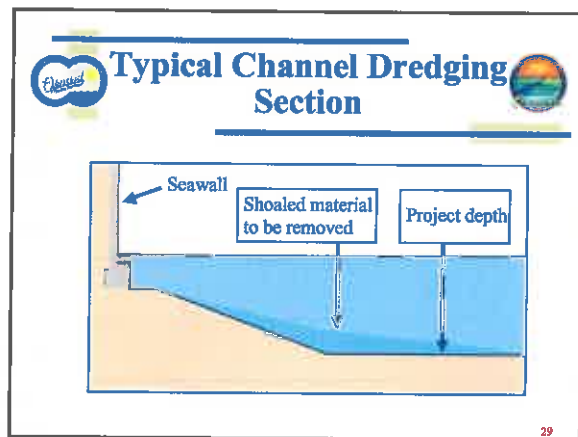
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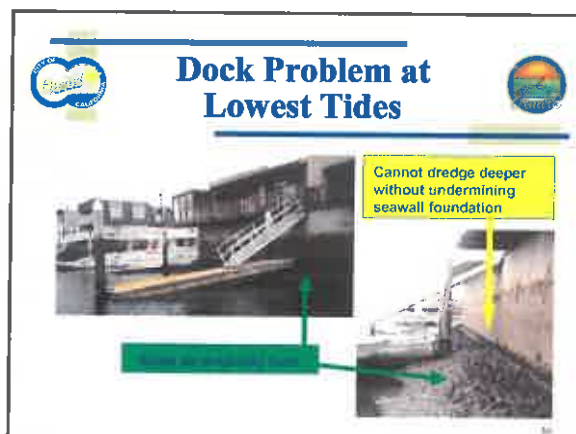
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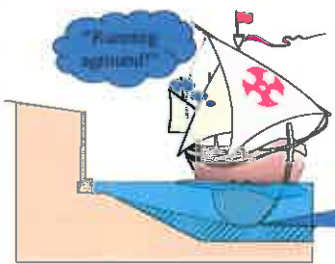
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## CHANNEL DEPTH LIMITATIONS





- ◆ Large draft
- ◆ Deep keels
- ◆ Low tide extremes

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## Dredging and Dewatering Equipment





Mobile dewatering plant



Mixing tanks



Centrifuge/ conveyors



Dewatered material

Electric dredge

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## Homeowner Cooperation Will Be Needed



- Move Boats To Allow Dredge to Clean Under Docks
- Temporary Disruption To Navigation
  - Floating Pipeline
  - Suspended Cables To Operate Dredge
- Temporary Construction Impacts
  - Noise (minimized by electric equip. where possible)
  - Truck Traffic (scheduled during non-peak traffic hours)
  - 12, 16 or 24 Hour Operation (cost savings item)

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## Section 5



### Guard Rail

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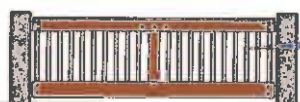
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## GUARDRAIL REPAIRS (REPLACEMENTS)



- ♦ Existing have termite & dry rot
- ♦ New rails will be treated wood



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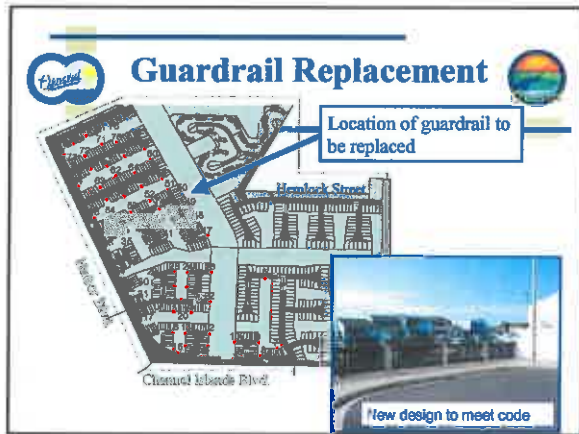
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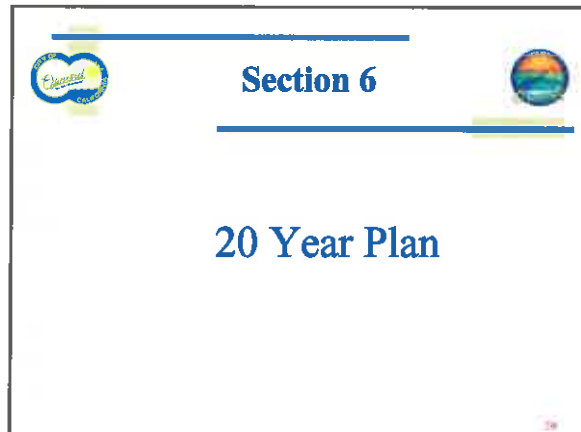
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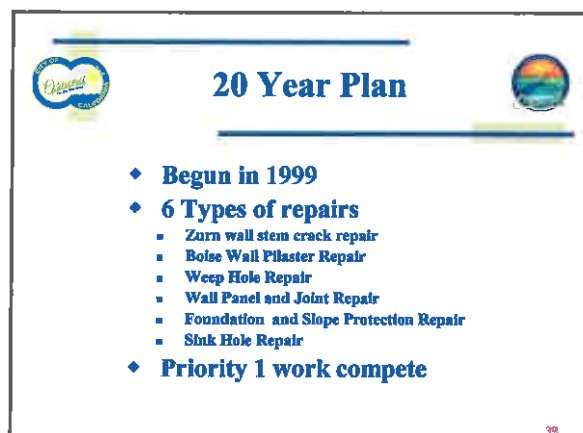
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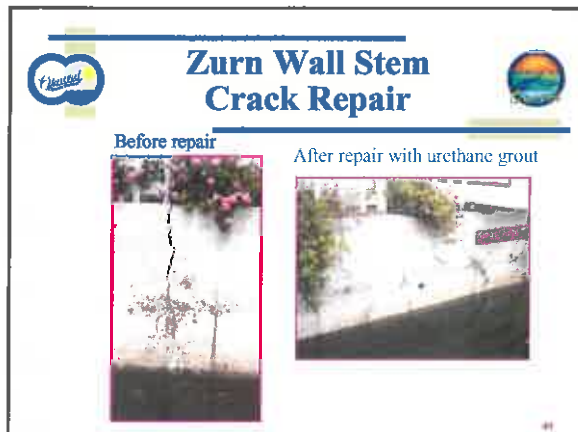
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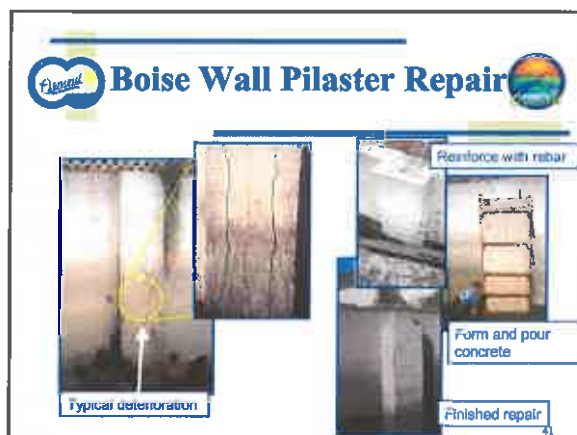
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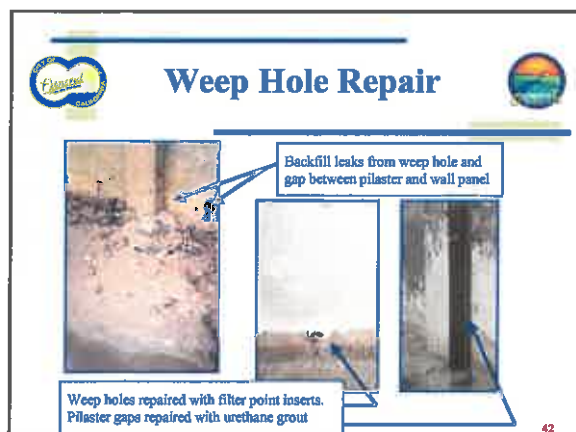
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## Wall Panel and Joint Repair





Typical Boise Wall panel crack



Zurn Wall joint repaired and sealed with urethane grout

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## Foundation and Slope Protection Repair





Bottom of foundation slab exposed



Hump in Fabriform slope protection



Repair foundation area with polyvinyl sheet pile cutoff wall with concrete seal

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## Sink Hole Repair





Small indication at surface



Excavate to uncover extent



Repair with sand/cement grout or gravel backfill

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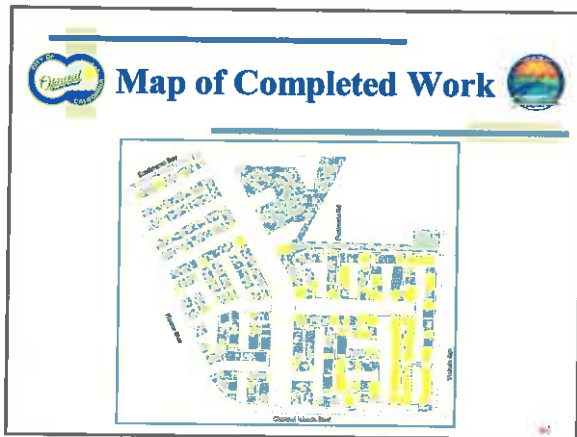
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**Repairs completed since 1999**

Item	1999	2000	2001	2002	2003	Totals
<b>Number of Lots</b>						
Cutoff Wall Repair			16	5	2	23
Slope Protection Repair	2	21	19	5		47
Backfill Repair		1		6		7
Piaster Repair		1	4	72	20	97
Weep Hole Repair		52	44	26		122
Crack Repair			4			4
Guardrail Repair					2	2
Maintenance Dredging		67	2	5		74
<b>Total lots</b>		<b>142</b>	<b>89</b>	<b>119</b>	<b>24</b>	<b>376</b>
<b>Repair Cost (\$1,000's)</b>	<b>\$118</b>	<b>\$765</b>	<b>\$969</b>	<b>\$955</b>	<b>\$456</b>	<b>\$3,327</b>

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**Section 7**

**Future Planning**

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## Priority for Known Remaining Work



Repair/ Maintenance Item	Estimated cost in \$1,000s	Priority 1	Priority 2	Priority 3
Maintenance Dredging				
West Mandalay Bay	477	131	91	
Clamshell maintenance	979			
Water Quality Improvement				
Oxnard West Drain	490	490		
Noise Wall Repair				
Pilester	2,462	1,315		
Wall panel	4,487	4,457		
Sink hole	406			
Weep hole	547			
Roof Wall Repair				
Wall stem	658	21	148	
Slope protection	1,218		1,218	
Joint repair	182			182
Weep hole	53			53
Guardrail replacement	190		25	
Grand Total (rounded)	12,143	1,374	7,520	

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## Plan for CY2004



- Dredge and solve dock grounding issues
- Replace guard rails
- Work with VCWPD on a treatment control device for Oxnard West Drain
- Evaluate remaining work
  - Required for safety/structural integrity
  - Design that will increase life of walls
  - Most cost effective repair method
- Develop/refine cost estimates
- Evaluate funding options
- Recommend plan for next five years in Feb 05

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## Section 7



## Sound Wall

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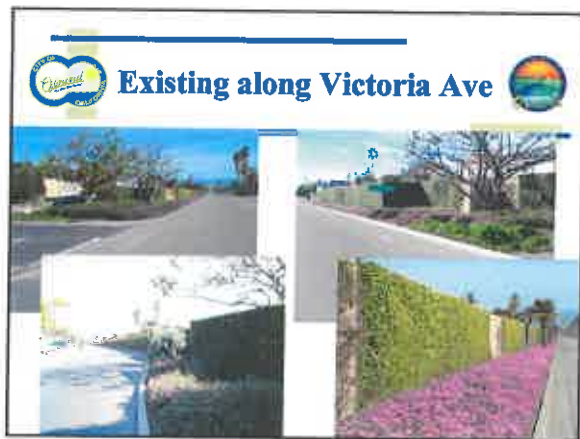
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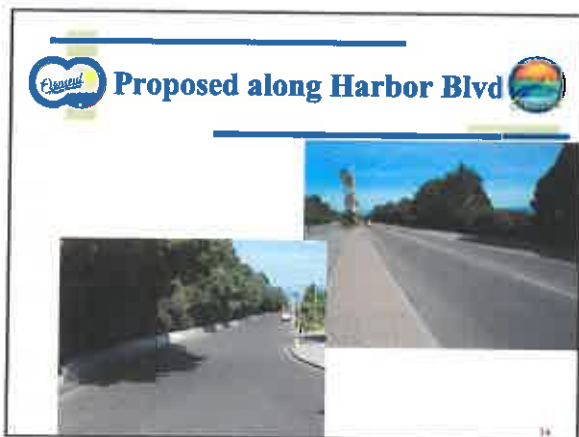
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## Traffic Counts



### City Data Shows Local Counts

- Victoria Ave & Channel Islands Blvd 2001 Average Annual Daily Trips (AADT) ~24,000
- Harbor Blvd & Channel Islands 2001 AADT =17,000

### County Data Shows Trend

Location	1999	2000	2001	2002	2003	2003 Hourly peak	
						AM	PM
Victoria Ave s/o Gonzales Rd	33,800	36,000	35,300	39,300	41,500	3,460	3,520
Harbor Blvd s/o Gonzales Rd	17,200	15,000	15,700	16,200	19,000	1,420	1,820

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## Sound Wall Issues



Walls are sometimes built around developments for...

- Separating land use, e.g. residential and commercial
- Separating neighborhoods or developments
- Gated communities
- Sound reduction, e.g. railroad tracks, freeways, etc.

Walls are paid for by the developer (home buyer)

Caltrans has some limited sound wall funding for *freeways only*

Wall on Victoria Ave was built in 1993/94 by homeowners and dedicated to the City.

- Maintained by the Waterway Maintenance District.
- City Council Resolutions 10,623 and 10,624

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## Possible Procedures



1. Homeowners pay for wall and dedicate to City as on Victoria Ave.
2. City develops assessment district
  - A. Estimate project cost and assessment amounts
  - B. Get consensus from CIWHA to move ahead
  - C. Preliminary wall design and detailed cost estimate
  - D. Write engineers report setting up assessment cost distribution
  - E. Mail ballots to homeowners
  - F. 50% plus 1 vote passes the assessment
  - G. Sell bond using assessment as collateral
  - H. Final design and construction
  - I. Collect assessment to pay for bond

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**Conclusion**

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Questions?

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Public Works Department  
Streets and Waterways Division



## Dock Repair and Replacement

Presented by  
Jon Moore, P.E.  
Central Engineer  
Noble Consultants, Inc.

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Mandalay Bay Docks



Guide Pile

Concrete Dock

Gangway

Pile Guide Detail

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General Dock  
Design Considerations



- ♦ State Standard (DBAW)
  - Loads (dead load + 20 lbs/ft<sup>2</sup> live load; wave; boat impact)
  - Freeboard of 8 inches (min.)
  - Concrete cast around solid foam core
- ♦ Structural Design Approach
  - Rigid or Flexible
- ♦ Materials and Components
  - Concrete Strength
  - Steel Reinforcement
  - Corrosion Protection

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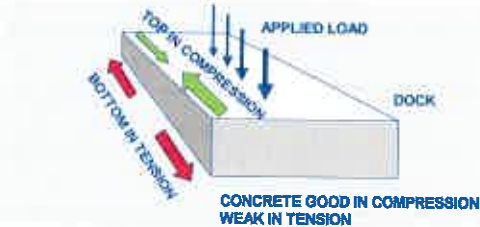
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## Dock Performance





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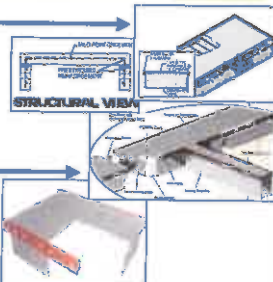
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## Typical Concrete Dock Designs



- Mild Steel Reinforcement
- Mild Steel Reinforcement and Pre-Stressed
- Mild Steel Reinforcement and Post-Tensioned
- Fiber reinforced concrete



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## General Progression of Dock Deterioration



- Timber Components
  - Dry rot and/or termite damage
- Floatation
  - Water absorption/ loss of freeboard
- Concrete
  - Cracks and spalls
- Steel Reinforcement and Hardware
  - Corrosion



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## Dock Problem at Lowest Tides





Cannot dredge deeper without undermining seawall foundation



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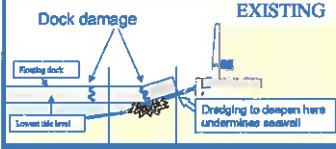
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## Dock Problem at Lowest Tides




**EXISTING**



Existing slopes can't be deepened below depth as-built. Docks over these slope areas will hit bottom and be damaged

**REMEDY**



Shorten or move dock to deeper part of slope to solve damage problem

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## Repair vs. Replacement Philosophy



- Timber components and hardware items
- Restore freeboard
- Concrete cracks and spalls
- Corrosion damage



Note: Docks more than 15 years old generally do not benefit from repairs unless regularly maintained

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## Partial List of Concrete Dock Builders



Vendor	Dock Type	Approximate cost* for one 32' x 8' dock		
		1 order	10 orders	50 orders
Bellingham Marine Dixon CA	Timber wale Mild steel reinforcement	\$11,300	\$6,800	\$6,300
Kott Marine Construction Oxnard CA	Timber wale Fiber reinforced	\$14,400	\$13,600	\$12,000
Major Engineering Marine Ventura CA	Timber wale Mild steel reinforcement	\$8,700	\$8,300	\$8,000
Oldcastle Precast Pasadena CA	Prestressed Mild steel reinforcement	\$6,100	\$6,000	\$5,700
Shoremaster, Inc. San Francisco CA	Post Insulated Mild steel reinforcement	\$14,600	\$12,900	\$12,200

\*Costs do not include installation, hardware or applicable sales tax

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## Gangway Repairs



- Deteriorated timber
- Gangway support bracket on Boise Wall

Good Condition      Replace

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## Conclusion



## Questions?

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**Inland Waterway Information**

The purpose of the Code Enforcement Unit is to educate the residents about the City Code and maintenance standards relating to neighborhood preservation. The mission of the Code Enforcement Unit is to create a cleaner, more attractive and safer community by working with residents, neighborhood councils, businesses and community groups.

If you have any of these violations you have 60 days to correct the violations.



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**• The Following Ordinances are intended to improve and protect the image of our community:**

- Encroachment
- Operation of vessels
- Living aboard and discharge of refuse prohibited
- Commercial activity; moorage of commercial vessel; dock rental
- Duty to affix number; type and size



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### Address Numbers



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### Parking on Unpaved Surface



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### Vehicles for Sale



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### Detached Trailers



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### Blocking the Sidewalk



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### Basketball Hoops on Public Property



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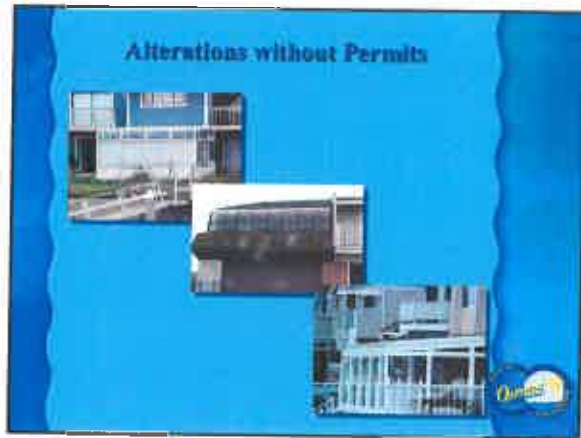
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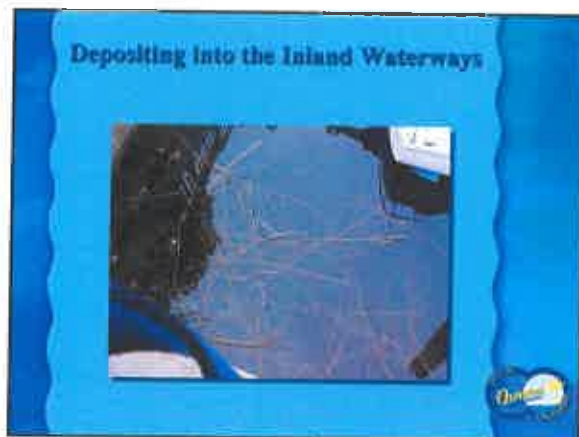
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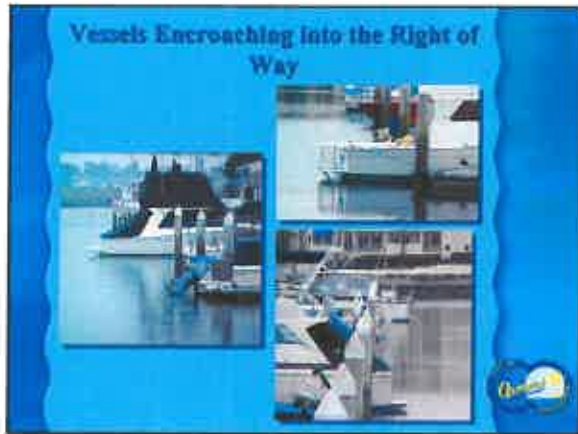
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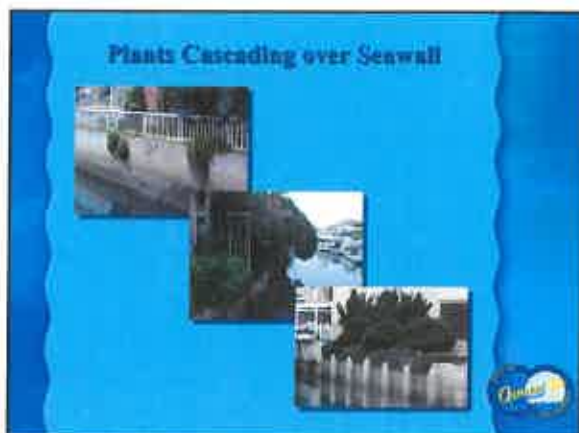
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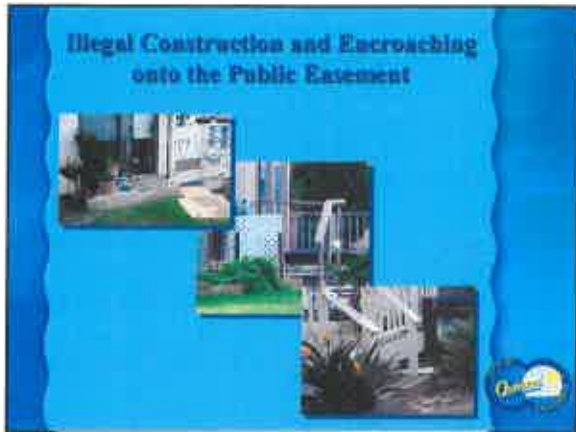
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# Contact Numbers

## **City of Oxnard**

### **Streets & Waterways Division**

Daniel R. Rydberg, P.E., Construction & Maintenance Engineer (805) 385-8051

### **Inland Waterways**

Raymond Williams, Construction Maintenance Manager (805) 385-8051

[www.ci.oxnard.ca.us](http://www.ci.oxnard.ca.us)

## **Channel Island Harbor**

Harbor Patrol (805) 382-3007

Emergency (805) 382-3000

Administration (805) 382-3001

## **U.S. Coast Guard**

Business Calls (805) 985-9823

Emergency Calls (805) 985-9822

## **City of Ventura**

### **Ventura County Watershed Protection District**

Lawrence Jackson, Deputy Director

Water Quality/Environmental Services Division (805) 654-5051

Darla Wise, Engineering Manager (805) 654-3942

<http://www.ventura.org/vcpwa/fc/index.htm>

### **Ventura Countywide Storm Water Quality Management Program**

<http://www.vcstormwater.org/>

City Council Ordinances pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

Document #	Date	Type of Document	Summary/Description
595	1/27/1959	Ordinance	Annexing territory "Annexation 58-1(Mandalay sub-division, Et Al.) Establishing temporary interim zoning: providing for taxation and withdrawing said property from Ventura county fire protection district.
695	4/14/1961	Ordinance	Changes in zoning boundaries pertaining to lots 23 through 31, inclusive, of block 143 of Mandalay unit no. 1 (13 mr 58)
731	11/28/1961	Ordinance	Annexing "Annexation 61-10A (Southern California Edison);" establishing temporary interim zoning; and providing taxation thereof.
1005	3/22/1966	Ordinance	Adding Division 3A of Article II, Chapter 34 of the Oxnard City Code to provide R-W-1 Single family, water oriented Zone
1006	3/15/1966	Ordinance	Anexing "Anexation 65-17A(RAU Bahia Las Brisas)"; establishing interim zoning and providing for the taxation thereof.
1233	8/26/1969	Ordinance	Adding Division 3.2 article II, Chapter 34 of the oxnard city code to provide the R-W-2 Townhouse, water oriented zone.
1385	11/23/1971	Ordinance	Defining the inland waterway, regulating navigation and activities thereon, proscribing certain conduct; and providing for enforcement.
1777	9/18/1979	Ordinance	(Interim) Amending certain development standards of the R-W-1 Zone
1937	8/24/1982	Ordinance	Establishing regulations for inland waterway.
2484	2/2/1999	Ordinance	Repealing, amending and adding certain provisions relating to the inland waterway.





**CITY COUNCIL OF THE CITY OF OXNARD**

**ORDINANCE NO. 2484**

**ORDINANCE REPEALING, AMENDING, AND  
ADDING CERTAIN PROVISIONS RELATING  
TO THE INLAND WATERWAY**

**NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:**

**Part 1. Chapter 18.1, Articles I, II, III and IV, Sections 18.1-1 through 18.1-22, inclusive, of the Oxnard City Code are hereby repealed.**

**Part 2. Chapter 18.1, Articles I, II, and III, Sections 18.1-1 through 18.1-25, inclusive, of the Oxnard City Code are hereby amended and added as follows:**

**Chapter 18.1  
INLAND WATERWAY**

**ARTICLE I. IN GENERAL**

**Sec. 18.1-1. Definitions.**

**For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.**

**(A) Commercial activities.** Operations or businesses involving chartered sports fishing, commercial transport, commercial fishing, vessel or engine repair, vessel salvage, vessel rental, vessel sales, vessel schools, and other commercial uses of a vessel except for on-site minor vessel maintenance, repairs, or emergency services when the work or service is performed at the vessel's moorage.

**(B) Easement area.** The water area immediately adjacent to land bordering the inland waterway which has been reserved by deed and tract map as a private easement for the adjacent land.

**(C) Float.** A floating moorage, dock or structure intended to be used for tying fast or mooring a vessel which has been approved by the city.

**(D) Harbor.** The Channel Islands Harbor of Ventura County

**(E) Inland waterway** The network of artificial watercourses comprised of two principal channels interconnecting a diffused system of canals, and which is confluent to the harbor, extends therefrom in a northerly direction, and lies within the property circumscribed by

Wooley Road, Victoria Avenue, Channel Islands and Harbor Boulevards.

(F) Live aboard. To reside on a vessel that is moored in the inland waterway between the hours of 2:00 a.m. and 4:00 a.m. unless a person is actively engaged in making the vessel ready for leaving its moorage that same day.

(G) Owner. The holder of the primary possessory interest in a vessel.

(H) Paddlecraft. A raft, surfboard, kayak, canoe, inner-tube or other nondescript watercraft propelled solely by paddles or oars.

(I) Refuse. Any discard or waste matter including garbage, sewage, offal and carcasses.

(J) Seaworthy. Except for paddlecraft, a vessel which is (1) currently registered by the State of California or is currently United States documented, (2) capable of immediate movement with installed power if a power boat or under auxiliary power if a sail boat, and (3) for vessels equipped with automatic bilge pump, the installed bilge pump and battery are fully operational.

(K) Stray vessel. An abandoned vessel, a vessel the owner of which is unknown, and/or a vessel moored without the dockowner's permission.

(L) Vessel. A watercraft of any description.

#### **Sec. 18.1-2. Seaworthiness required.**

The owner shall not permit a vessel to be launched, moored or used upon the inland waterway unless the vessel is in a seaworthy condition and either bears a decal showing current registration of the vessel by the State of California or is a currently United States documented vessel.

#### **Sec. 18.1-3. Public way; watercourse identification.**

(A) The navigational course of the inland waterway is declared to be a public way for the purpose of navigation. The water and surface of each canal and channel of the inland waterway are divided into three constituent parts: two easement areas extending medially from the banks of the canal or channel which bound and delimit a central passage or navigational course for vessels underway.

(B) The city shall identify by name, color or device each watercourse of the inland waterway.

(C) Every developed property which is adjacent to the inland waterway shall display the numerical address of the property in a place and a format approved by the city.

**Sec. 18.1-4. City manager's powers.**

The City Manager or designee ("manager") is granted full authority to enforce the provisions of this chapter and is vested with those powers reasonably necessary to perform the function.

**Sec. 18.1-5 Public access; permits for special events.**

(A) The manager shall not restrict reasonable public access to the inland waterway or the public enjoyment thereof for navigational purposes.

(B) No group of persons, or business, political or social organization, shall parade or conduct a special event or activity requiring group participation within the inland waterway without first obtaining a permit from the manager.

**Sec. 18.1-6. Marking, removing sunken vessels.**

The owner of a wrecked or sunken vessel within the inland waterway shall immediately mark the vessel with a lighted buoy, shall immediately report the location of the wrecked or sunken vessel to the City's fire department, and shall maintain the lighted mark until the vessel is removed from the inland waterway. The owner shall promptly effect removal of the vessel. The failure of the owner to do so within 72 hours shall be considered abandonment of the vessel.

**Sec. 18.1-7. Responsibility of owner.**

(A) The owner is responsible for the conduct of persons aboard the vessel while the vessel is moored or operated upon the inland waterway.

(B) The owner shall not permit the vessel to be operated upon the inland waterway without a competent person in command.

**ARTICLE II. REGULATION OF VESSELS**

**Sec. 18.1-8. Operation of vessels.**

No person in command of a vessel upon the inland waterway shall operate the vessel, or permit its operation or moorage:

- (A) At a speed greater than five nautical miles an hour;
- (B) At a speed which result in a wake which causes damage to or is unsafe to persons, vessels underway, moored vessels, docks, or other property, public or private;
- (C) In a manner that obstructs or endangers moorage or navigation;
- (D) Near the sea wall bulkheads in such a manner as the vessel's propeller wash causes damage to the bulkhead;
- (E) With the stern of a motorized vessel moored towards the sea wall bulkhead; or
- (F) With any portion of the vessel extending into the public right of way or an adjacent private easement without the written permission of the owner of such adjacent private easement.

**Sec. 18.1-9. Living aboard and discharge of refuse prohibited.**

No person shall:

- (A) Live aboard a vessel moored in the inland waterway;
- (B) Discharge the contents of a vessel's galley, toilet fixtures, or fuel tanks into the inland waterway; or
- (C) Abandon or deposit refuse, fuel, oil, or lubricants into the inland waterway or on any property, public or private, adjacent to the inland waterway.

**Sec. 18.1-10. Moorage; abandonment of vessels; obstruction.**

No person shall :

- (A) Leave a vessel unattended in the inland waterway unless the vessel is made fast to a float approved by the manager;
- (B) Moor or tie-off a vessel to another vessel or in a manner which causes the vessel to extend into the public right of way or an adjacent private easement without the written permission of the owner of such private easement;
- (C) Moor or tie-off a vessel in the inland waterway without written permission of the owner or person in possession of the float; or
- (D) Abandon a vessel, whether afloat, aground or sunken, upon the inland waterway.

**Sec. 18.1-11. Disposition of abandoned, stray, grounded or sunken vessels.**

Any stray, abandoned, grounded or sunken vessel, and any unauthorized float or other obstruction, upon the inland waterway shall be subject to removal, storage, sale or destruction by the manager at the expense of the owner or other person entitled to possession.

**Sec. 18.1-12. Use of inflammables on moored vessel.**

No person shall:

(A) Use a spray gun for any purpose except spraying water, or use a torch for welding or burning, upon a float or aboard a vessel moored thereto in the inland waterway;

(B) Store any cloth subjected to solvent, oil or paint, or store any highly flammable substance, upon a float or aboard a vessel moored thereto in the inland waterway; provided, however, paint products and motor fuel may be stored in closed, airtight metal containers or in tanks produced commercially for the specific purpose; or

(C) Burn paint, or use or permit an open fire for any purpose, upon a float or aboard a vessel moored thereto in the inland waterway; provided, however, a hibachi may be used on the open deck of a vessel or float under safe conditions.

**ARTICLE III. REGULATION OF CONDUCT**

**Sec. 18.1-13. Unauthorized boarding or tampering with vessels.**

No person shall board a vessel moored in the inland waterway, or damage, remove or tamper with any part thereof, without the consent of the owner.

**Sec. 18.1-14. Commercial activity; moorage of commercial vessel; dock rental.**

(A) Commercial activities. No person shall advertise or conduct any commercial activities in any residential zone in or adjacent to the inland waterway. This prohibition includes residences, lots, ramps and docks adjacent to the land.

(B) Moorage of commercial vessels. Except for vessels making temporary service calls, no vessel used for commercial activities or a vessel being prepared for commercial activities shall be moored in the inland waterway unless a limited commercial moorage permit is obtained from the manager. A commercially licensed or registered vessel is prima facie evidence that the vessel is used for commercial activities.

(C) Dock rentals. The rental of a dock space or moorage for more than one vessel for each residence or lot is deemed to constitute commercial activity and is not permitted in the

inland waterway.

**Sec. 18.1-15. Limited commercial moorage permit.**

(A) A limited commercial moorage permit may be obtained from the manager. The permit authorizes a commercially registered vessel to moor in the residential zones of the inland waterway, provided that the owner or one of the owners who has at least 51% interest in the vessel, is a resident of the dwelling unit associated with or adjacent to the mooring.

(B) The limited permit shall not be issued by the manager if any of the following activities are then occurring and may be rescinded by the manager if any of the following activities occur after permit issuance:

(1) Frequent or extensive repairs are made to the engine, equipment, gear or fishing paraphernalia of a vessel indicating that the vessel is being used for substantial commercial activities;

(2) A generator or other auxiliary motor is operated between 9:00 p.m. and 7:00 a.m. or for more than two hours between the hours of 7:00 a.m. to 9:00 p.m.;

(3) Excessive noise arises from the operation of the vessel's engines or from any other activity on or close to the vessel which interferes with the quiet enjoyment of residents in the area;

(4) Any person lives on board or stays overnight on the vessel;

(5) The vessel is used for transporting persons, equipment or supplies to oil platforms; or

(6) The vessel is used for commercial activities more than 12 days, or portions of a day, during any 12 month period.

**Sec. 18.1-16. Docking permit required; issuance; prohibited activities.**

(A) Docking permit required. No vessel shall be docked adjacent to a vacant lot within the inland waterway unless a valid docking permit is obtained from the manager.

(B) Issuance of docking permit. Upon receipt of an application for a docking permit, the manager shall issue the docking permit if the provisions of subsection (C) of this section are satisfied.

(C) Purpose of docking permit. The purpose of the docking permit is to allow a vessel to be docked adjacent to a vacant lot without jeopardizing the single-family residential

nature of the inland waterway. The following standards shall apply to the issuance and continued validity of a docking permit:

(1) No vessel over 50 feet in length shall be eligible for a docking permit.

(2) A docking permit will only be issued:

(a) To the owner of a vacant lot; or

(b) To anyone having the written permission of such an owner to dock a vessel adjacent to the vacant lot.

(3) A docking permit may only confer benefits to the individual permittee. The docking permit is not a covenant running with the land and shall not be construed to confer any benefits to heirs, successors or assigns of the permittee.

(D) Prohibited activities. The following activities are prohibited in connection with the docking of a vessel adjacent to a vacant lot in the inland waterway:

(1) Performing major alterations, repairs or maintenance on a vessel, or its engines, or equipment;

(2) Creating excessive noise, whether by operation of a vessel's engines or from any other activity on or close to the vessel or lot;

(3) Storing engine parts, equipment, material, or any other paraphernalia, on the dock;

(4) Modifying the dock or lot;

(5) Parking automobiles, trucks, trailers, or other vehicles or storing anything whatsoever, on the adjacent vacant lot;

(6) Using the adjacent vacant lot in any way not expressly authorized by the zoning ordinance; or

(7) Creating a nuisance or causing any of the following to occur in an offensive or objectionable manner and to a greater extent than is customary in a residential area:

(a) Noise;

(b) Lights;

- (c) Vibrations;
- (d) Smoke;
- (e) Odor;
- (f) Glare;
- (g) Dust or dirt;
- (h) Electrical interference;
- (i) Pedestrian traffic;
- (j) Vehicular traffic; or
- (k) Television or radio interference.

**Sec. 18.1-17. Revocation of permits.**

Any violation of this chapter shall be cause for revocation of any permit by the manager after the permittee has an opportunity for a hearing.

**Sec. 18.1-18. Request for public hearing.**

A. A request for hearing shall be filed with the city clerk. Upon receiving a request for hearing, the city clerk shall send the request to the hearing officer. The hearing officer shall promptly schedule and conduct a hearing.

B. The hearing officer shall mail the notice of the hearing at least 10 days before the hearing to interested persons.

C. If a timely request for hearing is not received the manager shall have the authority to revoke the permit without holding a public hearing.

**Sec. 18.1-19. Hearing procedures.**

A. All hearings shall be open to the public.

B. The hearing officer shall conduct the hearing in an informal fashion and shall not be bound by the technical rules of evidence.

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**Sec. 18.1-20. Decision.**

Within 14 days of the conclusion of the hearing, the hearing officer shall issue and mail to interested persons a written decision containing a statement of the reasons on which the decision is based. The hearing officer shall serve a copy of such decision on the manager. The decision of the hearing officer shall be final and shall exhaust available administrative remedies.

**Sec. 18.1-21. Judicial Action.**

Any person may seek judicial review of the decision of the hearing officer within the time and in the manner provided by Code of Civil Procedure section 1094.5.

**Sec. 18.1-22. Fishing restricted.**

No person shall fish, cast, or permit fishing gear to extend within the navigational course of the inland waterway.

**Sec. 18.1-23. Construction of floats and structures; dredging.**

No person shall build or alter a float, a seawall or a structure of any kind, within the inland waterway without obtaining a permit from the manager for the design, location, and construction thereof, nor shall any person excavate or dredge, within the inland waterway without first obtaining a permit for the purpose from the manager.

**Sec. 18.1-24. Storage on floats and seawalls.**

No person shall store on a float or seawall any lumber, junk, trash, salvage materials or debris, or abandoned, discarded, or unused furniture, stoves, sinks, toilets, cabinets, or other household fixtures or equipment. For the purpose of this section, the term "debris" shall include unused or discarded matter and material having no substantial market value, including (without limitation or exclusion by enumeration) such matter and material as: rubbish, refuse, and matter of any kind including but not limited to rubble, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, machinery or parts thereof, scrap metal and other pieces of metal, ferrous or nonferrous, furniture or parts thereof, abandoned, wrecked, dismantled or inoperative vehicles, or parts thereof, trimmings from plants or trees, cans, bottles, and barrels.

**Sec. 18.1-25. Prohibited Activities.** The following activities are prohibited in connection with the docking of a vessel adjacent to a developed lot in the inland waterway:

(A) Performing major alterations, repairs or maintenance on a vessel, or its engines, or equipment;

(B) Creating excessive noise, whether by operation of a vessel's engines or from any other activity on or close to the vessel or lot;

(C) Storing engine parts, equipment, material, or any other paraphernalia, on the dock;

(D) Creating a nuisance or causing any of the following to occur in an offensive or objectionable manner and to a greater extent than is customary in a residential area:

(1) Noise;

(2) Lights;

(3) Vibrations;

(4) Smoke;

(5) Odor;

(6) Glare;

(7) Dust or dirt;

(8) Electrical interference; or

(9) Television or radio interference.

#### Sec. 18.1-26. Permit fees.

The fees for any permit required by this chapter shall be established by resolution of the City Council.

Part 3. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation in the City. Ordinance No. 2484 was first read on January 26, 1999 and finally adopted on February 2, 1999 to become effective thirty days thereafter.

AYES: Councilmembers Lopez, Maulhardt, Pinkard, Zaragoza, Holden.

NOES: None.

ABSENT: None.

  
\_\_\_\_\_  
Dr. Manuel M. Lopez, Mayor

**CITY OF OXNARD  
WATERWAY MAINTENANCE DISTRICT  
(MANDALAY BAY)**

**Report of Formula and  
Methodology of Assessments**

**April 26, 1988**



**Patrick J. Reeves  
Principal Engineer**



W.O. 8572-01-00

April 26, 1988

City of Oxnard  
Public Works Department  
305 West Third Street  
Oxnard, CA 93030

Attention: Mr. James Frandsen, Public Works Director

Subject: Oxnard Waterway Maintenance  
District (Mandalay Bay)  
Distribution & Assessment of Annual Costs

Gentlemen:

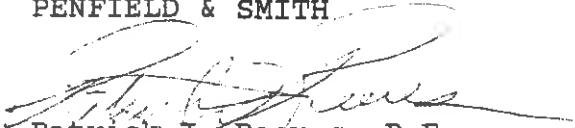
Attached are twenty copies of the final report which describes the formula and methodology of assessing annual maintenance costs in the subject District. This report includes the modifications and comments per a meeting in Dave Bailey's office on April 22, 1988.

It is agreed that there is a need to keep the Zone 1 and Zone 2 costs and assessments on a separate basis. It is also felt that minimizing the changes to the current Zone 1 assessments would be beneficial to both the City and the landowners. These two concerns are expressed in the recommendations listed herein.

With the presentation to the City Council on May 10, 1988, our services for this project will be concluded. We appreciate the opportunity to be of service to you and look forward to working with you again in future endeavors.

Very truly yours,

PENFIELD & SMITH



Patrick J. Reeves, P.E.  
Project Manager

PJR:jl

Attachments



## SECTION 1 - INTRODUCTION

In May of 1970, the City of Oxnard formed a Waterway Maintenance Assessment District for Maintenance of Waterways, Parking and Landscaping in the Mandalay Bay area of the City. Since the original formation, the District was enlarged in 1971 and again in 1976. The existing District includes approximately 743 parcels for single family homes, and 37 parcels designated as parks. The assessed acreage for the private homes totals 63.60 acres. The area within the existing Maintenance District is considered as Zone 1.

In 1985, the City of Oxnard formed Assessment District 85-5, for the Voss Mandalay Bay, Tract 4132 Infrastructure Improvements. This Assessment District would ultimately include 12.12 acres available for development into 3 single family homes and 129 condominium units. This District is located adjacent to the existing Waterway Maintenance District and was annexed into the Maintenance District in 1987. This area is listed as Zone 2. Table 1 sets forth pertinent details regarding the above mentioned Districts.

On March 11, 1988, the City of Oxnard prepared a request for proposals from Assessment District Engineers to prepare a report which would develop a formula to be used to determine the annual assessment for each parcel in both Zone 1 and Zone 2 as illustrated following Table 1, as Attachment No. 2.

The original Maintenance District assessments were based on a share of the total assessed valuation of the property and improvements. This methodology was used from the District's formulation until 1978. When Proposition 13 was passed in that year, a revised methodology was adopted which considered only the 1977-78 land value as the basis of assessment. This procedure was used until the present.

The purpose of this report is to evaluate the methodology for assessing costs for the maintenance of waterways, parking and parks in the project areas. It is hoped that the formulas described herein can be adopted by the City Council and utilized by City staff in determining future annual assessments as the District continues to grow.





TABLE 1

WATERWAYS MAINTENANCE DISTRICTExisting District (Zone 1)

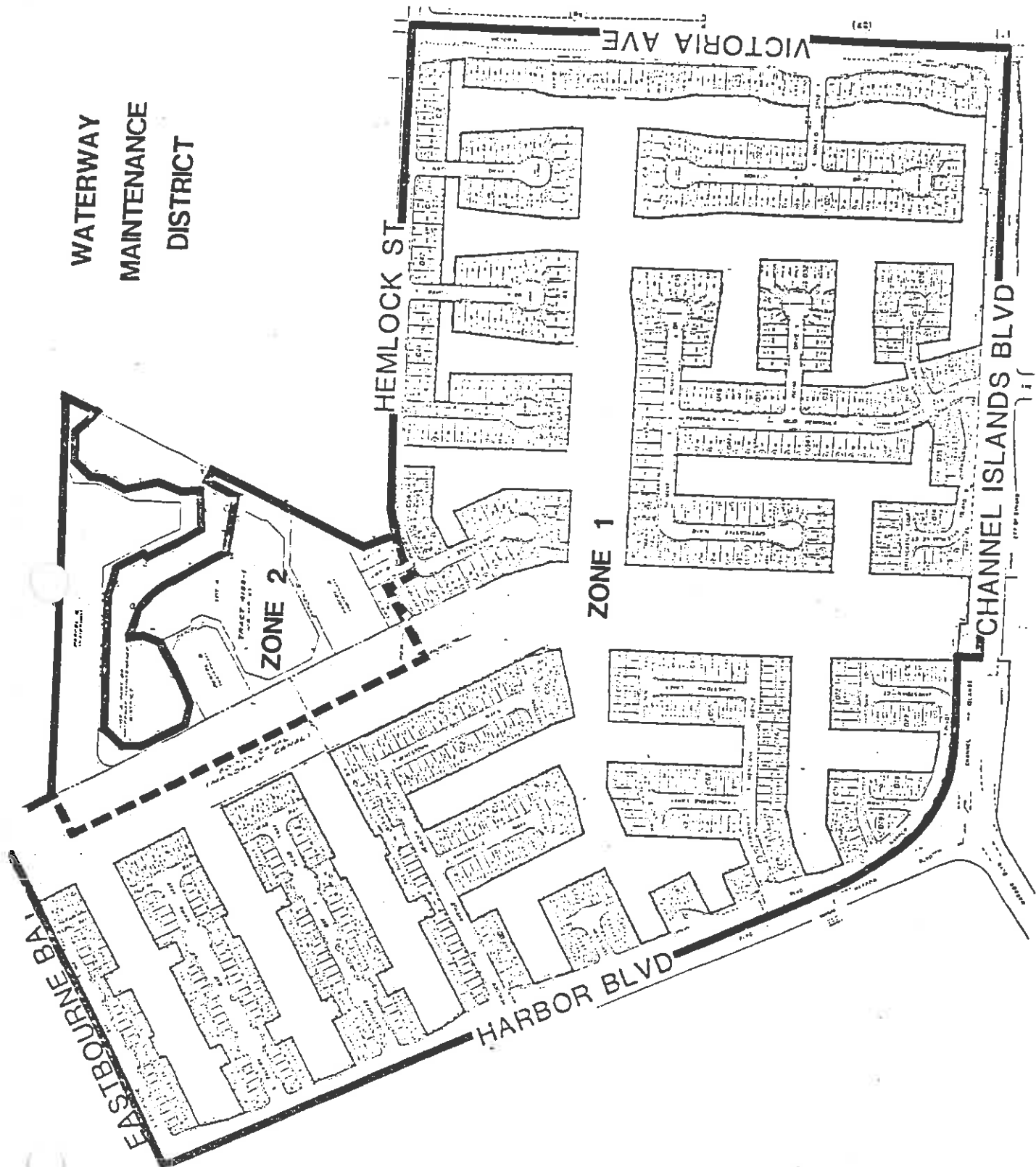
Parcels (Private)	743
Parcels (Parks)	37
Assessed Acreage (Private)	63.6
Gross Acreage - including Waterways	184
Front Footage of Waterways	40,704

Assessment District 85-5 ( Zone 2)

Parcels (Single Family Homes)	3
Assessed Acreage (Single Family Homes)	.814
Condominium Units	129
Assessed Acreage (Condominiums)	11.306
Gross Acreage (Zone 2)	27
Front Footage of Waterways (Single Family Homes)	418
Front Footage of Waterways (Zone 2)	5,561
Front Footage of Waterways (Condominium Boat Dock Easements)	2,120



WATERWAY  
MAINTENANCE  
DISTRICT



Attachment No. 2



## SECTION 2 - BASIS OF COSTS

The City of Oxnard has assessed an annual amount of \$240,000 from the property owners in the last 2 years. During that period, services for only Zone 1 maintenance was included. Recently, City staff has prepared a preliminary budget for maintenance of both Zone 1 and Zone 2 areas. The budget items and amounts are shown herein as Table 2. These items provide a means to compare approximate assessments based on the recommended methodologies. Once the actual budgets are adopted, modifications to the procedures described herein may be required.

## SECTION 3 - METHODOLOGIES OF ASSESSMENT

In establishing the procedures to assess costs to property owners, the primary objective is to have each individual parcel fairly assessed for benefits received. Benefits can be attributed to:

1. Improved value of land:
  - a. On a per square foot basis of property
  - b. On a waterway linear foot basis
2. Use of waterway by each parcel owner.
3. Aesthetics, quality of life, and easy access to docking facilities.

Each property therefore receives a value from the Maintenance District based on its:

1. Front footage of waterway
2. Land acreage
3. Use of boat(s) on the waterways

With these items in mind, an evaluation was made of the 1977-78 County Assessor Rolls. It was found that there appeared to be a correlation between the assessed land value, without improvements, and a weighted average of the three considerations mentioned above. By reviewing the rolls, we have found a logical rationale in continuing to use this basis as a means to assess the properties in Zone 1. There are approximately 28 parcels which do not appear to be on a par with their neighbors and will therefore require adjustment as described in the next section. In addition, there are many parcels which have been assessed below a minimum level for the smallest parcel. It is not known why the County Assessor Rolls carry the discrepancies between



these values, but for the purposes of the Waterway Maintenance District it is suggested that a minimum value be maintained for all parcels who have access to the waterways and parks.

A few observations regarding the assessed land value of the properties in Zone 1 include:

1. Additional values given to parcels adjacent to parks with larger boat dock easements.
2. Reduced values given to parcels away from main channels.

#### SECTION 4 - RECOMMENDATIONS

The property owners in Zone 1 have been assessed based on the 1977-78 assessed value of their land for 10 years. It has been found that there is a direct correlation between the land value and the increments of Maintenance District benefits to be received. It is therefore recommended that this methodology continue to be used in Zone 1. It has been discovered that there are 24 parcels within Zone 1 which are in some way inequitably assessed with regard to the Maintenance District. Table 3 indicates those parcels recommended for adjustment along with the amount of adjustments. Besides the 24 parcels which require adjustment, 75 parcels require increases to a minimum assessed land value of \$20,000. All but 2 of these parcels require an adjustment of \$1,000 or just 5.2%. The other 2 parcels require an adjustment of \$3,000 or 17.6%.

Zone 1 assessments will be made based on the percent of the total 1977-78 assessed land value. The calculated existing total after adjustments is \$19,552,500. A parcel with a land value of \$20,000 would therefore receive an assessment as follows:

$$\text{Zone 1 cost} \times \frac{\$20,000}{19,552,500} = \text{Parcel Assessment}$$

The recommended methods to allocate costs between zones, and to further allocate costs within Zone 2, are listed in Tables 4A through 4C.

There are three basic levels of assessment in Zone 2:

1. Condominiums
2. Single family homes
3. Condominium boat dock easements





The allocation between the condominiums and single family homes are shown in Table 4B and 4C. The actual assessments of the condominium units will be based on an equal unit basis, each condominium will receive the same assessment, regardless of size. As the condominiums share equally in access to the common areas and waterways, maintenance costs should also be shared accordingly.

The condominium units do not have boat dock easements. Instead, it has been determined to lease this space. To determine the assessed value for this easement, the actual waterway budget for the entire District can be divided by the effective waterway frontage of 46,272 feet. This would yield a per linear foot fee which could be assessed the easement holder on an annual basis. The amount paid by the boat dock easement holder could be deducted from the condominium owner's cost allocation.

Based on the annual costs and formulas of assessment spreading discussed herein, the following calculations demonstrate examples of assessments based on the budgeted operating costs listed in Table 2 in Section 2:

#### Zone 1

$$\begin{aligned}
 \text{Total Cost} &= \text{Zone 1 Cost} + 86\% \text{ of General Benefit Cost} \\
 &= \$92,000 + (.86) \$178,800 \\
 &= \$92,000 + \$153,800 \\
 &= \$245,800 \\
 &=====
 \end{aligned}$$

$$\begin{aligned}
 \text{Example 1} &= \$20,000 \text{ Assessed Land Value} \\
 \frac{\$20,000}{\$19,552,500} \times \$245,800 &= \$251.43 \text{ versus } 1987-88 = \$256.58 \\
 &=====
 \end{aligned}$$

$$\begin{aligned}
 \text{Example 2} &= \$30,000 \text{ Assessed Land Value} \\
 \frac{\$30,000}{\$19,552,500} \times \$245,800 &= \$377.14 \text{ versus } 1987-88 = \$384.86 \\
 &=====
 \end{aligned}$$

$$\begin{aligned}
 \text{Example 3} &= \$50,000 \text{ Assessed Land Value} \\
 \frac{\$50,000}{\$19,552,500} \times \$245,800 &= \$628.43 \text{ versus } 1987-88 = \$641.42 \\
 &=====
 \end{aligned}$$

#### Zone 2

$$\begin{aligned}
 \text{Total Cost} &= \text{Zone 2 Cost} + 14\% \text{ of General Benefit Cost} \\
 &= \$14,500 + (.14) \$178,800 \\
 &= \$14,500 + \$25,000 \\
 &= \$39,500 \\
 &=====
 \end{aligned}$$



Step 1 - Homes versus Condominiums

Homes = \$39,500 x 5.5% (from Table 4B) = \$2,172

Step 2 - Condominiums versus Boat Docks

Boat Docks =  $\frac{\text{Waterway Cost}}{\text{Total Frontage}} = \frac{\$207,300}{46,265 \text{ ft.}} = \$4.48/\text{ft.}$

Assumed Cost = 2,120 ft. x \$4.48/ft. = \$ 9,498  
=====

Condominiums = \$39,500 - \$9,498 - \$2,172 = \$27,830  
=====

Example 4 = Single Family Home - Lot 1  
\$2,172 x .386 (from Table 4C) = \$838.39  
=====

Example 5 = Condominium Unit  
\$27,830/129 Units = \$215.74  
=====



TABLE 2

MANDALAY BAY - WATERWAY MAINTENANCE DISTRICT

Basis of Costs  
(\$1,000)

<u>Item</u>	<u>General Benefits</u>	<u>Zone 1</u>	<u>Zone 2</u>
Bottom Soundings	6	-0-	-0-
Landscape Maintenance <sup>1</sup>	-0-	62	14
Landscape Master Plan <sup>1</sup>	-0-	66	-0-
Debris Removal	21	-0-	-0-
Bulkhead Maintenance	-0-	15	-0-
Algae Control	6	-0-	-0-
Weephole Cleaning	-0-	10	-0-
Dredging Reserve	140	-0-	-0-
General Fund Credit <sup>1</sup>	<u>-0-</u>	<u>(64)</u>	<u>-0-</u>
Subtotal	173	89	14
County Fee & Delinquency	<u>5.8</u>	<u>3.0</u>	<u>0.5</u>
	<u>178.8</u>	<u>92.0</u>	<u>14.5</u>
	=====	=====	=====

Total = \$285,300 Annual Budget for District  
=====

Total = \$207,300 Annual Budget for Waterways Only  
=====

<sup>1</sup>Items deleted from Waterways Budget



TABLE 3

ADJUSTMENT TO 1977-78 LAND VALUES

<u>No.</u>	<u>Parcel No.</u>	<u>Prior Assessment \$1,000</u>	<u>Proposed Assessment \$1,000</u>	<u>Differential \$1,000</u>
1	188-033-035	24	28	+4
2	188-053-205	22.5	25	+2.5
3	188-055-011/012	36	36	Mistake in Bill
4	188-055-021/022	36	36	Mistake in Bill
5	188-055-031/032	36	36	Mistake in Bill
6	188-055-085	36	37	+1
7	188-055-105	36	37	+1
8	188-056-045	21	24	+3
9	188-056-055	21	24	+3
10	188-062-045	21	24	+3
11	188-062-055	21	24	+3
12	188-063-185	37	36	-1
13	188-063-235	37	36	-1
14	188-072-045	21	24	+3
15	188-072-055	21	24	+3
16	188-073-045	21	24	+3
17	188-073-055	21	24	+3
18	188-078-065	19	24	+5
19	188-084-015	20	24	+4
20	188-100-045	19	30	+11
21	188-100-155	19	30	+11
22	188-100-185	19	24	+5
23	188-100-195	19	24	+5
24	188-100-225	19	30	+11





TABLE 4A

ALLOCATION OF GENERAL COSTS BETWEEN ZONES

<u>Description</u>	<u>Total</u>	<u>Zone 1</u>		<u>Zone 2</u>	
	<u>No.</u>	<u>No.</u>	<u>- %</u>	<u>No.</u>	<u>- %</u>
Units	875	743	- 84.9	132	- 15.1
Gross Area	211	184	- 87.2	27	- 12.8
Assessed Area	75.72	63.6	- 84.0	12.12	- 16.0
<u>Waterway Footage</u>	46,265	40,704	- 88.0	5,561	- 12.0
Total			344.1		55.9
Average Share			86.0%		14.0%
			=====		=====

TABLE 4B

ALLOCATION OF ZONE 2 EXPENSES

<u>Description</u>	<u>Total</u>	<u>Condos</u>		<u>Homes</u>	
	<u>No.</u>	<u>No.</u>	<u>- %</u>	<u>No.</u>	<u>- %</u>
Units	132	129	- 97.7	3	- 2.3
Assessed Area	12.12	11.306	- 93.3	.814	- 6.7
<u>Waterway Frontage</u>	5,561	5,143	- 92.5	418	- 7.5
Total			283.5		16.5
Average Share			94.5%		5.5%
			=====		=====

TABLE 4C

ALLOCATION OF ZONE 2 EXPENSES (HOMES)

<u>Description</u>	<u>Total</u>	<u>Parcel 1</u>		<u>Parcel 2</u>		<u>Parcel 3</u>	
	<u>No.</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Unit Assessment	3	1	- 33.3	1	- 33.3	1	- 33.3
Assessed Area	.814	.252	- 31.0	.249	- 30.6	.313	- 38.4
<u>Waterway Frontage</u>	418	215	- 51.4	70	- 16.8	133	- 31.8
Total			115.7		80.7		103.5
Average Share			38.6%		26.9%		34.5%
			=====		=====		=====





**SCALE: 1" = 1'-0"**

1. ALL WORK SHALL CONFORM WITH THE REQUIREMENTS OF SECTION 305-2 OF THE SSPWC, LATEST EDITION.
2. ALL RAILS SHALL BE DOUGLAS FIR NO. 1 OR BETTER F0HC SELECTED FOR APPEARANCE. ALL LUMBER SHALL BE TREATED WITH ACZA PRESERVATIVE TO MINIMUM RETENTION OF 0.6 PCF.
3. ALL HARDWARE SHALL BE HOT DIP GALVANIZED IN CONFORMANCE WITH ASTM A 153.
4. PAINT ALL TIMBER WITH 2 COATS OF APPROVED PAINT. MOISTURE CONTENT OF TREATED TIMBER SHALL BE NO MORE THAN 18 PERCENT PRIOR TO PAINTING. COLOR SHALL BE APPROVED BY ENGINEER PRIOR TO APPLICATION.

Prepared by:

**NOBLE**  
CONSULTANTS, INC.

22201 DUPONT DRIVE, SUITE 620  
IRVINE, CA 92715  
(714) 752-1530  
(714) 752-8381 (FAX)

[illegible]

City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

Resolution #	Date	Purpose	Synopsis
3870	1/4/1966	Subdivision	APPROVING TENTATIVE SUBDIVISION MAP OF TRACT 1904 ( Bahia Las Brisas) SUBJECT TO CERTAIN CONDITIONS.
3900	2/1/1966	Annex	PROPOSED ANNEXATION OF CERTAIN UNINHABITED TERRITORY CONTIGUOUS THERETO DESIGNATED "ANNEXATION 65-A (BAHIA LAS BRISAS)
3970	5/3/2026	Annex	INITIATING PROCEEDINGS TO ANNEX CERTAIN CONTIGUOUS, UNINHABITED TERRITORY DESIGNATED ANNEXATION 65-18 (Channel islands marina) ; giving notice of the proposed annexation, and setting forth the council's reasons for desiring the annexation.
4070	10/5/1966	Subdivision	APPROVING ALTERNATE TENTATIVE SUBDIVISION MAP OF TRACT 1904 (BAHIA LAS BRISAS), SUBJECT TO CERTAIN CONDITIONS.
4111	12/20/1966		WITHDRAWAL OF CERTAIN TERRITORY FROM THE VENTURA COUNTY FIRE PROTECTION DISTRICT. Annexation 65-17a (Bahia Las Brisas)
4275	8/8/1967	Subdivision	EXTENDING THE APPROVAL OF THE TENTATIVE SUBDIVISION MAP OF TRACT 1904 (BAHIA LAS BRISAS), SUBJECT TO CERTAIN CONDITIONS.
4365	1/16/1968	Subdivision	APPROVING THE TENTATIVE SUBDIVISION MAP OF TRACT 1904 (BAHIA LAS BRISAS), SUBJECT TO CERTAIN CONDITIONS).
4410	3/12/1968	Easement	GRANTING A PERPETUAL RIGHT OF INGRESS AND EGRESS, WITHOUT CHARGE, OVER EXISTING AND FUTURE WATERWAYS FROM THE NORTHERN BOUNDARY OF CHANNEL ISLANDS BOULEVARD TO AND THROUGH THE CHANNEL ISLANDS HARBOR TO THE PACIFIC OCEAN FOR THE PURPOSE OF PASSAGE OF BOATS AND WATERCRAFT FROM THE WATERCOURSES OF TRACT NO. 1904, SUBJECT TO CERTAIN CONDITIONS.
4459	5/7/1968	Easement	GRANTING TO BAHIA LAS BRISAS A NON-EXCLUSIVE EASEMENT FOR THE INGRESS AND EGRESS OF WATERCRAFT OVER THE EDISON CHANNEL AT CHANNEL ISLANDS BOULEVARD.
4512	7/2/1968	Map	APPROVING THE FINAL MAP OF TRACT 1904-1 ( BAHIA LAS BRISAS), ACCEPTING DEDICATIONS AND AUTHORIZING EXECUTION OF SUBDIVISION IMPROVEMENT CONTRACT.
4576	6/17/1968	Easement	ACCEPTING AN EASEMENT FOR STORM DRAIN PURPOSES FROM R.A.WATT CO., INC., OVER PORTIONS OF LOTS 36 AND 67 OF TRACT 21904-1 AND AUTHORIZING RECORDATION THEREOF.
4608	10/29/1968	Map	APPROVING THE TENTATIVE MAP OF TRACT 1904-2 (BAHIA LAS BRISAS).
4609	10/29/1968	Map	APPROVING FINAL MAP OF TRACT 1904-2 (BAHIA LAS BRISAS), ACCEPTING DEDICATION AND AUTHORIZING EXECUTION OF SUBDIVISION IMPROVEMENT CONTRACT.
4610	10/29/1968	Vacation	DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF PARCEL A (WATERWAY) OF TRACT 1904-1 (49 MR 62).
4611	11/5/1998		OVERRULING THE DECISION OF THE PLANNING COMMISSION AND APPROVING SPECIAL USE PERMIT NO. 324



City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

4619	11/5/1968	Easement	ACCEPTING AN EASEMENT FOR STORM DRAIN PURPOSES FROM R.A. WATT CO., INC., OVER PORTIONS OF LOTS 35 AND 36 AND 66 AND 67 OF TRACT 1904-1 AND AUTHORIZING RECORDATION THEREOF.
4632	11/19/1968	Vacation	ORDERING VACATION OF A PORTION OF PARCEL A (WATERWAY) TRACT 1904-1 (49 MR 62).
4653	12/10/1968	Easement	ACCEPTING AN EASEMENT FOR STORM DRAIN PURPOSES FROM R. A. WATT CO., INC., OVER A PORTION OF LOT 102 OF TRACT 1904-1 AND AUTHORIZING RECORDATION THEREOF.
4797	6/10/1969	Map	APPROVING THE FINAL MAP OF TRACT 1904-3 ( BAHIA LAS BRISAS), ACCEPTING DEDICATIONS
4875	9/16/1969	Survey	APPROVING RECORD OF SURVEY 69-20 FILED BY BOISE CASCADE BUILDING COMPANY.
5120	5/26/1970	Map	APPROVING MAP OF ASSESSMENT DISTRICT FOR MAINTENANCE OF WATERWAYS, PARKING INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.
5121	5/26/1970	Establishment	ORDERING THE FORMATION OF A MAINTENANCE DISTRICT IN ACCORDANCE WITH RESOLUTION OF INTENTION NO. 5121
5144	6/16/1970	Formation	APPROVING FINAL MAP OF TRACT 2026-1 ACCEPTING DEDICATIONS AND AUTHORIZING EXECUTION OF SUBDIVISION IMPROVEMENT CONTRACT.
5147	6/23/1970	Map	DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF PENINSULA ROAD LYING WITHIN LOTS 24 AND 25 AND PARCEL 19A OF TRACT 2026-1
5187	8/18/1970	Vacation	ORDERING VACATION OF A PORTION OF PENINSULA ROAD AS DEDICATED MY THE MAP OF TRACT NO. 1904-2.
5207	9/8/1970	Vacation	ACCEPTING EASEMENT FOR MAINTENANCE, REPAIR AND REPLACEMENT OF BULKHEADS IN TRACT 1904-1 AND 1904-2.
5210	9/22/1970	Easement	ACCEPTING EASEMENT FOR MAINTENANCE, REPAIR AND REPLACEMENT OF BULKHEADS IN TRACT 1904-3.
5320	3/16/1971	Easement	ACCEPTING EASEMENT FOR STREET AND WATERWAY FROM BOISE CASCADE BUILDING COMPANY, OVER LOTS 45 AND 52 OF THE PATTERSON RANCH (8 MR 1), AND AUTHORIZING RECORDATION THEREOF.
5421	7/27/1971	Easement	DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF VICTORIA AVENUE SERVICE ROAD (TRACT NO. 1904-1).
5475	1/16/1971	Vacation	ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT.
5487	11/23/1971	Annex	
5497	12/7/1971	Vacation	ORDERING THE VACATION OF PORTIONS OF VICTORIA AVENUE SERVICE ROAD BETWEEN CHANNEL ISLANDS BOULEVARD AND HEMLOCK STREET. (49 MR 66
5576	2/15/1972	Name Change	CHANGING THE NAME OF GENEVA COURT TO WITHIN TRACT NO. 1904 IN THE CITY OF OXNARD TO PENINSULA ROAD.



City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

5741	8/22/1972	Assessment	ADOPTING A BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1972-1973. AMENDING THE PURPOSES FOR THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.
5946	4/17/1973	Amendment	BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1973-1974.
6083	8/21/1973	Assessment	WAIVING BID PROCEDURES FOR DREDGING OF THE INLAND WATERWAY
6169	1/15/1974		BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1974-1975.
6325	8/20/1974	Assessment	DENYING THE CLAIM OF TED F. FLESHER AND BETTY G. FLESHER
6477	6/17/1975		BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1975-1976.
6552	8/26/1975	Assessment	INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT NO.2 IN THE CITY OF OXNARD.
6757	7/6/1976	Establishment	INTENTION TO ANNEX TERRITORY TO AND AMEND THE PURPOSES OF THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT BY THE ANNEXATION OF TRACT 2026-3 THERETO.
6758	7/6/1976	Annex	ACCEPTING AN EASEMENT FOR MAINTENANCE OF BULKHEADS FROM ARMSTRONG DEVELOPMENT CORPORATION, A PORTION OF TRACT 2026-3 AND AUTHORIZING RECORDATION THEREOF.
6771	8/3/1976		BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1976-1977.
6802	8/24/1976	Assessment	ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT AND AMENDING ITS PURPOSES.
6830	10/26/1976	Annex	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1977-1978.
7105	8/23/1977	Assessment	





City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

7401	8/8/1978	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1978-1979.
7687	6/26/1979	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1979-1980.
7927	6/24/1980	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1980-1981.
8168	6/23/1981	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1981-1982.
8353	6/15/1982	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1982-1983.
8524	6/28/1983	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1983-1984.
8672	7/1/1984	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1984-1985.
8847	7/25/1985	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1985-1986.
9034	6/24/1986	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1986-1987.
9236	6/23/1987	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1987-1988.
9272	8/25/1987	Annex	INTENTION TO ANNEX THE PROPERTIES IN MANDALAY BAY PHASE IV, TRACT 4132-1, TO THE EXISTING WATERWAY MAINTENANCE ASSESSMENT DISTRICT, AND TO DIVIDE DISTRICT INTO ASSESSMENT ZONES.
9310	10/13/1987	Annex	ORDERING ANNEXATION OF MANDALAY BAY PHASE IV, TRACT 4323-1 TO THE WATERWAY MAINTENANCE DISTRICT AND THE DIVISION OF DISTRICT INTO ASSESSMENT ZONES.



City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

9476	6/28/1988	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1988-89
9740	6/13/1989	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1989-90
9897	3/20/1990	Settlement	APPROVING FINAL ACCOUNTING AND COMPLETION OF MANDALAY BAY SETTLEMENTS
9997	6/26/1990	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1990-91
10189	6/11/1991	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1991-92
10409	6/23/1992	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1992-93
10559	5/18/1993	Annex	INTENTION TO ANNEX TERRITORY TO EXISTING WATERWAY MAINTENANCE DISTRICT AND TO CHANGE BOUNDARIES OF ZONE 2
10593	6/22/1993	Annex	ORDERING ANNEXATION OF TRACT 4132-2 AND 4132-3 TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF
10594	6/22/1993	Annex	ANNEXATION TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF
10595	6/22/1993	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1993-94
10623	8/17/1993	Zoning	PLANNING AND ZONING PERMIT NO. 93-5-20 FOR CONSTRUCTION OF A SOUND WALL WITHIN THE EXISTING PARKWAY PROPERTY LOCATED ALONG THE WEST SIDE OF VICTORIA AVENUE BETWEEN CHANNEL ISLANDS BOULEVARD AND HEMLOCK STREET, SUBJECT TO CERTAIN CONDITIONS. FILED BY ED GRIPP
10624	8/17/1993		INTENTION TO INCLUDE MAINTENANCE OF SOUND WALL IN ZONE ONE OF WATERWAY MAINTENANCE DISTRICT
10775	6/28/1994	Assessment	FIXING THE ASSESSMENT ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1994-95
10942	6/27/1995	Assessment	FIXING THE ASSESSMENT ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1995-96
11035	5/7/1996	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1996-97
11195	5/6/1997	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1997-98
11322	2/3/1998		Proclaiming the existence of a local emergency.



City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

11327	2/24/1998		CONFIRMING DECISION OF THE ACTING CITY MANAGER TO AUTHORIZE EMERGENCY REPAIR WORK TO THE SEAWALL LOCATED NEAR CHANNEL ISLANDS BOULEVARD AND VICTORIA AVENUE.
11346	5/5/1998	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 1998-99
11571	5/4/1999	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 1999-00
11723	5/23/2000	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2000-01
11964	6/5/2001	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2001-02
12199	6/25/2002	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2002-03
12406	6/17/2003	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2003-04



RESOLUTION NO. 5121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.

WHEREAS, there have been, or there will be, dedicated as public waterways, parking and landscape areas those certain channels and landscape areas in Tract Nos. 1904 and 2026-1 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the formation of a district for the following purposes:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways dedicated or to be dedicated in Tracts 1904 and 2026-1 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:



- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-1 with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the intersection of the canal with the southerly right of way line of West Fifth Street in Oxnard.
- (3) A barrier at the northerly end of the canal in Tract 2026-1 to prohibit access to the upstream side of the Edison Canal easement.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation of the landscape areas within the dedicated cul-de-sacs and within the landscape strip separating Victoria Service Road from Victoria Boulevard within Tract 1904, by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers and water services and meters.

Maintenance and operation of the landscape areas and parking areas within Parcels 1A through 15A and within the landscape strip separating Harbor Boulevard Service Road from Harbor Boulevard within Tract 2026-1, by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers, and water services and meters.

Maintenance and operation of the landscape areas on the north side of the embankments for the high level bridge on Channel Islands Boulevard by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, flowers, trees and water services and meters.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of the proposed assessment district, and the City Council proposes that the cost of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

Note: The basis of bearings for this description is centerline of Harbor Boulevard North 24° 46' 56" West, recorded per Tract 1567-1 M.R. 41-84.

The lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52 and 67 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the County of Ventura, State of California, described as follows:

Commencing at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of centerline of Victoria Avenue (former West Road) with the centerline of West Hemlock Street, which is the true point of beginning; thence, along said centerline of Victoria Avenue.

- 1st - South 0° 05' 19" West 2,013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard.
- 2nd - North 89° 59' 21" West 2,120.00 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at the right angle,
- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly property line of Harbor Boulevard being 80.00 feet wide,
- 6th - North 24° 46' 56" West 291.70 feet; thence leaving said property line at the right angle,
- 7th - North 65° 13' 04" East 82.83 feet to the point of the non-tangent curve concave northeasterly and having a radius of 15.00 feet; the radial to said point bears North 45° 44' 32" East; thence,
- 8th - Along said curve southeasterly and northeasterly through the central angle of 70° 31' 28" the distance of 18.46 feet; thence,
- 9th - On the tangent to said curve North 65° 13' 04" East 91.38 feet to the beginning of a tangent curve concave southeasterly and having a radius of 380.00 feet; thence,
- 10th - Along said curve northeasterly and easterly through a central angle of 24° 47' 35" a distance of 164.43 feet; thence, on the tangent to said curve,
- 11th - South 89° 59' 21" East 2.24 feet to the beginning of a tangent curve concave northwesterly and having a radius of 15.00 feet; thence,
- 12th - Along said curve northeasterly and northerly through a central angle of 90° 00' 00" a distance of 23.56 feet; thence, on the tangent to said curve,
- 13th - North 0° 00' 39" East 214.18 feet to the beginning of a tangent curve concave southwesterly and having a radius of 32.00 feet; thence,

- 14th - Along said curve northerly and northwesterly through the central angle of  $112^{\circ} 48' 03''$  a distance of 63.00 feet; thence on the tangent to said curve,
- 15th - South  $67^{\circ} 12' 36''$  West 1.70 feet; thence at the right angle,
- 16th - North  $22^{\circ} 47' 24''$  West 44.00 feet; thence at the right angle,
- 17th - North  $67^{\circ} 12' 36''$  East 96.56 feet; thence,
- 18th - North  $0^{\circ} 00' 39''$  East 100.00 feet; thence,
- 19th - North  $4^{\circ} 12' 34''$  West 129.84 feet; thence,
- 20th - North  $73^{\circ} 07' 08''$  East 6.02 feet; thence,
- 21st - North  $28^{\circ} 58' 33''$  West 100.56 feet to a certain point on a non-tangent curve concave northwesterly and having a radius of 100.00 feet; a radial to said point bears North  $22^{\circ} 53' 49''$  West thence,
- 22nd - Along said curve southwesterly through a central angle of  $6^{\circ} 00' 57''$  a distance of 10.50 feet; thence on a tangent to said curve,
- 23rd - South  $73^{\circ} 07' 08''$  West 65.87 feet; thence at the right angle,
- 24th - North  $16^{\circ} 52' 52''$  West 44.00 feet; thence at the right angle,
- 25th - North  $73^{\circ} 07' 08''$  East 0.86 feet to the beginning of a tangent curve concave northwesterly and having a radius of 32.00 feet; thence,
- 26th - Along said curve northeasterly, northerly and northwesterly through the central angle of  $102^{\circ} 05' 41''$  a distance of 57.02 feet; thence on a tangent to said curve,
- 27th - North  $28^{\circ} 58' 33''$  West 306.85 feet to the beginning of a tangent curve concave southerly and having a radius of 15.00 feet; thence,
- 28th - Along said curve northwesterly and westerly through the central angle of  $90^{\circ} 00' 00''$  a distance of 23.56 feet; thence on a tangent to said curve,
- 29th - South  $61^{\circ} 01' 27''$  West 544.50 feet to a certain point on the easterly property line of Harbor Boulevard being 80.00 feet wide; thence along said property line,
- 30th - North  $24^{\circ} 46' 56''$  West 42.11 feet; thence leaving said property line,
- 31st - North  $61^{\circ} 01' 27''$  East 1,000.35 feet; thence at the right angle,
- 32nd - South  $28^{\circ} 58' 33''$  East 12.00 feet; thence at right angle,
- 33rd - North  $61^{\circ} 01' 27''$  East 250.00 feet; thence at right angle,
- 34th - South  $28^{\circ} 58' 33''$  East 276.90 feet; thence at right angle,
- 35th - North  $61^{\circ} 01' 27''$  East 289.92 feet; thence at right angle,

- 36th - South 28° 58' 33" East 114.45 feet to a certain point on a curve concave southeasterly and having a radius of 84.00 feet; the radial to said point bears North 63° 04' 52" West; thence,
- 37th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 38th - North 61° 01' 27" East 5.63 feet; thence at right angle,
- 39th - South 28° 58' 33" East 14.00 feet; radially to the curve concave southeasterly and having a radius of 530.07 feet; thence along said curve northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 40th - South 89° 58' 18" East 1,575.50 feet to the true point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a center-line intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 M.R. 66; thence, North 89° 59' 21" West 1,816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1,456.24 feet; thence,
- 2nd - North 17° 46' 50" West 174.02 feet; thence,
- 3rd - North 28° 58' 33" West 379.05 feet; thence,
- 4th - South 61° 01' 27" West 150.00 feet; thence,
- 5th - North 28° 58' 33" West 276.90 feet; thence,
- 6th - South 61° 01' 27" West 150.00 feet; thence,
- 7th - South 28° 58' 33" East 617.13 feet; thence,
- 8th - South 17° 46' 50" East 112.60 feet; thence,
- 9th - South 0° 00' 39" West 1,403.30 feet to the existing center-line of Channel Islands Boulevard (former Oxnard Road); thence,
- 10th - South 89° 58' 21" East 300.00 feet to the true point of beginning.

That the district in the City of Oxnard to be benefited by said maintenance and operation is shown on that certain map designated Waterway Assessment District on file in the office of the City Clerk and the City Engineer of the City of Oxnard, and approved by Resolution No. \_\_\_\_ of the City Council of said City and indicating the exterior boundaries thereof, all as described herein:

That said district shall be known and designated as Waterway Maintenance District.

2. That if said district is formed, the City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said maintenance district during the ensuing year. Said Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

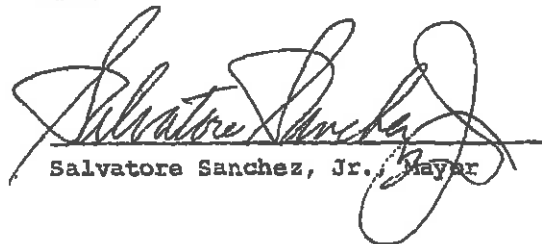
3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice hereby is given that on June 16, 1970, at 7:30 P.M., in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein.

Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to June 16, 1970, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 26th day of May, 1970.

  
Salvatore Sanchez, Jr., Mayor

Attest:

  
Ethel Dale, City Clerk



RESOLUTION NO. 5144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ORDERING THE FORMATION OF A MAINTENANCE DISTRICT IN ACCORDANCE WITH RESOLUTION OF INTENTION NO. 5121.

WHEREAS, the City Council of the City of Oxnard on the 26th day of May, 1970, adopted its Resolution of Intention No. 5121 to order the formation of the maintenance district described therein and said Resolution of Intention having been duly and legally published as required by law and notice of the improvement having been given in the manner required by law; and

WHEREAS, protests, if any, filed by the owners of any of the property to be assessed for said maintenance district have been heard and overruled by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

SECTION 1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders the formation of the maintenance district as described in said Resolution of Intention No. 5121.

SECTION 2. Reference hereby is made to the Resolution of Intention for a description of the maintenance district, the size and extent of the assessment district and for further particulars. Included among the purposes of the maintenance district shall be a water quality and biota monitoring program and a comprehensive boat traffic count program as contemplated by the report of Moffat & Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

SECTION 3. The City Clerk hereby is directed to file a certified copy of this resolution in the office of the County Assessor of Ventura County.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 16th day of June, 1970.

Attest:

  
Ethel Dale, City Clerk

  
Donald H. Miller, Mayor Pro-Tem





103

RESOLUTION NO. 5487

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
OXNARD ANNEXING CERTAIN PROPERTY TO THE WATERWAY  
MAINTENANCE DISTRICT.

WHEREAS, by Resolution No. 5144 the City Council of the City of Oxnard did establish the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121, and

WHEREAS, the City has approved the final subdivision map of Tract No. 2026-2, which property should be included in the Waterway Maintenance District, and

WHEREAS, the owners of all of the property included in Tract No. 2026-2 have petitioned to have said property included in the Waterway Maintenance District and have waived their right to a public hearing and to any further notice of said annexation,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES  
RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders that the boundaries of the Waterway Maintenance District, as described in Resolution No. 5121, and as said district is formed in Resolution No. 5144, are hereby amended to include Tract No. 2026-2, which amended boundaries are more particularly described as follows:

The lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52 and 67 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the County of Ventura, State of California, described as follows:

Commencing at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of centerline of Victoria Avenue (former West Road) with the centerline of West Hemlock Road, which is the true point of beginning; thence, along said centerline of Victoria Avenue,

- 1st - South 0° 05' 19" West 2,013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2nd - North 89° 59' 21" West 2,120.00 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at the right angle,

- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve Northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide,
- 6th - North 24° 46' 56" West 1,295.01 feet; thence leaving said Easterly line,
- 7th - North 61° 01' 27" East 1,000.35 feet; thence at the right angle,
- 8th - South 28° 58' 33" East 12.00 feet; thence at right angle,
- 9th - North 61° 01' 27" East 250.00 feet; thence at right angle,
- 10th - South 28° 58' 33" East 276.90 feet; thence at right angle,
- 11th - North 61° 01' 27" East 289.92 feet; thence at right angle,
- 12th - South 28° 58' 33" East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North 63° 04' 52" West; thence,
- 13th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 14th - North 61° 01' 27" East 5.63 feet; thence at right angle,
- 15th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve Northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 16th - South 89° 58' 18" East 1,575.50 feet to the true point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the Southeasterly corner of Tract 1904-1 which is a center-line intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 M.R. 66; thence, North 89° 59' 21" West 1,816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1,456.24 feet; thence,
- 2nd - North 17° 46' 50" West 174.02 feet; thence,
- 3rd - North 28° 58' 33" West 379.05 feet; thence,
- 4th - South 61° 01' 27" West 150.00 feet; thence,
- 5th - North 28° 58' 33" West 276.90 feet; thence,
- 6th - South 61° 01' 27" West 150.00 feet; thence,
- 7th - South 28° 58' 33" East 617.13 feet; thence,
- 8th - South 17° 46' 50" East 112.60 feet; thence,

9th - South 0° 00' 39" West 1,403.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence,

10th - South 89° 59' 21" East 300.00 feet to the true point of beginning.

Note: The basis of bearings for this description is centerline of Harbor Boulevard North 24° 46' 56" West, recorded per Tract 1567-1 M.R. 41-84.

2. Reference is made to Resolution Numbers 5121 and 5144 for further particulars and for the purposes of the District.

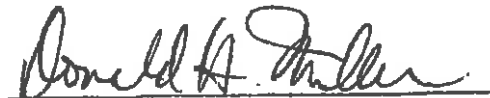
3. The City Clerk shall certify to the adoption of this Resolution and shall file certified copies of this Resolution with the County Assessor and with the State Board of Equalization as provided in Section 54901 of the California Government Code.

Passed and adopted this 23rd day of November, 1971, by the following vote:

AYES: Councilmen Tolmach, Jewell, Miller, Roussey, Sanchez

NOES: None

ABSENT: None

  
Donald H. Miller, Mayor

ATTEST:

  
Ethel Dale, City Clerk



Resolution No. 5946

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO AMEND THE PURPOSES FOR THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.

WHEREAS, there have been dedicated as public waterways, parking and landscape areas those certain channels, parking lots and landscape areas in Tract Nos. 1904 and 2026-1 & 2 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties, and

WHEREAS, by Resolutions 5121, 5144 and 5487, the City did form a Waterway Maintenance Assessment District and did annex property thereto, and

WHEREAS, the City desires to amend the purposes of the Waterway Maintenance Assessment District as said purposes are stated in Resolutions 5121, 5144 and 5487.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to amend the purposes for which the Waterway Maintenance Assessment District to read as follows:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the dedicated waterways and bulkheads in Tracts 1904 and 2026-1, 2 & 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such

time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

Maintenance and operation, including the cost of necessary repair, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract 2026-1 with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the intersection of the canal with the southerly right of way line of West Fifth Street in Oxnard.
- (3) A barrier at the northerly end of the canal in Tract 2026 to prohibit access to the upstream side of the Edison Canal easement.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation of the landscape areas within the dedicated cul-de-sacs within Tract No. 1904 by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

Maintenance and operation of the parking and recreation areas within Parcels 1A through 15A, inclusive, of Tract No. 2026-1 and within Parcels 1A through 3A, inclusive, of Tract 2026-2, by caring for, cleaning, repairing, placing and replacing of asphalts, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of

the proposed assessment district, and the City Council proposes that the cost of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

The Lots 44 and 53 and those portions of Lots 45, 46, 47, 50, 51, 52 and 67 of the Patterson Ranch Subdivision as recorded in Book 8, Page 1 of Miscellaneous Records (Maps) in the County of Ventura, State of California, described as follows:

Commencing at northeasterly corner of Tract 1904-1 as recorded in Book 49 MR 64, said corner being a point of intersection of centerline of Victoria Avenue (former West Road) with the centerline of West Hemlock Road, which is the true point of beginning; thence, along said centerline of Victoria Avenue,

- 1st - South  $0^{\circ} 05' 19''$  west 2013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2nd - North  $89^{\circ} 59' 21''$  west 2120.00 feet; thence leaving said centerline,
- 3rd - North  $0^{\circ} 00' 39''$  east 50.00 feet; thence at the right angle,
- 4th - North  $89^{\circ} 59' 21''$  west 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve northwesterly through the central angle of  $62^{\circ} 12' 25''$  a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide,
- 6th - North  $24^{\circ} 46' 56''$  west 1295.01 feet; thence leaving said easterly line,
- 7th - North  $61^{\circ} 01' 27''$  east 1000.35 feet; thence at the right angle,
- 8th - South  $28^{\circ} 58' 33''$  east 12.00 feet; thence at right angle,
- 9th - North  $61^{\circ} 01' 27''$  east 250.00 feet; thence at right angle,
- 10th - South  $28^{\circ} 58' 33''$  east 276.90 feet; thence at right angle,
- 11th - North  $61^{\circ} 01' 27''$  east 289.92 feet; thence at right angle,
- 12th - South  $28^{\circ} 58' 33''$  east 114.45 feet to a certain point on a curve concave southeasterly and having a radius of 84.00 feet; the radial to said point bears north  $63^{\circ} 04' 52''$  west; thence,



- 13th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 14th - North 61° 01' 27" east 5.63 feet; thence at right angle,
- 15th - South 28° 58' 33" east 14.00 feet; radially to the curve concave southeasterly and having a radius of 530.07 feet; thence along said curve northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 16th - South 89° 58' 18" east 1575.50 feet to the true point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" west 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" east 1456.24 feet; thence,
- 2nd - North 17° 46' 50" west 174.02 feet; thence,
- 3rd - North 28° 58' 33" west 379.05 feet; thence,
- 4th - South 61° 01' 27" west 150.00 feet; thence,
- 5th - North 28° 58' 33" west 276.90 feet; thence,
- 6th - South 61° 01' 27" west 150.00 feet; thence,
- 7th - South 28° 58' 33" east 617.13 feet; thence,
- 8th - South 17° 46' 50" east 112.60 feet; thence,
- 9th - South 0° 00' 39" west 1403.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence
- 10th - South 89° 59' 21" east 300.00 feet to the true point of beginning.

Note: The basis of bearings for this description is centerline of Harbor Boulevard north 24° 46' 56" west, recorded per Tract 1567-1 MR 41-84.

2. That if the purposes for which said district is formed are amended, the City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said maintenance district during the ensuing year. Said Council shall decide whether or not the cost

of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice is hereby given that on May 15, 1973, at 7:30 p.m., in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein. Protests must be in writing, must contain a description of the property

sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to May 15, 1973, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 17th day of April, 1973, by the following vote:

AYES: Councilmen Jewell, Kato, Miller, Sanchez, Tolmach.  
NOES: None.  
ABSENT: None.

ATTEST:

Jane M. Tolmach  
Jane M. Tolmach, Mayor

Mary Lake  
Mary Lake, Deputy City Clerk

RESOLUTION NO. 6757

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT NO. 2 IN THE CITY OF OXNARD.

WHEREAS, there have been dedicated as public waterways, parking and landscaping areas those certain channels and landscape areas in Tract No. 2026-3 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the formation of a district for the following purposes:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways dedicated by Tract 2026-3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation of the landscape areas and parking areas within Parcels 1A through 19A within Tract 2026-3 by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

Joint maintenance with the waterway maintenance assessment district of the following described improvements, the cost of which maintenance shall be pro-rated to each district on the basis of the lineal feet of the center lines of canals, including the Edison Canal, within each district:

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands

Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3 with concrete bulkheads excepting the east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3 to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second. The east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3 shall be maintained with a slope and any necessary up-cast to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Water Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of the proposed assessment district, and the City Council proposes that the cost

of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

Those portions of Lots 45, 46, 50, 51, 52, 67 and 68 of the Patterson Ranch Sub-division, as recorded in Book 8, Page 1 of Miscellaneous Records (Maps), in the City of Oxnard, County of Ventura, State of California, described as a whole as follows:

Beginning at the northwesterly terminus of course number six (6) as described in Resolution Number 5487 of the City Council of said City of Oxnard annexing certain property to the Waterway Maintenance District as adopted by said City Council on the 23rd day of November, 1971; being also a point in the southwesterly boundary of Tract No. 2026-3, as shown on map thereof recorded in Book 58, Page 80 of said Miscellaneous Records; thence along said boundary of Tract No. 2026-3 the following nineteen (19) courses

1. North 24° 46' 56" West 1294.66 feet; thence
2. North 65° 13' 04" East 92.00 feet; thence at right angles thereto
3. South 24° 46' 56" East 2.37 feet to the beginning of a tangent curve concave northeasterly and having a radius of 15.00 feet; thence
4. Along said curve easterly through a central angle of 94° 11' 37" a distance of 24.66; thence tangent from said curve
5. North 61° 01' 27" E 221.13 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
6. Along said curve easterly through a central angle of 36° 52' 12" a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South 65° 50' 45" East; thence
7. Along said reverse curve through a central angle of 73° 44' 24" a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North 7° 53' 39" East; thence
8. Along last mentioned reverse curve through a central angle of 36° 52' 12" a distance of 19.31 feet; thence tangent from said curve
9. North 61° 01' 27" E 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet thence
10. Along said curve easterly through a central angle of 36° 52' 12" a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and a radius of 60.00 feet; a radial line thereto bears South 65° 50' 45" East; thence
11. Along said reverse curve through a central angle of 73° 44' 24" a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North 7° 53' 39" East; thence
12. Along last mentioned reverse curve though a central angle of 36° 52' 12" a distance of 19.31 feet; thence tangent from said curve

13. North  $61^{\circ} 01' 27''$  East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
14. Along said curve northerly through a central angle of  $90^{\circ} 00' 00''$  a distance of 47.12 feet; thence along a radial line from said curve
15. North  $61^{\circ} 01' 27''$  East 48.00 feet; thence at right angles
16. South  $28^{\circ} 58' 33''$  East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
17. Along said curve southerly through a central angle of  $20^{\circ} 12' 34''$  a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South  $40^{\circ} 48' 53''$  West; thence
18. Along last mentioned reverse curve through a central angle of  $20^{\circ} 12' 34''$  a distance of 25.75 feet; thence along a radial line from said curve
19. N  $61^{\circ} 01' 27''$  East 393.23 feet to a point in the northeasterly boundary of the lands described in the deed to Southern California Edison Company and recorded as Document Number 56060, in Book 1685, Page 540 of Official Records of said County; thence along said boundary the following three courses
20. South  $28^{\circ} 58' 33''$  East 1901.95 feet; thence
21. South  $17^{\circ} 46' 50''$  East 174.02 feet; thence
22. South  $0^{\circ} 00' 39''$  1456.24 feet to the center-line of Channel Islands Boulevard (formerly Oxnard Road), 40.00 feet wide; thence leaving said boundary and along said centerline.
23. North  $89^{\circ} 59' 21''$  West 300.00 feet to a point in the westerly boundary of said lands of Southern California Edison Company; thence along said boundary the following two (2) courses
24. North  $0^{\circ} 00' 39''$  East 1403.30 feet; thence
25. North  $17^{\circ} 46' 50''$  West 112.30 feet; thence
26. North  $28^{\circ} 58' 33''$  West 617.13 feet to a point in the northwesterly boundary of said Waterway Maintenance District; being also a point in the southeasterly boundary of said Tract No. 2026-3 thence along said boundary the following three courses
27. South  $61^{\circ} 01' 27''$  West 100.00 feet; thence
28. North  $28^{\circ} 58' 33''$  West 12.00 feet; thence
29. South  $61^{\circ} 01' 27''$  West 1000.35 feet to the point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 M.R. 66; thence, North  $89^{\circ} 59' 21''$  West 1,816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1,456.42 feet; thence,
- 2nd - North 17° 46' 50" West 174.02 feet; thence,
- 3rd - North 28° 58' 33" West 1901.95 feet; thence,
- 4th - South 61° 01' 27" West 300.00 feet; thence,
- 5th - South 28° 58' 33" West 1863.13 feet; thence,
- 6th - South 17° 46' 50" East 112.60 feet; thence,
- 7th - South 0° 00' 39" West 1453.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence,
- 8th - South 89° 58' 21" East 300.00 feet to the true point of beginning.

That the district in the City of Oxnard to be benefited by said maintenance and operation is shown on that certain map designated Waterway Assessment District on file in the office of the City Clerk and the City Engineer of the City of Oxnard, and approved by Resolution No. 6757 of the City Council of said City and indicating the exterior boundaries thereof, all as described herein;

That said district shall be known and designated as Waterway Maintenance District.

2. That if said district is formed, the City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said maintenance district during the ensuing year. Said Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.



Said special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice hereby is given that on August 3, 1976, at 7:30 p.m., in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein. Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to August 3, 1976, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 6th day of July,

1976.

ATTEST:

*Mildred W. Foster*  
Mildred W. Foster, CMC  
City Clerk

*Taujio Kato*  
Taujio Kato, D.D.S.  
Mayor

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO ANNEX TERRITORY TO AND TO AMEND THE PURPOSES OF THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT BY THE ANNEXATION OF TRACT 2026-3 THERETO.

WHEREAS, there have been dedicated as public waterways, parking and landscape areas those certain channels and landscape areas in Tract Nos. 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1.. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the formation of a district for the following purposes:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways dedicated in Tracts 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

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Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3, excepting the east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3, with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second. The east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3 shall be maintained with a slope and any necessary up-cap to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation of the landscape areas within the dedicated cul-de-sacs and with the landscape strip separating Victoria Service Road from Victoria Boulevard within Tract 1904, by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers and water services and meters.

Maintenance and operation of the landscape areas and parking areas within Parcels 1A through 15A, inclusive, of and within Parcels 1A through 3A, inclusive, of Tract No. 2026-2, and within Parcels 1A through 19A, inclusive, of Tract No. 2026-3 by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

Maintenance and operation of the landscape areas on the north side of the embankments for the high level bridge on Channel Islands Boulevard by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, flowers, trees and water services and meters.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of the proposed assessment district, and the City Council proposes that the cost of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

All of lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52, 67 and 68 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the City of Oxnard, County of Ventura, State of California, described as follows:

Beginning at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of Victoria Avenue (former West Road) with the centerline of West Hemlock Street, being also the northeasterly corner of the Waterway Maintenance District as adopted by the City Council of said City of Oxnard in Resolution Number 5487 on the 23rd day of November, 1971; thence along said boundary the following five courses:

- 1st - South 0° 05' 19" West 2,013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2d - North 89° 59' 21" West 2116.72 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at right angles,
- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve Northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide to and along the southwesterly boundary of Tract No. 2026-3, as shown on map thereof recorded in Book 58, Page 80 of said Miscellaneous Records
- 6th - North 24° 46' 56" West 2,589.67 feet; thence continuing along the boundary of said Tract No. 2026-3 the following nineteen courses
- 7th - North 65° 13' 04" East 92.00 feet; thence at right angles

- 8th - South  $24^{\circ} 46' 56''$  East 2.37 feet to the beginning of a tangent curve concave northeasterly and having a radius of 15.00 feet; thence
- 9th - Along said curve easterly through a central angle of  $94^{\circ} 11' 37''$  a distance of 24.66; thence tangent from said curve
- 10th - North  $61^{\circ} 01' 27''$  E 221.13 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 11th - Along said curve easterly through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South  $65^{\circ} 50' 45''$  East; thence
- 12th - Along said reverse curve through a central angle of  $73^{\circ} 44' 24''$  a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet; a radial line thereto bears North  $7^{\circ} 53' 39''$  East; thence
- 13th - Along last mentioned reverse curve through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet; thence tangent from said curve
- 14th - North  $61^{\circ} 01' 27''$  E 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 15th - Along said curve easterly through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South  $65^{\circ} 50' 45''$  East; thence
- 16th - Along said reverse curve through a central angle of  $73^{\circ} 44' 24''$  a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet; a radial line thereto bears North  $7^{\circ} 53' 39''$  East; thence
- 17th - Along last mentioned reverse curve through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet; thence tangent from said curve
- 18th - North  $61^{\circ} 01' 27''$  East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 19th - Along said curve northerly through a central angle of  $90^{\circ} 00' 00''$  a distance of 47.12 feet; thence along a radial line from said curve.
- 20th - North  $61^{\circ} 01' 27''$  East 48.00 feet; thence at right angles

- 21st - South 28° 58' 33" East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
- 22nd - Along said curve southerly through a central angle of 20° 12' 34" a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South 40° 48' 53" West; thence
- 23rd - Along last mentioned reverse curve through a central angle of 20° 12' 34" a distance of 25.75 feet; thence along a radial line from said curve
- 24th - N 61° 01' 27" East 393.23 feet; thence at right angles
- 25th - South 28° 58' 33" East 1522.90 feet to a point in the said boundary of the Waterway Maintenance District; thence along said boundary
- 26th - North 61° 01' 27" East 139.92 feet; thence at right angle,
- 27th - South 28° 58' 33" East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North 63° 04' 52" West, thence,
- 28th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 29th - North 61° 01' 27" East 5.63 feet; thence at right angle,
- 30th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve North-easterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 31st - South 89° 58' 18" East 1,575.50 feet to the point of beginning.

Except a portion that constitutes the area of Mandalay Canal, being owned in fee by the Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" west 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" east 1456.24 feet; thence,
- 2nd - North 17° 46' 50" west 174.02 feet; thence,
- 3rd - North 28° 58' 33" west 1901.95 feet; thence,
- 4th - South 61° 01' 27" west 300.00 feet; thence,

- 5th - South 28° 58' 33" east 1863.13 feet; thence,  
 6th - South 17° 46' 50" east 112.60 feet; thence,  
 7th - South 0° 00' 39" west 1453.30 feet to the  
 existing centerline of Channel Islands  
 Boulevard (former Oxnard Road); thence  
 8th - South 89° 59' 21" east 300.00 feet to the true  
 point of beginning.

Note: The basis of bearings for this description is  
 centerline of Harbor Boulevard north 24° 46'  
 56" west, recorded per Tract 1567-1 MR 41-84.

That the district in the City of Oxnard to be benefited by  
 said maintenance and operation is shown on that certain map designated  
 Waterway Assessment District on file in the office of the City Clerk  
 and the City Engineer of the City of Oxnard, and approving by Resolution  
 No. 6758 of the City Council of said City and indicating the  
 exterior boundaries thereof, all as described herein:

That said district shall be known and designated as Waterway  
 Maintenance District.

2. That if said district is formed, the City Council of the  
 City of Oxnard in each year prior to the time of fixing the City tax  
 rate shall estimate the cost of maintaining and operating said channels,  
 parking and landscaping to be maintained and operated within said  
 maintenance district during the ensuing year. Said Council shall decide  
 whether or not the cost of the same shall be borne wholly or partially  
 by the said maintenance district and, shall, in addition to all other  
 taxes, fix a special tax rate for the real property within said main-  
 tenance district sufficient to raise an amount of money to cover the  
 expense of maintaining said improvements during the ensuing year, or  
 such portion of said amount as the City Council shall determine shall  
 be borne by said district and said City Council shall levy a special  
 assessment tax each year upon the real property in such district  
 sufficient to pay such expense and the portion thereof which must be  
 paid by the district.

Said special assessment tax shall be levied and collected in  
 a manner provided by law at the same time and in the same manner as  
 the general tax levied for the City. Said funds when so collected shall

be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice hereby is given that August 3, 1976, at 7:30 p.m. in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein. Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to August 3, 1976, the date of said hearing, and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 6th day of July,  
1976.

*Tsujio Kato*  
Tsujio Kato, D.D.S.  
Mayor

ATTEST:

*Mildred W. Foster*  
Mildred W. Foster, CMC  
City Clerk





## RESOLUTION NO. 6830

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT AND AMENDING ITS PURPOSES.

WHEREAS, By Resolution No. 5144 the City Council of the City of Oxnard did establish the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121, and

WHEREAS, by Resolution No. 5487 the City Council of the City of Oxnard did annex Tract No. 2026-2 to the Waterway Maintenance District, and

WHEREAS, the City has accepted the waterways in Tract No. 2026-3 for maintenance, and said property should be included in the Waterway Maintenance District, and

WHEREAS, the owners of all of the property included in Tract No. 2026-3 have petitioned to have said property included in the Waterway Maintenance District and have waived their right to a public hearing and to any further notice of said annexation, and

WHEREAS, the City Council desires to amend the purposes of the Waterway Maintenance District, and

WHEREAS, the City Council of the City of Oxnard on July 6, 1976, adopted its Resolution No. 6758, to amend the purposes of the Waterway Maintenance District by amending the purposes set forth in Resolutions 5121 and 5144,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders that the boundaries of the Waterway Maintenance District, as described in Resolution Nos. 5121, 5144 and 5487, are hereby amended to include Tract No. 2026-3, which amended boundaries are more particularly described as follows:

All of lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52, 67 and 68 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the City of Oxnard, County of Ventura, State of California, described as follows:

- 13th - Along last mentioned reverse curve through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet; thence tangent from said curve
- 14th - North  $61^{\circ} 01' 27''$  East 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 15th - Along said curve easterly through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South  $65^{\circ} 50' 45''$  East; thence
- 16th - Along said reverse curve through a central angle of  $73^{\circ} 44' 24''$  a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North  $7^{\circ} 53' 39''$  East; thence
- 17th - Along last mentioned reverse curve through a central angle of  $36^{\circ} 52' 12''$  a distance of 19.31 feet; thence tangent from said curve
- 18th - North  $61^{\circ} 01' 27''$  East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 19th - Along said curve northerly through a central angle of  $90^{\circ} 00' 00''$  a distance of 47.12 feet; thence along a radial line from said curve.
- 20th - North  $61^{\circ} 01' 27''$  East 48.00 feet; thence at right angles
- 21st - South  $28^{\circ} 58' 33''$  East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
- 22nd - Along said curve southerly through a central angle of  $20^{\circ} 12' 34''$  a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South  $40^{\circ} 48' 53''$  West; thence
- 23rd - Along last mentioned reverse curve through a central angle of  $20^{\circ} 12' 34''$  a distance of 25.75 feet; thence along a radial line from said curve
- 24th - North  $61^{\circ} 01' 27''$  East 393.23 feet; thence at right angles
- 25th - South  $28^{\circ} 58' 33''$  East 1522.90 feet to a point in the said boundary of the Waterway Maintenance District; thence along said boundary
- 26th - North  $61^{\circ} 01' 27''$  East 139.92 feet; thence at right angle
- 27th - South  $28^{\circ} 58' 33''$  East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North  $63^{\circ} 04' 52''$  West; thence
- 28th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,

- 29th - North 61° 01' 27" East 5.63 feet; thence at right angle,  
 30th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve Northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,  
 31st - South 89° 58' 18" East 1575.50 feet to the point of beginning.

Except a portion that constitutes the area of Mandalay Canal, being owned in fee by the Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" West 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1456.24 feet; thence,  
 2nd - North 17° 46' 50" West 174.02 feet; thence,  
 3rd - North 28° 58' 33" West 1901.95 feet; thence,  
 4th - South 61° 01' 27" West 300.00 feet; thence,  
 5th - South 28° 58' 33" East 1863.13 feet; thence,  
 6th - South 17° 46' 50" East 112.60 feet; thence,  
 7th - South 0° 00' 39" West 1453.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence  
 8th - South 89° 59' 21" East 300.00 feet to the true point of beginning.

NOTE: The basis of bearings for this description is centerline of Harbor Boulevard north 24° 46' 56" West, recorded per Tract 1567-1 MR 41-84.

2. The public interest and convenience require that the purposes of the Waterway Maintenance District be amended to be as follows:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways and bulkheads dedicated in Tracts 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3, excepting the east bank of the Edison Canal east of Tract 2026-3 for a distance of 1522.9 feet north of Tract 2026-1, with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters of the landscape areas within the dedicated cul-de-sacs within Tract 1904 and of the landscape areas and parking areas within Parcels 1A through 15A, inclusive, of Tract 2026-1, within Parcels 1A through 3A, inclusive, of Tract 2026-2, and within Parcels 1A through 19A, inclusive, of Tract No. 2026-3.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

3. The proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be for the benefit of the property lying within the boundaries of the herein described Waterway Maintenance District, and the costs of such maintenance and operation shall be assessed upon the lands within said district.

4. That if said district is formed. The City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said

maintenance district during the ensuing year. The Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

5. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

6. The City Clerk shall certify to the adoption of this Resolution and shall file certified copies of this Resolution with the County Assessor and with the State Board of Equalization as provided in Section 54901 of the California Government Code.

Passed and adopted this 26th day of October, 1976, by the following vote:

AYES: Councilmen Takasugi, Tolmach, Kato, Maxwell, Miller

NOES: None

ABSENT: None

ATTEST:

*Mildred W. Foster*  
Mildred W. Foster, CMC  
City Clerk

*Tsujio Kato*  
Tsujio Kato, D.D.S.  
Mayor



## CITY COUNCIL OF THE CITY OF OXNARD

## RESOLUTION NO. 9272

RESOLUTION DECLARING INTENTION TO ANNEX  
THE PROPERTIES IN MANDALAY BAY PHASE IV,  
TRACT 4132-1, TO THE EXISTING WATERWAY  
MAINTENANCE ASSESSMENT DISTRICT, AND TO  
DIVIDE DISTRICT INTO ASSESSMENT ZONES.

WHEREAS, there will be dedicated to the City various public improvements including public waterways, parking, and landscaped areas in Mandalay Bay Phase IV, Tract 4132-1; and

WHEREAS, the maintenance of such improvements together with various improvements maintained by the existing District will benefit the properties in Mandalay Bay Phase IV, Tract 4132-1, so that such properties should be assessed to pay a portion of the costs thereof;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. The public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the annexation of properties in Mandalay Bay Phase IV, Tract 4132-1, to the existing Waterway Maintenance District as described in Resolution No. 6830 for the purpose of sharing the costs of maintaining the various public improvements within the District including waterways, parking, and landscaped areas.

The area to be annexed is all of Tract No. 4132-1 in the County of Ventura, State of California, as per map recorded in Book 108, page 37 of Miscellaneous Records of said County, described as follows:

Beginning at a point in the northeasterly line of the Edison Canal (Mandalay Canal), 300 feet wide, as shown on said map, at the corner common to Lot 1 of said Tract No. 4132-1 and Lot 124, Tract 2026-1 as per map recorded in Book 55, Page 79, Miscellaneous Records of said County, said point also being the southeasterly terminus of the 25th course of the Waterways Maintenance District as filed in the City of Oxnard as Resolution 6830 on October 26, 1976;



thence along the boundary line of said Tract No. 4132-1 by the following 41 courses,

1st: North  $27^{\circ} 47' 35''$  West, along said northeasterly line of the Edison Canal and said 25th course, 1397.91 feet to the northwesterly corner of said Tract No. 4132-1; thence,

2nd: South  $88^{\circ} 46' 48''$  East, 1474.58 feet to the northeasterly corner of said tract; thence,

3rd: South  $27^{\circ} 12' 52''$  West, 123.49 feet; thence,

4th: North  $43^{\circ} 46' 48''$  West, 117.50 feet; thence,

5th: North  $88^{\circ} 46' 48''$  West, 93.95 feet; thence,

6th: South  $46^{\circ} 13' 12''$  West, 97.09 feet; thence,

7th: South  $1^{\circ} 13' 12''$  West, 31.93 feet; thence,

8th: South  $27^{\circ} 12' 52''$  West, 95.70 feet; thence,

9th: South  $17^{\circ} 47' 08''$  East, 131.14 feet; thence,

10th: South  $36^{\circ} 00' 00''$  West, 96.22 feet; thence,

11th: South  $9^{\circ} 00' 00''$  East, 69.30 feet; thence,

12th: North  $88^{\circ} 46' 48''$  West, 139.30 feet; thence,

13th: North  $27^{\circ} 47' 35''$  West, 211.26 feet; thence,

14th: North  $17^{\circ} 12' 25''$  East, 28.28 feet; thence,

15th: North  $27^{\circ} 47' 35''$  West, 93.95 feet; thence,

16th: North  $72^{\circ} 47' 35''$  West, 118.47 feet; thence,

17th: North  $88^{\circ} 46' 48''$  West, 484.54 feet; thence,

18th: South  $46^{\circ} 13' 12''$  West, 93.95 feet; thence,

19th: South  $1^{\circ} 13' 12''$  West, 83.62 feet; thence,

20th: South  $27^{\circ} 47' 35''$  East 165.76 feet; thence,

21st: South  $72^{\circ} 47' 35''$  East, 93.95 feet; thence,

22nd: North  $62^{\circ} 12' 25''$  East, 264.03 feet; thence,

23rd: North  $17^{\circ} 12' 25''$  East, 51.44 feet; thence,

24th: North  $22^{\circ} 11' 19''$  West, 27.29 feet; thence,

25th: North  $1^{\circ} 13' 12''$  East, 30.00 feet, radially to the beginning of a non-tangent curve concave southwesterly having a radius of 225.00 feet; thence,.

26th: Southeasterly along said curve through a central angle of  $60^{\circ} 59' 13''$  an arc distance of 239.50 feet; thence

27th: South  $27^{\circ} 47' 35''$  East, 242.41 feet to the beginning of a tangent curve concave northeasterly having a radius of 30.00 feet; thence,

28th: Southeasterly along said curve through a central angle of  $58^{\circ} 39' 19''$  an arc distance of 30.71 feet; thence,

29th: South  $86^{\circ} 26' 54''$  East, 95.30 feet to the beginning of a tangent curve concave southwesterly having a radius of 123.59 feet; thence,

30th: Southeasterly along said curve through a central angle of  $23^{\circ} 39' 46''$  an arc distance of 51.04 feet; thence,

31st: South  $62^{\circ} 47' 08''$  East, 18.18 feet to the beginning of a tangent curve concave northwesterly having a radius of 25.00 feet; thence,

32nd: Northeasterly along said curve through a central angle of  $90^{\circ} 00' 00''$  an arc distance of 39.27 feet; thence,

33rd: North  $27^{\circ} 12' 52''$  East, 116.00 feet; thence,

34th: South  $62^{\circ} 47' 08''$  East, 48.00 feet to a point on the southeasterly boundary of said Tract No. 4132-1; thence along said southeasterly boundary by the following two courses,

35th: South  $27^{\circ} 12' 52''$  West, 611.82 feet; thence,

36th: South  $17^{\circ} 05' 45''$  East 111.44 feet, radially to the northerly line of West Hemlock Street, 52 feet wide, said point also being on a non-tangent curve concave southeasterly having a radius of 544.07 feet; thence along said northerly line of West Hemlock Street by the following three courses,

37th: Southwesterly along said curve through a central angle of  $10^{\circ} 41' 27''$  an arc distance of 101.52 feet to the easterly terminus of the 29th course of said Waterways Maintenance District; thence along said existing Waterways Maintenance District by the following four courses,

38th: South  $62^{\circ} 12' 48''$  West, 5.63 feet to the beginning of a tangent curve concave southeasterly having a radius of 84.00 feet; thence,

39th: Southwesterly along said curve through a central angle of  $34^{\circ} 06' 19''$  an arc distance of 50.00 feet, to a point at the corner common to said Lot 1 and Lot 124; thence along said common line of said lots by the following two courses,

40th: North  $27^{\circ} 47' 11''$  West, 114.45 feet; thence,

41st: South  $62^{\circ} 12' 49''$  West, 139.92 feet to the point of beginning.

2. The public interest and the convenience require and it is the intention of the City Council of the City of Oxnard to order that Mandalay Bay Phase IV, Tract 4132-1, and the existing Waterway Maintenance District be divided into assessment zones, with Zone 1 being the existing Waterway Maintenance District less the portion of the Edison Canal adjacent to Mandalay Bay Phase IV, Tract 4132-1, extending from the boundary of Tract 4132-1 150 feet to the center line of the Edison Canal, and Zone 2 being Mandalay Bay Phase IV, Tract 4132-1, plus the said portion of the Edison Canal adjacent to Tract 4132-1, as shown in the map attached as Exhibit A.

3. The annexation of such properties to the existing Waterway Maintenance District will be to the benefit of the properties within Mandalay Bay Phase IV, Tract 4132-1, and the City Council proposes that the appropriate portion of the cost of such maintenance, based upon the burden created by the development of Mandalay Bay Phase IV, Tract 4132-1, shall be assessed upon the lands by assessment zones.

4. After annexation, the City Council shall for each year estimate the cost of maintenance required during the ensuing year. The Council shall decide whether such cost shall be borne wholly or partially by the Waterway Maintenance District and each zone therein, and shall, in addition to all other taxes and assessments, fix special assessment rates for the real property within the Waterway

Maintenance District sufficient to raise an amount of money to cover the expense of maintenance during the ensuing year, or such portion of such amount as the City Council shall determine shall be borne by said district. The City Council shall levy special assessments each year upon the real property in such district sufficient to pay such expense or the portion thereof which must be paid by the district.

Such special assessments shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied by the County of Ventura. Such funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district.

5. The City Council in annexing Mandalay Bay Phase IV, Tract 4132-1, to the Waterway Maintenance District and proposing to do the maintenance described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of such division.

6. Notice hereby is given that on October 13, 1987, at 7:30 p.m. in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the annexation of Mandalay Bay Phase IV, Tract 4132-1, to the existing Waterway Maintenance District; division into assessment zones or to the extent of such maintenance district, may appear before the City Council and show cause why Mandalay Bay Phase IV, Tract 4132-1, should not be annexed to the extent described herein and why the Waterway Maintenance District should not be divided into zones. Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

7. City Clerk is instructed to give notice by mail of the time, place, and purpose of the hearing to each owner whose name and

address appears on the last assessment roll and who owns real property within the boundaries of the territory sought to be annexed and zoned. The notice shall contain the name and telephone number of the Public Works Department of the City of Oxnard to answer inquiries regarding the hearing proceedings.

8. The City Clerk is instructed to post notices of the hearing in three conspicuous places within the territory proposed to be annexed and zoned. The notices shall be headed "Notice of Hearing" in letters not less than one inch in height and shall contain a diagram of the territory proposed to be annexed and zoned, and a statement of the time and place of the hearing. The notice shall be posted not less than 10 days prior to the date set for the hearing.

9. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publication shall be not less than ten days prior to October 13, 1987, the date of the hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

10. The City Clerk is instructed to file, upon the completion of the mailing, posting, and publishing, an affidavit setting forth the time and manner as required by Section 5838 of the California Streets and Highways Code.

APPROVED AND ADOPTED this 25th day of August,

1987, by the following vote:

AYES: Council Members: Johs, Lopez, Maron, Plisky and Takasugi

NOES: None

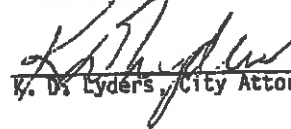
ABSENT: None

  
Nao Takasugi, Mayor

ATTEST:

  
Mabi Plisky, City Clerk

APPROVED AS TO FORM:

  
K. D. Lyders, City Attorney

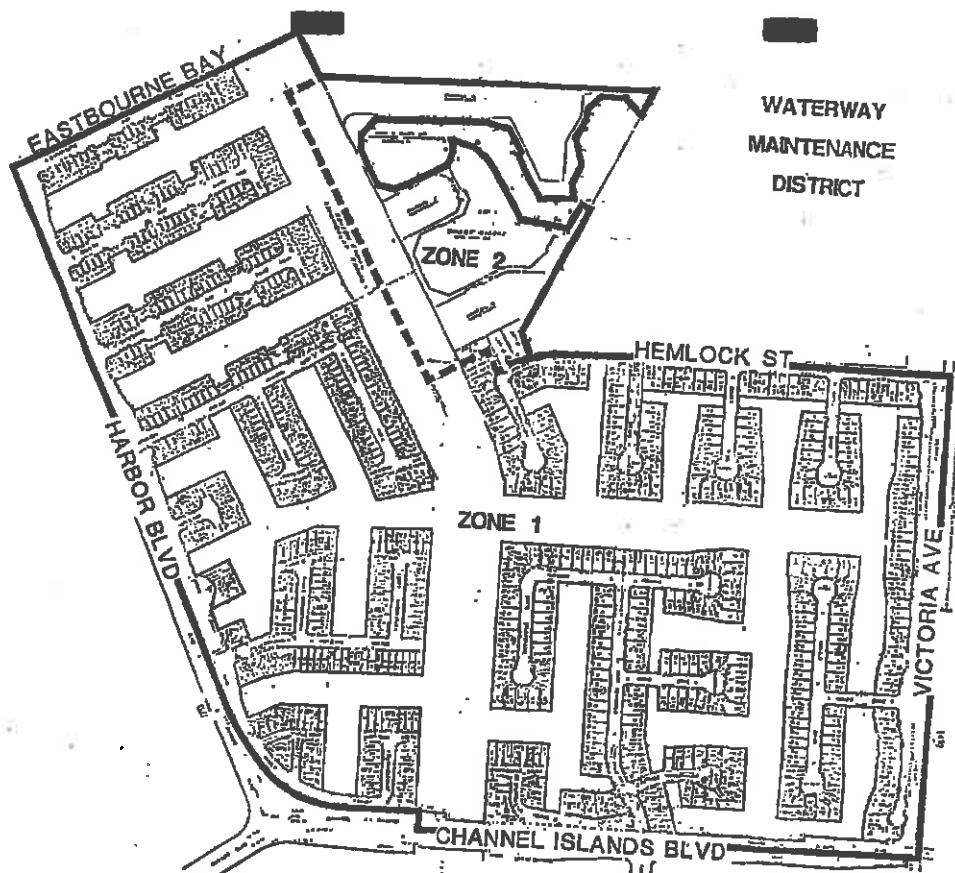


EXHIBIT A

## Annexation &amp; Zones

## CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 9310

RESOLUTION ORDERING ANNEXATION OF MANDALAY  
BAY PHASE IV, TRACT 4132-1 TO THE WATERWAY  
MAINTENANCE DISTRICT AND THE DIVISION OF  
DISTRICT INTO ASSESSMENT ZONES

WHEREAS, by Resolution No. 5144 the City Council established the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121; and

WHEREAS, by Resolution No. 5487 the City Council annexed Tract No. 2026-2 to the Waterway Maintenance District; and

WHEREAS, by Resolution No. 6830 the City Council annexed Tract 2026-3 to the Waterway Maintenance District in accordance with its Resolution of Intention No. 6758; and

WHEREAS, by Resolution No. 9272 adopted on August 25, 1987, the City Council declared its intention to order the annexation of properties in Mandalay Bay Phase IV, Tract 4132-1, and the division of the District into assessment zones; and

WHEREAS, after notice having been given as required by law a public hearing was held on October 13, 1987, for the purpose of hearing and passing on protests against the annexation of properties in Mandalay Bay Phase IV, Tract 4132-1, to the Waterway Maintenance District and the division of the District into assessment zones; and

WHEREAS, at such hearing the City Council has heard and overruled all protests against the annexation from the owners of property within Mandalay Bay Phase IV and within the existing Waterway Maintenance District;



Resolution No. 9310

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NOW, THEREFORE, THE CITY COUNCIL RESOLVES AND DETERMINES AS FOLLOWS:

1. The property within Mandalay Bay Phase IV, Tract 4132-1, is hereby ordered to be annexed to the Waterway Maintenance District.

2. The area to be annexed is all of Tract No. 4132-1 in the County of Ventura, State of California, as per map recorded in Book 108, page 37 of Miscellaneous Records of said County, described as follows:

Beginning at a point in the northeasterly line of the Edison Canal (Mandalay Canal), 300 feet wide, as shown on said map, at the corner common to Lot 1 of said Tract No. 4132-1 and Lot 124, Tract 2026-1 as per map recorded in Book 55, Page 79, Miscellaneous Records of said County, said point also being the southeasterly terminus of the 25th course of the Waterways Maintenance District as filed in the City of Oxnard as Resolution 6830 on October 26, 1976; thence along the boundary line of said Tract No. 4132-1 by the following 41 courses,

1st: North 27° 47' 35" West, along said northeasterly line of the Edison Canal and said 25th course, 1397.91 feet to the northwesterly corner of said Tract No. 4132-1; thence,

2nd: South 88° 46' 48" East, 1474.58 feet to the northeasterly corner of said tract; thence,

3rd: South 27° 12' 52" West, 123.49 feet; thence,

4th: North 43° 46' 48" West, 117.50 feet; thence,

5th: North 88° 46' 48" West, 93.95 feet; thence,

6th: South 46° 13' 12" West, 97.09 feet; thence,

7th: South 1° 13' 12" West, 31.93 feet; thence,

8th: South 27° 12' 52" West, 95.70 feet; thence,

9th: South 17° 47' 08" East, 131.14 feet; thence,

10th: South 36° 00' 00" West, 96.22 feet; thence,

11th: South 9° 00' 00" East, 69.30 feet; thence,

12th: North 88° 46' 48" West, 139.30 feet; thence,

13th: North 27° 47' 35" West, 211.26 feet; thence,

Resolution No. 9310

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14th: North 17° 12' 25" East, 28.28 feet; thence,  
15th: North 27° 47' 35" West, 93.95 feet; thence,  
16th: North 72° 47' 35" West, 118.47 feet; thence,  
17th: North 88° 46' 48" West, 484.54 feet; thence,  
18th: South 46° 13' 12" West, 93.95 feet; thence,  
19th: South 1° 13' 12" West, 83.62 feet; thence,  
20th: South 27° 47' 35" East 165.76 feet; thence,  
21st: South 72° 47' 35" East, 93.95 feet; thence,  
22nd: North 62° 12' 25" East, 264.03 feet; thence,  
23rd: North 17° 12' 25" East, 51.44 feet; thence,  
24th: North 22° 11' 19" West, 27.29 feet; thence,  
25th: North 1° 13' 12" East, 30.00 feet, radially to the beginning of a  
non-tangent curve concave southwesterly having a radius of 225.00 feet; thence,  
26th: Southeasterly along said curve through a central angle of 60° 59' 13" an  
arc distance of 239.50 feet; thence  
27th: South 27° 47' 35" East, 242.41 feet to the beginning of a tangent curve  
concave northeasterly having a radius of 30.00 feet; thence,  
28th: Southeasterly along said curve through a central angle of 58° 39' 19" an  
arc distance of 30.71 feet; thence,  
29th: South 86° 26' 54" East, 95.30 feet to the beginning of a tangent curve  
concave southwesterly having a radius of 123.59 feet; thence,  
30th: Southeasterly along said curve through a central angle of 23° 39' 46" an  
arc distance of 51.04 feet; thence,  
31st: South 62° 47' 08" East, 18.18 feet to the beginning of a tangent curve  
concave northwesterly having a radius of 25.00 feet; thence,  
32nd: Northeasterly along said curve through a central angle of 90° 00' 00" an  
arc distance of 39.27 feet; thence,  
33rd: North 27° 12' 52" East, 116.00 feet; thence,

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34th: South  $62^{\circ} 47' 08''$  East, 48.00 feet to a point on the southeasterly

boundary of said Tract No. 4132-1; thence along said southeasterly boundary by the following two courses,

35th: South  $27^{\circ} 12' 52''$  West, 611.82 feet; thence,

36th: South  $17^{\circ} 05' 45''$  East 111.44 feet, radially to the northerly line of West Hemlock Street, 52 feet wide, said point also being on a non-tangent curve concave southeasterly having a radius of 544.07 feet; thence along said northerly line of West Hemlock Street by the following three courses,

37th: Southwesterly along said curve through a central angle of  $10^{\circ} 41' 27''$  an arc distance of 101.52 feet to the easterly terminus of the 29th course of said Waterways Maintenance District; thence along said existing Waterways Maintenance District by the following four courses,

38th: South  $62^{\circ} 12' 48''$  West, 5.63 feet to the beginning of a tangent curve concave southeasterly having a radius of 84.00 feet; thence,

39th: Southwesterly along said curve through a central angle of  $34^{\circ} 06' 19''$  an arc distance of 50.00 feet, to a point at the corner common to said Lot 1 and Lot 124; thence along said common line of said lots by the following two courses,

40th: North  $27^{\circ} 47' 11''$  West, 114.45 feet; thence,

41st: South  $62^{\circ} 12' 49''$  West, 139.92 feet to the point of beginning.

3. The Council finds that the territory to be annexed will be benefited by annexation.

4. All protests and objections to the annexation are overruled. Protests and objections were not received from the owners of more than one-half of the area annexed nor from the owners of more than one-half of the area of the existing District.

5. The District is hereby ordered to be divided into assessment zones, referred to as zone 1 being the existing Waterway Maintenance District less the portion of the Edison Canal adjacent to Mandalay Bay Phase IV, Tract 4132-1, extending from the boundary of Tract 4132-1 150 feet to the center line of the Edison Canal, and Zone 2 being Mandalay Bay Phase IV, Tract 4132-1, plus the said portion of the Edison Canal adjacent to Tract 4132-1, as shown in the map attached as Exhibit A.

Resolution No. 9310

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6. The purpose of the annexation is to enable the existing District and the property annexed to share in the costs of maintaining improvements such as waterways which are of common benefit to all property in the District.

7. The purpose of establishing zones is to enable each area of the District to pay the costs of maintaining improvements such as bulkheads and riprap which are of benefit only to the property in the particular zone in which such improvements are located.

8. The costs of maintaining the common improvements and the improvements relating to each zone shall be determined and assessed pursuant to section 5830 of the Streets and Highways Code.

APPROVED AND ADOPTED this 13 day of October, 1987, by the following vote:


AYES: Council Members: Plisky, Takasugi, Johs, Lopez, Maron.

NOES: Council Members: None.

ABSENT: Council Members: None.

  
Nao Takasugi, Mayor

ATTEST:

  
Mabi Plisky, City Clerk

APPROVED AS TO FORM:

  
K. D. Lyders, City Attorney

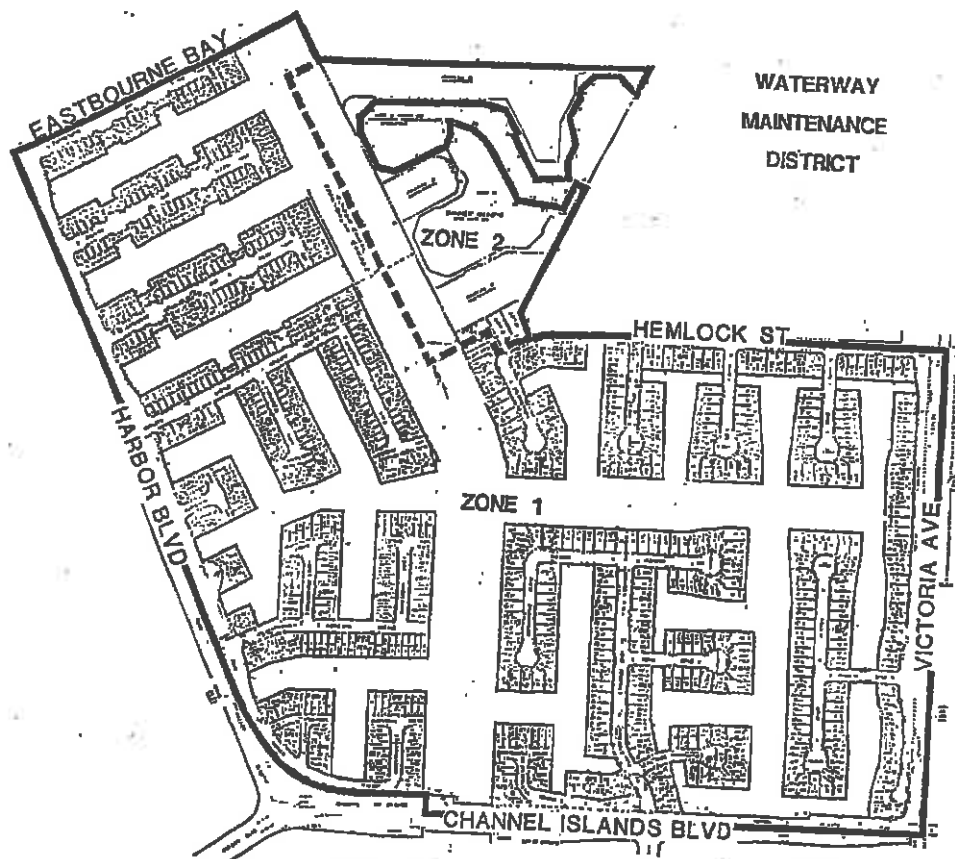


Exhibit A

STATEMENT OF THE CREATION OF MANDALAY BAY,  
PHASE IV, MAINTENANCE ASSESSMENT DISTRICT

The City Council of the City of Oxnard, pursuant to sections 54900 et seq. of the Government Code, hereby states that it has annexed properties in Mandalay Bay Phase IV, Tract 4132-1 and has divided the district into assessment zones pursuant to division 7, part 3, chapter 26, of the Streets and Highways Code (sections 5820 et seq.). Included herewith are the following:

A certified copy of Resolution No. 9310 ordering the annexation and division into assessment zones. Attached to such Resolution is the following exhibit:

Exhibit A: A map or plan indicating the boundaries of the assessment zones referred to as Zone 1 and Zone 2.

The property in the district will not by reason of inclusion in the district be taxed for any existing bonded indebtedness or contractual obligations.

Pursuant to Sections 54902 and 57204 of the Government Code, this statement shall be filed by the City Clerk on or before January 1, 1988 with the Ventura County Assessor, State Board of Equalization and County Auditor.

APPROVED AND ADOPTED this 13th day of October, 1987, by the following vote:

AYES: Council Members: Plisky, Takasugi, Maron, Lopez and Johs.  
NOES: Council Members: None.  
ABSENT: Council Members: None.

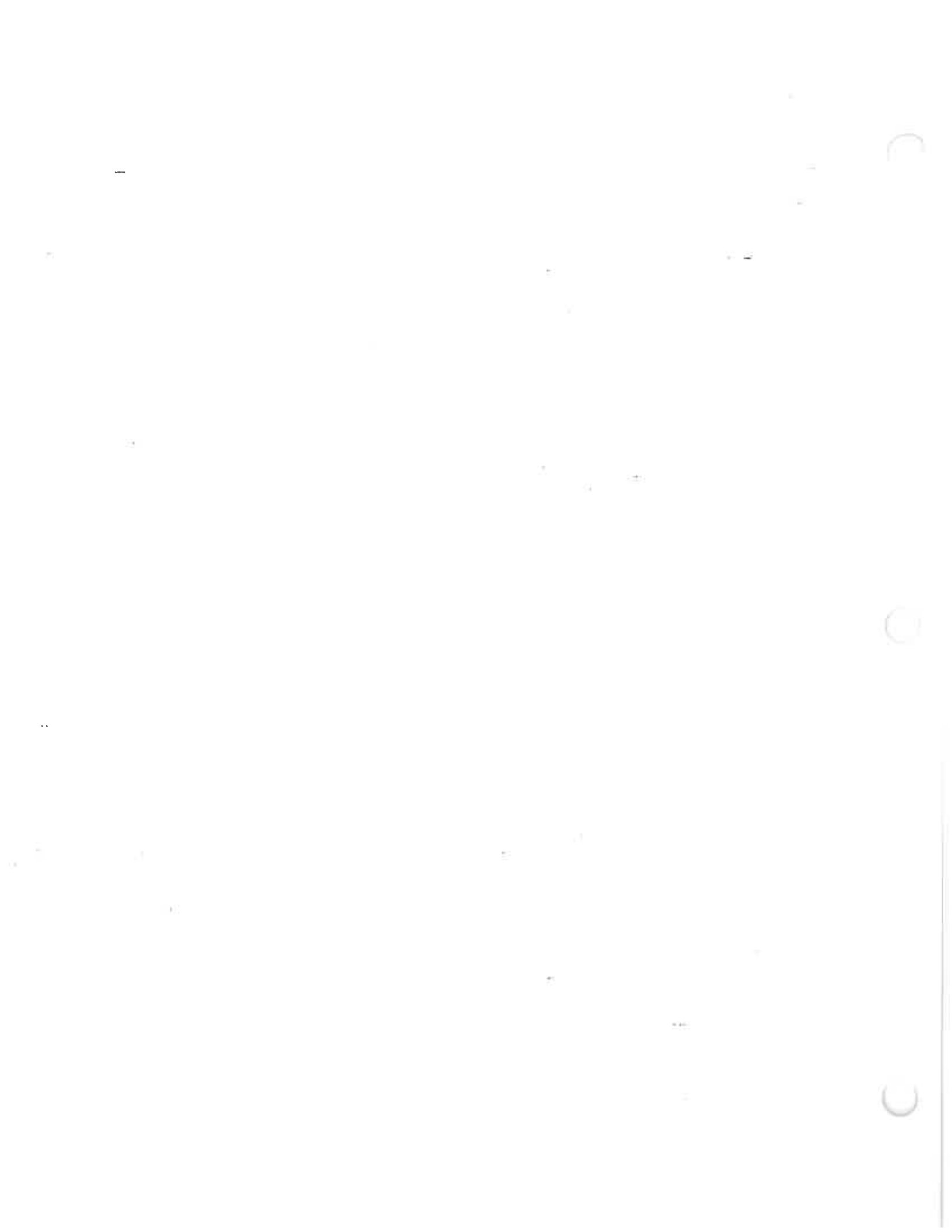
  
Nao Takasugi, Mayor

ATTEST:

  
Mabi Plisky, City Clerk

APPROVED AS TO FORM:

  
R. B. Lyders, City Attorney



## CITY COUNCIL OF THE CITY OF OXNARD

## RESOLUTION NO. 9897

RESOLUTION APPROVING FINAL ACCOUNTING  
AND COMPLETION OF MANDALAY BAY SETTLEMENT

WHEREAS, pursuant to the Judgment filed November 7, 1980, in the class action titled Ted F. Flesher, et al. vs. City of Oxnard, Ventura Superior Court Nos. 58889, 59304, and 60530, the City of Oxnard has administered the settlement fund for the purposes set forth in the Judgment; and

WHEREAS, on March 20, 1990, the balance of the settlement funds remaining in the trust account were allocated effective April 2, 1990, to a project for further seawall and slope repairs, thereby exhausting the settlement fund; and

WHEREAS, pursuant to paragraph 17 of the Judgment, upon exhaustion of the settlement fund the City is required to record a Notice of Completion and present a final accounting to the Superior Court;

NOW, THEREFORE, the City Council of the City of Oxnard resolves and orders as follows:

1. The City Attorney shall cause to be recorded a Notice of Completion in the form attached hereto.

2. Within seven days after such recordation, the City Clerk shall publish once a Notice of Recordation in the form attached hereto in the Oxnard Press Courier. The City Attorney shall serve such Notice by mail upon the attorneys for all parties to the class action, and mail such Notice to all persons



1 who have filed claims with the City Clerk pursuant to paragraph  
2 14 of such Judgment.

3 3. The FINAL ACCOUNTING BY CITY OF OXNARD in the form  
4 attached hereto is approved. The City Attorney shall present  
5 such accounting to the Superior Court on April 12, 1990, or such  
6 other time within the limits specified in the Judgment as may be  
7 appropriate.

8 Passed and adopted this 20th day of March, 1990, by the  
9 following vote:

10 AYES: Johs, Lopez, Maron and Takasugi

11 NOES: None

12 ABSENT: None

13 ABSTENTIONS: Furr

14   
Nao Takasugi  
Mayor

15 ATTEST:

16   
17 Mabi Plisky  
18 City Clerk

19 APPROVED AS TO FORM:

20  3-14-90  
21 Gary I. Gillio  
22 City Attorney  
23  
24  
25  
26  
27  
28

1 LAWLER, BONHAM & WALSH  
2 Attorneys at Law  
3 300 Esplanade Drive, Suite 1900  
4 Post Office Box 5527  
5 Oxnard, California 93031-5527  
6 Telephone: (805) 485-8921  
7 FAX: (805) 485-3766

8 Attorney for Defendant,  
9 City of Oxnard

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF VENTURA

11 TED F. FLESHER, et al.

12 Plaintiff

13 vs.

14 CITY OF OXNARD, et al.

15 Defendants

CASE NOS. 58889  
59304  
60530

NOTICE OF COMPLETION

16 AND CONSOLIDATED ACTIONS

17 AND ALL RELATED CROSS ACTIONS

18  
19 TO ALL PERSONS INTERESTED IN THE SETTLEMENT OF THE ABOVE-  
20 DESCRIBED CLASS ACTION:

21 Pursuant to paragraph 17 of the JUDGMENT APPROVING  
22 SETTLEMENT OF CLASS ACTION, filed on November 7, 1980, and  
23 recorded on November 19, 1980, book 5778, page 921, NOTICE IS  
24 HEREBY GIVEN that the settlement fund has been exhausted,  
25 thereby requiring that this NOTICE OF COMPLETION be recorded. On  
26

27 //

28 //

-1-  
117

Attachment No. 6  
Page 1 of 2

or about April 17, 1990, the City of Oxnard will present to the Court its final accounting regarding the manner in which the rehabilitation and repair contemplated by the judgment has been carried out and the settlement fund disbursed.

Dated: March 22, 1990

LAWLER, BONHAM & WALSH

By: 

K. D. Lyders, Esq.  
Attorney for Defendants,  
CITY OF OXNARD

NOTICE OF RECORDATION

TO ALL PERSONS INTERESTED IN THE SETTLEMENT OF THE  
CLASS ACTION TITLED TED F. FLESHER, et al. vs. CITY OF OXNARD,  
et al., Ventura Superior Court Nos. 58889, 59304, and 60530:

NOTICE IS HEREBY GIVEN that a Notice of Completion was  
recorded in the office of the Ventura County Recorder on March  
22, 1990, pursuant to paragraph 17 of the Judgment specifying  
that the settlement fund has been exhausted.

On Tuesday, April 17, 1990, at 3:30 p.m., in  
Department 31 of the Ventura Superior Court, located at 800  
South Victoria Avenue, Ventura, California, the City of Oxnard  
will appear to present its final accounting for approval,  
regarding the manner in which the rehabilitation and repair  
contemplated by the Judgment has been carried out and the  
settlement fund disbursed.

Dated: March 22, 1990.

LAWLER, BONHAM & WALSH

By: 

K. W. Lyders



## CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 10,559RESOLUTION OF INTENTION TO ANNEX TERRITORY  
TO EXISTING WATERWAY MAINTENANCE DISTRICT  
AND TO CHANGE BOUNDARIES OF ZONE 2

WHEREAS, the Mandalay Bay Waterway Maintenance District ("the District") was created by City Council Resolution No. 5144, adopted on June 16, 1970, for the purpose of operating and maintaining waterway, parking and landscaping improvements within the District; and,

WHEREAS, the District is divided into Zone 1 and Zone 2;

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The intention of the City Council of the City of Oxnard is to order the annexation of territory in Tract Nos. 4132-2 and 4132-3 to the existing District, as described in Resolution No. 5144, adopted on June 16, 1970, and Zone 2 thereof, as described in Resolution No. 9310, adopted on October 13, 1987, for the purpose of sharing the costs of maintaining and operating the various public improvements within the District and Zone 2, including waterways, parking and landscaping. Further, the intention of the City Council is to change the boundaries of Zone 2 to include the territory to be annexed.

2. A map of the territory to be annexed is shown on Exhibit A. The territory to be annexed is described in Exhibit B. Exhibits A and B are attached hereto and incorporated herein by reference.

3. The current boundaries of Zone 1 and Zone 2 of the District are as described in Resolution No. 9310. After the annexation of Tract Nos. 4132-2 and 4132-3, and the boundaries of Zone 2 shall include Tract Nos. 4132-2 and 4132-3, and the boundaries of Zone 1 and Zone 2 shall be as shown on the map labeled Exhibit C and as described in Exhibit D. Exhibits C and D are attached hereto and incorporated herein by reference.

4. The annexation of said territory to the District and to Zone 2 will benefit said territory.

5. The City Council proposes that the appropriate portion of the cost of operating and maintaining the improvements within the District that are of common benefit to all property in the District be assessed upon said territory, together with the cost of operating and maintaining improvements relating to Zone 2 of the District. Zone 1 has seawalls, while Zone 2 has riprap. Zone 2 has more landscaping than does Zone 1. Thus, each zone requires special services or special facilities in addition to those provided in the other zone.

Therefore, the City Council finds that the tax levy in each zone is commensurate with the special benefits to be provided in each zone.

6. After annexation, the City Council shall each year estimate the cost of operating and maintaining the improvements within the District during the ensuing year. The City Council shall decide whether such cost shall be borne wholly or partially by the District and each zone therein, and shall, in addition to all other taxes and assessments, fix a special assessment tax rate for the real property within the District sufficient to raise an amount of money to cover the cost of operation and maintenance during the ensuing year, or such portion of such amount as the City Council determines shall be borne by the District. The City Council shall levy a special assessment tax each year upon the real property in the District, according to the location of the property in Zone 1 or Zone 2, sufficient to pay such expense or the portion thereof that must be paid by the District.

7. The special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied by the County of Ventura. Money collected shall be paid into the City treasury to the credit of the fund of the District.



8. Notice is hereby given that on June 15, 1993, at 7:00 p.m., in the Council Chambers of the City of Oxnard, any and all persons having any objection to the ordering of the annexation of the territory described herein to the existing District and Zone 2 thereof or to the change in boundaries proposed for Zone 2 may appear before the City Council and show cause why the territory should not be so annexed or the boundaries of Zone 2 changed to the extent described herein. Objections to the inclusion of any property within the proposed annexation or change of boundaries must be in writing.

9. The City Clerk is instructed to give notice by mail of the time, place and purpose of the hearing to each owner whose name and address appears on the last equalized assessment roll and who owns real property within the boundaries of the territory sought to be annexed. The notice shall contain the name and telephone number of the Public Works Department of the City of Oxnard, where inquiries regarding the hearing proceedings shall be answered.

10. The City Clerk is instructed to post notices of the hearing in three conspicuous places within the territory proposed to be annexed. The notices shall be headed "Notice of Hearing" in letters not less than one inch in height and shall contain a statement of the time and place of the hearing, a diagram of the territory proposed to be annexed, as shown on Exhibit A, and a map showing the proposed boundaries of Zone 1 and Zone 2, as shown in Exhibit C.

Resolution No. 10,559

Page 5

The notice shall be posted not less than 10 days prior to the date set for the hearing.

11. The City Clerk is instructed to file, upon completion of the mailing and posting, an affidavit setting forth the time and manner thereof, as required by section 5838 of the Streets and Highways Code.

Passed and adopted this 18th day of May 1993, by the following vote:

AYES: Councilmembers Pinkard, Plisky, Herrera, Holden & Lopez.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez  
Dr. Manuel M. Lopez, Mayor

ATTEST:

Daniel Martinez  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gilling 5-18-93  
Gary L. Gilling, City Attorney



CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 10,593

RESOLUTION ORDERING ANNEXATION OF TRACT NOS. 4132-2 and 4132-3 TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF

WHEREAS, by Resolution No. 5144 the City Council established the Mandalay Bay Waterway Maintenance District ("the District"); and,

WHEREAS, by Resolution No. 6587 the City Council annexed Tract No. 2026-2 to the District; and,

WHEREAS, by Resolution No. 6830 the City Council annexed Tract No. 2026-3 to the District; and,

WHEREAS, by Resolution No. 9310 the City Council annexed Tract No. 4132-1 to the District and divided the District into Zone 1 and Zone 2; and,

WHEREAS, by Resolution No. 10,559, adopted on May 18, 1993, the City Council declared its intention to order the annexation of Tract Nos. 4132-2 and 4132-3 to the District and to change the boundaries of Zone 2 to include Tract Nos. 4132-2 and 4132-2; and,

WHEREAS, after notice having been given as required by law, a public hearing was held on June 22, 1993, for the purpose of hearing and passing on objections to the inclusion of any property within the proposed annexation of Tract Nos. 4132-2 and 4132-2 and the change of boundaries of Zone 2;

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. All objections to the annexation and change of boundaries are overruled.

2. The City Council finds that the territory to be annexed to the District and Zone 2 will be benefited by annexation.

3. Zone 1 has seawalls, while Zone 2 has riprap. Zone 2 has more landscaping than does Zone 1. Thus, each zone requires special services or special facilities in addition to those provided in the other zone. Therefore, the City Council finds that the tax levy in each zone is commensurate with the special benefits to be provided in each zone.

4. The territory within Tract Nos. 4132-2 and 4132-3 is hereby ordered to be annexed to the District and Zone 2 thereof. A map of the territory is attached as Exhibit A, and a description of the territory is attached as Exhibit B. Exhibits A and B are incorporated herein by reference.

5. The boundaries of Zone 2 of the District are changed to include the territory within Tract Nos. 4132-2 and 4132-2. The boundaries of Zone 1 and Zone 2, as so changed, are shown on the map labeled Exhibit C and described in Exhibit D. Exhibits C and D are attached hereto and incorporated herein by reference.

6. The purpose of the annexation is to enable the District and the property annexed thereto to share the cost of operating and maintaining improvements that are of common benefit to all property in the District and the cost of operating and maintaining the improvements that are of special benefit to Zone 2.

6. The cost of operating and maintaining the improvements of common benefit and the improvements of special benefit to each zone shall be determined and a special assessment tax to pay such cost shall be levied, according to the location of the property in Zone 1 or Zone 2, pursuant to section 5830 of the Streets and Highways Code.

7. The special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied by the County of Ventura. Money collected shall be paid into the City treasury to the credit of the fund of the District.

PASSED AND ADOPTED this 22nd day of June, 1993,  
by the following vote:

AYES: Councilmembers Holden, Lopez, Pinkard, Plisky & Herrera.

NOES: None.

ABSENT: None.

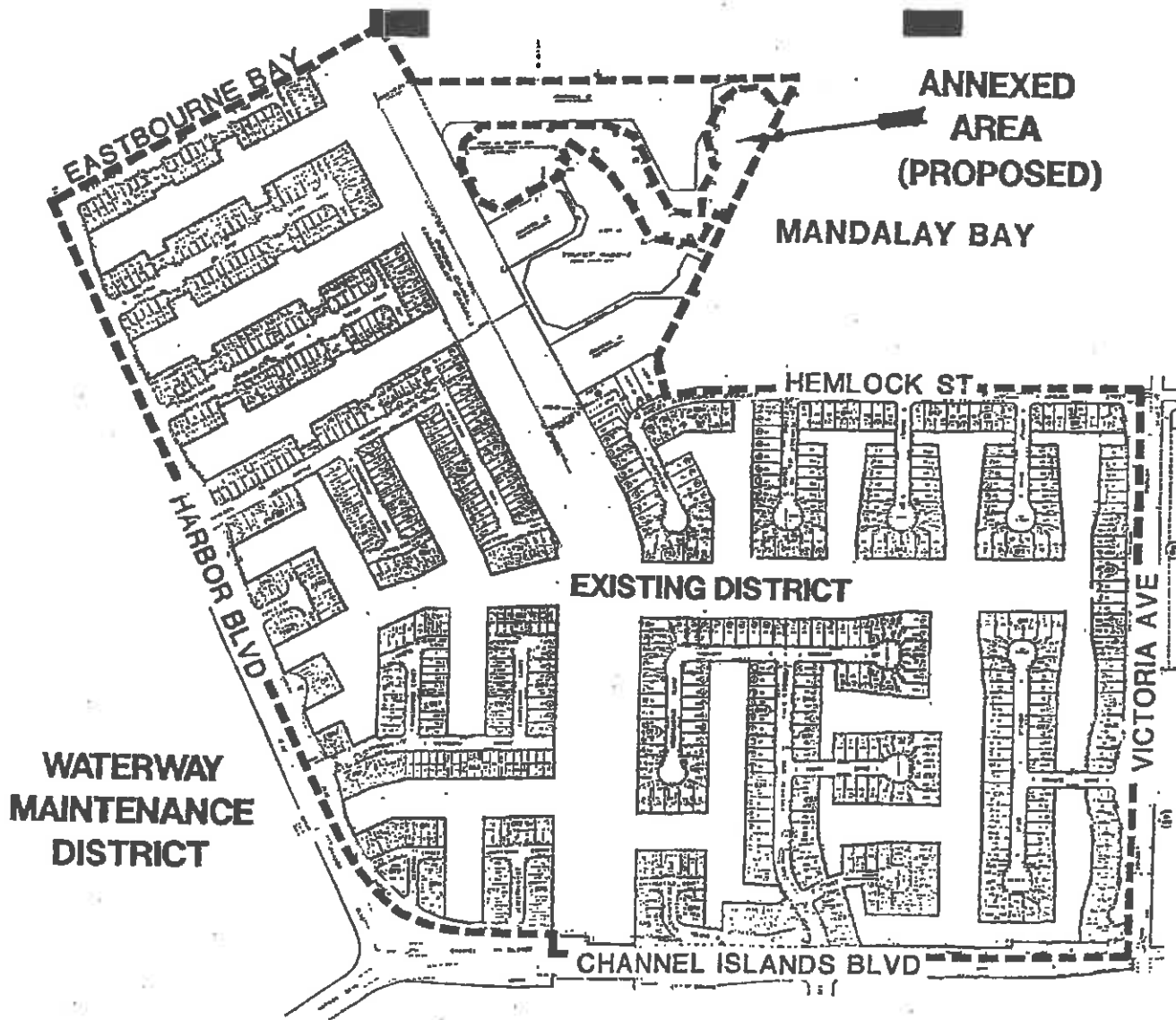
Dr. Manuel M. Lopez 6.22.93  
Dr. Manuel M. Lopez, Mayor

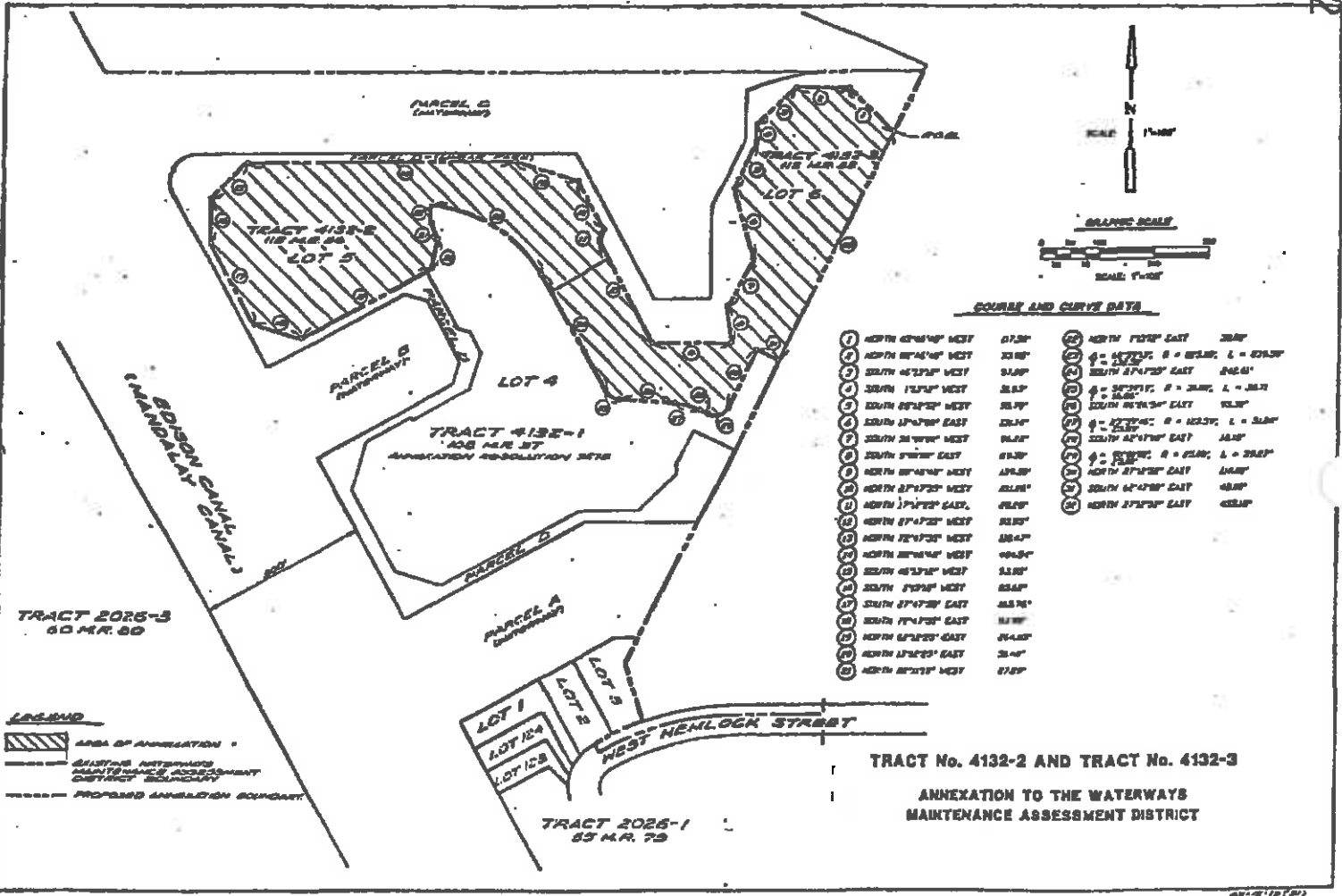
ATTEST:

Linda Lawrence  
for Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Paula Kimbrell for  
Gary L. Gillig, City Attorney  
6/3/93





TRACT NO. 4132-2 and 4132-3  
ANNEXATION TO THE WATERWAYS  
MAINTENANCE ASSESSMENT DISTRICT

Being all of Tract No. 4132-2 and 4132-3 in the County of Ventura, State of California, as per maps recorded, respectively, in Book 113, Page 56 and Book 115, Page 32 of Miscellaneous Records of said County, described as follows:

Beginning at the northeasterly corner of said Tract 4132-3, said point also being the southerly terminus of the 3rd course of the Tract 4132-1 Annexation to the Waterways Maintenance Assessment District as filed in the City of Oxnard as resolution 9272 on August 25, 1987; thence along the boundary of said Tracts 4132-3 and 4132-2 by the following 32 courses and said district boundary by the following 31 courses,

- 1st: North 43° 46' 48" West, 117.50 feet; thence,
- 2nd: North 88° 46' 48" West, 93.95 feet; thence,
- 3rd: South 46° 13' 12" West, 97.09 feet; thence,
- 4th: South 1° 13' 12" West, 31.93 feet; thence,
- 5th: South 27° 12' 52" West, 95.70 feet; thence,
- 6th: South 17° 47' 08" East, 131.14 feet; thence,
- 7th: South 36° 00' 00" West, 96.22 feet; thence,
- 8th: South 9° 00' 00" East, 69.30 feet; thence,
- 9th: North 88° 46' 48" West, 139.30 feet; thence,
- 10th: North 27° 47' 35" West, 211.26 feet; thence,
- 11th: North 17° 12' 25" East, 28.28 feet; thence,
- 12th: North 27° 47' 35" West, 93.95 feet; thence,
- 13th: North 72° 47' 35" West, 118.47 feet; thence,
- 14th: North 88° 46' 48" West, 484.54 feet; thence,
- 15th: South 46° 13' 12" West, 93.95 feet; thence,
- 16th: South 1° 13' 12" West, 83.62 feet; thence,
- 17th: South 27° 47' 35" East, 165.76 feet; thence,



18th: South 72° 47' 35" East, 93.95 feet; thence,

19th: North 62° 12' 25" East, 264.03 feet; thence,

20th: North 17° 12' 25" East, 51.44 feet; thence,

21st: North 22° 11' 19" West, 27.29 feet; thence,

22nd: North 1° 13' 12" East, 30.00 feet, radially to the beginning of a non-tangent curve concave southwesterly having a radius of 225.00 feet; thence,

23rd: Southeasterly along said curve through a central angle of 60° 59' 13" an arc distance of 239.50 feet; thence,

24th: South 27° 47' 35" East, 242.41 feet to the beginning a tangent curve concave northeasterly having a radius of 30.00 feet; thence,

25th: Southeasterly along said curve through a central angle of 58° 39' 19" an arc distance of 30.71 feet; thence,

26th: South 86° 26' 54" East 95.30 feet to the beginning of a tangent curve concave southwesterly having a radius of 123.59 feet; thence,

27th: Southeasterly along said curve through a central angle of 23° 39' 46" an arc distance of 51.04 feet; thence,

28th: South 62° 47' 08" East, 18.18 feet to the beginning of a tangent curve concave northwesterly having a radius of 25.00 feet; thence,

29th: Northeasterly along said curve through a central angle of 90° 00' 00" an arc distance of 39.27 feet; thence,

30th: North 27° 12' 52" East, 116.00 feet; thence,

31st: South 62° 47' 08" East, 48.00 feet to the southeasterly corner of said Tract 4132-3; thence,

32nd: North 27° 12' 52" East, along the southeasterly boundary of said Tract 4132-3, 455.18 feet to the point of beginning.

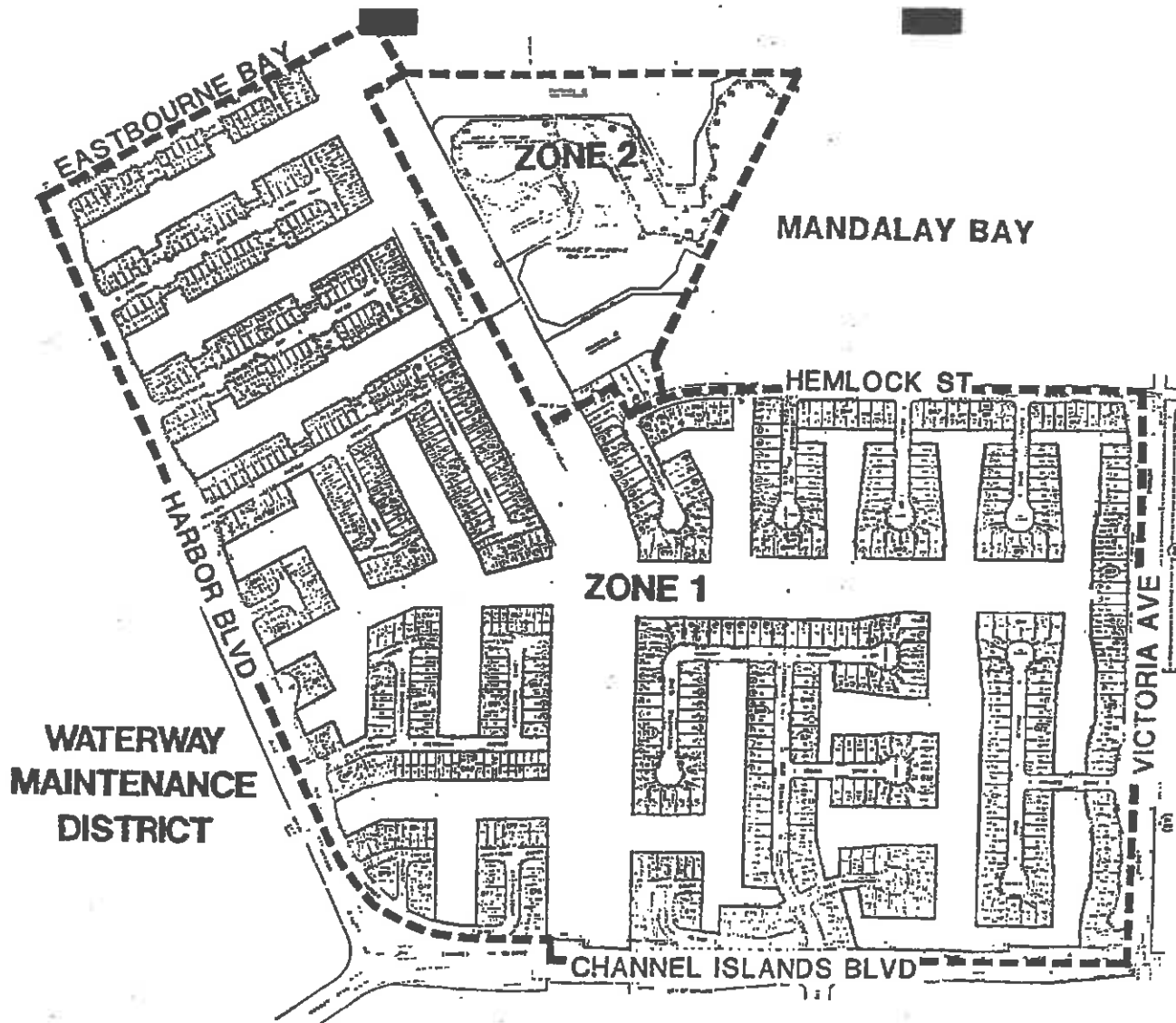


EXHIBIT D

Assessment Zone 2 consists of Tract 4132-1 described in Resolution No. 9310, plus Tracts 4132-2 and 4132-3 described in EXHIBIT B herein, plus the portion of the Edison Canal adjacent to Tract 4132-1, extending from the boundary of Tract 4132-1 150 feet to the centerline of the Edison Canal.

Assessment Zone 1 consists of the portion of the district not in Zone 2.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 10,594

RESOLUTION ADOPTING STATEMENT OF ANNEXATION TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF

The City Council of the City of Oxnard resolves:

Pursuant to section 54900 et seq. of the Government Code, the City Council of the City of Oxnard states that it has annexed Tract Nos. 41322 and 4132-3 to the Mandalay Bay Waterway Maintenance District ("the District") and changed the boundaries of Zone 2 thereof, as authorized by Division 7, Part 3, Chapter 26 of the Streets and Highways Code (section 5820 et seq.). Included herewith are the following:

A certified copy of Resolution No. 10,593, ordering the annexation and change of boundaries. Attached to Resolution No. 10,593 are:

Exhibit A: A map or plat indicating the boundaries of the territory annexed.

Exhibit B: A legal description of the territory annexed.

Exhibit C: A map or plat of Zone 1 and Zone 2 of the District.

Exhibit D: A legal description of Zone 1 and Zone 2 of the District.

The property annexed to the District will not by reason of the annexation be taxed for any existing bonded indebtedness or contractual obligations of the District.

Pursuant to sections 54902 and 54904 of the Government Code, the City Clerk shall file this statement on or before January 1, 1994 with the Ventura County Assessor, the Ventura County Auditor and the State Board of Equalization.

PASSED AND ADOPTED this 22nd day of June, 1993, by the following vote:

AYES: Councilmembers Holden, Lopez, Pinkard, Plisky & Herrera.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez 6.22.93  
Dr. Manuel M. Lopez, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez  
Daniel Martinez, City Clerk

Paula Kimball for  
Gary L. Gillig, City Attorney 6/3/93



## CITY COUNCIL OF THE CITY OF OXNARD

Resolution No. 10,623

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 93-5-20 FOR CONSTRUCTION OF A SOUND WALL WITHIN THE EXISTING PARKWAY PROPERTY LOCATED ALONG THE WEST SIDE OF VICTORIA AVENUE BETWEEN CHANNEL ISLANDS BOULEVARD AND HEMLOCK STREET, SUBJECT TO CERTAIN CONDITIONS. FILED BY ED GRIPP**

WHEREAS, the City Council has reviewed Planning & Zoning Permit No. 93-5-20, the staff report and recommendation of approval, subject to certain conditions, for the construction of a sound wall on property located within the existing parkway on the west side of Victoria Avenue between Channel Islands Boulevard and Hemlock Street, filed by Ed Gripp; and

WHEREAS, the project is categorically exempt, as defined in Section 15300 of Title 14 of the California Code of Regulations, and does not require adoption of an environmental impact report or negative declaration, as provided by the California Environmental Quality Act; and

WHEREAS, Victoria Avenue is a designated truck route in the 2020 General Plan; and

WHEREAS, the property owners affected wish to construct the sound wall at their own expense which will serve to reduce the noise generated by truck traffic along Victoria Avenue; and

WHEREAS, by Resolution No. 5144 the City Council established the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121; and

WHEREAS, the sound wall will be offered for dedication to the City of Oxnard and proposed for inclusion in Zone One of the Waterway Maintenance District.

NOW, THEREFORE, the City Council of the City of Oxnard finds that construction of the proposed sound wall is in conformance with the General Plan and other adopted policies of the City of Oxnard and will serve a public purpose by decreasing traffic noise and increasing public safety by interposing a barrier between a busy public street and a residential area. The City Council further finds that the applicant agrees with the necessity of and accepts all elements, requirements and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for and fostering the health, safety and welfare of the citizenry in general and the persons who work, visit or live in the area of the sound wall in particular.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that construction of the sound wall is approved, subject to the following conditions:

1. Applicant shall obtain a building permit and an encroachment permit to construct the sound wall within the parkway on the west side of Victoria Avenue between Channel Islands Boulevard and Hemlock Street at the sole expense of applicant and in accordance with Exhibits 1 and 2, attached hereto and incorporated herein by this reference.
2. Applicant irrevocably offers to dedicate the sound wall to the City.

3. Applicant shall not begin construction of the sound wall unless and until the City Council orders that the cost of maintaining and operating the sound wall be borne by Zone One of the Waterway Maintenance District.

4. This resolution shall become null and void within 24 months from the date of its adoption unless construction of the proposed sound wall has been diligently pursued. The issuance of a grading or building permit shall be a minimum requirement for evidence of diligent pursuit.

5. Applicant agrees, as a condition of approval of this resolution and at applicant's own expense, to indemnify and defend the City and its agents, officers and employees from and against any claim, action or proceeding to attack, set aside, void or annul the approval of this resolution or any of the proceedings, acts or determinations taken, done or made prior to the approval of such resolution which were part of the approval process.

6. Prior to issuance of a building permit, a reproduction of all conditions of this resolution shall be made part of, and incorporated into all sets of the construction documents and specifications for this project.

7. Prior to issuance of a building permit, applicant shall enter into an improvement agreement with the City and post security satisfactory to the City Manager or designee, guaranteeing the installation and construction of the sound wall in accordance with the building permit. The Developer shall also provide proof of \$500,000 in general liability insurance with the City of Oxnard listed as an additional insured.

Passed and adopted this 17th day of August, 1993, by the following vote:

AYES:	Council Members:	Plisky, Herrera, Holden, Lopez, & Pinkard
NOES:	Council Members:	None.
ABSENT:	Council Members:	None.

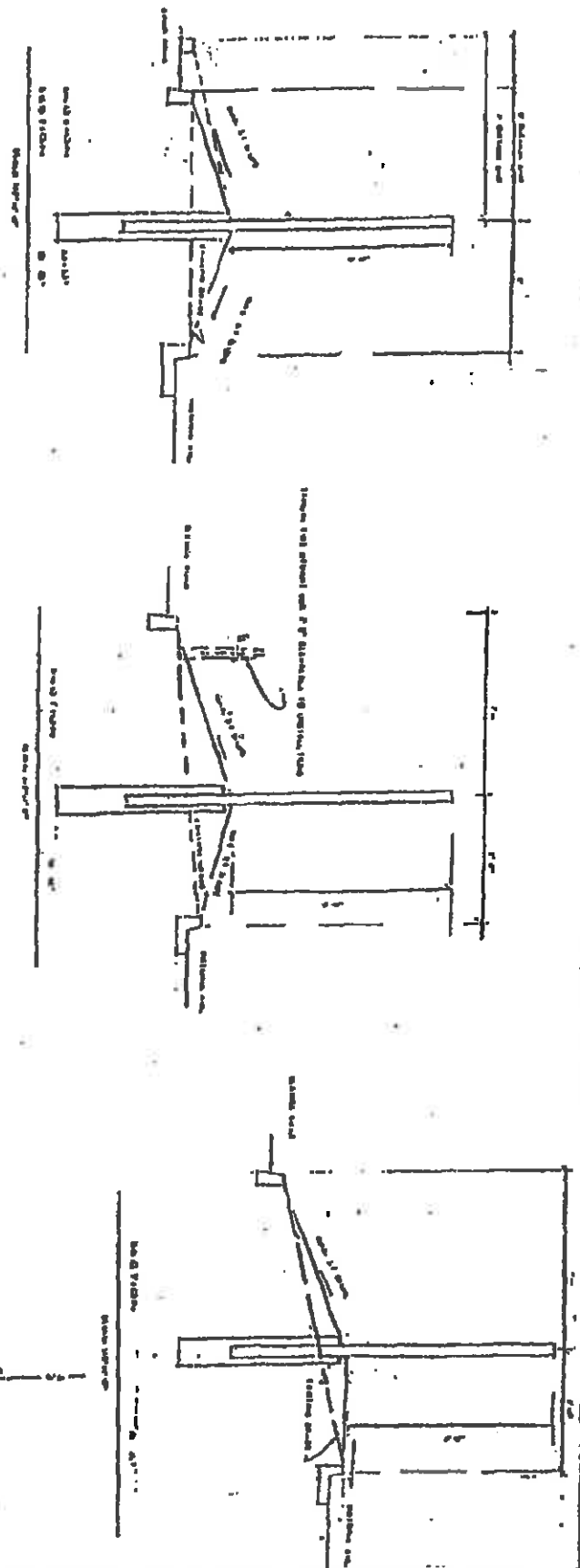
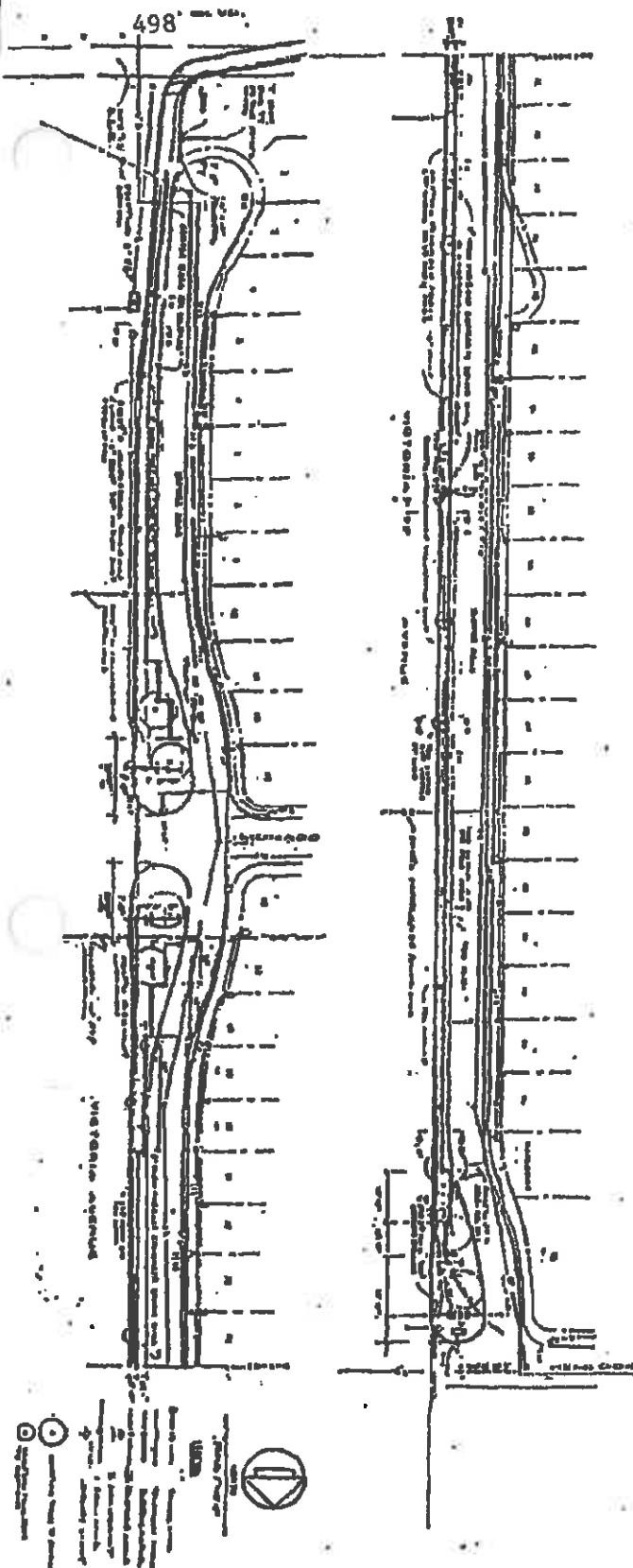
  
 Dr. Manuel M. Lopez, Mayor

ATTEST:

  
 Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
 Gary L. Gillig, City Attorney 8/4/93







**CITY COUNCIL OF THE CITY OF OXNARD****Resolution No. 10,624****RESOLUTION OF INTENTION TO INCLUDE MAINTENANCE OF  
SOUND WALL IN ZONE ONE OF WATERWAY MAINTENANCE  
DISTRICT**

**WHEREAS**, the Waterway Maintenance District ("the District") was created by City Council Resolution No. 5144, adopted on June 16, 1970, for the purpose of operating and maintaining waterway, parking and landscaping improvements within the District; and

**WHEREAS**, the District is divided into Zone 1 and Zone 2; and

**WHEREAS**, a sound wall will be constructed in the parkway on Victoria Avenue between Channel Islands Boulevard and Hemlock Street, on the eastern boundary of the District, which parkway is now maintained by Zone 1 of the District; and

**WHEREAS**, the sound wall will benefit property within Zone 1 of the District; and

**WHEREAS**, Streets and Highways Code section 5842 allows the City Council to make the expense of maintaining the sound wall a charge on the District by adopting a resolution of intention and order to that effect;

**NOW, THEREFORE**, the City Council of the City of Oxnard resolves:

1. The intention of the City Council of the City of Oxnard is that Zone 1 of the District bear the cost of maintaining and operating the sound wall, including the cost of maintenance, repair, graffiti removal and landscaping.
2. The estimated annual cost of such maintenance and operation is \$2000.00.
3. A diagram of the proposed sound wall and its location is shown on Exhibit A, attached hereto and incorporated herein by reference.
4. Notice is hereby given that on September 21, 1993, at 7:00 p.m., in the Council Chambers of the City of Oxnard, any and all persons having any objection to having Zone 1 of the District bear the cost of maintaining and operating the sound wall may appear and be heard.
5. The City Clerk is instructed to give notice by mail of the time, place and purpose of the hearing to each owner whose name and address appears on the last equalized assessment roll and who owns real property within the boundaries of the

District. The notice shall contain the name and telephone number of the Public Works Department of the City of Oxnard where inquiries regarding the hearing proceedings shall be answered.

6. The City Clerk is instructed to post notices of the hearing in three conspicuous places within the District. The notices shall be headed "Notice of Hearing" in letters not less than one inch in height and shall contain a statement of the time and place of the hearing and the diagram attached hereto as Exhibit A. The notice shall be posted not less than 10 days prior to the date set for the hearing.


7. The City Clerk is instructed to file, upon completion of the mailing and posting, an affidavit setting forth the time and manner thereof, as required by Section 5838 of the Streets and Highways Code.

Passed and adopted this 17th day of August, 1993, by the following vote:

AYES: Council Members: Plisky, Herrera, Holden, Lopez & Pinkard  
 NOES: Council Members: None.  
 ABSENT: Council Members: None.

  
 Dr. Manuel M. Lopez, Mayor

ATTEST:

  
 Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
 Gary L. Gillig, City Attorney 8/4/93

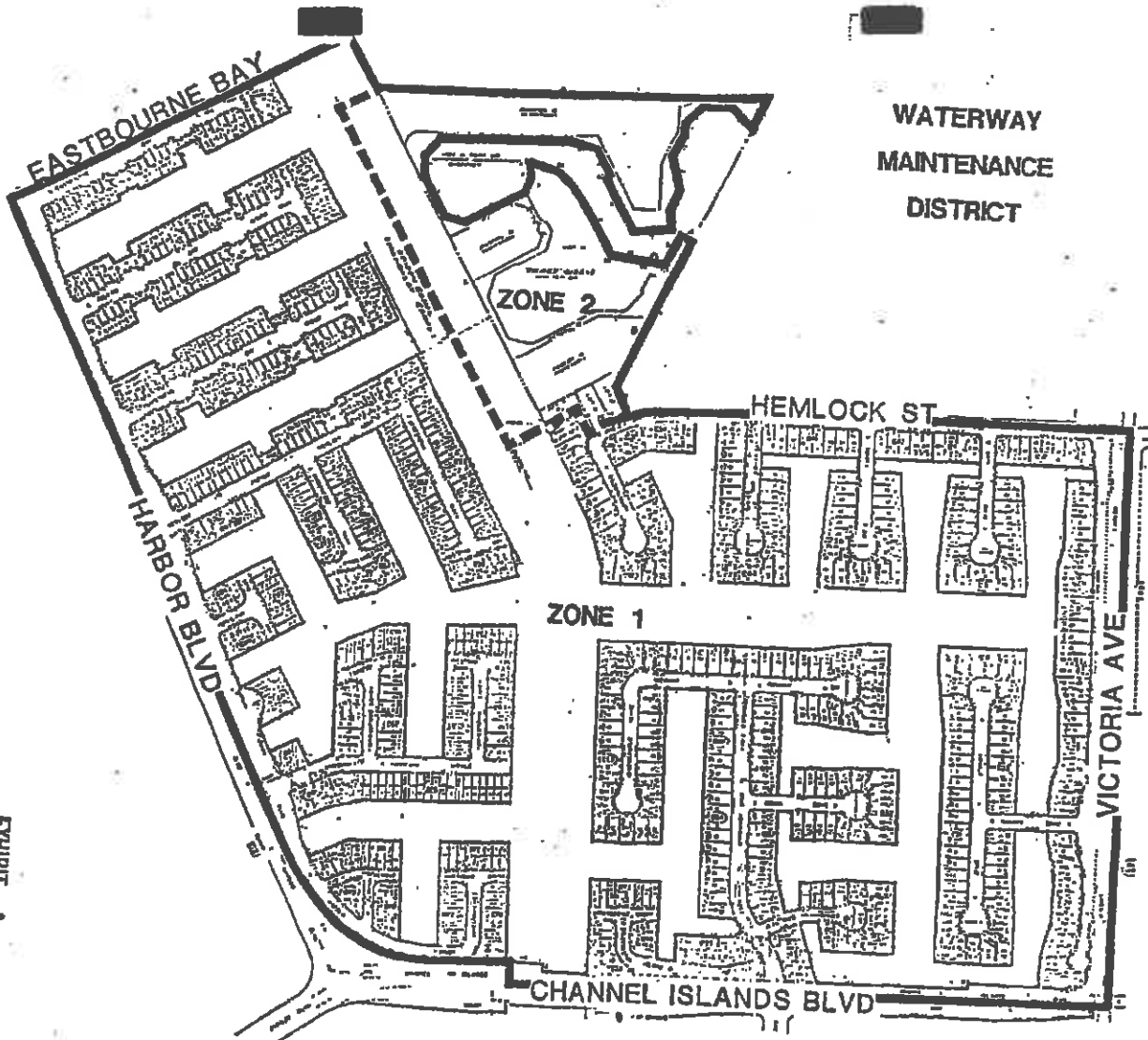
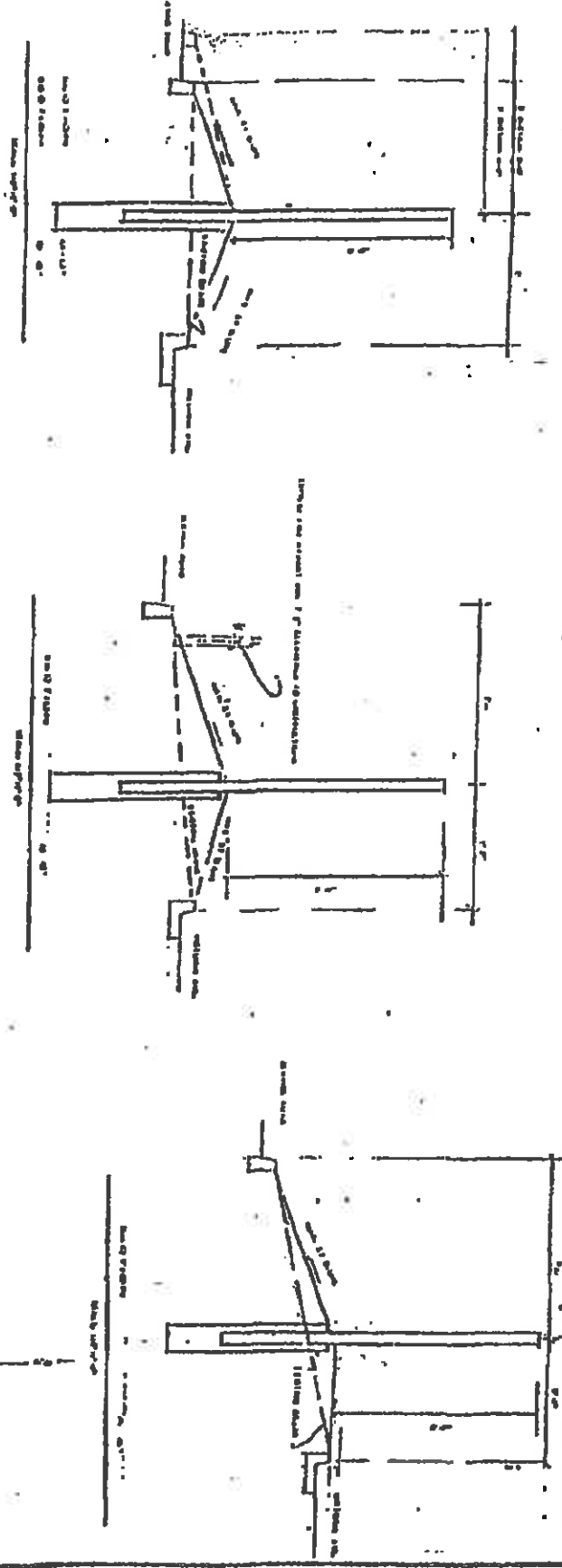
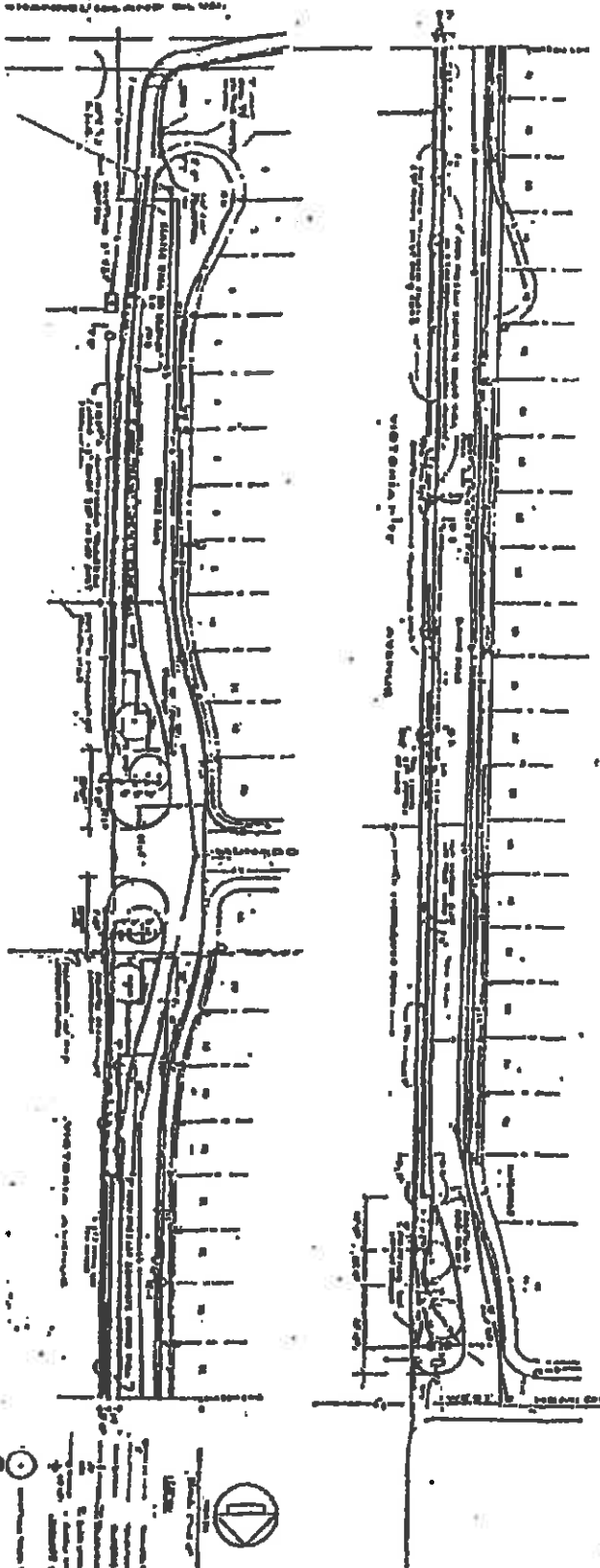


EXHIBIT A

ATTACHMENT 2



PLAN AND ELEVATIONS  
VICTORIA AVE. SOUND WALL

UNIVERSITY OF CALIFORNIA  
ARCHITECTURAL ARCHITECTS

City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

Date	Type of Document	Document #	Summary/Description
07/01/69	CC minutes		Public Hearing to discuss annexation 69-6 95 acres of property between Channel Isle., Harbor Blvd., Peninsula Rd. and tract 1904. Continued to 7-22-69
07/22/69	CC minutes		Continued hearing regarding annexation 69-6 from 7-01-69. Continued to 8-5-69
08/05/69	CC minutes		Continued hearing regarding annexation 69-6 from 8-5-69. Continued to 8-12-69
08/12/69	CC minutes		Continued hearing regarding annexation 69-6 from 8-5-69. Continued to 8-19-69
08/19/69	CC minutes		Continued hearing regarding annexation 69-6 from 8-12-69. Accepted.
11/12/69	CC minutes		Discussion of Boise Cascade easement to So. Cal. Edison regarding high-level bridge.
11/18/69	CC Minutes		Authorize Mayor and City Clerk to execute consent to grant easement to So. Cal. Edison may have temporary use of Parcel A in tracts 1904-1 and 1904-2 for transportation of fresh water and sea water.
01/13/70	CC minutes		Agreement with Boise Cascade for improvement of Channel Islands Blvd.
04/07/70	CC minutes		Denying Zone Variance application No. 269 by Boise Cascade for v-shaped sign on tract 1904-1.
04/21/70	CC minutes		Approve bldg. Permit w/o recordation of tract 2026-1.
04/28/70	CC minutes		Approve bldg. Permits for model homes in tract 2026-1 by Zurn Industries prior to recordation.
05/19/70	CC minutes		And approve appeal of Planning Commission's denial of Zone Variance Application No. 269 filed by Boise Cascade.
03/16/70	CC minutes		Request for permission by Zurn Engineers to adjust property lines between Lots 218 and 19 of tract 2026-1. Referred to Planning Commission.
05/26/70	CC minutes		Approve P.C. Resolution 3366 (parcel map 70-23 of lots 94-101 of tract 2026-1 by Zurn Engineers).
06/02/70	CC minutes		Approve request for permission by Zurn Engineers to adjust property lines between Lots 218 and 19 of tract 2026-1.
01/19/71	CC minutes		Request for approval of final map of Tract 2026-1 by Zurn Engineers. Referred to Planning Commission.
02/02/71	CC minutes		Approving P.C. Resolution 3313 filed by Boise Cascade to permit conversion of Billboard on lot no. 01 in tract 1904-1. AND DENYING Zone Variance Application by Zurn Construction to construct advertising sign on lot no. 25 of tract 2026.
05/18/71	CC minutes		Approve tentative parcel map 70-23 of lots 94-101 of tract 2026-1 by Zurn Engineers.
09/01/71	CC minutes		Approve agreement w/ Boise Cascade and Oxnard Marina Dev. Co. for improvements to Channel Isl. Blvd and construction of bridges over Edison Canal.
11/09/71	CC minutes		Approve P.C. Resolution 3519 filed by Zurn Engineers to permit continued use of existing tract sales office on lots 205 and 206 in tract 2026-1.
			Request by Zurn Engineers to add easement lots 14-206 in tract. 2026-1.



City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

04/18/72	CC minutes		Approve request by Zurn Engineers for continued operation prior to final approvals regarding tract 2026-3
4/25/72	CC minutes		Approved issuance of building permit for bulkhead piles from Zurn Environmental Communities
5/9/72	CC minutes		Approved: Installation of footings and bulkhead walls as well as drive pilings in tract 2026-3 prior to recordation of Map.
9/11/73	CC minutes	73-PW-32	Approval of Bid Spec.73-PW-32 For Reconstruction and repairs Mandalay Beach Rd @W. 5th and at Channel Way.
1/22/74	CC Minutes		Approve Marina dredging project to O'Shaughnessy Const. Co. for \$30,1021.5
5/25/75	CC minutes		Report from public works director concerning hazards in waterways tract 2026-3. Council moved to request property owner to implement safety measures.
8/26/75	CC minutes		Residents appeared to address concerns regarding algae vacuuming, naming of waterways and whether of not homeowners should bear full cost of waterway maintenance.
2/3/76	CC minutes		Retain Law Firm Of Reilly, Holzauser, Denver, McClain in waterway case.
8/24/76	CC minutes		Residents appeared to address conduct of construction workers, supervision of landscape areas, opposition to tax increase charge for cleaning algae and whether cause of bulkhead damage might be due to improper installation.
4/18/1978	CC minutes		Approve Special Budget appropriation for Dredging From Acct. 25-241 (Estimated Revenue) (25-3291Federal Disaster Assistance Grant) to Acct. 25-241(Appropriation) (25-48800-32 Waterway Assessment District Contract Services)
5/23/1978	CC minutes		Approve Staff Comm. Recommendation Sole bid be rejected and authorize rebid.
6/20/1978	CC minutes		Special Budget Appropriation of \$10,000 From Acct. No. 1-49990-99 (Unappropriated Reserve/General fund) to acct. No. 41000-40(Special Service) For defense of City Re Fleisher Case
12/5/1978	CC Minutes		Discussion relating to alleged infractions of building regulations and request Planning Commission initiate procedures for possible adoption of Boise Master Plan.
6/26/1979	Public Comments		Citizens appeared concerning the responsibility of the city vs. the homeowners for the maintenance of the Waterways. Specifically in regards to silt buildup and source of silt. And regarding the alleged undermining of the bulkheads.
8/7/1979	CC minutes		Execute Land Lease W/ T.F. A. J. McGrath for use as a settling basin for dredging
	CC minutes and Public		
9/18/1979	Commentary		Public discussion regarding Yard setbacks and adoption of Ordinance 1777 as an interim urgency ordinance.
10/9/1979	CC minutes		Special Budget Appropriation of \$10,000 From Acct, No. 1-49990 (Unappropriated Reserve/General
3/4/80	CC minutes		Authorize Engagement of Moffatt & Nichol to Design adequate seawall replacement.
4/29/80	CC minutes		Letter from S. Cohen Re:Tract 2264 And Req. City delete Tentative Tract map condition Requiring seawall.





City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

5/13/1980	CC minutes	78-PW-11	Request Approval of Bid Spec. No. 78-PW-11 And Auth. Advertisement for Bids for Dredging amount \$80,000
5/20/80	CC minutes		Seawall Protective Structure Dropped Proposed Res. Modifying Res. No. 7774, Approve Tentative Subdiv. Map of tract. 2264
6/17/1980	Public Comments	78-PW-11B	Citizens appeared regarding Dredging. Specifically; the difference in the estimated cost and the bid amount, the assessing of responsibility for payment and the mechanics of the project. Public works director addressed these issues. Concern was also expressed regarding the Harbor Patrol and Security.
9/23/80	CC minutes		City Attorney recommended agreement w/ Moffatt & Nichol for design work for repair of bulkheads and channels.
11/18/1980	CC minutes		Approve. Special Budget Appropriation of \$10,120 To Acct. 25-48800-32(Waterway Asses.
12/2/1980	Public Comments		Mrs. Joanne Allen expressed concerns involving Dredging company. Regarding inconvenience and Approve. Special budget approp. Of \$8,445 to acct. no. 9-49550-32 Storm Damage/Channel Islands at Victoria/Contractual Services) from acct. no. 9-3292 (Disaster relief/storm damage/relief grant 1980)
1/20/81	CC minutes		Execute agreement w/ Moffatt & Nichol for repair of homes in Mandalay Bay for \$4,100.
04/07/81	CC minutes		City Manager suggested deleting item requesting auth. To execute agreement w/ Edgar A Griswold. To perform engineering services in connection w/ mandalay bay.
5/19/81	CC minutes		Authorizing execution of agreement with Edgar A. Griswold to perform professional engineering services in connection w/mandalay bay bulkhead, channel and home repairs
5/26/81	CC minutes		Prepare a letter requesting immediate action on storm damaged bulkhead wall on channel Isl. blvd.
9/1/81	CC minutes		Recommend Approve. Change Order No. 3 To granite Const.
11/24/1981	CC minutes		Approve Change Order No. 4 to Spec. No. 78-PW-11B Recommended Claim Settlement of \$36,238.44 and time ext. of contract w/ Granite Const. By 353 Calendar days
5/25/1982	CC minutes	78-PW-11B	Discussion of abandonment of 12ft. Of surface easement vs. maintaining full easement and consequences thereof. Also discussed; separating the Waterway district into two, one for Leeward Estates and one for Mandalay.
7/20/82	CC minutes		Report RE: Change Order No. 4 Mandalay Seawall Proj. No. 81-PW-18 Approval of \$222,000.00 to Granite Construction
11/23/82	CC minutes		Discussions regarding Proj. Spec. no. 82-PW-24A.Council moved to reject all bids received on said Bid Spec., direct staff to commence negotiations with any and all bidders available to effect repairs ASAP and instruct staff to present a report and recommendation w/participation of Mr. Gerald Lehmer & Assoc. Citizens appeared to address said bid proposals and methods of awarding contracts.
12/7/82	CC minutes	82-PW-24A	
1/4/1983	CC minutes		Discussion RE: Location, design features and environmental impact of replacement of Wooley Road Bridge across Edison Channel. Cont. on 1-18-83



City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

1/18/1983	CC minutes		Moved to find no significant impact of Wooley Rd bridge replacement and to request reimbursement under Federal Bridge Replacement Program.
7/12/1983	CC minutes		Approve. Agreement w/ Moffatt&Nichol for Prof. Marine Eng. Service not to exceed \$25,695
10/23/84	CC minutes		Waive Formal Bid Procedure relative to Seawall
10/23/84	CC minutes	PR84-7	Approve Proj.. Spec. No. PR84-7, authorize bids and appropriation of 36500 from Acct. no. (381-70600)Capital Outlay/Fund Balance to acct. No. (381-404-ZJ-M020)Capital Outlay/Harbor Meridians
2/5/1985	Public Comments		Ms. Melinda Walling appeared concerning lack of additional weep holes. And concerning new erosion and water seepage.
04/23/85	CC minutes		Presentation from acting Public Works Director regarding additional repairs at Mandalay Bay...Monies derived from lawsuit. City attorney indicated city's share \$750,000.
6/4/1985	CC minutes		Approve Special Appropriation to Repay Disallowed Fema Grant fund use. Amount of \$105,185 From Acct. No. 001-901-0A-39A( General Fund/Non-Departmental Approp. Reserve) to Acct. No. 001-901-0A-234B(Gen. Fund/non-Dept. Prior Year. Adj.)
6/25/1985	CC minutes		Postponement of Waterway dredging pending further budgetary discussions.
06/25/85	Public Comments		Mr. Robert Waldo - Homeowners not totally responsible for silt therefore should not bear entire cost.
09/03/85	CC minutes	PW84-10	Report from City Manager re; Proj. Spec. PW84-10. Dep. City Attorney advised that the Status City's purported financial responsibility was pending action by homeowners. Dep City Attorney advised city to proceed w/ project.
10/15/85	CC minutes	PW84-10	Reject Bid received and authorize rebidding for PW84-10(Mandalay Dredging Proj.) Award Contract to Nehalem River Dredging in the Amount of \$188,440 And Approve Budget approp. Of \$20,000 from Acct. no. 425-404-Jp-0000-00000-390B(Waterway Maint.. Asses.Dist./Cont. Reserve) to Acct. No. 425-302-JQ-0000-00000-277A(Waterway Maint. Asses. Dist. Service-gen. Cont.-Ext.)
1/14/1986	CC minutes		Approve Change Order No.2 in the Amount of \$39,500 To Nehalem River Dredging for Additional Work. Lease Agreement of \$5,500 w/McGaelic Group for Ad.increase of Dredge Basin. Sec. Budget Approp. Of \$45,000 from Acct. nos. 425-302-JQ-0000-00000-390B(Contingency Reserve) and 425-302-JQ-0000-00000-252A,B(Bulkhead Maint. Slope Survey to Acct. No. 425-302-JQ-0000-00000-277A
4/8/1986	CC minutes		Approve Supplementary Agreement W/Nehalem Dredging for \$49,125. Land Lease Agreement w/McGaelic Group For Land Lease Dredge Basin. City/ County Agree. For Reimbursement by County.
5/13/1986	CC minutes	PW84-10A	Concerning disposal of dredge material, Funds for future dredging and citizens addressing concerns that the City bear some of the cost of Dredging and maintenance.
06/03/86	Report/Public Comments		Approve Change Order No. 3 To Nehalem Dredging for \$22,024
6/10/1986	CC minutes	PW84-10A	

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City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

6/24/1986	CC minutes		Adopt Policy Waterway Maintenance Asses. Dist. Pay full cost of Maintenance of waterways, parking, and Landscaping. City Pay Admin Overhead.
9/23/1986	CC minutes	PW86-51	Award Dredge Spoils Removal Contract to Lloyd F. Horner Construction Company for \$115,296
11/4/1986	CC minutes	PW86-51	Agreements w/ SO. Cal. Edison for Easements. Renewal of lease w/SCE. Temp easement w/ McGaelic Group.
11/25/1986	CC minutes	PW86-51	Agreement W/ Lloyd F. Horner Const. Co. Contract No. 3765 increasing amount of dredge spoils from 16,000 Cu.Yards to 41,225 Cu. Yards and increasing contract Amount from \$115,295 to 297,067.35. Approp. \$10,517 from Unappropriated fund to Maintenance Dredging.
1/6/1987	CC minutes	PW86-51	Agreement w/ Lloyd F. Horner Const. Contract No. 3765 to increase dredge spoils from 41,225 Cu. Yards to 80,000 cu. Yards and Contract amount from \$297,067.35 to 576,408.00. Approve Approp. Of \$277,163 to Dredging Account from Various sources detailed in Financial impact section of report and in Attachment #3, inc. loan of \$177,230 from Gen Fund Unappropriated Fund Balance. Approve Transfer of 6,000 from Mandalay Bay Maintenance Dist. budget Dredging reserve line item to loan interest expense line item.
10/13/1987	Public Comments		Discussion re. The City's responsibility towards silting and Dredging
5/10/1988	CC Minutes		Approve Project Spec. No. PW 88-18 and authorize Bids. And discussion regarding the Mandalay bay WATERWAY System Maintenance Budget. And Public discussion regarding dredging and the linear park regarding responsibility for cost.
12/19/89	CC minutes		RFP for Engineering design and construction Admin for MANDALAY Bay Seawall Repair project
3/20/90	CC minutes		Approve transfer of \$234,311.58 from Mandalay Trust fund to Seawall Repair/weep hole project effective 4-2-90; approve variance in dist. Of funds from 60% for waterways and bulkheads to 63%.
5/8/90	CC minutes		Substitution of subcontractor for MANDALAY Bay Improvements Phase I proj. spec PR89-3, contract No. 4376.
5/8/90	CC minutes		Substitution of subcontractor for MANDALAY Bay Improvements Phase I proj. spec PR89-3, contract No. 4376.
7/24/90	CC minutes		Consultant selection to provide Engineering and design for Mandalay Bay Seawall Repair project. Execute agreement w/ Noble Consultants
6/5/1991	CC Minutes		Discussion re. The City's responsibility towards silting and Dredging and the Sunken boat fee. And urged City reinstate its contribution towards dredging.
11/19/91	CC minutes	PW89-26	Seawall Repair Phase I Approve Proj.. Spec., Authorize bids and transfer funds to Mandalay Bay seawall repair from waterways maintenance Operating Budget
1/21/92	CC minutes	PW89-26	Seawall Repair/Maintenance, Phase I Proj. Spec. No. PW89-26, Award \$171,706 to Associated Industries

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City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

11/17/92	CC minutes		Seawall repair Amendment to Agreement no. 4527A. Extend to 24 months and raise compensation to \$560,908.00
3/9/93	CC minutes		Discussion of increased costs of up-grading equipment
5/18/1993	Public Comments		Residents appeared to express concern re: dredging costs and responsibility towards payment.
6/15/93	CC minutes		Request for Qualifications For Contractual services for Seawall.
6/22/93	Public Comments		Residents appeared to discuss waterway maintenance assessments and dredging costs.
12/14/93	CC minutes	PW93-20	Seawall Repair, Phase II Proj. Spec. PW93-20, Approve Proj. Spec. No. PW93-20 and Authorize advert. For bids
6/7/94	CC minutes	PW93-20	Seawall Repair, Phase II Proj. Spec. PW93-20, contract w/ American Divers
12/6/95	CC minutes	PW93-20	Seawall repair Proj. Spec. # PW93-20 Change Order No. 2, Transfer funds from Waterway Maintenance Services Acct.(550-055-0308) to Mandalay Bay Seawall Repair Acct. (550-955-0301) for repair work
2/3/98	CC minutes		Update Rain Storm effect, declare local Emergency
2/24/98	CC minutes		Emergency Repair of Seawall Resolution # 11327
05/05/98	Public Comments		Bill Henry, Pres CIWHA, spoke regarding dissatisfaction w/ level of landscaping.
8/31/99	CC minutes		Non- Agenda problems with seawall Ms. Evie Lundin 4240 Meridian
11/16/99	CC minutes		Non- Agenda problems with seawall Ms. Evie Lundin 4240 Meridian
6/6/2000	CC minutes	A-5848	Execute Memorandum of Understanding (A-5848) w/ Co. of Ventura. Provisions inc. agreements on % share between County and City for Certain Remediation work, Tax in Community facilities district and Dredging costs.
3/6/01	CC minutes		Appropriation of funds for Mandalay Bay Seawall Repair and Maintenance
1/8/2002			Appropriation of Funds for MANDALAY Bay Seawall repairs and Maintenance Dredging Project.
9/23/2003	CC minutes	PW03-23	Eastern MANDALAY Bay Dredging Project.
11/04/03	CC minutes		Assistant City Manager reported on Streets And waterways Div. Installing two Debris Booms in Oxnard W. Drain to reduce debris entering Mandalay Bay Waterways





DEVELOPER OF  
PARCEL MAP  
71-18 ALLOWED  
PAY PARK  
PURCHASE FEE  
\$6,399

F 89

COUNCIL SUPPORTS  
MILLS BILL  
(FISCAL CRISIS  
MUN. GOV. REQUIRES  
GEN. REVENUE  
SHARING)

F 520  
SENATE BILL 490  
REQUIRES CITIES  
MAINTAIN/REPAIR  
SIDEWALKS/PROHIBIT  
REQUIRING OWNERS  
ABUTTING LOTS  
PAY THESE COSTS  
- COUNCIL OPPOSES

F 146  
APPROVED:  
AGRT. W/  
BARNARD-M.V.S.,  
INC. FOR WATER  
MAIN/FIRE HYDRANTS  
SERVE LOT 39/TR.  
1121

F 377

SPEC. 72-PW-9  
RECONSTRUCTION  
SEWER FORCE MAIN  
- BID AWARD:  
W.L. LYLES CO.

F 231PW

APPROVED:  
WORSHIPFUL JORDAN  
LODGE #604/  
OPERATION  
GAME ROOMS

F 189

APPROVED:  
BUILDING PERMIT  
FOR BULKHEAD  
FILES FROM  
ZURN ENVIRONMENTAL  
COMMUNITIES

F 201A

The City Attorney presented a report regarding the Quimby Act Fee - Parcel Map 71-18. Councilman Tolmach moved that the developer of Parcel Map 71-18 be allowed to pay a park purchase fee of \$6,399 (rather than hire an appraiser to determine the value of the land). Councilman Kato seconded - carried unanimously.

The City Attorney presented the Mills Bill. Councilman Tolmach moved support of the Mills Bill. This fiscal crisis in municipal government requires general revenue sharing, and the Mills Bill meets this need. Councilman Kato seconded - carried unanimously.

The City Attorney presented Senate Bill 490, which could require cities to maintain and repair sidewalks and would prohibit them from requiring the owners of abutting lots to pay these costs. Councilman Miller moved to oppose Senate Bill 490 as presented by the City Attorney. Councilman Kato seconded - carried by unanimous vote.

The City Attorney presented an agreement with Barnard-M.V.S., Inc., for water main and fire hydrants to serve Lot 39 of Tract 1121. As presented by the City Attorney, Councilman Tolmach moved that the Mayor and City Clerk authorized to execute agreement with Barnard-M.V.S., Inc. Councilman Miller seconded - carried unanimously.

Councilman Sanchez left the meeting.

The Assistant City Manager presented a bid committee report on Specification 72-PW-9, reconstruction of 4010 L/F of sewer force main.

<u>W.M. LYLES CO.</u> \$22,800.20	<u>TIDWELL EXCAVATING</u> \$30,029.00	<u>TURF CONST.</u> \$30,849.50
<u>J.M. COVINGTON</u> \$32,185.00	<u>O'SHAUGHESSEY CONST.</u> \$34,622.50	<u>NEWMAN BACKHOE</u> \$36,488.00
<u>BLOISE &amp; CARDOZA</u> \$37,890.00	<u>EASY CONSTRUCTION</u> \$38,640.00	<u>MONATLEY, INC.</u> \$39,372.20
<u>E.H. HASKELL CO.</u> \$39,662.00	<u>ROBERT S. BERARD</u> \$49,477.40	<u>J.L. SCOTT CO.</u> \$49,490.00

As recommended by the bid committee, Councilman Miller moved the report be accepted and the Mayor and City Clerk authorized to execute a contract with the low bidder, W. M. Lyles Co., in total amount of \$22,800.20, for all work included in this project. Councilman Kato seconded - carried by unanimous vote.

The Assistant City Manager presented a report from the License Supervisor regarding request from the Worshipful Jordan Lodge #604 for the operation of game rooms. Councilman Miller moved the License Department be authorized to issue the requested license, subject to compliance with all regulations as set forth in the Ordinance Code. Councilman Tolmach seconded - carried by unanimous vote.

The Assistant City Manager presented a report from the City Attorney, Building Director, Planning Director and Public Works Director regarding request for a building permit for bulkhead piles from Zurn Environmental Communities. As recommended by the City Attorney, Councilman Miller moved approval of the issuance of a

425-2

building permit, subject to the conditions enumerated in the City Attorney's memo dated April 20, 1972. Councilman Tolmach seconded - carried by unanimous vote.

The Assistant City Manager presented a report from the Parks and Recreation Director regarding free summer bus transportation for swimming pool programs. Councilman Miller commended the staff as he felt this was real important by providing access to everyone in the community. Councilman Kato moved to authorize the free bus service as outlined and recommended by the Parks and Recreation Director in his memo dated April 20, 1972. Councilman Miller seconded - carried unanimously.

APPROVED: FREE  
SUMMER BUS  
TRANSPORTATION  
FOR SWIMMING  
POOL PROGRAMS

F 154  
F 167  
F 186

The Assistant City Manager presented a report from the Traffic Engineer regarding railroad crossings. As recommended by the Traffic Engineer in his memo of April 20, 1972, Councilman Miller moved the report be received for file; directed that a copy of the Traffic Engineer's memo be transmitted to Mrs. Frank McIlvaine. Councilman Tolmach seconded - carried by unanimous vote.

REPORT FROM  
TRAFFIC ENG. RE.  
RAILROAD  
CROSSINGS  
RECEIVED; COPY  
TO GO TO MRS.  
FRANK MCILVAINE

F 229

The Administrative Assistant II presented a report regarding Historic Preservation Grant. Councilman Miller offered Resolution No. 5642 and moved its adoption. Councilman Kato seconded - carried by the following vote: Ayes: Councilmen Tolmach, Jewell, Kato, Miller. Noes: None. Absent: Councilman Sanchez. This is a resolution authorizing the filing of an application for a Legacy of Parks Historic Preservation Grant as authorized by Section 709 of Title VII of the Housing Act of 1961, as amended.

RES. NO. 5642  
AUTH. FILING  
APPLICATION  
FOR A LEGACY OF  
PARKS HISTORIC  
PRESERVATION  
GRANT

Shelly Gertz thanked Council for considering the future development of empty lots throughout the City. The City Manager reported on this matter. (This item is to be taken up later in the meeting.)

SHELLY GERTZ  
THANKED COUNCIL  
FOR CONSIDERING  
FUTURE DEV.  
EMPTY LOTS

The following letters were presented:

LETTERS PRESENTED:

Letter from August L. Thiel, Club Manager, Oxnard Lodge No. 1443, requesting a license to permit the operation of game rooms. CITY MANAGER RECOMMENDATION: Refer to License Division for report and recommendation for Council consideration on May 9, 1972.

OXNARD LODGE  
1443 REQUEST  
LICENSE PERMIT  
OPERATION GAME  
ROOMS

F 201

Letter from Mrs. Jeanette Morris, Poppy Chairman for the Oxnard American Legion Auxiliary Unit 16, Post #48, requesting the proclamation of May, 1972, as "Veterans Poppy Month" and May 26th and 27th as "Poppy Days". CITY MANAGER RECOMMENDATION: Authorize the Mayor to issue the requested proclamation.

PROCLAMATION  
MAY, 1972, AS  
"VETERANS POPPY  
MONTH"; 5/26 &  
5/27 AS "POPPY  
DAYS"

F 206

DEVELOPER OF  
PARCEL MAP  
71-18 ALLOWED  
PAY PARK  
PURCHASE FEE  
\$6,399

F 89

COUNCIL SUPPORTS  
MILLS BILL  
(FISCAL CRISIS  
MUN. GOV. REQUIRES  
GEN. REVENUE  
SHARING)

F 520  
SENATE BILL 490  
REQUIRES CITIES  
MAINTAIN/REPAIR  
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F 146  
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SEWER FORCE MAIN  
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F 231PW

APPROVED:  
WORSHIPFUL JORDAN  
LODGE #604/  
OPERATION  
GAME ROOMS  
F 189

APPROVED:  
BUILDING PERMIT  
FOR BULKHEAD  
PILES FROM  
ZURN ENVIRONMENTAL  
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The City Attorney presented the Mills Bill. Councilman Tolmach moved support of the Mills Bill. This fiscal crisis in municipal government requires general revenue sharing, and the Mills Bill meets this need. Councilman Kato seconded - carried unanimously.

The City Attorney presented Senate Bill 490, which could require cities to maintain and repair sidewalks and would prohibit them from requiring the owners of abutting lots to pay these costs. Councilman Miller moved to oppose Senate Bill 490 as presented by the City Attorney. Councilman Kato seconded - carried by unanimous vote.

The City Attorney presented an agreement with Barnard-M.V.S., Inc., for water main and fire hydrants to serve Lot 39 of Tract 1121. As presented by the City Attorney, Councilman Tolmach moved that the Mayor and City Clerk authorized to execute agreement with Barnard-M.V.S., Inc. Councilman Miller seconded - carried unanimously.

Councilman Sanchez left the meeting.

The Assistant City Manager presented a bid committee report on Specification 72-PW-9, reconstruction of 4010 L/F of sewer force main.

<u>W.M. LYLES CO.</u> \$22,800.20	<u>TIDWELL EXCAVATING</u> \$30,029.00	<u>TURF CONST.</u> \$30,849.50
<u>J.M. COVINGTON</u> \$32,185.00	<u>O'SHAUGHNESSY CONST.</u> \$34,622.50	<u>NEWMAN BACKHOE</u> \$36,488.00
<u>BLOISE &amp; CARDOZA</u> \$37,890.00	<u>EASY CONSTRUCTION</u> \$38,640.00	<u>MONATLEY, INC.</u> \$39,372.20
<u>E.H. HASKELL CO.</u> \$39,662.00	<u>ROBERT S. BERARD</u> \$49,477.40	<u>J.L. SCOTT CO.</u> \$49,490.00

As recommended by the bid committee, Councilman Miller moved the report be accepted and the Mayor and City Clerk authorized to execute a contract with the low bidder, W. M. Lyles Co., in total amount of \$22,800.20, for all work included in this project. Councilman Kato seconded - carried by unanimous vote.

The Assistant City Manager presented a report from the License Supervisor regarding request from the Worshipful Jordan Lodge #604 for the operation of game rooms. Councilman Miller moved the License Department be authorized to issue the requested license, subject to compliance with all regulations as set forth in the Ordinance Code. Councilman Tolmach seconded - carried by unanimous vote.

The Assistant City Manager presented a report from the City Attorney, Building Director, Planning Director and Public Works Director regarding request for a building permit for bulkhead piles from Zurn Environmental Communities. As recommended by the City Attorney, Councilman Miller moved approval of the issuance of

4-29-12

building permit, subject to the conditions enumerated in the City Attorney's memo dated April 20, 1972. Councilman Tolmach seconded - carried by unanimous vote.

The Assistant City Manager presented a report from the Parks and Recreation Director regarding free summer bus transportation for swimming pool programs. Councilman Miller commended the staff as he felt this was real important by providing access to everyone in the community. Councilman Kato moved to authorize the free bus service as outlined and recommended by the Parks and Recreation Director in his memo dated April 20, 1972. Councilman Miller seconded - carried unanimously.

APPROVED: FREE  
SUMMER BUS  
TRANSPORTATION  
FOR SWIMMING  
POOL PROGRAMS

F 154  
F 167  
F 186

The Assistant City Manager presented a report from the Traffic Engineer regarding railroad crossings. As recommended by the Traffic Engineer in his memo of April 20, 1972, Councilman Miller moved the report be received for file; directed that a copy of the Traffic Engineer's memo be transmitted to Mrs. Frank McIlvaine. Councilman Tolmach seconded - carried by unanimous vote.

REPORT FROM  
TRAFFIC ENG. RE.  
RAILROAD  
CROSSINGS  
RECEIVED; COPY  
TO GO TO MRS.  
FRANK MCILVAINE

F 229

The Administrative Assistant II presented a report regarding Historic Preservation Grant. Councilman Miller offered Resolution No. 5642 and moved its adoption. Councilman Kato seconded - carried by the following vote: Ayes: Councilmen Tolmach, Jewell, Kato, Miller. Noes: None. Absent: Councilman Sanchez. This is a resolution authorizing the filing of an application for a Legacy of Parks Historic Preservation Grant as authorized by Section 709 of Title VII of the Housing Act of 1961, as amended.

RES. NO. 5642  
AUTH. FILING  
APPLICATION  
FOR A LEGACY OF  
PARKS HISTORIC  
PRESERVATION  
GRANT

Shelly Gertz thanked Council for considering the future development of empty lots throughout the City. The City Manager reported on this matter. (This item is to be taken up later in the meeting.)

SHELLY GERTZ  
THANKED COUNCIL  
FOR CONSIDERING  
FUTURE DEV.  
EMPTY LOTS

The following letters were presented:

LETTERS PRESENTED:

Letter from August L. Thiel, Club Manager, Oxnard Lodge No. 1443, requesting a license to permit the operation of game rooms. CITY MANAGER RECOMMENDATION: Refer to License Division for report and recommendation for Council consideration on May 9, 1972.

OXNARD LODGE  
1443 REQUEST  
LICENSE PERMIT  
OPERATION GAME  
ROOMS

F 201

Letter from Mrs. Jeanette Morris, Poppy Chairman for the Oxnard American Legion Auxiliary Unit 16, Post #48, requesting the proclamation of May, 1972, as "Veterans Poppy Month" and May 26th and 27th as "Poppy Days". CITY MANAGER RECOMMENDATION: Authorize the Mayor to issue the requested proclamation.

PROCLAMATION  
MAY, 1972, AS  
"VETERANS POPPY  
MONTH"; 5/26 &  
5/27 AS "POPPY  
DAYS"

F 206

- P.H. SET FOR  
7:30 P.M.  
6/6/72 FOR  
FINAL ADOPTION  
OF ORDINANCE

F 474

APPROVED:  
INSTALLATION  
FOOTINGS/  
BULKHEAD WALLS/  
DRIVE PILING  
IN TR. 2026-3  
PRIOR RECORDA-  
TION OF MAP

F 441

5-6-72

APPROVED: CON-  
CEPT CRAIG DR.  
AS PUBLIC ONE-  
WAY ST.; RE-  
FERRED TO  
PLANNING FOR  
REPORT & RECOM-  
MENDATION; P.H.  
SET 6/20/72 RE  
ZONING; PD  
ADDITIVE TO  
PROPERTIES ABUT-  
TING CRAIG DR.

F 222A

Ordinance No. 1414 for a first reading. This is an ordinance relating to Municipal Fire Protection; amending Article I, Chapter 13 of the Code of the City of Oxnard to adopt by reference the 1970 Edition of the American Insurance Association recommended Fire Protection Code with amendments; enacting a new Article 1-A to Chapter 13 to provide for Fire Prevention Administration; and repealing Subsection 1603(c) of the Uniform Building Code relating to prohibited occupancies in fire zones. Ted Christensen, Battalion Fire Chief, reported on this ordinance. Councilman Miller moved Ordinance No. 1414 be read by title only and that further reading of the ordinance be waived. Councilman Sanchez seconded - carried unanimously. Councilman Miller offered Ordinance No. 1414 for a first reading. Councilman Kato seconded - carried by unanimous vote. Councilman Miller moved that a public hearing be set for 7:30 P.M., on June 6, 1972, for final adoption of the ordinance. Councilman Sanchez seconded - carried by unanimous vote.

Councilman Sanchez moved the following item be taken out of order. Councilman Kato seconded - carried unanimously. The City Manager presented a report from the Building and Safety Director, City Attorney, Planning Director and Public Works Director regarding Tract No. 2026-3 prior to the recording of the map thereof subject to the conditions enumerated in the memo of May 5, 1972. Councilman Miller moved to approve the installation of footings and bulkhead walls as well as drive pilings in Tract 2026-3 prior to the recording of the map thereof subject to the conditions enumerated in the memo of May 5, 1972. Councilman Kato seconded - carried unanimously.

Leonard Hayes, City Traffic Engineer, presented a report regarding proposed improvements to Craig Drive. As proposed by Donald Frischer and Associates, the Traffic Engineer recommended Craig Drive to be one-way southerly from Vineyard Avenue. Donald Parrish, attorney representing Kelly Curci and John Dearing, presented enlarged photographs of Craig Drive and agreed with the report of the Traffic Engineer. Marc Charney, attorney for Mrs. Brewer, presented a report from Herman Kimmel and Associates, Traffic Engineering Consultants, recommending alternate proposals. Marc Charney requested on behalf of his client the closing of Craig Drive or alternate of using railroad right of way. Donald Frischer appeared and answered questions of Council. C. Lorbeer appeared. Councilman Sanchez moved a public hearing be set for Tuesday, June 20, 1972, at 7:30 P.M. for zone change to C-2, MPD and M-1 property abutting Craig Drive; and this matter be referred back to Planning Commission to study and recommend prior to the Council meeting of June 20, 1972. Councilman Tolmach seconded - carried by unanimous vote. There were further presentations by both attorneys. As recommended by the Traffic Engineer in his memo of April 24, 1972, Councilman Sanchez moved to approve, in concept, the construction of Craig Drive as a public street; and approve the design of Craig Drive as a one-way street as proposed.

APPROVED: ADDENDUM  
#1 TO SPEC.  
73-PW-31  
FOR CONST.  
SANFORD AVE.  
DRAIN, PHASE 1  
F 231

APPROVED:  
AUCTIONEER'S  
LICENSE FOR  
ANDREW  
KRONEBERGER  
F 201

SPEC. 73-PW-33  
MAINTENANCE  
DREDGING OF  
MATERIALS FROM  
OXNARD MARINA  
F 231

SPEC. 73-PW-32  
FOR RECONSTRUCTION  
& REPAIRS,  
MANDALAY BEACH  
RD. @ W. 5TH  
ST. & CHANNEL WAY  
- BID OPENING  
10/1/73  
F 231

REQUEST FOR  
DANCE PERMIT  
BY NYC SCHOOL  
APPROVED FOR  
9/21/73 @  
JUANITA SCHOOL  
F 198A

APPROVED: DANCE  
PERMIT BY LATIN  
GENERATION @  
JUANITA SCHOOL  
10/14/73  
F 198

ORDINANCES  
PUBLISHED

MINUTE REGISTER  
NO. 522 APPROVED

CHANGES/TRANSFERS

LETTERS

LETTER FROM  
CALIF. HWY  
COMMISSION RE.  
SPECIFIC PLAN  
FOR OXNARD BLVD.

F 97

The City Manager presented a request for approval of Addendum #1 to Bid Specification 73-PW-31 for construction of Sanford Avenue Drain, Phase 1. Councilman Miller moved approval of the request. Councilman Jewell seconded - carried unanimously.

The City Manager presented a request for approval of an Auctioneer's license for Mr. Andrew Kroneberger. Councilman Jewell moved approval of the request for an Auctioneer's license for Andrew Kroneberger and waive the requirement for a surety bond. Councilman Kato seconded - carried unanimously.

The City Manager presented a request for approval of Bid Specification 73-PW-33, for the City Clerk to advertise for bids to be publicly opened and read aloud in the Council Chambers, 225-305 West Third Street, City of Oxnard, on Monday, October 1, 1973, for maintenance dredging of materials from Oxnard Marina. Councilman Jewell moved the request be approved. Councilman Miller seconded - carried unanimously.

The City Manager presented a request for approval of Bid Specification 73-PW-32, for reconstruction and repairs, Mandalay Beach Road at West Fifth Street and at Channel Way. Councilman Miller moved approval of Bid Specification 73-PW-32 and for the City Clerk to advertise for bids to be publicly opened and read aloud in the Council Chambers, 225-305 West Third Street, City of Oxnard, on Monday, October 1, 1973. Councilman Kato seconded - carried by unanimous vote.

The City Manager presented a request for approval of a dance permit sponsored by the NYC School to be held on September 21, 1973, at Juanita School. Councilman Jewell moved approval of the request. Councilman Kato seconded - carried unanimously.

The City Manager presented a request for approval of a dance permit sponsored by the Latin Generation to be held on October 14, 1973, at Juanita School. Councilman Kato moved approval as recommended. Councilman Jewell seconded - carried by unanimous vote.

The City Clerk reported Ordinances No. 1494, 1495 and 1496 have been properly published and affidavits of publication received.

Councilman Jewell moved approval of Minute Register No. 522 of Appropriation Changes and Interfund Transfers. Councilman Kato seconded - carried by the following vote: Ayes: Councilmen Miller, Tolmach, Jewell, Kato. Noes: None. Absent: Councilman Miller.

\$1,300.00

The following letters were presented:

Letter from Harold A. Richard, Assistant Secretary of the California Highway Commission, regarding specific plan for Oxnard Boulevard from Bricker Drive to its proposed intersection with Statham Parkway. CITY MANAGER RECOMMENDATION: Receive for file.

As presented by the City Attorney, Councilman Kato moved that G/M Landscape Company be allowed an extension of time of 10 working days from January 15, 1974, in which to complete landscaping to Specification No. 73-PR-9. Councilman Miller seconded - carried unanimously.

G/M LANDSCAPE  
CO. ALLOWED AN  
EXTENSION TIME  
COMPLETE  
LANDSCAPING TO  
SPEC. 73-PR-9  
F 231  
ABC APPLICATION  
RECEIVED  
F 199

The City Attorney presented Alcoholic Beverage Application of Ernest Figueroa for on sale beer & wine eating place for Ernie's Restaurant, 1026 Mountain View Avenue. Councilman Kato moved this item be received as recommended. Councilman Sanchez seconded - carried by unanimous vote.

As presented by the City Attorney, Councilman Sanchez moved that the Mayor and City Clerk be authorized to execute agreement with Ventura County Flood Control District for fencing of Rice Road Drain between Emerson Avenue and Channel Islands Boulevard. Councilman Kato seconded - carried unanimously.

APPROVED: AGRT.  
W/ VENTURA COUNTY  
FLOOD CONTROL DST.  
FOR FENCING OF  
RICE RD. DRAIN  
BET. EMERSON AVE.  
& C.I. BLVD.  
F 161 F 481  
COUNCIL OPPOSITION  
TO AB 882  
F 146

As presented by the City Attorney, Councilman Sanchez moved opposition to Assembly Bill 882, which would mandate representation on the board of a Local Agency Formation Commission of special districts. Councilman Kato seconded - carried by unanimous vote.

As presented by the City Attorney and Assistant City Attorney, Councilman Kato moved that the Mayor and City Clerk be authorized to execute Modification Agreement with Raymond R. Gaitan for use and operation of kitchen facility and alcoholic beverage service within the Community Center Complex. Councilman Miller seconded - carried unanimously.

APPROVED:  
MODIFICATION AGRT.  
W/ RAYMOND R.  
GAITAN FOR USE &  
OPERATION KITCHEN  
FACILITY/ALCOHOLIC  
BEV. SERVICE WITHIN  
COMMUNITY CENTER  
COMPLEX  
F 265  
SPEC. 73-PW-44 -  
CONST. OF FENCING  
PORTION RICE RD.  
DRAIN - BID  
AWARD: VENTURA  
FENCE CO.  
F 231

The Assistant City Manager presented a Staff Committee report on Bid Specification 73-PW-44A for construction of fencing on portion of Rice Road Drain.

VENTURA FENCE	\$14,782.00
ALCORN FENCE CO.	16,277.00
BUD & KEN LUMBER CO.	16,919.00
C & M FENCE CO.	22,058.00

Councilman Kato moved approval of the report, the low bid be accepted and the Mayor and City Clerk be authorized to execute a contract with Ventura Fence Company in total amount of \$14,782.00 for all work connected with this project, subject to execution of an appropriate agreement with Ventura County Flood Control District for payment of their share of the costs. Councilman Miller seconded - carried by unanimous vote.

The Assistant City Manager presented a report regarding informal bids for conducting the marina dredging work as provided under Specification 73-PW-33 by Council Resolution No. 6169. Councilman Miller moved the Mayor and City Clerk be authorized to execute a contract with O'Shaughnessy Construction Co. in total amount of \$30,102.50 to conduct this work as specified, subject to issuance of a dredging permit by the Corps of Engineers. Councilman Kato seconded - carried unanimously.

INFORMAL BIDS  
FOR MARINA DREDGING  
PROJECT - BID  
AWARD:  
O'SHAUGHNESSY  
CONSTRUCTION CO.  
F 231

The Assistant City Manager presented a report from the Traffic Engineer regarding restricted parking signs adjacent to the Regal Lodge on Oxnard Boulevard. After further discussion, the City Manager presented

STAFF TO REMOVE  
2 A.M. TO 6 A.M.  
NO PARKING SIGNS  
ON OXNARD BLVD.  
1/22/74 - Page 2



The City Attorney presented Resolution No. 6469, declaring the intention of the City Council to vacate a portion of Ginger Avenue North of Aster Street. Councilman Tolmach offered Resolution No. 6469 and moved its adoption. Councilman Miller seconded - carried by the following vote: Ayes: Councilmen Jewell, Kato, Miller and Tolmach. Noes: None, Absent: Councilman Maxwell.

RES. NO. 6469 -  
DECLARING  
INTENTION VACATE  
PORTION GINGER  
AVE. NO. OF  
ASTER ST.  
F 235

The City Attorney presented a memorandum from the Parks and Recreation Director regarding swimming pool agreement with the schools. Councilman Kato moved approval of the agreement as recommended. Councilman Tolmach seconded - carried unanimously.

MEMO RE:  
AGREEMENT W/ SCHOOLS  
APPROVED  
(SWIMMING POOL)  
F 186

The Assistant City Manager presented a report from Public Works Director concerning hazards of inland waterways Tract 2026-3. As recommended by the Public Works Director in his memorandum dated May 20, 1975, Councilman Tolmach moved to request the property owner to implement the following four safety measures:

- 1) Install "no trespassing" signs
- 2) Provide for buoys in the remote channels
- 3) Install life rings along the bulkhead walls
- 4) Construct a 6' high chain link fence around the lane access portion

Councilman Kato seconded - carried by unanimous vote.

APPROVED: REPORT  
FROM PW DIR.  
CONCERNING  
HAZARDS OF  
INLAND WATERWAYS  
TR. 2026-3;  
PROPERTY OWNER  
TO IMPLEMENT  
FOUR SAFETY  
MEASURES  
F 209 F 377

The Assistant City Manager presented a report from Parks and Recreation Director concerning status of Neighborhood Park South 23. Councilman Tolmach moved the report be received for file; direct that a copy of the Parks and Recreation Director's status report dated May 22, 1975, be forwarded to Ms. Claudia Foster. Councilman Kato seconded - carried unanimously.

REPORT FROM  
P & R DIR.  
RECEIVED  
CONCERNING STATUS  
OF NPS 23  
F 148 F 186

The Assistant City Manager presented a report from Planning Director concerning cost of Environmental Impact Reports. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared and stated that the EIRs prepared by the City of Oxnard appear to be a bargain in comparison with other cities. He suggested the EIRs might be brought under control of the City Manager as a possible solution. Councilman Tolmach moved this matter be continued for one week. Councilman Kato seconded - carried by unanimous vote.

REPORT FROM  
PLANNING DIR.  
CONCERNING  
COST OF EIR  
- CONT'D ONE  
WEEK  
F 600

The Assistant City Manager presented a report from Traffic Safety Committee regarding traffic on Third Street and traffic signals at intersection of Third and "A" Streets. Councilman Tolmach moved the report be received for file and City Manager directed to transmit a copy to the Oxnard Advisory Committee.

REPORT RECEIVED  
FROM TRAFFIC  
SAFETY COMM.  
RE: TRAFFIC ON  
3RD ST. & TRAFFIC  
SIGNALS @ 3RD &  
"A" STS.  
F 229

At 2:00 p.m. Council recessed to hold the regular meeting of the Redevelopment Agency. At 2:20 p.m. Council reconvened into regular session.

RECESS TO HOLD  
REG. MTG. OF  
REDEV. AGENCY

The City Manager presented a request for approval of Bid Specification 75-PW-22, for traffic signals and road realignment at Channel Islands Boulevard and DuPont Street. At 2:25 p.m. Councilman Maxwell arrived at the meeting. Councilman Jewell moved approval of Bid Specification 75-PW-22 and for the City Clerk to advertise for bids to be publicly opened and read aloud in the Council Chambers,

SPEC. 75-PW-22,  
TRAFFIC SIGNALS  
& ROAD REALIGNMENT  
@ C. I. BLVD. &  
DUPONT ST. - BID  
OPENING 6/16/75  
F 231

8  
VENTURA COUNTY  
ASSOC. FOR  
RETARDED, INC.  
REQ. LICENSE  
HOUSE-TO-HOUSE  
FUND DRIVE  
NOV. 8-17  
F 201

INFORMATIONAL  
LETTERS REC'D

QUESTION REQUESTED  
OF FAA RE: ILS  
@ VENTURA COUNTY  
AIRPORT  
F 91

REPORT RE:  
PROCEDURES OF  
ST. NAMING  
COMMITTEE -  
ONE PUBLIC  
MEMBER ADDED  
TO ST. NAMING  
COMMITTEE,  
APPOINTMENT  
BY CITY COUNCIL  
F 223  
EXECUTIVE SESSION

RECESS TO  
EVENING SESSION

EVENING SESSION

PUBLIC HEARING:  
CONSIDER 1975-76  
BUDGET FOR  
WATERWAY MAINT.  
DST.  
F 561

Letter from Ventura County Association  
for Retarded, Inc., requesting license to  
conduct house-to-house fund drive November  
8-17, 1975. CITY MANAGER ACTION: Referred  
to Finance Department, License Division, for  
appropriate action.

Councilman Tolmach moved the letters be received as  
recommended. Councilman Miller seconded - carried by  
unanimous vote.

Councilman Tolmach reported receipt of a letter from  
SCAG dated August 15, 1975 regarding the negative  
declaration issued by the FAA regarding the ILS at  
Ventura County Airport. Councilman Tolmach moved that  
further information be obtained as to whether the  
negative declaration was based upon the assumption  
that the touch-down point would be 1,200 feet westerly  
of the previous touch-down point or at the previous  
touch-down point or whether any particular location  
or touch-down was assumed and a letter requesting  
this information to the FAA as this information must  
be supplied before an evaluation of the project and  
the negative declaration can be made. Councilman  
Miller seconded - carried unanimously.

The Planning Director made a presentation concerning  
procedures of Street Naming Committee. Mr. Carroll  
Lorbeer appeared and requested staff use the word  
"Road" as in the past. Councilman Tolmach moved a  
public member be added to our Street Naming Committee  
and that the public member be appointed by the City  
Council. Councilman Kato seconded - carried by  
majority vote, with Councilman Miller voting "No."

At 4:20 p.m. Council went into executive session to  
consider pending litigation. At 4:54 p.m. Council  
reconvened into regular session.

At 4:55 p.m. Councilman Kato moved the meeting recess  
to 7:30 p.m. Councilman Tolmach seconded - carried  
by unanimous vote.

At 7:30 p.m. Council reconvened into regular session.  
Councilmen Kat, Maxwell, Miller and Tolmach were present.  
Councilman Jewell was absent. Mayor Pro Tem Kato  
presided.

The Mayor Pro Tem opened the public hearing to  
consider the 1975-76 budget for the Waterway  
Maintenance District. A tax rate of 40¢ per 100  
of assessed value is proposed to raise \$24,196  
for monitoring, debris removal, bulkhead and  
algae control and maintenance dredging. The  
Deputy City Clerk presented affidavit of publication  
and reported there were no written communications.  
Mr. Jose Zeno, President of Homeowners Association  
of Channel Islands and also representing Boise  
Cascade and Mandalay Bay Estates, appeared and  
asked Council questions. Mr. Mike Tate, new owner  
in Mandalay Bay, appeared regarding a proposal he  
had already presented to the City Manager regarding  
his method of vacuuming the algae and the cleaning  
of sea walls. The Assistant City Manager presented  
a report. Mr. Bill Horn, 2121 Jamestown Way, was  
represented by Mr. Carroll Lorbeer regarding request  
to update and improvement of names of the waterways.  
Mrs. Anita Lively, 2420 Peninsula Road, appeared and  
stated he failed to see how the property owners  
should be responsible for any agricultural drainage  
in the channels. The City Attorney presented a  
report. No other persons appeared. Councilman  
Miller seconded - carried unanimously.

Councilman Kato moved that Mr. Nels Elmelund be reappointed to the Artworks Commission with term to January 25, 1979. Councilman Tolmach seconded - carried unanimously.

NELS ELMELUND  
REAPPT. ARTWORKS  
COMMISSION  
F 148

Councilman Tolmach moved that Mr. James Chambers be appointed to the Oxnard Advisory Committee for a term to February 3, 1979. Councilman Kato seconded - carried by unanimous vote.

JAMES CHAMBERS  
APPT. OXNARD  
ADV. COMMITTEE  
F 148

At 3:05 p.m. Councilman Miller was absent.

Mr. Leroy Andrews of Andrews-O'Connell, Architects, appeared and presented renderings of the proposed exterior materials to be utilized on the Public Safety Building. Mr. Carroll Lorbeer appeared and stated the he was happy that Council was considering the decoration. The samples of the proposed materials were shown to Council by Mr. Andrews. The City Manager presented a report. Councilman Jewell moved approval of the renderings as now existing. The Planning Director presented a report. Councilman Kato seconded - carried by unanimous vote, with Councilman Miller absent.

PRESENTATION  
EXTERIOR MATERIALS  
TO BE UTILIZED  
ON PUBLIC  
SAFETY BLDG.  
- APPROVAL OF  
RENDERINGS AS  
NOW EXIST  
F 611

At 3:50 p.m. Councilman Miller was again present.

At 3:51 p.m. Council went into executive session to consider pending litigation. At 4:50 p.m. Council reconvened into regular session.

EXECUTIVE SESSION

Councilman Miller stated that Mr. Bob Peterson, an attorney, had requested on behalf of U.S.O. that signs be placed to indicate the location of the U.S.O. for servicemen. It was suggested that the signs be placed at 4th and C Streets and at the bus stop at Plaza Park. Councilman Miller moved that staff be directed to authorize the placement of signs and consult with Mr. Peterson as to the exact locations. Councilman Kato seconded - carried unanimously.

STAFF AUTHORIZED  
TO PLACE SIGNS  
FOR U.S.O.  
F 349

Councilman Maxwell moved that the Mayor and City Clerk be authorized to execute agreement with Reilly, Holzauer, Denver and McClain (Nichols Incinerator case) to locate and retain incineration experts to evaluate the efficiency of incinerators to determine if they comply with specifications. Councilman Kato seconded - carried by unanimous vote.

AGRT. APPROVED  
REILLY, HOLZAUER;  
DENVER & MCCLAIN  
TO LOCATE &  
RETAIN INCINERATION  
EXPERTS TO EVALUATE  
EFFICIENCY OF  
INCINERATORS TO  
DETERMINE IF THEY  
COMPLY W/  
SPECIFICATIONS  
F 212

Councilman Jewell moved the Mayor and City Clerk be authorized to retain the law firm of Reilly, Holzauer, Denver and McClain (waterway case) to represent the City's uninsured and unrepresented interests in the litigation in the case of Flesher vs. Oxnard and related cases of the inland waterways. Councilman Kato seconded - carried unanimously.

APPROVED: RETAIN  
LAW FIRM OF REILLY,  
HOLZAUER, DENVER  
& MCCLAIN  
IN WATERWAY CASE  
F 160

Councilman Kato moved that the Mayor and City Clerk be authorized to execute an agreement with Alan Rodgers for the purchase of Lots 8 and 9 of Block T (5 MR 26) at a price of \$44,625. Councilman Maxwell seconded - carried unanimously.

APPROVED: AGRT.  
W/ ALAN RODGERS  
FOR PURCHASE OF  
LOTS 8 & 9 BL. T  
F 602

chairman of the Department of Economics at University of Southern California, and Dr. Nick Hazelwood, of Socio-Economic Systems, Inc., presented a comprehensive report, showing transparencies and answering questions presented by members of Council, Planning Commission, and the public.

At 5:30 p.m., Councilman Miller moved the meeting recess to 7:30 p.m. Councilman Maxwell seconded - carried unanimously.

RECESS TO  
EVENING  
SESSION

At 7:30 p.m., Council reconvened into regular session. Councilmen Kato, Maxwell, Miller, Takasugi and Tolmach were present. Mayor Kato presided.

EVENING  
SESSION

Mrs. Anita Lively, Mandalay Bay, appeared and stated that the neighborhood was experiencing problems with construction workers leaving trash and debris in the area, including the canals, and workmen were laying electrical cables across streets; and she was of the opinion the workmen were under poor supervision. Councilman Tolmach moved this matter be referred to staff for proper action. Councilman Maxwell seconded - motion carried. Mr. Van Wyley, 2251 Green Castle Way, appeared in agreement with Mrs. Lively's remarks.

COMPLAINT RE  
DEBRIS IN  
MANDALAY BAY  
AREA - REFERRED  
TO STAFF F/  
ACTION  
F 209

Mr. Jack Clerick, 3510 Miramar, appeared regarding Planned Development Permit 282 (Griffin Development apartments), and stated that if the City could not resolve this situation, the matter would be referred to the Attorney General's office. Mr. Joe Ruscio, 3711 Via Marina, appeared and thanked the news media for their coverage of his opinions, and stated that the Coastal Commission was attempting to solve this matter. Mr. Clerick again appeared and stated that homeowners should have more "vested rights" than the developer. Councilman Miller moved that these gentlemen please be seated. Councilman Maxwell seconded - carried by unanimous vote.

J. CLERICK &  
J. RUSCIO APPEAR  
RE P.D. PERMIT  
282  
F 88

Mayor Kato opened the public hearing to consider 1976-77 budget for the Waterway Maintenance District. A tax rate of 40¢ per \$100 of assessed value is proposed to raise \$78,753 for monitoring, debris removal, bulkhead and algae control, maintenance dredging, landscaping, and salaries. The City Clerk reported no written communications other than the letters in the hands of Council. Mr. Samuel Roberts, Director of Finance, appeared and presented a report dated August 19, 1976. Mr. Bob Randall, 2560 Oldham Circle, appeared and questioned the personal service money that was to be appropriated, and stated he was objecting to the tax increase. Mr. Roberts answered questions, and Mr. Dennis Hogle, Director of Public Works, presented an oral report. Mrs. Lively again appeared regarding the bulkhead repairs, and stated that the landscaping areas in the City are not supervised; and that landscaping in other areas of the City is not charged to the property owners. The Public Works Director again appeared and answered questions. Mr. Richard McManus, 4535 Lyne Bay, appeared in opposition to the tax increase. Mrs. Charlene Daniels, 2302 Kings Bridge Lane,

P.H. - ADOPTED  
BUDGET (1976-77)  
F/WATERWAY MAINT.  
DISTRICT - RES.  
NO. 6802  
F 561  
STAFF TO PREPARE  
REPORT RE MONIES  
EXPENDED/WATERWAY  
MAINTENANCE  
F 561

481


appeared and objected to the charge for cleaning algae; stated she had not seen a crew present to pick up the debris; and questioned whether the bulkhead repairs were a result of the bulkheads initially not being installed correctly. The Public Works Director and Finance Director presented reports. Councilman Miller moved that staff prepare a detailed report regarding monies expended the last fiscal year for subject waterway maintenance, and where present monies will be expended. Councilman Tolmach seconded - carried by unanimous vote. Councilman Miller offered Resolution No. 6802, approving adoption of said budget for Waterway Maintenance District. Councilman Miller seconded - carried by the following vote: Ayes: Councilmen Takasugi, Tolmach, Kato, Maxwell and Miller. Noes: None. Absent: None.

ADJOURNMENT TO  
JOINT MTG. W/  
PLANNING COMM.  
8/25/76

Mayor Kato moved that the meeting be adjourned to 12:00 o'clock noon, Wednesday, August 25, for a joint meeting with the Planning Commission to discuss items of mutual concern. Councilman Takasugi seconded - carried unanimously.

ADJOURNMENT

At 9:00 p.m., Councilman Takasugi moved the meeting adjourn. Councilman Miller seconded - carried by unanimous vote.

  
Mildred W. Foster, CMC  
City Clerk

  
Tsugio Kato, D.D.S.  
Mayor

(e) Installation of traffic signal system at Gonzales and Patricia; and (f) Installation of signing, stripping, and reflectors at Harbor Boulevard. Councilman Maxwell moved the report be referred to the appropriate departments for a report and recommendation. Councilman Lopez seconded - motion carried unanimously.

The Assistant City Manager requested approval of a special budget appropriation in the amount of \$5,500 from Account 1-3272 (State Aging Grant, AAA) and Account 1-3600 (In-King Revenue) to Account 1-241 (Appropriations) and Account 1-40140 (Capital Outlay, Non-Personal Services, In-Kind Expenditures) to formally appropriate an expenditure budget and to establish estimated revenues for the Area Agency on Aging Grant. Councilman Lopez moved approval as requested. Councilman Kato seconded - motion carried by the following vote: Ayes: Councilmen Kato, Lopez, Maxwell. Noes: None. Absent: Councilmen Miller and Takasugi.

APPRV. SPECIAL BUDGET  
APPROP. OF \$5,500 TO  
ACCTS. 1-241 &  
01-40140 TO FORMALLY  
APPROP. EXPENDITURE  
BUDGET & EST. ESTIMATE:  
REVENUES F/ AREA AGCY.  
ON AGING GRANT  
Subject F 691

The Assistant City Manager recommended approval of a special budget appropriation in the amount of \$13,562 from Account 25-171 (Estimated Revenue) (25-3291 Federal Disaster Assistance Grant) to Account 25-241 (Appropriation) (25-48800-32 Waterway Assessment District contract services) to establish funds for the dredging of inland waterways at Mandalay Bay. Councilman Lopez moved approval as recommended. Councilman Kato seconded - motion carried by the following vote: Ayes: Councilmen Kato, Lopez, Maxwell. Noes: None. Absent: Councilmen Miller and Takasugi.

APPRV. SPECIAL BUDGET  
APPROP. OF \$13,562 TO  
ACCT. 25-241 TO EST.  
FUNDS F/ DREDGING OF  
INLAND WATERWAYS AT  
MANDALAY BAY  
Subject

The Assistant City Manager suggested approval of Bid Specification No. 78-PW-11 and authority for the City Clerk to advertise for bids to be publicly opened in the Council Chambers, 225-305 West Third Street, Oxnard, on Monday, May 15, 1978, at 2 p.m., for dredging of inland waterways at Mandalay Bay near Victoria and Hemlock with an estimated cost of \$39,000. Councilman Maxwell moved approval as suggested. Councilman Lopez seconded - motion carried unanimously.

APPRV. BID SPEC. NO.  
78-PW-11 & AUTH.  
ADVERTISEMENT F/ BIDS  
TO BE OPENED 5-15-78  
AT 2 P.M. F/ DREDGING  
OF INLAND WATERWAYS  
AT MANDALAY BAY NEAR  
VICTORIA & HEMLOCK  
F 231 F 561

The Assistant City Manager requested approval of the Staff Committee Report dated April 10, 1978, on Bid Specification No. 78-PW-4, Gonzales Road sidewalk, etc. at Dover and "C" Street, recommending that the single bid received be rejected and authorizing a rebid of this project at an early date. Councilman Maxwell moved approval as requested. Councilman Lopez seconded - motion carried unanimously.

APPRV. STAFF COMM.  
RPT. ON BID SPEC. NO.  
78-PW-4, GONZALES RD.  
SIDEWALK, ETC. AT  
DOVER & "C" ST., RECOMM.  
BID RECD. BE REJECTED  
& AUTH. REBID OF PROJ.  
F 231 F 222

The Assistant City Manager reviewed a report from the Public Works Director/City Engineer dated April 13, 1978, concerning Change Order No. 8 on the Wastewater Treatment Facility Upgrading Project which involves deletion of certain contract items and modification of other parts of the work which add cost for a net credit

PRES. RPT. F/ PUB. WKS.  
DIR./CITY ENG. RE  
CHANGE ORDER NO. 8 RE  
WASTEWATER TREATMENT  
FACILITY UPGRADING  
PROJ.

F 212

Mr. Steve Cook, Assistant City Manager, requested approval of Staff Committee Report dated May 18, 1978, on Bid Specification No. 78-PW-4A, recommending that the Public Works Department be authorized to serve as the General Contractor and the Purchasing Agent to obtain informal bids for each area of work included in the construction of a sidewalk and related improvements on the south side of Gonzales Road between Dover and "C" Streets. The Assistant City Manager informed Council the original estimate of the cost for this project was \$8,900. Councilman Maxwell moved approval as requested. Councilman Lopez seconded - motion carried unanimously.

APPRV. STAFF COMM.  
RPT. ON BID SPEC. NO.  
78-PW-4A, RECOMM.  
PUB. WKS. DEPT. BE  
AUTH. TO SERVE AS  
GEN. CONTRACTOR &  
PURCHASING AGENT TO  
OBTAIN INFORMAL BIDS  
F/ EA. AREA OF WK.  
INCLUDED IN CONSTR.  
OF SIDEWALK & RELATED  
IMPROVEMENTS ON SO.  
SIDE OF GONZALES RD.  
BETWEEN DOVER & "C"  
STS. F 231

The Assistant City Manager suggested approval of Staff Committee Report dated May 18, 1978, on Bid Specification No. 78-PW-11, recommending that the sole bid received be rejected and authorization be given to rebid the dredging of Mandalay Bay. The Assistant City Manager advised Council the original estimate of the cost for the project was \$39,000. Councilman Maxwell moved approval as suggested. Councilman Lopez seconded - motion carried unanimously.

APPRV. STAFF COMM.  
RPT. ON BID SPEC. NO.  
78-PW-11, RECOMM.  
SOLE BID RECD. BE  
REJECTED & AUTH. BE  
GIVEN TO REBID DREDGING  
OF MANDALAY BAY  
F 231

The Assistant City Manager recommended approval of Staff Committee Report dated May 18, 1978, on Bid Specification No. 78-PK-1, recommending that the sole bid received be rejected and that the scope of the project be reviewed, the plan deposit requirement waived to generate more interest and authorization be granted to rebid the construction of Phase II (restroom building, tennis, and volleyball-basketball courts, etc.) for Neighborhood Park South 32. The Assistant City Manager mentioned the original estimate of the cost for this project was \$150,220. Councilman Maxwell moved approval as recommended. Councilman Lopez seconded - motion carried unanimously.

APPRV. STAFF COMM.  
RPT. ON BID SPEC. NO.  
78-PK-1, RECOMM.  
SOLE BID RECD. BE  
REJECTED & SCOPE OF  
PROJ. REVIEW, PLAN  
DEPOSIT REQUIREMENT  
WAIVED & AUTH. BE  
GRANTED TO REBID  
CONSTR. OF PHASE II  
F/ NEIGHBORHOOD PK.  
SO. 32  
F 231

The Assistant City Manager recommended approval of Bid Specification No. 78-GS-5, and authority for the City Clerk to advertise for bids to be publicly opened in the Council Chambers, 225-305 West Third Street, City of Oxnard, on Monday, June 12, 1978, at 2 p.m., for custodial services for various City buildings. The Assistant City Manager indicated the funds budgeted were \$50,000. Councilman Lopez moved approval as recommended. Councilman Takasugi seconded - motion carried unanimously.

APPRV. BID SPEC. NO.  
78-GS-5 & AUTH. F/  
ADVER. F/ BIDS TO BE  
OPENED ON 6-12-78 AT  
2 P.M. F/ CUSTODIAL  
SERVS. F/ VARIOUS  
CITY BLDGS.  
F 232

The Assistant City Manager suggested approval of Bid Specification No. 78-FD-3, and authority for the City Clerk to advertise for bids to be publicly opened in the Council Chambers, 225-305 West Third Street, City of Oxnard, on Monday, June 12, 1978, at 2 p.m., for an emergency dispatch communications system. The Assistant City Manager stated the funds budgeted were \$40,000. Councilman Lopez moved approval as suggested. Councilman Takasugi seconded - motion carried unanimously.

APPRV. BID SPEC. NO.  
78-FD-3 & AUTH. F/  
ADVER. F/ BIDS TO BE  
OPENED ON 6-12-78 AT  
2 P.M. F/ EMERGENCY  
DISPATCH COMMUNICATION  
SYSTEM F 231

APPRV. SPECIAL BUDGET  
 APPROP. IN THE AMT. OF  
 \$40,000 TO ACCT. NO.  
 11-93411-719 TO  
 CONSTRUCT STORM DRAINS  
 & CATCH BASIN NECESSARY  
 IN CONJUNCTION W/  
 WESTERN TRUNK SEWER

Subj.

The Intergovernmental Relations Coordinator requested approval of special budget appropriation in the amount of \$40,000 from Account No. 11-271 (Fund Balance) to Account No. 11-93411-719 (Ventura Road Storm Drains) to construct storm drains and a catch basin necessary in conjunction with the Western Trunk Sewer. Councilman Lopez moved approval as requested. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Councilmen Lopez, Maxwell, Miller, Takasugi. Noes: None. Absent: Councilman Kato.

APPRV. SPECIAL BUDGET  
 APPROP. IN THE AMT. OF  
 \$75,000 TO ACCT. NO.  
 11-90511-708 TO  
 REPAY F/ EXCESS RIGHT  
 OF WAY ACQUIRED F/  
 CONSTR. OF THIRD ST.  
 OVERPASS

Subj.

The Intergovernmental Relations Coordinator recommended approval of special budget appropriation in the amount of \$75,000 from Account No. 11-271 (Fund Balance) to Account No. 11-90511-708 (Excess right of way payback Third Street Overpass) to repay for excess right of way acquired for the construction of the Third Street overpass. Councilman Lopez moved approval as requested. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Councilmen Lopez, Maxwell, Miller, Takasugi. Noes: None. Absent: Councilman Kato.

APPRV. SPECIAL BUDGET  
 APPROP. IN THE AMT. OF  
 \$20,000 TO ACCT. NO.  
 22-93222-608 TO  
 COVER CITY'S PORTION  
 OF 1977-78 COST OF  
 CONSTRUCTING VICTORIA  
 AVE. EXT.

Subj.

The Intergovernmental Relations Coordinator suggested approval of special budget appropriation in the amount of \$20,000 from Account No. 22-271 (Fund Balance) to Account No. 22-93222-608 (Victoria Avenue, Hemlock to Gonzales) to cover the City's portion of the 1977-78 cost of constructing the Victoria Avenue extension. Councilman Lopez moved approval as suggested. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Councilmen Lopez, Maxwell, Miller, Takasugi. Noes: None. Absent: Councilman Kato.

APPRV. SPECIAL BUDGET  
 APPROP. IN THE AMT. OF  
 \$10,000 TO ACCT. NO.  
 41000-40 TO PROVIDE  
 FUNDS TO PARTICIPATE  
 IN THE DEFENSE OF  
 LAW SUIT IN THE INLAND  
 WATERWAYS (FLESHER vs.  
 OXNARD)

Subj.

The Intergovernmental Relations Coordinator requested approval of special budget appropriation in the amount of \$10,000 from Account No. 1-49990-99 (Unappropriated Reserve) to Account No. 41000-40 (Special Services) to provide funds to participate in the defense of the law suit in the inland waterways (Fletcher vs. Oxnard). Councilman Lopez moved approval as requested. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Councilmen Lopez, Maxwell, Miller, Takasugi. Noes: None. Absent: Councilman Kato.

APPRV. SPECIAL BUDGET  
 APPROP. IN THE AMT. OF  
 \$13,869.64 TO ACCT.  
 NO. 14-93414-714 TO  
 REIMBURSE DEV. F/  
 EXPENDITURES RE STORM  
 DRAIN BETWEEN TRACT  
 NO. 2227-4 & SAVIERS  
 RD.

Subj.

The Intergovernmental Relations Coordinator suggested approval of special budget appropriation in the amount of \$13,869.64 from Account No. 14-93414-991 (Secondary Drainage Improvements) to Account No. 14-93414-714 (Bard Road Drain) to reimburse the developer for his expenditures on the City's behalf for the storm drain between Tract No. 2227-4 and Saviers Road. Councilman Lopez moved approval as suggested. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Councilmen Lopez, Maxwell, Miller, Takasugi. Noes: None. Absent: Councilman Kato.



do his own abatement provided it was done within the time prescribed. The Street Superintendent presented before and after pictures of the lot. The Code Enforcement Officer advised Council that the weeds were abated because it had not been done by the time the contractor was clearing the lots in the area. The motion offered by Councilman Miller and seconded by Councilman Maxwell closing the public hearing was carried unanimously. The Street Superintendent recommended the report as to the cost of weed abatement be confirmed and that the assessments be added to the next regular tax bill levied against each parcel with the modification that Parcel No. 219-0-423-100 be reflected instead of Parcel No. 219-0-423-110 and the deletion of Parcel No. 188-0-037-035. Councilman Miller moved approval as recommended. Councilman Maxwell seconded - motion carried unanimously.

## RECESS

At 9:00 p.m., Council recessed. At 9:05 p.m., Council reconvened.

RES. NO. 7687,  
FIXING ASSESS-  
MENT ON PROPERTY  
IN WATERWAY  
MAINT. ASSESS-  
MENT DIST. F/  
FISCAL YR. 1979-  
1980  
F561

Mayor Pro Tem Takasugi opened the public hearing to consider the 1979-1980 Budget for the Waterway Maintenance District; and a fixed assessment to raise \$93,350 for monitoring, debris removal, bulkhead and algae control, maintenance dredging, landscaping, and salaries. The Deputy City Clerk presented an affidavit of publication and reported no written communications. The Acting Finance Director stated a meeting had been held with representatives of the Waterway Maintenance District to review the budget. The Acting Finance Director presented and explained the Special Assessment Transmittal Worksheet for the Fiscal Year 1979-80 which was obtained through the County of Ventura. He mentioned the assessed land value was provided on the listing but did not have any bearing. He indicated the assessment was the same as the prior year. He presented and reviewed Resolution No. 7687, fixing the assessment on property in the Waterway Maintenance Assessment District for the Fiscal Year 1979-80. Mr. C. V. Allason, 2251 Green Castle Lane, appeared concerning careful consideration of the budget. Mr. Allason told Council there had been some modifications since the original concept was initiated. Mr. Allason pointed out the waterway had become the drainage basin for the entire west Oxnard flood zone. Mr. Allason discussed the recent increased drainage systems. Mr. Allason mentioned the City should assume more responsibility for some of the drainage. The Public Works Director/City Engineer informed Council the large storm drainage district draining into the waterway was a known fact when the Waterway Maintenance Assessment District was created, and it was common knowledge the drainage would end up there. He indicated there was silt brought down by the storm drains and farming operations into the canal, which has resulted in a build up in the waterways. The Public Works Director advised Council the dredging would be concentrated in the area this year. Mr. James Spencer, 500 Esplanade Drive, appeared to suggest Council give further consideration to the budget because there was substantial litigation due to the alleged undermining of the bulkheads. Mr. Spencer stated it was the obligation of the City to maintain the bulkheads. The Public Works Director/City Engineer indicated the funds in the budget were for routine

maintenance and not remedial construction of the bulk-heads. Councilman Miller moved the public hearing be closed. Councilman Maxwell seconded - motion carried unanimously. Councilman Miller offered Resolution No. 7687 for adoption. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Councilmen Lopez, Maxwell, Miller, and Takasugi. Noes: None. Absent: Councilman Kato.

Councilman Miller moved staff draft a report relative to the upgrading of certain positions which have not been filled because of the salary. Councilman Lopez seconded - motion carried unanimously.

STAFF TO DRAFT  
RPT. RE UPGRAD-  
ING OF CERTAIN  
POSITIONS NOT  
FILLED BECAUSE  
OF SALARY  
F202

At 9:25 p.m., Council went into executive session to consider pending litigation. At 10:20 p.m., Council reconvened.

EXECUTIVE SESSION  
F598

At 10:20 p.m., Councilman Miller moved the meeting adjourn. Councilman Lopez seconded - motion carried unanimously.

ADJOURNMENT

Nao Takasugi  
NAO TAKASUGI, Mayor Pro-Tem

Mabi Covarrubias  
MABI COVARRUBIAS,  
Deputy City Clerk

COMMUNITY FACILITIES ITEMS:

Report dated August 2, 1979 from Community Facilities Manager regarding donation to the City by the Fifty-Plus Club recommending approval of special budget appropriation in the amount of \$100 from Account 1-171 (General Fund/Estimated Revenue /I-3498 Donation/) to Account 1-241 (General Fund Appropriation /I-44120-Community Center Services/Capital Outlay/).

APPRV. SP. BUD-  
GET APPROP.  
FROM ACCT 1-171  
TO ACCT 1-241  
F/DONATION FROM  
FIFTY-PLUS CLUB  
& TO SEND LTR.  
OF APPRECIATION  
Subject

COMMUNITY RELATIONS COMMISSION ITEMS:

Memorandum from Community Relations Commission dated July 19, 1979, concerning update on City Ordinance establishing a commission on Community Relations.

MEMO FROM COM-  
MUNITY REL.  
COMM. CONCERN-  
ING UPDATE ON  
CITY ORD. ES-  
TABLISHING A  
COMM. ON COM-  
MUNITY REL.,  
REFER TO CITY  
MGR'S OFFICE F/  
RPT. & RECOMM.  
F347

PUBLIC WORKS DEPARTMENT ITEMS:

Report from Public Works Director dated August 1, 1979, requesting approval of: (a.) Change Order No. 6 to Bid Specification No. 79-PW-4, in increased amount of \$11,820 to install new and modify existing 1" service laterals to medians; and (b.) Change Order No. 7 to Bid Specification No. 79-PW-4, in increased amount of \$1,750 to relocate air valve on east side of Ventura Road and Ninth Street and remove irrigation stand pipe and fittings @ STA 59 + 40.

APPRV. CHANGE  
ORDER NO. 6 TO  
BID SPEC. NO.  
79-PW-4 IN IN-  
CREASED AMT. OF  
\$11,820; &  
CHANGE ORDER  
NO. 7 TO BID  
SPEC. NO 79-PW-4  
IN INCREASED AMT  
OF \$1.750  
F231

Report from Public Works Director dated July 31, 1979, requesting that Mayor and City Clerk be authorized to execute the land lease agreement with Thomas F. and John McGrath for use as a settling basin for dredging of the waterways adjacent to Hemlock Street.

AUTH. MAYOR &  
CITY CLK TO  
EXECUTE LAND  
LEASE AGREE.  
W/T. F. & J.  
McGRATH F/USE  
AS A SETTLING  
BASIN  
F561

CORRESPONDENCE ITEMS:

Letter dated July 30, 1979 from Sal Cirillo, Oxnard Pacific Mobile Estates, concerning disposition of property in front of park.

LTR. F/S. CIRIL-  
LO, OXNARD PAC.  
MOBILE ESTATES  
RE. DISPOSITION  
OF PROPERTY IN  
FRONT OF PARK  
REF. TO PUB.  
WKS & COMM. REL.  
F/RPT. & RECOMM.  
F157

APPRV. STAFF  
COMM. RPT. RE  
BID SPEC. NO.  
77-PW-32 ADTH.  
EXECUTION OF  
CONTRACT W/  
ALBERT C.  
ACOSTA & MIKE  
ACOSTA CON-  
CRETE F/CONSTR.  
OF PLEASANT  
VALLEY RD.  
STORM DRAIN ON  
W. PLEASANT  
VALLEY RD. BE-  
TWEEN J & C  
STS., & APPRV.  
SPECIAL BUD-  
GET APPROP. OF  
\$34,000 TO  
ACCT. NO.  
36-934-206  
F231

Request for approval of a Staff Committee report dated October 4, 1979, on Bid Specification No. 77-PW-32 authorizing the Mayor and City Clerk to execute a contract with Albert C. Acosta and Mike Acosta Concrete for construction of the Pleasant Valley Road Storm Drain on West Pleasant Valley Road between "J" and "C" Streets in the total amount of \$427,750 (Community Development Block Grant Project); and request for approval of a special budget appropriation in the amount of \$34,000 from Account No. 36-271 (Fund Balance/CDBG to Account No. 36-934-206 (CDBG/Pleasant Valley Road Drain)).

#### SOCIAL SERVICES DIVISION ITEMS:

APPRV. CITY  
MGR. EXECUTE  
18 CETA TITLE  
II-D & TITLE  
VI CONTRACTS  
W/VARIOUS  
AGCYS. F/  
FY 1980 TOTALLY  
\$1,150,910.43  
F237A

Report from the Administrative Assistant II (Lino Corona) dated October 4, 1979, recommending that the City Manager be authorized to execute 18 Comprehensive Employment Training Act (CETA) Title II-D and Title VI contracts with the agency reflected in the memorandum for the fiscal year 1980 in the amount of \$1,150,910.43.

APPRV. COUNCIL  
NOT ENDORSE  
ANY APPL. F/  
DESIGNATION AS  
VENTURA CO.  
AGCY ON AGING  
AT PRESENT  
TIME  
F691

Report from the Administrative Assistant (Don Rideout) dated October 4, 1979, recommending Council not endorse any applicant for designation as the Ventura County Agency on Aging at the present time.

#### FINANCE DEPARTMENT ITEMS:

APPRV. SPECIAL  
BUDGET APPROP.  
OF \$16,500  
TO ACCT. NO.  
1-43730 TO PRO-  
VIDE FUNDS F/  
RELOCATION  
EXPENSES RE  
OPERATION OF  
UCB BLDG. LEASE  
PROG.  
Subject

Request for a special budget appropriation in the amount of \$16,000 from Account No. 1-49990 (Unappropriated Reserve) to Account No. 1-43730 (UCB Building) to provide funds for relocation expenses in connection with operation of UCB building lease program.

APPRV. SPECIAL  
BUDGET APPROP.  
OF \$10,000 TO  
ACCT. NO. 18-  
48320 F/DEFENSE  
OF CITY RE  
FLESHER CASE  
Subject

Request for a special budget appropriation in the amount of \$10,000 from Account No. 1-49990 (Unappropriated Reserve/General Fund) to Account No. 18-48320 (Public Liability and Property Damage/Insurance Reserve) for defense of City in Flesher case.

LTR. F/BD. OF  
SUPERVISORS RE  
UNION OIL CO.  
PROP. MANDALAY  
BEACH PROCESSING  
PLANT SITE & RE-  
QUESTING AMEND-  
MENT TO DRAFT  
LCP REF. TO  
PLANNING DIR. F/  
RPT. & RECOMM.  
F651B

Letter from the Chairman of the Ventura County Board of Supervisors dated February 27, 1980, concerning the Union Oil Company proposed Mandalay Beach processing plant site and request for amendment to the draft Local Coastal Plan (LCP) to place the site in the land use designation consistent with Union Oil's proposed use.

Mr. Stephen A Cook, City Manager, presented Council with copies of the following additional information/Consent Agenda Items:

APPRV. SPECIAL  
BUDGET APPROP.  
OF \$4,400 TO  
ACCT. NO. 96212-  
802 TO SEAL  
ABANDONED FARM  
WELL ON SARATOGA  
STREET  
Subj.

Report from the Public Works Director/City Engineer dated March 4, 1980, concerning the Saratoga Street flooding and requesting a special budget appropriation in the amount of \$4,400 from Acct. No. 12-262-231 (Reserve for Park SW 3, Tract 2329) to Acct. No. 96212-802 (Park Acquisition and Development, Neighborhood SW 3) to seal abandoned farm well.

AUTH. ENGAGEMENT  
OF MOFFATT &  
NICHOL ENGRS. TO  
BEGIN DESIGN OF  
ADEQUATE SEAWALL  
REPLACEMENT AT  
CHANNEL ISLS.  
BLVD.  
F293

Report from the Public Works Director/City Engineer dated March 3, 1980, regarding the seawall failure at Channel Islands Boulevard and recommending authorization be granted to engage the firm of Moffatt & Nichol Engineers to begin the design of an adequate seawall replacement.

RES. NO. 7840,  
AUTH. CITY MGR.  
AS CITY'S DESIG-  
NATED AUTH.  
REPRES.  
F481

Report from the Public Works Director/City Engineer dated March 4, 1980, relative to flood disaster assistance and recommending Council adopt Resolution No. 7840, authorizing the City Manager as the City's designated authorized representative.

RECESS TO HOLD  
REG. OXNARD  
HOUSING AUTH.  
MTG.

At 2:45 p.m., Council recessed in order to hold the regular meeting of the Oxnard Housing Authority. At 2:48 p.m., Council reconvened.

RECESS

At 2:48 p.m., Council recessed. At 3:00 p.m., Council reconvened.

CONTD. ORD. NO.  
1791, AMENDING  
DIV. 2 of CH.  
27 OF CITY CODE  
RE CONTRIBUTION  
OF PK. SITES,  
TO 3-11-80,  
1:30 P.M.  
F474, F709

Mr. K. Duane Lyders, City Attorney, suggested Ordinance No. 1791, amending Div. 2 of Chapter 27 of the Oxnard City Code relating to the contribution of park sites, be continued to March 11, 1980, at 1:30 p.m. Council moved approval as suggested.

CITY ATTORNEY ITEMS:

PROTESTED ALC. BEVERAGE LICENSE APPL. FILED BY AMER. LEGION POST 48 F/CLUB LICENSE AT 955 W. WOOLEY RD. UNLESS CODE DEFICIENCIES CORRECTED F199

Alcoholic beverage license application filed by American Legion Post 48 for a club license at 955 West Wooley Road.

APPRV. ALC, BEV- ERAGE LICENSE FILED BY B. HERRERA F/OFF SALE BEER & WINE AT 700 E. COOPER RD. F199

Alcoholic beverage license application filed by Benjamin Herrera for off sale beer and wine at Ben's Market, 700 East Cooper Road.

PROTESTED ALC. BEVERAGE LICENSE FILED BY N. BURCIAGA FOR ON SALE BEER AT NICK'S CAFE, 112 W. 7TH ST. UNLESS CODE DEFICIENCIES CORRECTED F199

Alcoholic Beverage License Application filed by Norma Burciaga for on sale beer at Nick's Cafe, 112 West 7th Street.

CORRESPONDENCE ITEMS:

LTR. F/MRS. M. DAVENPORT RE BUS SHELTER NEEDS REF. TO STAFF F/CONSIDERATION AS PART OF CAPITAL IMPROVEMENT PROJECT BUDGET F167

Letter from Mrs. Marian Davenport dated April 20, 1980, concerning bus shelter needs.

LTR. F/MR. C. LORBEER RE REVISED DRAFT COASTAL PLAN RECD. F/FILE & COPY TO PLANNING DIR. F651B

Letter from Mr. Carroll Lorbeer dated April 24, 1980, concerning Revised Draft Coastal Plan.

LTR. F/MR. S. COHEN RE TRACT 2264 & REQUESTING DELETION OF CONDITION REQUIRING SEAWALL PROTECTION DE- VICE REF. TO CITY ATTY. & PLANNING DIR. F/RPT. & RECOMM. F377

Letter from Mr. Stanley E. Cohen dated April 18, 1980, regarding Tract 2264 and requesting the City delete a tentative tract map condition requiring a seawall protection devise.

PLANNING COMM.  
RES. NO. 6080,  
APPRV. SPECIAL  
USE PERMIT NO.  
722, FILED BY  
W. E. GUNTNER,  
RECD. F/FILE  
F234

Planning Commission Resolution No. 6080, approving Special Use Permit No. 722 (Amended), to consider a time extension and amendment of previously approved Special Use Permit No. 722, to permit construction of a 7,746 square foot medical office building in a C-O-PD (Commercial Office Planned Development) zone on that approximate .6 acre parcel shown as Parcel "C" of Parcel Map 75-7 located south of Gonzales Road approximately 385 feet west of Lantana Street, within the Fremont Neighborhood, filed by William E. Guntner, (Appeal period ends May 16, 1980).

SOCIAL SERVICES DIVISION ITEM:

APPRV. MS. J.  
FEENEY BE AP-  
POINTED AS DELE-  
GATE & MR. R.  
VILLA BE AP-  
POINTED AS AL-  
TERNATE TO VEN-  
TURA CO. AREA  
AGENCY ON AGING  
F691

Report from the Administrative Assistant I (Rideout) dated May 8, 1980, recommending that Ms. Joan Feeney be appointed as the delegate and Mr. Romulo Villa be appointed as the alternate to the Ventura County Area Agency on Aging.

LICENSE DIVISION ITEM:

APPRV. DANCE  
PERMIT F/MOMMA  
MARIA'S, 1335  
W. GONZALES RD.,  
SUBJ. TO CON-  
DITIONS  
F110

Request for a dance permit for Momma Maria's, 1335 West Gonzales Road, Oxnard.

PURCHASING DIVISION ITEMS:

APPRV. BID SPEC.  
NO. 80-FD-2 &  
AUTH. ADVER-  
TISEMENT F/BIDS  
TO BE OPENED  
6-2-80, AT 2  
P.M. F/1 AERIAL  
LADDER & FIRE  
ENG. EQUIP.  
F231

Request for approval of Bid Specification No. 80-FD-2, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers on Monday, June 2, 1980, 2 p.m. for 1 aerial ladder and fire engine equipment for use throughout the City in the amount of \$20,000

APPRV. BID SPEC.  
NO. 78-PW-11 &  
AUTH. ADVER-  
TISEMENT F/BIDS  
TO BE OPENED  
6-9-80, AT 2  
P.M. F/DREDGING  
OF INLAND WATER-  
WAYS AT MANDALAY  
BAY  
F231

Request for approval of Bid Specification No. 78-PW-11, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers on Monday, June 9, 1980, 2 p.m. for dredging of inland waterways at Mandalay Bay in the amount of \$80,000.

APPRV. BID SPEC.  
NO. 78-PW-13 &  
AUTH. ADVER-  
TISEMENT F/BIDS  
TO BE OPENED  
6-2-80, AT 2  
P.M. F/1 8500  
LB. GVW MINIMUM  
RATING VAN 15  
PASSENGER  
SEATING  
F231

Request for approval of Bid Specification No. 78-PW-13, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers on Monday, June 2, 1980, 2 p.m. for 1 8500 lb. GVW minimum rating van 15 passenger seating for use throughout the City in the amount of \$10,000.

The Senior Planner presented a proposed resolution modifying Resolution No. 7774 approving the Tentative Subdivision Map of Tract 2264 filed by Ralph Andrews. He referred to the memorandum from the Planning Director dated May 7, 1980, regarding the seawall/protective structure required for Tract 2264, and Resolution No. 7774. At 2:10 p.m., Council recessed. At 2:15 p.m., Council reconvened. The Senior Planner explained Condition No. 31 in Resolution No. 7774 and he discussed the modification suggested for approval. He noted the Regional Coastal Commission found Condition 31 as shown in Resolution No. 7774 was inconsistent with the Coastal Act. He indicated the project was approved subject to conditions one of which was in conflict with Condition 31. He stated the applicant was requesting the condition be deleted. He informed Council it would be possible to construct one level on pilings. Mr. K. Duane Lyders, City Attorney, advised Council the Regional Coastal Commission decision was appealed and the matter was going before the State Coastal Commission for consideration to determine whether there were grounds for the appeal. The Senior Planner told Council a specific height limitation could be written into a condition. The City Attorney stated the matter could be continued or dropped until a decision was rendered on the grounds for appeal. Councilwoman Maron moved this item be dropped from the agenda. Councilman Maxwell seconded - motion carried unanimously.

DROPPED PROP.  
RES. MODIFYING  
RES. NO. 7774,  
APPRV. TENT.  
SUBDIV. MAP OF  
TRACT 2264,  
FILED BY R.  
ANDREWS  
F377

The City Attorney presented Ordinance No. 1811, exempting police service dogs from the leash requirements of Chapter 5 of the Oxnard City Code, for second reading. Councilman Lopez moved the ordinance be ready by title only and that further reading of the body of the ordinance be waived. Councilman Maxwell seconded - motion carried unanimously. Councilman Lopez offered Ordinance No. 1811 for second reading and adoption. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Council members Maron, Maxwell, Takasugi, Kato, and Lopez. Noes: None. Absent: None.

ORD. NO. 1811,  
EXEMPTING POLICE  
SERV. DOGS. F/  
LEASH REQUIRE-  
MENTS OF CH. 5  
OF OXNARD CITY  
CODE, SECOND  
READING &  
ADOPTION  
F474, F143

The City Attorney presented Ordinance No. 1814, amending Chapter 34 relating to special use permit requirements and residential condominiums, stock cooperatives, and community apartments. Councilman Takasugi moved the ordinance be read by title only and that further reading of the body of the ordinance be waived. Councilman Maxwell seconded - motion carried unanimously. Councilman Takasugi offered Ordinance No. 1814, for second reading and adoption. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Council members Maxwell, Takasugi, Kato, Lopez, and Maron. Noes: None. Absent: None.

ORD. NO. 1814,  
AMENDING CH. 34  
RE SPECIAL USE  
PERMIT REQUIRE-  
MENTS & RESI-  
DENTIAL CONDO-  
MINIUMS, STOCK  
COOPERATIVES &  
COMM. APTS.,  
SECOND READING  
& ADOPTION  
F474, F234, F722

Mr. Gene Hosford, Planning Director, reviewed his report dated May 7, 1980, concerning guidelines for annexations to Oxnard. The Planning Director presented and discussed display maps of the water facilities, drainage facilities, public facilities, and sewer facilities for the Northwest Community. He also described a map of the Northwest Community Plan land use map. He noted these maps would help demonstrate the City did have an orderly program to annex the property. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared to mention he believed the guidelines should apply to all cities in Ventura County not just to Oxnard. Mr. Lorbeer indicated there could be a problem with the reference made in Guideline 2 to documents which had not been adopted but just received for file. Mr. Lorbeer also expressed a concern about the use of the term "urban."

RPT. PRES. RE  
GUIDELINES F/  
ANNEXS. TO  
OXNARD  
F549



STAFF INSTRUCTED  
TO PREPARE RPT.  
RE TRASH CANS,  
LITTER SIGNING  
& MUSIC IN PKs.  
F709

Councilman Kato moved staff be instructed to prepare a report relating to trash receptacles, litter signing, and music in parks. Councilwoman Maron seconded - motion carried unanimously.

MR. C. LORBEER  
RE BD. OF SUPER-  
VISORS APPRV. OF  
PROCESS TO  
TRANSFER OWNER-  
SHIP & CONTROL  
TO ST. OF PROPER-  
TY NO. OF FIFTH  
ST. BETWEEN HAR-  
BOR BLVD. & OCEAN  
& LOS ANGELES BD.  
OF SUPERVISORS  
ACTION AGAINST  
ALLOWING TRUCKS  
ON PACIFIC COAST  
HWY.  
F237

Mr. Carroll Lorbeer, 542 West Fifth Street, appeared to voice his concerns about the Board of Supervisors approval of the commencement of a process to transfer ownership and control to the State of property north of Fifth Street between Harbor Boulevard and the ocean. Mr. Lorbeer told Council the action would be detrimental to Oxnard. Mr. Lorbeer mentioned the Los Angeles County Board of Supervisors took action against allowing trucks on the Pacific Coast Highway. Mr. Lorbeer suggested staff provide input on the situation before State approval was given on the issue.

MR. K. BIRDSALL  
RE RECONSIDERA-  
TION OF C-1 ZONE  
USES  
F210

Mr. Ken Birdsall, owner of the neighborhood shopping center at Wooley and Patterson Roads, appeared regarding reconsideration of the C-1 zone uses. Mr. Birdsall indicated he was having difficulty leasing space because of the restrictiveness of the zone uses. Mr. Birdsall noted all the shopping centers in the C-1 zone were in the same situation. Mr. Birdsall suggested consideration should be given to conditional use permits. The City Manager mentioned Council had reviewed the matter considerably and determined no changes were necessary. Mr. Richard Floch, Senior Planner, pointed out there were uses in the C-1 zone which were duplicated in the C-2 zone, and he told Council merchants sometimes chose space in the C-2 zones instead of C-1 zones. The Senior Planner stated staff tried to refer individuals inquiring about C-1 zone uses to shopping centers with C-1 zoning. Mr. Gene Hosford, Planning Director, indicated Council did not find any evidence to hold a public hearing or further study concerning changes in the C-1 zone. The Planning Director noted staff was meeting with another neighborhood shopping center owner about their problems. He pointed out a factor in the lack of persons interested in leasing space could be the rental expense.

MESSRS. B. KAHN,  
J. COOK & N.  
DE BENEDETTO RE  
DREDGING &  
SECURITY OF IN-  
LAND WATERWAYS  
AT MANDALAY BAY  
F231

Mr. Bill Kahn, 3810 West Hemlock, appeared concerning the request for approval of the Staff Committee report dated June 12, 1980, on Bid Specification No. 78-PW-11B for dredging of the inland waterways at Mandalay Bay recommending that the low bid be accepted and that the Mayor and City Clerk be authorized to execute a contract with Granite Construction Company in the amount of \$126,241.30. Mr. Kahn noted he was personally concerned about the silt in the channels. Mr. Kahn mentioned he was interested in knowing when the dredging would occur, how, and where it would be disposed of. Mr. Kahn indicated a trap should have been constructed into the inland waterway system to contain the mud. Mr. Kahn urged approval of the report. Mr. John Cook, 3840 West Hemlock, appeared to tell Council he wondered what would happen to the matter because of the considerable difference in the amount estimated for the project and the bid amount. Mr. R. Dennis Hogle, Public Works Director/City Engineer, informed Council staff recommended the contract with Granite Construction Company be authorized for execution and

for an appropriation transfer to cover the difference of the bid amount and estimated cost. The Public Works Director/City Engineer pointed out a silt drain should have been built initially when the inland waterways were built and it would be very difficult and costly to accomplish it now. He explained how the mud would be processed in dredging the channels. He advised Council the work would start in one month. He pointed out the inland waterways should be dredged every five to ten years. He noted the situation could change if the neighboring agricultural land was urbanized. Mr. Nick DiBenedetto, 2045 Victoria Avenue, appeared to speak in favor of the dredging. Mr. DiBenedetto stated the cost was being paid by the assessment district even though the problem was caused by another source. Mr. DiBenedetto indicated the storm drain had caused the problem and had littered the channels. The City Manager informed Council that the persons benefitting from the dredging would be responsible to pay the expense. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared to suggest Oxnard seek reimbursement for the dredging costs on behalf of the assessment district from the Ventura County Flood Control District. Mr. Kahn reappeared to ask the City to further investigate the possibility of installing a trap to collect the silt. Mr. Kahn also mentioned there was a security problem in the area and there had been several individuals who had property stolen. Mr. Kahn pointed out the harbor patrol did not have jurisdiction in their area and did not carry guns. Mr. Kahn stated the Oxnard Police Department had to be called for assistance. Mr. Kahn asked Council to review the situation. The City Manager advised Council the Police Department had policing responsibilities in the area but further resources were needed to do a better job. Councilman Kato moved staff be directed to compile a report and recommendation on the security problem. Councilman Lopez seconded - motion carried unanimously.

At 2:30 p.m., Council recessed. At 2:45 p.m., Council reconvened.

RECESS

At 2:45 p.m., Council recessed in order to hold the regular meeting of the Oxnard Housing Authority. At 3:10 p.m., Council reconvened.

RECESS F/  
REG. MTG. OF  
OXNARD HOUSING  
AUTH.

Mayor Kato welcomed Mrs. Selma Dressler and Messrs. Charles Johnson, Richard McGuire, Andrew Migueliz, and Edward Paul who were Planning Commission nominees. Mayor Kato stated nominees would be allowed a two minute opening statement, a seven minute question and answer period, and one minute closing statement. Miss Mabi Covarrubias, City Clerk, noted the person selected would be filling the unexpired term of Dorothy Maron expiring on February 28, 1983. Mrs. Selma Dressler appeared to give her opening statement covering personal information, educational background, community interests and activities, and reasons for wishing to be on the Planning Commission. Mrs. Dressler answered questions posed by Council relating to her service on the Planning Commission. Mrs. Dressler made her closing statement expressing her interest in serving the City in the capacity of a Planning Commissioner. Mr. Charles Johnson appeared to make his opening statement discussing personal information, work background, and community activities and interests. Mr. Johnson answered questions made by Council about serving as a Planning Commissioner. Mr. Johnson gave his closing statement voicing his desire to serve the

MRS. S. DRESSLER  
APPOINTED TO  
SERVE AS PLAN-  
NING COMMISSIONER  
F148

Request for approval of the Staff Committee report dated June 12, 1980, on Bid Specification No. 78-PW-11B, for dredging of inland waterways at Mandalay Bay, recommending that the low bid be accepted and that the Mayor and City Clerk be authorized to execute a contract with Granite Construction Company in the amount of \$126,241.30.

APPRV. LOW BID  
BE ACCEPTED RE  
BID SPEC. NO.  
78-PW-11B &  
AUTH. EXECUTION  
OF CONTRACT W/  
GRANITE CONSTR.  
CO. F/DREDGING  
INLAND WATER-  
WAYS AT MANDALAY  
BAY  
F231, F729

Request for approval of the Staff Committee report dated June 10, 1980, on Bid Specification No. 80-FD-2 for acquisition of aerial ladder and fire engine equipment, recommending that the low bids be accepted for all items except Item 28 (generator), the Purchasing Agent be authorized to issue purchase orders, and the Purchasing Agent be authorized to obtain Item 28 (generator) on the open market.

APPRV. LOW BIDS  
BE ACCEPTED F/  
ALL ITEMS EXCEPT  
ITEM 28, AUTH.  
ISSUANCE OF PUR-  
CHASE ORDERS &  
AUTH. ITEM 28  
BE OBTAINED ON  
OPEN MARKET  
F231

FINANCE DEPARTMENT ITEMS:

Report from the Finance Director dated June 10, 1980, recommending adoption of Resolution No. 7917, authorizing certain persons to sign and endorse City and Parking Authority of the City of Oxnard checks and drafts on certain banks.

ADOPTED RES. NO.  
7917, AUTH. CER-  
TAIN PERSONS TO  
SIGN & ENDORSE  
CITY & PARKING  
AUTH. CKS. &  
DRAFTS  
F721

Report from the Finance Director dated June 10, 1980, recommending adoption of Resolution No. 7918 approving the claim of Local Transportation Funds under the provisions of SB 325, Article 8.

APPRV. RES. NO.  
7918, APPRV.  
CLAIM OF LOCAL  
TRANSP. FUNDS  
UNDER SB 325,  
ART. 8  
F577

PUBLIC WORKS DEPARTMENT ITEMS:

Report from the Public Works Director dated June 3, 1980, recommending approval to exceed spending limitation for asphalt emulsion with the estimated expenditure/budgeted amount of \$7,000.

APPRV. EXCEEDING  
SPENDING LIMITA-  
TION F/ASPHALT  
EMULSION W/EST.  
EXPENDITURE/  
BUDGETED AMT.  
OF \$7,000  
F231

Report from the Public Works Director dated June 11, 1980, recommending: (a) Approval of the extension of sewer and water services conditioned upon the dedication of the right-of-way to the City for Wooley Road and Patterson Road; and (b) That a contract be drawn up between Mr. Raymond Tejada and the City providing for connection fees, guarantee of utility user charge payments, and the offer to dedicate the necessary street right-of-way.

APPRV. EXT. OF  
SEWER & WATER  
SERVS. CONDI-  
TIONED ON DEDI-  
CATION OF RT.-OF-  
WAY TO CITY F/  
WOOLEY RD. &  
PATTERSON RD. &  
CONTRACT BE  
DRAWN UP W/MR. R.  
TEJADA F/CON-  
NECTION FEES,  
GUARANTEE OF  
UTILITY USER  
CHARGE PAYMENTS  
& OFFER TO DEDI-  
CATE NECESSARY  
ST. RT.-OF-WAY  
F215

RPT. PRES. RE ENG.  
SERVS. F/ BULKHEAD  
& CHANNEL REPAIRS  
IN MANDALAY BAY  
F729

16p  
The City Attorney summarized his memorandum dated September 18, 1980, regarding the engineering services for bulkhead and channel repairs. He recommended that the Mayor and City Clerk be authorized to execute an agreement with Moffatt & Nichol for design work for the repair of the bulkheads and channels in Mandalay Bay. He mentioned the additional insurance coverage would be pursued by the City for the project. Councilwoman Maron moved approval as recommended by the City Attorney. Councilman Lopez seconded - motion carried by majority vote with Councilman Takasugi absent.

RPT. PRES. RE  
AMENDMENT OF ZONING  
ORD. CLARIFYING  
AUTH. F/ PLANNING  
COMM. BY-LAWS  
F148

The Planning Director highlighted his report dated September 12, 1980, concerning the amendment of the zoning ordinance to clarify authority for the Planning Commission By-laws. He recommended Council direct staff to prepare the necessary ordinance amendment to clarify that the Planning Commission does not have the authority to require more than just a majority of those present for approval on those issues where Planning Commission action is final unless appealed to the City Council. Councilman Lopez moved approval as recommended. Councilman Maxwell seconded - motion carried by majority vote with Councilman Takasugi absent.

#### ADJOURNMENT

At 10:45 p.m., Councilman Maxwell moved the meeting adjourn. Councilman Lopez seconded - motion carried by majority vote with Councilman Takasugi absent.

  
DR. TSUJIO KATO  
Mayor

  
MABI COVARRUBIAS  
City Clerk

EXPENSES NOT RELATED TO  
SPECIFIC PROJ.

Subject

to a specific project number such as real estate appraisal work,  
title fee, court fee, and others.

STATUS RPT. RE APPL. F/  
WAIVER OF SECONDARY  
TREATMENT F/ EXPANSION  
OF REG. WASTEWATER  
TREATMENT PLANT RECD. F/  
FILE  
F212

Report from the Public Works Director/City Engineer dated  
November 13, 1980, concerning the status report on the  
application for a waiver of secondary treatment for the  
expansion of the Regional Wastewater Treatment Plant.

APPRV. SPECIAL BUDGET  
APPROP. OF \$10,120 TO  
ACCT. NO. 25-48800-32  
TO COMPENSATE CONTRACTOR  
F/ REPAIRS TO DRAINAGE  
WEIR; APPRV. CHANGE  
ORDER NO. 2 TO CONTRACT  
NO. 3028, Mandalay  
Bay Dredging Proj.  
Subject

Report from the Public Works Director/City Engineer dated  
November 3, 1980, concerning Change Order No. 2 to Contract No.  
3028, Mandalay Bay Dredging Project, and the transfer of funds  
for payment to the contractor and recommending: (a) Approval of  
a request for special budget appropriation in the amount of  
\$10,120 from Account No. 25-48800-97 (Waterway Assessment  
District/Appropriated Reserve) to Account No. 25-48800-32  
(Waterway Assessment District/Contractual Services) to compensate  
contractor for repairs to drainage weir; and (b) Approval of  
Change Order No. 2 to Contract No. 3028 in the increased amount  
of \$10,120 and increased time of 24 days.

PURCHASING DIVISION ITEM:

APPRV. BID SPEC. NO.  
80-PW-35 & AUTH.  
ADVERTISEMENT F/ BIDS  
TO BE OPENED 12-8-80,  
2 P.M. F/ HERITAGE  
TOWER UTILITIES  
RELOCATION  
F231

Request for approval of Bid Specification No. 80-PW-35, and  
authorization for the City Clerk to advertise for bids to be  
publicly opened in the Council Chambers on Monday, December 8,  
1980, at 2 p.m. for the Heritage Tower utilities relocation  
Fourth and Fifth Streets between A and B Streets. (D. 17).

CITY MANAGER ITEM:

ADOPTED RES. NO. 8013,  
SUPPORTING CITY'S JOINT  
PARTICIPATION W/ CO.  
OF VENTURA IN CALIF.  
ART COUNCIL'S ST./  
LOCAL PARTNERSHIP PROG.  
F145

Report from Administrative Assistant I (Bates) dated November 4,  
1980, recommending Council adoption of Resolution No. 8013,  
supporting the City's joint participation with County of Ventura  
in the California Art Council's State/Local Partnership Program.

HOUSING AND REDEVELOPMENT ITEM:

AUTH. EXECUTION OF RT.-  
OF-WAY CONTRACT W/ E.M.  
& M. B. MILLER F/  
PURCHASE OF ASSESSOR'S  
PARCEL NO. 201-0-250-  
160 & 180 ON E. FIFTH ST.  
F97

Report from City Attorney dated November 13, 1980, recommending  
that the Mayor and City Clerk be authorized to execute a right-  
of-way contract with Ellis M. Miller and Marjory B. Miller  
for the purchase of Assessor's Parcel Numbers 201-0-250-160 and  
180 on East Fifth Street between Rose Avenue and Pacific Avenue.

CORRESPONDENCE ITEMS:

LTR. F/ J. R. BUZZELL,  
GEN. PLANT MGR. OF  
ALLIS-CHALMERS, RE  
ALIGNMENT OF WOOLEY RD.,  
REF. TO PUB. WKS. DEPT.  
F/ CONSIDERATION WHEN  
REPORTING ON MATTER  
F222

Letter from J. R. Buzzell, General Plant Manager of Allis-  
Chalmers, dated October 27, 1980, concerning the realignment  
of Wooley Road.

OXNARD CITY COUNCIL  
Regular Meeting  
December 2, 1980

ROLL CALL

The regular meeting of the Oxnard City Council convened at 1:30 p.m. in the Council Chambers. Council members Kato, Maron, and Takasugi were present. Councilmen Lopez and Maxwell were absent. Mayor Kato presided; and the meeting opened with a pledge of allegiance to the flag and a moment of silence.

MR. S. VARS RE  
RENT INCREASE  
& QUALITY OF  
FOOD AT OXNARD  
CROWN MANOR  
F209

Mr. Steven Vars, 1340 Edgewood - Apartment 1, appeared to express his concerns about the rent increase and quality of food at Oxnard Crown Manor. Mr. Vars indicated residents were very concerned about those items. Mr. Vars asked the City to review the situation. Mr. K. Duane Iyders, City Attorney, advised Council there was nothing the City could do under the authority of the City Code. The City Attorney noted such facilities were regulated by the State. Mr. Stephen A. Cook, City Manager, informed Mr. Vars he should contact the Community Relations Division for information on the addresses of the State agencies with which he could communicate about the matter.

MR. C. LORBEER  
RE HIS LTR. RE  
R. DIXON SPEAS  
& ASSOCS. AVIA-  
TION RPT.  
F91

Mr. Carroll Lorbeer, 542 West Fifth Street, appeared concerning receipt of his letter dated November 28, 1980, relation to the R. Dixon Speas & Associates aviation report. Mr. Lorbeer told Council about his concerns with the report and the outdatedness of the maps in the report. Councilman Kato moved the matter be referred to staff for appropriate action. Councilwoman Maron seconded - motion carried by majority vote with Councilmen Lopez and Maxwell absent.

MRS. J. ALLEN  
RE CONCERNS IN-  
VOLVING DREDGING  
CO. CONTRACTED  
TO PROVIDE SERVS.  
IN HARBOR & IN-  
LAND WATERWAY  
F397A

Mrs. Joanne L. Allen, 2015 Victoria Avenue, appeared to express her concerns involving the dredging company contracted by Oxnard to provide services in the harbor and inland waterway. Mrs. Allen indicated she was unhappy with the response received from staff on the manner in which the contractor was proceeding with the work. Mrs. Allen mentioned they were greatly inconvenienced in removing their boat to another location so dredging could be performed in the area and it was quite expensive. Mrs. Allen pointed out the work had not been done yet. Mrs. Allen noted she believed three weeks was adequate time to complete such work. Mrs. Allen told Council she wondered whether the contractor had the proper type of equipment to perform the work expeditiously and efficiently. Councilwoman Maron moved the matter be referred to staff for a report and recommendation. Councilman Takasugi seconded - motion carried by majority vote with Councilmen Lopez and Maxwell absent.

COUNCILMAN  
TAKASUGI RE-  
QUESTED PLAN-  
NING COMM. RES.  
NO. 6206, DENY-  
ING SPECIAL  
USE PERMIT NO.  
921, FILED BY  
RAZNICK & SONS,  
BE REVIEWED BY  
COUNCIL; SET F/  
PUB. HRG. 12-23-  
80, 7:30 P.M.  
F89

With respect to Planning Commission Resolution No. 6206, denying Special Use Permit No. 921, filed by Raznick and Sons, (D-3), Mr. Gene L. Hosford, Planning Director, indicated the Planning Commission did not favor the recommendation made by staff or the applicant for Phase 2 of the project. The Planning Director showed a transparency of the site plan for Phase 2. He presented color drawings of Phases 1 and 2. He mentioned Council was provided with information on Phase 2 of the project when considering the permit for Phase 1 of the proposal. Councilman Takasugi requested the item be reviewed by Council on the basis of receiving further information on the proposal.

ADOPTED ORD.  
NO. 1855, MAKING  
CERTAIN CHANGES  
IN ZONING  
BOUNDARIES &  
MAP OF OXNARD,  
(ZONE CHANGE  
APPL. NO. 643)  
F210

Councilman Lopez moved Ordinance No. 1855, making certain changes in the zoning boundaries and in the zoning map of the City of Oxnard as incorporated in the Oxnard Ordinance Code (Zone Change Application No. 643), be read by title only and that further reading of the body of the ordinance be waived. Councilman Maxwell seconded - motion carried unanimously. Councilman Lopez offered Ordinance No. 1855, for adoption. Councilman Maxwell seconded - motion carried by the following vote: Ayes: Council members Kato, Lopez, Maron, Maxwell, and Takasugi. Noes: None. Absent: None.

APPRV. IN CON-  
CEPT TEMP. EM-  
PLOYMENT OF  
J. W. HODGES,  
JR. UNDER SAME  
PROVISIONS SET  
IN PROP. CON-  
SULTANT CON-  
TRACT  
F202

Report from the City Attorney dated January 15, 1981, recommending that the Mayor and City Clerk be authorized to execute a consultant contract with Joseph W. Hodges, Jr. Mr. K. Duane Lyders, City Attorney, advised Council the recommendation should be changed to approve in concept the temporary employment of Joseph W. Hodges, Jr. under the same provisions set in the proposed consultant contract. (D.11).

PURCHASING DIVISION ITEM:

APPRV. STAFF  
COMM. RPT. RE  
BID SPEC. NO.  
80-PD-1, AUTH.  
EXECUTION OF  
CONTRACTS F/  
POLICE TOWING:  
ADOPTED RES.  
NO. 8070, A-  
MENDING CITY  
POLICIES F/  
SELECTION,  
OPERATION, &  
DESIGNATION OF  
TOW CAR & SERVS.  
F231, F493

Report from the Police Chief dated December 16, 1980, concerning police towing service and the report from the Staff Committee dated January 13, 1981, concerning Bid Specification No. 80-PD-1 (Police Towing) recommending that the City Council: (a) Approve the Staff Committee report on Bid Specification No. 80-PD-1 authorizing the Mayor and the City Clerk to execute contracts with: Airport Chevron and Towing Service, McCarty and Sons Towing, Bob's Garage and Used Cars, Owl Towing and Storage, and Oxnard Towing and Storage; and (b) Adopt Resolution No. 8070, amending City policies for the selection, operation, and designation of tow car and services.

PUBLIC WORKS DEPARTMENT ITEM:

APPRV. SPECIAL  
BUDGET APPROP.  
OF \$8,445 TO  
ACCT. NO. 9-  
49550-32; APPRV.  
AGREEMENT F/  
PROF. ENG.  
SERVS. W/  
MOFFATT & NIC-  
HOL ENGRS., &  
AUTH. EXECUTION  
OF AGREEMENT RE  
BULKHEAD & ST.  
REPAIR AT CHAN-  
NEL ISLS. BLVD.  
Subj.

Report from the Public Works Director dated January 14, 1981, concerning bulkhead and street repair at Channel Islands Boulevard, recommending: (a) Approval of a special budget appropriation in the amount of \$8,445 from Account No. 9-3292 (Disaster Relief/Storm Damage/Relief Grant 1980) to Account No. 9-49550-32 (Storm Damage/Channel Islands at Victoria/Contractual Services); and (b) Approval of an agreement for professional engineering services with Moffatt & Nichol, Engineering, and authorize the Mayor and City Clerk to execute said agreement.

1-20-81

4-7-81

ADOPTED RES.  
OF INTENT NO.  
8115, TO GRANT  
40 YR. PIPELINE  
FRANCHISE AP-  
PLIED F/BY  
UNION OIL CO.  
UNDER FRANCHISE  
ACT OF 1937  
F525

Resolution of Intent No. 8115, to grant a 40 year pipeline franchise applied for by Union Oil Company under the Franchise Act of 1937 (P.U. Code Section 6201, et seq.); public hearing to be set for April 28, 1981, at 7:30 p.m.

PROTESTED ALC.  
BEVERAGE LICENSE  
APPL. AT LOS  
AMIGOS, 111 E.  
FIFTH ST., FILED  
BY G.P. AND L.C.  
RAMOS, UNLESS  
APPLS. AGREED TO  
MAKE CODE COR-  
RECTIONS  
F199

Alcoholic beverage license application at Los Amigos, 111 East Fifth Street, filed by Gemma P. and Luis C. Ramos, for on sale beer and wine eating place.

PROTESTED ALC.  
BEVERAGE LICENSE  
APPL. AT RIVERA  
LIQUOR, 406 E.  
COOPER RD., FILED  
BY K.S. & Y.  
SONG, UNLESS  
APPLS. AGREED TO  
MAKE CODE COR-  
RECTIONS  
F199

Alcoholic beverage license application at Rivera Liquor, 406 East Cooper Road, filed by Kyong S. and Young Song, for off sale general.

AUTH. EXECUTION  
OF AGREEMENT W/  
MOFFATT & NICHOL  
F/REPAIR OF HOMES  
IN MANDALAY BAY  
F729

Mayor and City Clerk be authorized to execute an agreement with Moffatt & Nichol for repair of the homes in Mandalay Bay in the amount of \$4,100.

AUTH. EXECUTION  
OF AGREEMENT W/  
LAW FIRM OF G.K.  
NELSON F/PROSECU-  
TION OF OXNARD  
SUBROGATION  
MATTERS  
F598

Mayor and City Clerk be authorized to execute an agreement with the law firm of Gregory Kenneth Nelson for prosecution of City of Oxnard subrogation matters.

#### PURCHASING DIVISION ITEMS:

APPRV. BID SPEC.  
NO. 81-HR-1A &  
AUTH. ADVERTISE-  
MENT F/BIDS TO  
BE OPENED 5-4-81,  
at 2 P.M., F/  
DEMOLITION & SITE  
CLEARANCE OF PROJ.

Request for approval of Bid Specification No. 81-HR-1A, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers on Monday, May 4, 1981, at 2:p.m. for the demolition and site clearance of the project located at 302 West Sixth Street, south side of Sixth and B Streets in the amount of \$15,000.



MR. F. GREGORY RE  
JOHNSON CREEK PK.  
F709

Mr. Francis Gregory, 1359 Edgewood Way, appeared regarding Johnson Creek Park. Mr. Gregory noted that during the planning process of the park there was no adverse input from the mobile home park residents but now the City was receiving complaints.

CITY MGR. SUGGESTED  
DROPPING STAFF COMM.  
RPT. ON BID SPEC.  
NO. 81-HR-1A &  
ITEM REQUESTING  
AUTH. TO EXECUTE  
AGREEMENT W/  
E. A. GRISWOLD  
RE MANDALAY BAY  
F231, F729

Mr. Stephen A. Cook, City Manager, suggested dropping the Staff Committee report dated May 14, 1981, on Bid Specification No. 81-HR-1A recommending authorization to execute a contract with Tom Puglise Excavating, Inc. for the demolition and site clearance at 302 West Sixth Street, (D.4), as it should be placed on the Redevelopment Agency. The City Manager also suggested deleting the item requesting authorization to execute an agreement with Edgar A. Griswold to perform professional resident engineer services in connection with the Mandalay Bay bulkhead, channel, and home repairs, (D.10), pending further information. Council concurred.

APPRV. INFO./  
CONSENT AGENDA  
ITEMS

Councilman Lopez moved approval of the Information/Consent Agenda Items with the exception of D.4 and D.10 which were dropped earlier. Councilman Maxwell seconded - motion carried by the following vote:  
Ayes: Council members Kato, Lopez, Maron, Maxwell, and Takasugi. Noes: None. Absent: None.

The Information/Consent Agenda Items were the following:

CITY CLERK ITEM:

APPRV.  
MINUTES

Minutes of the regular City Council meeting of April 21, 1981.

PURCHASING DIVISION ITEMS:

APPRV. BID. SPEC.  
NO. 81-PR-2, &  
AUTH. ADVERTISEMENT  
F/BIDS TO BE OPENED  
6-15-81, 2 P.M.,  
TO INSTALL GALVAN-  
IZED CHAIN LINK  
FENCE & CONCRETE  
CURB AT JOHNSON  
CREEK PK.  
F231

Request for approval of Bid Specification No. 81-PR-2, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers, on Monday, June 15, 1981, at 2 p.m., to install galvanized chain link fence adjacent to existing concrete block wall on the west side of Johnson Creek Park, and install chain link fence and concrete curb on the east side of park in turf area near parking lot in the amount estimated at \$7,600.

APPRV. BID SPEC.  
NO. 80-PW-25A &  
AUTH. ADVERTISEMENT  
F/BIDS TO BE OPENED  
6-29-81, 2 P.M., F/  
SAVIERS RD. STORM  
DRAIN

Request for approval of Bid Specification No. 80-PW-25A, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers, on Monday, June 29, 1981, at 2 p.m., for the Saviers Road Storm Drain between Iris and Elm Streets in the amount estimated at \$238,880

S-15-MPI

Council Chambers on Monday, July 13, 1981, at 2 p.m., for repairs to channel slopes, bulkheads, and bulkhead backfill in Mandalay Bay.

BIDS TO BE OPENED  
7-13-81, 2 P.M.  
F/REPAIRS IN  
MANDALAY BAY.  
F231

Request for approval of Bid Specification No. 81-FI-2, and authorization for the City Clerk to advertise for bids to be publicly opened in the Council Chambers on Monday, June 29, 1981, at 2 p.m., for construction of addition and remodeling of City owned Girls Club Building subject to the conditions outlined in the Finance Director's report dated May 20, 1981, (D.10), with the exception of Finding 3 pending further negotiations between the Girls Club and City of Oxnard.

APPRV. BID SPEC.  
NO. 81-FI-2 &  
AUTH. ADVERTISE-  
MENT F/BIDS TO BE  
OPENED 6-29-81  
2 P.M. F/CONSTR  
OF ADDITION &  
REMODELING OF  
CITY OWNED GIRLS  
CLUB BLDG.  
F231

CITY ATTORNEY ITEMS:

Authorized Mayor and City Clerk to execute agreement with Edgar A. Griswold to perform professional resident engineer services in connection with the Mandalay Bay bulkhead, channel and home repairs.

AUTH. EXECUTION  
OF AGREEMENT W/  
E. A. GRISWOLD  
TO PERFORM  
PROF. RESIDENT  
ENG. SERVS. RE  
MANDALAY BAY  
F729

Council authorized approval of the proposal by LeRoy Crandall and Associates, Inc., for installation of water level piezometers in conjunction with Mandalay Bay repairs.

APPRV. PROPOSAL  
BY L. CRANDALL  
& ASSOCS., INC.  
F/INSTALLATION  
OF WATER LEVEL  
PIEZOMETERS RE  
MANDALAY BAY  
F729

OXNARD ADVISORY COMMITTEE ITEM:

Letter from Mr. Donald Pierson, President of the Oxnard Advisory Committee (OAC), dated May 19, 1981, submitting proposed amendments to Local Coastal Plan (LCP) for Oxnard.

LTR. F/MR. D.  
PIERSON, PRES.  
OF OAC, SUBMIT-  
TING PROP.  
AMENDMENTS TO  
LCP, HELD F/  
CONSIDERATION  
DURING PUB. HRG.  
F651B

At 2 p.m., Council recessed. At 2:45 p.m., Council reconvened. Mayor Kato was present and presided.

RECESS  
8-26-81  
DDT DDES DE

September 1, 1981

Port Hueneme. Mr. Lorbeer also recommended that Second Street be changed to Teal Club Road. Mr. Roy Lockwood, 327 South C Street, appeared to request that the original street names be preserved for historical purposes.

Councilman Maxwell moved to instruct staff to draft a letter for the Mayor's signature to be sent to Oxnard's legislative representatives regarding the City's position on Assembly Bill (AB) 1693. Councilman Lopez seconded - motion carried unanimously.

STAFF INSTRUCTED TO  
DRAFT LTR. RE CITY'S  
POSITION ON AB 1693  
F146

Councilman Maxwell moved to direct staff to prepare a letter to be sent to Oxnard's legislative representatives requesting immediate action on the storm damaged bulkhead wall on Channel Islands Boulevard. Councilman Takasugi seconded - motion carried unanimously.

STAFF DIR. TO PREPARE  
LTR. REQUESTING  
IMMEDIATE ACTION ON  
STORM DAMAGED BULKHEAD  
WALL ON CHANNEL ISLS.  
BLVD.  
F729

At 4:30 p.m., Council went into executive session to consider pending litigation. At 5:55 p.m., Council reconvened.

EXECUTIVE SESSION  
F598

At 5:55 p.m., Councilman Maxwell moved the meeting adjourn to Friday, September 4, 1981, at 12 noon. Councilman Takasugi seconded - motion carried unanimously.

ADJOURNMENT  
F220

  
DR. TSUGIO KATO  
Mayor

  
MABI COVARRUBIAS  
City Clerk

November 24, 1981

orders totalling \$7,000 plus sales tax and freight with Gamefield Concepts.

GAMEFIELD CONCEPTS

FINANCE DEPARTMENT ITEM:

Report from the Finance Director dated November 30, 1981, recommending that Council approve a policy revision relating to the collection of connection and capital growth fees with regard to replacement housing.

APPRV. POLICY REVISION  
RE COLLECTION OF  
CONNECTION & CAPITAL  
GROWTH FEES RE  
REPLACEMENT HOUSING  
F215

PURCHASING DIVISION ITEM:

Staff Committee report dated November 17, 1981, on Bid Specification No. 81-FW-1 recommending that Council authorize the Mayor and City Clerk to execute a contract with Ivan Bachan Construction Company and Ivan Bachan (a joint venture) for the replacement of existing concrete sewer pipe along Wooley Road and Pacific Avenue from Richmond Avenue to Mountain View Avenue in an amount not to exceed \$110,584.

AUTH. EXECUTION OF  
CONTRACT W/ IVAN  
BACHAN CONSTR. CO. &  
I. BACHAN F/  
REPLACEMENT OF  
EXISTING CONCRETE  
SEWER PIPE ALONG  
WOOLEY RD. & PACIFIC  
AVE. F/ RICHMOND AVE.  
TO MOUNTAIN VIEW AVE.  
F231

PUBLIC WORKS DEPARTMENT ITEMS:

Report from the Public Works Director dated November 18, 1981, requesting approval of a special budget appropriation in the amount of \$3,380.26 from Account No. 22-271 (Gas Tax/Fund Balance) to Account No. 932-013 (Gas Tax/Improvement Reimbursement for C Street at Gonzales Road) regarding reimbursement for improvements relating to Special Use Permit No. 859.

APPRV. SPECIAL BUDGET  
APPROP. OF \$3,380.26  
TO ACCT. NO. 932-013  
F/ REIMBURSEMENT F/  
IMPROVEMENTS RE  
SPECIAL USE PERMIT NO.  
859  
Subject

Report from the Public Works Director dated November 9, 1981, concerning the Mandalay Bay dredging project and recommending approval of Change Order No. 3 to Granite Construction Company.

APPRV. CHANGE ORDER  
NO. 3 TO GRANITE  
CONSTR. CO. RE  
MANDALAY BAY DREDGING  
PROJ.  
F729

CITY MANAGER'S OFFICE ITEMS:

Report from the Deputy City Manager (Faulconer) dated November 20, 1981, requesting approval of an amendment to the joint powers agreement of the Oxnard Airport Authority which would allow alternates to the elected members of the Authority and grant them voting privileges when representing regular members.

APPRV. AMENDMENT TO  
JT. POWERS AGREEMENT  
OF OXNARD AIRPORT  
AUTH. ALLOWING  
ALTERNATES TO ELECTED  
MEMBERS OF AUTH. &  
GRANTING VOTING  
PRIVILEGES  
F743

Report from the Deputy City Manager (Faulconer) dated November 19, 1981, recommending that Council adopt Resolution No. 8264, approving changes in Section XII of the Personnel Rules and Regulations, relative to authorizing the City Manager to establish and publish guidelines to provide for the temporary designation of an employee as "Leadworker" during the absence of a supervisor.

ADOPTED RES. NO. 8264,  
APPRV. CHANGES IN SEC.  
XII OF PERS. RULES &  
REGS. RE AUTH. CITY  
MGR. TO EST. & PUBLISH  
GUIDELINES TO PROVIDE  
F/ TEMP. DESIGNATION  
OF EMPLOYEE AS  
"LEADWORKER"  
F202

May 25, 1982

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CITY CLERK ITEM:

## APPRV. MINUTES

Minutes of the City Council meeting of April 27, and May 4, 1982.

FINANCE DEPARTMENT ITEM:

ADOPTED RES. NO.  
8349, EST. APPROP.  
LIMIT F/ FY 1983  
IN AMT. OF  
\$34,146,340  
F150

Report from the Finance and Management Services Director dated May 10, 1982, recommending adoption of RESOLUTION NO. 8349, establishing an appropriation limit for Fiscal Year 1983 in the amount of \$34,146,340.

PUBLIC WORKS DEPARTMENT ITEM:

APPRV. CHANGE  
ORDER NO. 4 F/  
SPEC. NO.  
78-PW-11B, INLAND  
WATERWAYS DREDGING  
F231

Report from the Public Works Director dated April 13, 1982, relating to Specification No. 78-PW-11B, inland waterways dredging, Change Order No. 4, recommending a claim settlement of \$36,238.44 and time extension of the contract with Granite Construction Company by 353 calendar days.

PURCHASING DIVISION ITEM:

APPRV. SPEC. NO.  
78-PW-24A & AUTH.  
ADVERTISEMENT F/  
BIDS TO BE  
OPENED 7-12-82,  
2 P.M.  
F231

Report from the Assistant Public Works Director (Development) dated May 17, 1982, relative to construction of modification to Sewer Lift Station No. 14, Specification No. 78-PW-24A.

ADOPTED RES. NO.  
8350, SUPPORTING  
UWCD APPL. TO  
SWRCB F/ EXT. OF  
TIME TO APPROP.  
WATER F/ SESPE CK.  
F233

Mr. Joe Yurko, Assistant Public Works Director (Operation), highlighted his report dated May 18, 1982, regarding a resolution supporting United Water Conservation District's (UWCD) application for a time extension to appropriate Sespe Creek water. The Assistant Public Works Director introduced Mr. Irv Wilde, General Manager of UWCD, who indicated he was pleased to address Council. Mr. Wilde provided Council with background details on the matter. Mr. Wilde asked the City's support of its request to the California State Water Resources Control Board (SWRCB) for a time extension of the UWCD's permit to develop a project to appropriate water from the Sespe Creek. Mr. Wilde referred to Resolution No. 8350, supporting UWCD's application to the SWRCB for an extension of time to appropriate water from Sespe Creek. He noted they were trying to obtain as much local level support as possible in order to obtain an extension of three years or whatever time was needed to complete the project. He pointed out the SWRCB would be considering the permit revocation on June 17, 1982. Councilman Maxwell offered RESOLUTION NO. 8350 for adoption. Councilman Lopez seconded - motion carried by the following vote: Ayes: Council members Lopez, Maron, Maxwell, Takasugi, Kato. Noes: None. Absent: None.

STAFF INSTRUCTED  
TO PREPARE RPT.  
RE PERMIT  
GRANTED TO OXNARD  
TRANSMISSION  
F201

Councilman Maxwell moved to instruct staff to prepare a report regarding the permit granted to Oxnard Transmission to operate at 236 South Oxnard Boulevard. Councilwoman Maron seconded - motion carried unanimously.

tightening the regulations relative to the accounting procedures and reports. Mr. Huston approved the proposed ordinance. Mr. Jack Burdullis, representing the Elk's Lodge, 801 South A Street, appeared in support of the ordinance as presented. Councilman Maxwell moved that Ordinance No. 1934, revising bingo regulations, be read by title only and that further reading of the body of the ordinance be waived. Councilman Lopez seconded - motion carried unanimously. Councilman Maxwell offered ORDINANCE NO. 1934 for first reading. Councilman Lopez seconded - motion carried unanimously. Councilman Maxwell offered RESOLUTION NO. 8373, for adoption, revising the annual bingo license fee. Councilman Lopez seconded - motion carried by the following vote: Ayes: Council members Lopez, Maron, Maxwell, Takasugi, Kato. Noes: None. Absent: None.

RPT. PRES. RE  
BULKHEAD MAINT.  
EASEMENT IN  
TRACT 1904 OF  
MANDALAY BAY  
F729

Mr. Carl E. Berry, Acting Public Works Director, referred to his report dated July 13, 1982, concerning the abandonment of the bulkhead maintenance easement in Tract 1904 of Mandalay Bay. The Acting Public Works Director informed the City Council that Mr. M. Wendell Morrisett had recently indicated that his request had lost its impetus as the particular situation had been resolved. Mr. Benjamin Y. Wong, Assistant Public Works Director (Development), showed and described transparencies of a typical lot layout, a typical cross section along the bulkhead, and three alternatives addressing the situation. The Assistant Public Works Director discussed the Acting Public Works Director's report. He mentioned that the alternatives and costs were discussed with the homeowners and Mr. Morrisett who found them acceptable. He noted the process would be adopted as a department procedure to be implemented upon request. The Acting Public Works Director pointed out there were no existing requests. Councilman Lopez moved approval of the following: (1) Each property owner in Tract 1904 shall be given the option of having the City of Oxnard abandon 12 feet of surface easement of the existing 24-foot bulkhead maintenance easement, or allowing the City to retain full easement rights for maintenance and repair purposes. (2) Should maintenance and repair of the steel tie-back rods be necessary, owners choosing to have the easement abandoned must either allow repair crews access to their property or pay the difference, if any, between repair Alternative No. 1 and Alternative Nos. 2 or 3, whichever was selected. (3) Any homeowner who elects the abandonment option would be required to record an agreement to obligate her/him or her's/his successor to pay any additional repair costs resulting from the easement abandonment by the City and subsequently disallowing any access by the owner to her/his residence to perform the necessary repairs. These costs shall be paid within 60 calendar days upon demand. If the owner fails to pay these costs, they will become a lien on said property and the lien will become due and payable with the next property tax bill. (4) Any homeowner that elects the abandonment option shall be solely responsible for the cost of abandonment proceedings. (5) The matter of separating the Waterway Maintenance Assessment District into two districts, one for the Leeward Estates and one for Mandalay Bay, should be referred to the Finance Department and the City Attorney's Office for report and recommendation. Councilwoman Maron seconded - motion carried unanimously.

RPT. RE CHANGE  
ORDER NO. 4 F/  
MANDALAY BAY  
SEAWALL REPAIRS,  
PROJ. NO. 81-PW-  
18  
F729

Mr. James E. Frandsen, Public Works Director, summarized his memorandum dated November 17, 1982, regarding Change Order No. 4 for the Mandalay Bay seawall repairs, Project No. 81-PW-18. Councilman Lopez moved approval of Change Order No. 4 in the amount of \$222,000.00 with Granite Construction Company. Councilwoman Maron seconded. Mr. Joe Ruscio, 3711 Via Marina Avenue, appeared to express concern about the amount of the change order. Mr. K. Duane Lyders, City Attorney, indicated the monies were trust funds administered by the City to carry out a court judgment. The City Attorney mentioned that certain conditions changed during the work which necessitated the payment of additional monies. He noted this was the second phase in the rehabilitation project of the houses. He pointed out that staff was reviewing the damage to more homes which would be reported to the City Council. The motion offered by Councilman Lopez and seconded by Councilwoman Maron was carried unanimously.

RPT. RE CITY  
ENTRANCE SIGNS  
F190

Mr. Herbye K. White, Parks and Recreation Director, reviewed his report dated November 9, 1982, relative to City entrance signs. Mr. Don Marquardt, Landscape Architect Project Coordinator, showed slides of the proposed design of the signs; and he described the building materials and construction of the signs. The Landscape Architect Project Coordinator also showed slides of the existing signs and future proposed signs at Harbor Boulevard, south of the Santa Clara River and Channel Islands Boulevard, just west of Victoria Avenue at Fisherman's Wharf. He indicated the proposed signs would not require land acquisition or approval from CalTrans, who had very rigid standards. He mentioned one site had electricity and water facilities already available and that the steel structures of the existing signs were planned to be used to construct the new signs. The Parks and Recreation Director noted the signs would have lighting. He pointed out the decision on the location of the signs was based on the funds available for the project, the desire to implement the program now, and available on-site facilities. He stated that during the bidding process, staff would request information on the costs of the signs at alternate locations. Mr. Stephen A. Cook, City Manager, told the City Council that if different locations were sought for the signs, it would be necessary to obtain the approval of CalTrans, which could take four to six months, perhaps necessitate a redesign, and additional monies. The Parks and Recreation Director informed the City Council that staff proposed to construct a total of eight signs in the City. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared to mention that perhaps the service clubs in Oxnard could use the existing signs and pay a fee. Mr. Lorbeer suggested alternate sites for the construction of signs. The Parks and Recreation Director noted that staff had also considered the landscaping needs, effect of the widening of Highway 101, easements, rights-of-way, and pleasant surroundings before deciding on the locations of the proposed city entrance signs. Councilman Kato moved to direct staff to proceed with the construction drawings for an elevated entrance sign at the existing location on Highway 1, south of the Channel Islands Boulevard exit; a median sign on North Oxnard Boulevard, south of the underpass; and an elevated sign at the existing location on Highway 101, east of the Rose Avenue exit. Councilman Lopez seconded - motion carried unanimously.

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RPT. PRES. RE  
MANDALAY BAY HOME  
REPAIRS  
F729, F231

Mr. K. Duane Lyders, City Attorney, referred to the memorandum from Mr. Joe Hodges, Jr., dated December 1, 1982, regarding the Mandalay Bay home repairs, and recommending the City Council approve and authorize execution of a contract with Gerald Lehmer & Associates (D. 1); and the report from the Finance and Management Services Director dated November 30, 1982, concerning Project Specification No. 82-PW-24A, Residential Structure Repairs, Mandalay Bay Tract 2026-1 and 2026-2, and recommending the City Council approve the award and authorize execution of a contract with John S. Carter in the amount of \$67,950.00 and with Dorothy V. Griswold in the amount of \$277,360.00 (D. 9). The City Attorney indicated the items were related as they were part of Phase 2 of the repairs to the Mandalay Bay development. He mentioned there was litigation resulting from the failure of some bulkheads and damage to houses. He noted that monies were awarded to make the repairs. He pointed out Phase 1 involved repairs to the bulkheads and Phase 2 dealt with repairs to the houses. The City Attorney stated it was difficult for staff to develop a general set of plans and specifications to set forth the necessary repairs. He told the City Council the first bidding process only attracted one proposal and this second bidding procedure drew three proposals. He mentioned there was an urgency to settle the repairs to the homes. He noted the bidder would provide the detailed set of plans and specifications to carry out the necessary repairs. Dominique Paquin, representing Rogers & Zegers Construction, 121 Cooper Road, appeared to refer to their letter dated November 11, 1982, regarding Bid Specification No. 82-PW-24A. Mr. Paquin pointed out their engineers reviewed the plans and specifications and determined it was not possible to know how to effect the repairs of the houses. Mr. Paquin stated it was their belief an engineer should be hired to perform a soils report on each home in order to prepare the plans and specifications for the repairs. Mr. Paquin told the City Council they were interested in the repair and construction phase of the project. Mr. William D. Crouch, 806 Railroad Avenue, Santa Paula, appeared to present and read a letter dated December 7, 1982. Mr. Crouch noted Mr. John S. Carter and Coastal Structural Underpinning were very capable of doing the work. Mr. Crouch pointed out that similar work had been done on some homes in Mandalay Bay. Mr. Crouch stated a performance specification was requested from the bidders which referred to the preparation of detailed plans to do the work. He suggested a thorough and careful evaluation of the bidders qualifications, repair techniques, and extent and competence of repairs be performed before awarding the bid. He mentioned the bid should not be awarded until the consultant engineer evaluated the designs of the bidders. He indicated it seemed Dorothy and Edgar Griswold had a conflict of interest due to contacts with staff on this project. Mr. Fred Bysshe, 10 South California Street, Ventura, representing Messrs. John S. Carter and William D. Crouch, appeared to indicate there could be legal exposure in the project bid specifications and a conflict of interest. Mr. Bysshe referred to Paragraph 9 on Page B-3a of the bid specification, stating the contractor could rely on the work to repair channel slopes, bulkheads, and bulkhead backfill in Mandalay Bay to stabilize the sea walls and slopes. Mr. Bysshe mentioned that if the representation was not true, the City could not look to the contractor for failing to stabilize the soil under the homes. Mr. Bysshe noted that if the property owner sued the



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contractor as a result of the lack of stability, then the contractor could file a suit against the City because of the reliance placed on the bid specification information. Mr. Bysshe pointed out there was concern about modifications made to the revised bid specifications. Mr. Bysshe stated he was informed that Mr. Gerald Lehmer had recommended to staff that he be hired prior to the award of the bid to avoid engineering problems. Mr. William Hair, 625 North A Street, representing five of the individual homeowners in Mandalay Bay and Mr. and Mrs. Dunlap and Botsford, appeared to ask the City to carefully consider awarding the bids upon proper evaluation of repairs, plans, and specifications. Mr. Hair mentioned his clients would be happier if the consideration was given to avoid possible third party litigation. The City Attorney informed the City Council that from his standpoint there would be no problem in delaying the award of the bid to allow engineering review of the repair plans and specifications, provided the bidders were willing to waive the time limit. Mr. Edgar Griswold, 4240 South Harbor Boulevard, appeared to advise the City Council they submitted a bid proposal the first time the project went out to bid. Mr. Griswold noted that staff had some objections to some wording in the original bid specifications, so staff and he met to address those concerns. Mr. Griswold pointed out that after that time, there were objections raised by Messrs. Carter and Crouch which staff and the design engineer reviewed to make changes to the bid specifications. Mr. Griswold told the City Council that Mr. Crouch and he equally participated in the revisions to the bid specifications. Councilman Lopez moved that with respect to the report regarding the Mandalay Bay home repairs, (D. 1), the City Council approve and authorize execution of a contract with Gerald Lehmer & Associates. Councilwoman Maron seconded. Mrs. Dorcus Moose, 4534 Lyme Bay, appeared to note she had been waiting eight years for the repairs to be done on her home. Mrs. Moose pointed out that since the completion of work in June and July, 1982, there was a new mound at 4500 Lyme Bay, which was visible when there was a low tide. Mrs. Moose stated she believed that although the work had been completed, there was still a problem. She indicated there had not been any soils test performed on her property. She mentioned the the City should be primarily concerned about having the best work done rather than awarding the lowest bid. The motion offered by Councilman Lopez and seconded by Councilwoman Maron was carried unanimously. Mr. Joseph W. Hodges, Jr., informed the City Council that Mr. John S. Carter and Ned Clyde had performed the work already completed in Mandalay Bay. Mr. William Hair reappeared to suggest the contract be awarded subject to the review and approval by Mr. Gerald Lehmer and Associates, or the award of the contract be delayed until Mr. Gerald Lehmer and Associates reviewed the matter. The City Attorney advised the City Council they could award the contract to the lowest bidder subject to the review of Mr. Gerald Lehmer or delay the award of the bid pending investigation by Mr. Gerald Lehmer of the methodology of repairs. The City Attorney indicated the deadline of the award of the bid was December 14, 1982. Mr. W. E. Yates, Finance and Management Director, mentioned that he knew Mr. John S. Carter would be willing to delay the award of the bid. The Finance and Management Services Director noted that if the work done by Mr. Gerald Lehmer and Associates was completed in one or two weeks, then the City could proceed; however, if the the work was done by Mr. Gerald

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Lehmer and Associates and then the project went out to bid, it would take another four to six weeks from that date to bring the matter back before the City Council for action. Mr. Dominique Paquin appeared again to note there was insufficient information upon which to submit a bid proposal. Mr. Paquin pointed out there was a general soils report available to the City rather than a recent specific soils report on each home. Mr. William Hair reappeared to indicate there was a specific soils report done several years ago on each property available to the City. The City Attorney stated that staff believed the quality of the repairs would be insured by employing the services of Mr. Gerald Lehmer and Associates. The City Attorney mentioned that staff could review the legal feasibility of negotiations with the prospective contractors on the project. Mr. Edgar Griswold appeared again to provide the City Council with background information on the experience and resources available to insure proper performance of the work on the project. Mr. Fred Bysshe reappeared to note that Messrs. Carter and Crouch would be willing to negotiate the project to insure an experienced and qualified contractor performed the work. At 3:05 p.m., Council recessed. At 3:15 p.m., Council reconvened. Councilman Kato moved to (a) Reject all bids received on Bid Specification No. 82-PW-24A; (b) Direct staff to commence negotiations with any and all bidders available to effect the repairs as soon as possible; and (c) Instruct staff to present a report and recommendation when a proposed contract had been negotiated with the participation of Mr. Gerald Lehmer and Associates. Councilwoman Maron seconded motion carried unanimously.

RECESS TO HOLD  
REG. HOUSING AUTH.  
MTG.

At 3:15 p.m., Council recessed in order to hold the regular meeting of the Oxnard Housing Authority. At 3:27 p.m., Council reconvened.

ADOPT RES. NO.  
8441, SETTING  
ASSESSMENTS RE  
MOBILE HOME  
PARK RENT  
STABILIZATION  
PROGRAM  
F296A

The Finance and Management Services Director reviewed his memorandum dated December 1, 1982, relating to Mobile Home Park Rent Control Assessments. He indicated the tenant assessments of \$1.30 per space, per month would be collected from January to June, 1983; and at that time, staff would present an actual evaluation of costs and the proposed tenant assessments for City Council consideration. He mentioned there had been approximately 787 hours spent by staff in his office only on the mobile home park rent control program in establishing and implementing the policies, procedures, and Mobile Home Park Rent Review Board. He noted that staff had been spending much time providing information and assistance to interested individuals and organizations. He pointed out the proposed tenant assessments were based on the staff time expended since the ordinance was adopted. Mr. Murray Scharf, 106 Fontana Drive, appeared to express concern about tenants paying for any costs because the ordinance was developed due to the situation in which the tenants had been placed by the mobile home park owners. Mr. Scharf told the City Council the management of the mobile home parks should be assessed for the upkeep of the ordinance. Mr. Oscar Karrin, 3697 Orange Grove Avenue, appeared to mention the tenants were being taxed item while the City was spending money on more expensive projects. Mr. Karrin noted it was unfair for the tenants to pay for costs incurred by the mobile home park owners. Mr. Harry Spitz, 113 Arrowhead Circle, representing the Concerned Owners of

## EVENING SESSION

At 7:30 p.m., Council members John, Lopez, Maron, and Takasugi were present for the evening session of the City Council meeting. Councilman Kato was absent. Mayor Takasugi presided.

MR. C. LORBEER  
RE SECOND ST.  
VERSUS THIRD ST.  
F/REPLACEMENT  
BRIDGE  
F222

Mr. Carroll Lorbeer, 542 West Fifth Street, appeared and presented copies of an article printed in the Press-Courier on December 30, 1982, which contained a letter from Dr. Joseph Remenyi, P.E., in regard to the Third Street Bridge. Mr. Lorbeer discussed the advantages which would be gained should the City of Oxnard build a new bridge on Second Street versus the present location of the bridge on Third Street.

PUB. HRG. RE  
LOCATION & DESIGN  
FEATURES & EN-  
VIRONMENTAL  
EFFECTS OF THE  
REPLACEMENT OF  
WOOLEY RD.  
BRIDGE ACROSS  
EDISON CANAL;  
CONTD. TO  
1-18-83 AT  
7:30 P.M.  
F222

Mayor Takasugi opened the continued public hearing to consider the location and design features and environmental effects of the replacement of the Woolley Road Bridge across the Edison Canal. Mrs. Lillian E. Adkins, Deputy City Clerk reported there was an affidavit of publication on file and reported correspondence had been received; however, the person making the presentation would make this report. Mr. Matthew Winegar, Senior Planner, indicated the public hearing was to consider the environmental assessment negative declaration under the State environmental quality laws which consider the replacement of an existing substandard bridge which provided access across the Edison Canal for Woolley Road in the vicinity of Oxnard Shores neighborhood. The Senior Planner noted that in December 1981, the City Council authorized the Public Works Department to obligate available Federal bridge replacement funds for this particular bridge, and after obtaining the proper environmental documents and having made certain findings, the City could request reimbursement from up to eighty percent of the cost of the replacement bridge. The Senior Planner advised the reasons for the public hearing were to provide an opportunity for interested persons to provide input to insure that transportation decisions reflect and are consistent with Federal, State, and City goals and objectives; and also to consider the design and environmental features associated with the proposed replacement bridge. The Senior Planner advised that following this public hearing, the City Public Works Department would return to Council in two weeks with a review of this hearing, correspondence or issues that had been raised during the review period which would end January 14, 1983, that the City Council, after considering the environmental document, recommend to the appropriate agencies that a finding of no significant impact be made regarding the project. The Senior Planner advised copies of the document were available at the City Public Works Department, Planning Department, and the City Library and any interested persons were invited to make whatever comments they wished at this public hearing or in written form to the Public Works Director. The Senior Planner noted for the record that a letter had been received from Mr. Michael Metcalf (requesting action to insure permanent recreation area status for the Oxnard Shores beach area). The Senior Planner advised representatives of interested public agencies associated with the project, Mr. John Dickerson, project director under consultant contract to the City, and Mr. William (Bill) Miller, who was responsible for the preparation of the document, were present. Mr. Bill Miller appeared and indicated his firm, Environmental Science Consultants for the City of Oxnard and John Dickerson and Associates prepared the

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environmental assessment. Mr. Miller advised that the CalTrans Local Assistance Manual required approximately eight points to be read into the record as follows: "The hearing is being held for two purposes: First, to present studies to date on the location and design features of the proposed replacement of the unsafe wooden bridge now closed at Wooley Road across the Edison Canal. The second purpose is to provide a forum for public discussion of the major features, including social, economic and environmental effects of the proposal. The hearing is being held prior to making any commitment to the various alternatives presented here tonight. No studies or plans will be finalized until the complete public record has been analyzed, including data gathered at this hearing and received in response to the draft environmental assessment. Written statements and exhibits may be submitted for ten days after this hearing, that is through January 14th, 1983, as Mr. Winegar mentioned. Written material should be submitted to the Director of Public Works. After this hearing is completed and prior to requesting approval, all data gathered at this hearing or submitted for the record will be available for inspection and copying at the Department of Public Works. After the City of Oxnard has made its decision regarding the proposed replacement bridge, approval will be requested through CalTrans of the Federal Highway Administration for reimbursement under the Federal Bridge Replacement Program. Next item, project coordination features, alternatives and wetlands crossed by the project. Under this category, the local and State and Federal roles in developing the proposal. Project is eligible this fiscal year to receive eighty percent funding from the Federal Highway Bridge Replacement and Rehabilitation Program. In order to obligate these funds, the City of Oxnard must complete the following work items: Right-of-Way Acquisition, Utility Relocation, Approach Roadway, Removal of the Existing Bridge, Construction of the New Bridge, Mobilization, Preliminary Engineering, including Site Studies, Environmental Documents, and the following permits: U. S. Coast Guard, U. S. Division of Fish and Wildlife Resources, Army Corp of Engineers, State of California Fish and Game, State of California Coastal Commission, Southern California Edison Company, and a new one added by the State Clearinghouse recently, which is the Regional Water Quality Control Board. The next item: coordination and interaction today. Site studies on the environmental assessment have been completed. The environmental assessment has been reviewed and given staff approval by the City of Oxnard, by CalTrans, and by Federal Highway Administration for public review. Coordination is underway to secure the necessary permits just mentioned. The Federal and State agencies granting permits were contacted when the environmental studies began. We did include their primary concerns in the environmental assessment and on that reason, we believe that the permits will be issued on schedule. The major features of the proposal and alternatives thereto. The project as proposed would replace the bridge, which was closed in January 1978. The proposed replacement bridge is a cast in place clear span posttension concrete box girder structure to provide two traffic lanes and a bikeway and a sidewalk. The roadway of the bridge will be approximately five feet from above the elevation of the existing roadway approaches. Ramps will be constructed on each end of the bridge to taper from the forty foot wide span to the fifteen foot width of the existing unapproved surface of Wooley Road. The replacement bridge would provide one link toward the opening of Wooley Road between Victoria Avenue and Harbor Boulevard. Wooley Road is

specified by the Oxnard General Plan and the Land Use Element of the Local Coastal Plan approved by the access between the central and southwest areas of the City and also to provide coastal access. Next item, locational alternatives and the no project alternative will also preclude coastal access to beaches, recreation and direct access for farmers to agricultural fields. The deferment of the project until future years would incur the loss of Federal funds now earmarked for the project. The deferment would also incur the burdens of cost escalation. Next item, design alternatives are not warranted because the proposed project design would avoid significant impact on the environment." "Next item, location of any wetlands crossed by the project. The replacement bridge would cross the Edison Canal a manmade sealevel waterway constructed in 1958 to channel seawater from Channel Islands Harbor to the cooling water intake of the Edison's Mandalay electrical generation station. The Edison Canal is not identified as a wetland by the Land Use Element of the City's Local Coastal Plan (LCP). As previously mentioned, the California Coastal Commission has approved the Land Use Element. Anticipated environmental affects. No significant adverse environmental affects would result from the proposed project. The clearspan design of the bridge avoids disturbances to the bottom and banks of the Canal and change in Canal hydraulics; therefore, precluding requirements for dredging. Some minor disturbance of the Canal bottom will occur when the existing piles are removed. A silt curtain will be installed across the Canal to contain sediment and debris during pile removal. During construction, sediment catch basins and siltation fences will be erected. Further, we will erect physical barriers in place to limit the earthmoving equipment from accidentally pushing soil into the Canal. These design and construction mitigation measures will minimize impacts on marine biota in the Canal and limit effects to the bridge site itself. The effects of increased traffic on Woolley Road were projected through 1990. Air quality effects will not exceed State and Federal standards. Noise levels will not be excessive except in the land parcel north of Woolley Road, south of the Dunes housing tract, and between the Canal and Harbor Boulevard." "Normal accoustical construction and materials required by the City will mitigate noise levels to meet State and Federal standards for housing that may be built on this parcel. Of course, this includes double glazing, construction standards for walls and insulation, and also sound barrier walls or a combination of these is what the City normally requires. The proposed replacement bridge would have a number of beneficial impacts including the following: Improved coastal access and direct access from the Central City, traffic on other east/west routes would be reduced. The direct route will save fuel and reduce air pollution. Direct access to agricultural fields will be reestablished. The project will provide an improved drain on the east bank of the Canal which will reduce siltation of the Canal due to run-off from the adjacent farmland. The safety hazard and unsightly appearance of the existing bridge would be removed, along with the City's liability in the event of an accident. The City and regional area would benefit during the construction phase by increased employment, and benefit from the sale of construction materials in resulting sales tax." "The project would receive eighty percent funding from the Federal government. Next item, feasibility of providing a means of public access for navigation in the Edison Canal at the bridge site. The Edison Canal is a navigatable river under the CalTrans definition. That is any body of water that requires a Coast Guard permit. Of course, we

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have to since it does have access to the harbor and to the open ocean. Edison and their agreement with the City concerning the bridge right-of-way will require a barricade across the Canal to keep public boat traffic from reaching the bridge site. In addition, a screen will be required to prevent trash and debris from future development south of Wooley Road from entering the cooling water intake of the Mandalay plant. The only boat traffic authorized in the Canal at the bridge site will be the Edison Canal service boat and the City of Oxnard boats to remove trash and debris from the stream and also to maintain and paint the bridge and so forth. The next item, tentative right-of-way requirements and relocation of families and businesses." "The right-of-way acquisition will be completed prior to commencement of construction. No families or businesses will be affected by the right-of-way requirements; therefore, there will be no need for relocation assistance. The tentative time schedule for construction. The construction phase of the project is expected to be completed during a period of six months. There are no significant environmental affects that may delay the schedule. The adverse affects of siltation of the Edison Canal would be minimized by scheduling construction during the dry season of the year. That is at a time to avoid the reproductive periods of the birds and fish. The existing bridge is a Cliff Swallow habitat and the marine biota, of course, involved in there too. So the late summer through early winter appears to be the least disruptive for these species. The project is on schedule and the bridge replacement could be approved by the Federal Highway Administration (FHWA) to allow commencement of construction at the optimum time which is late summer, 1983. Last required item - action by the City subsequent to the public hearing. When this hearing is completed, the public will be afforded a ten-day period to review documents on the project and submit written statements and exhibits which will become part of the record submitted to CalTrans and the Federal Highway Administration. The ten day period will be completed on January 14th. The City staff will then review all documents received and present the results to the City Council on January 18th, the next meeting date. FHWA and CalTrans desire that the City Council recommend a finding of no significant impact on the environmental assessment if such a recommendation is appropriate and substantiated by documentation of the public review phase. This hearing should, therefore, be continued until January 18, 1983. This concludes the formal presentation required by CalTrans..." The Senior Planner indicated a transcript would be made from the tape recording of this public hearing. Councilwoman Maron moved that the public hearing be continued to Tuesday, January 18th, 1983, at 7:30 p.m. Councilman John seconded - motion carried unanimously with Councilman Kato absent.

ADOPTED RES. NO.  
NO. 8450, APPRV.  
FINAL PARCEL MAP  
NO. 81-2 REVER-  
SION TO ACREAGE  
FILED BY C. B.  
LUNSFORD.  
F89

Mayor Takasugi opened the public hearing to consider Parcel Map No. 81-2 (Reversion to acreage), to combine seven lots into one parcel, located at 1000 South Oxnard Boulevard, filed by Charles B. Lunsford. The Deputy City Clerk presented affidavits of publication and mailing and reported no written communications. Mr. Matthew Winegar, Senior Planner, reviewed the request, indicated the there were no conditions associated with the facilities, and the conversion of these lots into one parcel would provide services to the property in an easier manner. Councilwoman Maron moved that the public hearing be closed. Councilman John seconded - motion carried unanimously with Councilman Kato absent. Councilman Lopez

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Parcel A to include 12.5 feet to the south to be secured through an arbitration proceeding acceptable to both parties within 60 days; and if the property was not acquired within 60 days, the parcel map would be approved as submitted by the applicant. Councilman Kato seconded - motion carried by the following vote: Ayes: Council members John, Kato, Maron, and Takasugi. Noes: None. Absent: Councilman Lopez.

PUB. HRG. RE  
ENVIRONMENTAL  
ASSESSMENT F/  
WOOLEY RD. BRIDGE  
ACROSS EDISON  
CANAL PROJ.  
F222

Mayor Takasugi opened the continued public hearing to consider the environmental assessment for Wooley Road Bridge across the Edison Canal Project. The City Clerk reported no written communications. The Senior Planner reviewed the memorandum from the Public Works Director and Interim Planning Director dated January 12, 1983. He presented two letters for Mayor Takasugi's signature to the Department of Transportation and Federal Highway Administration and the attachments. Councilman John moved the public hearing be closed. Councilman Kato seconded - motion carried unanimously with Councilman Lopez absent. Councilman Kato moved approval of: (1) A Finding of No Significant Impact on the environmental assessment of the Wooley Road Bridge Project; and (2) Authorizing staff to take appropriate steps to request the Federal Highway Administration for reimbursement under the Federal Bridge Replacement Program. Councilwoman Maron seconded - motion carried unanimously with Councilman Lopez absent.

ADJOURNMENT

At 9:05 p.m., Councilwoman Maron moved the meeting adjourn. Councilman Kato seconded - motion carried unanimously with Councilman Lopez absent.

  
WAO TAKASUGI  
Mayor

  
MABI COVARRUBIAS  
City Clerk

April 5, 1983

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ADOPTED RES. NO.  
8480, APPRV.  
TRANSFER OF LA  
PLAYA CABLE, INC.,  
FRANCHISE  
F507

Report from the City Attorney dated March 29, 1983, relating to the transfer of La Playa Cable, Inc., to Jones Intercable, Inc., (D. 2), and recommending the City Council adopt RESOLUTION NO. 8480, approving the transfer of La Playa Cable, Inc., franchise.

FIRST READING OF  
ORD. NO. 1961,  
AMENDING AGE  
RESTRICTION IN  
ARCADE REGS.  
F474

Report from the City Attorney dated March 28, 1983, concerning amendment to arcade ordinance. Councilman Kato moved that Ordinance No. 1961, amending age restriction in arcade regulations, be read by title only and that further reading of the body of the ordinance be waived. Councilman John seconded - motion carried unanimously. Councilman Kato offered ORDINANCE NO. 1961 for first reading. Councilman John seconded - motion carried unanimously.

#### CITY MANAGER'S OFFICE ITEM:

RPT. RE CDBG  
PROCESS RECD. AS  
INFO. & DIR. STAFF  
TO PROCEED TO  
PREPARE GRANT  
AWARD INFO.  
F652

Report from the Senior Management Analyst (Johnduff) dated March 29, 1983, relating to the Community Development Block Grant (CDBG) process, and recommending the City Council: (1) Receive the report as information, and (2) Direct staff to proceed to prepare the required grant award information as outlined in the report.

#### PARKS AND RECREATION DEPARTMENT ITEM:

ADOPTED RES. NO.  
8481, APPRV. APPL.  
F/ LAND & WATER  
CONSERVATION FUNDS  
F/ COLLEGE ESTS.  
PK. PROJ.  
F736

Report from the Parks and Recreation Director dated March 24, 1983, relative to the 1983 Land and Water Conservation Grant application for the College Estates Neighborhood Park, and recommending the City Council adopt RESOLUTION NO. 8481, approving the application for Land and Water Conservation Funds for the College Estates Park project.

#### PLANNING DEPARTMENT ITEM:

ADOPTED ORD. NO.  
1960, AMENDING  
REGS. F/ INLAND  
WATERWAY  
F474, F240

Councilman Kato moved that Ordinance No. 1960, amending regulations for inland waterway, be read by title only and that further reading of the body of the ordinance be waived. Councilman John seconded - motion carried unanimously. Councilman Kato offered ORDINANCE NO. 1960 for adoption. Councilman John seconded - motion carried by the following vote: Ayes: Council members John, Kato, Lopez, Maron, and Takasugi. Noes: None. Absent: None.

#### PUBLIC WORKS DEPARTMENT ITEMS:

APPRV. SELECTION  
OF MOFFATT &  
NICHOL F/ PROF.  
MARINE ENG. SERVS.  
RE MANDALAY BAY  
WATERWAYS DREDGING  
PROJ. & AUTH. USE  
OF FUNDS F/  
CONSULTING WK. NOT  
TO EXCEED \$26,525  
F729

Report from the Public Works Director dated March 30, 1983, regarding the selection of a consultant for the Mandalay Bay Waterways Dredging project, and recommending the City Council: (1) Approve the selection of Moffatt and Nichol for professional marine engineering services, and (2) Authorize use of funds for consulting work from the Waterways Maintenance Service-General Contractual-External Account, not to exceed \$26,525.00.



July 12, 1983

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CITY CLERK'S OFFICE ITEM:

APPRV. MINUTES

Minutes of the City Council meeting of June 14, 1983.

FINANCE DEPARTMENT ITEM:

ADOPTED RES. NO.  
8528, DLG. W/  
ADMIN. OF BID  
PROCESS & AWARD  
CONTRACT F/  
CONSTRUCTION  
F231

Report from the Finance and Management Services Director dated 7-8-83, regarding accepting City designation as agent of the City of Oxnard Public Facilities Corporation in receiving and approving bids for the golf course, and recommending the City Council adopt RESOLUTION NO. 8528, dealing with the administration of the bid process and awarding contract for construction.

PUBLIC WORKS DEPARTMENT ITEM:

APPRV. AGREE.  
W/ BOYLE  
F/ PROF. ENGIN-  
EERING SERVICES  
F256A

Report dated July 7, 1983, from the Public Works Director relating to an agreement for professional engineering services in connection with the Oxnard Storm Drain Project, and recommending the City Council approve an agreement with Boyle Engineering Corporation in an amount not to exceed \$9,500.00.

APPRV. SPECIAL  
BUDGET APPROP.  
of \$3,500 F/  
COMPLETED WK.  
DURING 1979 RE  
VENTURA SCHOOL  
WATER MAIN PROJ.  
Subject

Report dated July 1, 1983, from the Public Works Director regarding the Ventura School Water Main Project, and recommending the City Council approve a special budget appropriation in the amount of \$3,500.00 from Account No. 590-ZLA03 (Water Fund/Springville Reservoir) to Account No. 590-ZMH04 (Water Fund/12 inch. line Ventura Girls School) for completed work during 1979 by James Montgomery Consulting Engineers, Inc.

APPRV. AGREE-  
MENT W/ MOFFATT &  
NICHOL, ENGRS. RE  
PROF. MARINE ENG.  
SERVS. OF  
MANDALAY BAY  
DREDGING PROJ.  
F729

Report dated July 6, 1983, from the Public Works Director relative to an agreement for professional marine engineering services in connection with the Mandalay Bay Dredging Project, and recommending the City Council approve an agreement with Moffatt and Nichol, Engineers at a cost not to exceed \$25,695.00.

PURCHASING DIVISION ITEM:

APPRV. REJECT OF  
SINGLE BID &  
AUTH. REBID RE  
SEALING AND  
RESTRIPING OF  
PARKING LOTS/  
F231  
82-PR-9

Report dated June 27, 1983, from the Finance and Management Services Director regarding sealing and restriping of parking lots at Multi-Service Center, Project Specification No. 82-PR-9 and recommending the City Council approve the rejection of the single bid received and authorize rebid of project.

RECESS

At 2:35 p.m., Council recessed. At 2:46 p.m., Council reconvened.

RECESS TO HOLD  
REG. REDEV. AGCY.  
MTG.

At 2:46 p.m., Council recessed in order to hold the regular meeting of the Oxnard Redevelopment Agency. At 3:01 p.m., Council reconvened.

October 23, 1984

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PARKS AND RECREATION DEPARTMENT ITEM:

ADOPTED RES. NO.  
8734, APPRV.  
APPL. F/ GRANT  
FUNDS UNDER REG.  
COMPETITIVE PROG.  
OF CA PK. & REC.  
FACILITIES ACT OF  
1984 F/ SEA AIR PK.  
F736, F709

Report from the Parks and Recreation Director dated October 16, 1984, relating to the 1984 Bond Act Application for Sea Air Neighborhood Park, and recommending the City Council adopt RESOLUTION NO. 8734, approving the application for grant funds under the Regional Competitive Program of the California Park and Recreational Facilities Act of 1984 for Sea Air Park.

PUBLIC WORKS DEPARTMENT ITEMS:

WAIVED FORMAL BID  
PROCEDURES & AUTH.  
ISSUANCE OF  
PURCHASE ORDER TO  
LOW BIDDER RE  
REPAIRS TO SEAWALL  
AT MANDALAY BAY  
F231, F709

Report from the Acting Public Works Director dated October 17, 1984, relative to repairs to the seawall at Mandalay Bay, and recommending that City Council waive the formal bid procedures and authorize the Purchasing Agent to issue a purchase order to the low bidder.

APPRV. & AUTH.  
EXECUTION OF  
QUITCLAIM DEED OF  
UNNECESSARY SEWER  
EASEMENT & RIGHT-  
OF-WAY ALONG  
FUTURE PATTERSON  
AVE. EXT.  
F97

Report from the Acting Public Works Director dated October 12, 1984, regarding a quitclaim of unnecessary sewer easement and right-of-way along the future Patterson Avenue extension, and recommending the City Council approve and authorize the Mayor to execute a quitclaim deed.

PURCHASING DIVISION ITEM:

APPRV. PROJ.  
SPEC. NO. PR84-7,  
HARBOR BLVD.  
MEDIANS -  
EASTBOURNE BAY TO  
CHANNEL ISLS.  
BLVD., & AUTH.  
ADVERTISING F/  
BIDS; & APPRV.  
SPECIAL BUDGET  
APPROP. OF \$36,500  
F231

Report from the Parks and Recreation Director dated September 27, 1984, concerning the Harbor Boulevard Medians - Eastbourne Bay to Channel Islands Boulevard, Project Specification No. PR84-7, and recommending the City Council approve: (1) Project Specification No. PR84-7 and authorize advertising for bids to be opened December 6, 1984; and (2) Special budget appropriation in the amount of \$36,500 from Account No. 381-70600 (Capital Outlay/Fund Balance) to Account No. 381-404-ZJ-M020 (Capital Outlay/Harbor Medians).

RECESS

At 2:25 p.m., Council recessed. At 2:38 p.m., Council reconvened.

PRES. OF QUARTERLY  
RPT. OF ECONOMIC  
DEV. ADVISORY  
COMM.  
F751

Mr. Ralph Schumacher, Chairman of the Economic Development Advisory Commission, appeared and informed the City Council he would be providing a quarterly report. Mr. Schumacher told the City Council a Transportation Subcommittee had been formed, and they would be preparing a report for the Commission and City Council soon. Mr. Schumacher indicated Urban Development Action Grant (UDAG) monies were approved, but the Del Manufacturing Co. and Ransco Industries projects were not funded. He mentioned the Revolving Loan Program had been established. He stated that Ransco Industries had requested industrial development bonds. He noted the Board of Supervisors approved the formation of the task force to be formed by the Ventura County Economic Development Association (VCEDA) regarding the Air

OXNARD CITY COUNCIL  
Regular Meeting  
February 5, 1985

## ROLL CALL

At 1:43 p.m., the regular meeting of the City Council convened in the Council Chambers. Council members Lopez, Maron, Plisky, and Takasugi were present. Mayor Takasugi presided; and the meeting opened with a pledge of allegiance to the flag of the United States and a moment of silence.

MAYOR TAKASUGI  
PRES. PROCLAMATION  
DESIGNATING FEB.  
10-16, 1985, AS  
"U. S. JAYCEES  
WOMEN'S WK."  
F206

Mayor Takasugi welcomed Ms. Debra Stowe, representing the Oxnard Jaycees, and presented her with a proclamation designating February 10-16, 1985, as "U. S. Jaycees Women's Week. Ms. Stowe thanked the City Council and public for the support given to their endeavors.

MAYOR TAKASUGI  
PRES. PROCLAMATION  
DESIGNATING FEB.,  
1985, AS "HEART  
MO."  
F206

Mayor Takasugi also welcomed Mr. Hal Monroe, representing the Ventura County Chapter of the American Heart Association, and presented him with a proclamation designating February, 1985, as "Heart Month." Mr. Monroe thanked the City Council and our residents for supporting their fund raising drive.

MAYOR TAKASUGI  
PRES. MRS. J. GOOD  
W/ COMMENDATION F/  
CONTRIBUTIONS IN  
PROVIDING MEDIA  
COVERAGE OF CITY  
ACTIVITIES  
F144

Mayor Takasugi additionally welcomed Mrs. Jeanne Good and presented her with a commendation for her contributions in providing media coverage of City activities. Mayor Takasugi noted Mrs. Good conducted the "Let's Talk" and "Telephone Connection" programs. Mrs. Good thanked the City Council, and she indicated their theme related to the more people knew, the better it would work.

MS. M. WALLING RE  
MANDALAY BAY  
RESIDENTIAL  
PROBLEMS  
F729

Ms. Melinda Walling, 4534 Lyme Bay, appeared and presented a copy of her letter dated February 4, 1985, concerning the class action lawsuit between certain Mandalay Bay homeowners and City of Oxnard. Ms. Walling mentioned no new weep holes had been installed at the homes on Lyme Bay. Ms. Walling pointed out there was new seepage under 4540 and 4534 Lyme Bay. Additionally, Ms. Walling told the City Council there was new erosion and water seepage through the seawall at 2240 Harbor Boulevard. Councilman Lopez moved the matter be referred to staff for a report and recommendation. Councilman Plisky seconded - motion carried unanimously.

MR. O. KARRIN RE  
TOUR OF WASTEWATER  
TREATMENT PLANT &  
ASSISTING SR.  
CITIZENS  
F215, F691

Mr. Oscar Karrin, 3697 Orange Grove Avenue, appeared and thanked the Assistant Public Works Director for the tour of the Wastewater Treatment Plant. Mr. Karrin told the City Council he was assisting Mr. Tony Lamb relative to senior citizen needs, and he stated people could contact him.

MS. S. ROSALES RE  
REQUEST IN  
OFFSETTING HER  
COSTS TO PLAY IN  
SOCCER TOURNAMENT  
F189

Mr. Elizar Hernandez, 2120 North H Street, appeared and introduced Ms. Sonia Rosales, 130 Lupita Street, who described her involvement and participation in the sport of soccer. Ms. Rosales requested the City's assistance in offsetting her costs of \$2,500 to play in a tournament in Australia and New Zealand. Mayor Takasugi stated the City was not able to subsidize such a request, however, there might be a service organization who could help her.

April 23, 1985

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MRS. J. HARRIS RE THANKS F/ COOPERATION & USE OF AUDITORIUM F144 Mrs. Jean Harris 4504 Gateshead Bay, representing the Oxnard Elementary School District, appeared and thanked the City Council for the cooperation and use of the Auditorium for educational and cultural purposes.

MR. E. HERNANDEZ RE INFO. SYSTEMS MASTER PLAN F721 Mr. Elizar Hernandez, 2120 North H Street, appeared relative to the report from the Interim City Manager and Finance and Management Services Director dated April 17, 1985, concerning the Information Systems Master Plan - 1985-1990. Mr. Hernandez noted he did not understand how the City had been able to perform its financial services without proper equipment and personnel. Mr. Hernandez stated the City needed a computer expert. He pointed out this matter was a priority.

RPT. PRES. RE ALC. BEVERAGE LICENSE APPL. AT 1861 N. VENTURA RD., FILED BY JUST GAS, INC. F199 Mr. Matthew G. Winegar, Principal Planner, informed the City Council that the alcoholic beverage license application for Texaco, 1861 North Ventura Road, filed by Just Gas, Inc., President/Treasurer Michael Goldberg, was for an off sale beer and wine license not an on sale beer and wine license.

RPT. PRES. RE BIKE FACILITY FUNDING PROP. F589 With respect to the report from the Acting Public Works Director dated April 15, 1985, regarding the bicycle facility funding proposal, Mr. Vic Kamhi, Associate Transportation Planner, indicated the right-of-way acquisitions were for street dedication purposes which included the bike paths. The Associate Transportation Planner noted that all grants require an accounting and audit report. He stated that Gonzales Road was being given priority because it was considered an important link in the master plan. He mentioned there were areas where the costs would not merit applying for and administering the grant. The Associate Transportation Planner advised the City Council that staff would reword the letter to the Ventura County Association of Governments (VCAG) to make the statement about matching funds more positive.

RPT. PRES. RE ADDNL. RESIDENTIAL REPAIRS AT MANDALAY BAY F729, F231 Relative to the report from the Acting Public Works Director dated April 16, 1985, concerning the additional residential repairs at Mandalay Bay, Mr. James E. Frandsen, Interim City Manager, indicated the monies for the project were derived from the settlement of a lawsuit on the failures of the development at Mandalay Bay. Mr. K. Duane Lyders, City Attorney, indicated the City was a party to the lawsuit because it was the authorizing agency, and that the City's share of the settlement was \$750,000.

RPT. PRES. RE TENNIS PRO SHOP CONSTR., PROJ. SPEC. NO. PR84-11 F231 Concerning the report from the Finance and Management Services Director dated April 15, 1985, regarding the Tennis Pro Shop Construction, Project Specification No. PR84-11, the Parks and Recreation Director indicated the project estimate provided by the architectural firm hired by the City was not completely accurate. He mentioned that these type of facilities were very expensive. He pointed out that staff worked with the architect to maximize the use of the facility. He told the City Council that the Parks and Recreation Commission suggested an increase in the size of the building which was not totally accounted for in the estimate by the architectural firm. The Parks and Recreation Director

June 4, 1985

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bring conventions and conferences to Oxnard. Mr. Bill Melty, KTIE Chief Engineer, 500 Esplanade Drive, appeared and stated there would be no conflict between their programming and the City's proposal. Mr. Roy Lockwood, P. O. Box 1306, appeared and noted the proposal was ridiculous. Mr. Lockwood pointed out there were better ways to spend the money. Mr. Murray Scharf, 103 Fontana, appeared and said it would be a waste of time in so far as their mobile home park was concerned because they could not receive all the channels. Mr. Scharf indicated that only 20% of the tenants subscribed to cable services. Mr. Elizar Hernandez 2120 North H Street, appeared and mentioned he was not in favor of the project. Mr. Hernandez questioned the benefits to the City. Mr. Oscar Karrin, 3697 Orange Grove Avenue, appeared and stated he believed KTIE would be the answer to informing the residents about City programs. Councilman Plisky moved to abandon the video master plan program entirely, that these monies be set aside for disposition during the budget process, and that this program not be implemented in any way. Councilwoman Johns seconded - motion carried unanimously.

RECESS

At 3:10 p.m., Council recessed. At 3:20 p.m., Council reconvened.

RECESS TO HOLD

At 3:20 p.m., Council recessed in order to hold the regular meeting of the Redevelopment Agency. At 3:31 p.m., Council reconvened.

RPT PRES. RE  
1980 FEMA GRANT  
AUDIT  
F736, F561

Mr. W. E. Yates, Finance and Management Services Director, made reference to the memorandum dated May 24, 1985, regarding the 1980 FEMA grant audit. The Finance and Management Services Director informed the City Council the dredging costs were disallowed entirely by the State Controller's Office, Division of Audits, because it was determined the work would have been performed as it was normal silting. He advised the City Council that Oxnard was requested to pay back the total amount. He referred to the report from the State Controller's Office dated December 21, 1984, and he summarized the findings. The Finance and Management Services Director told the City Council that the Waterways Maintenance District budget was currently in progress, and that this issue would be addressed for inclusion in this or next year's budget. He said these type of costs would be considered in setting the assessment amount. He stated the City received the funding based on a damage survey; however, the conditions changed the silt by the time the work was done, and it was felt by the State Controller's Office that normal dredging was done in the removal of the silt and not part of the storm damage. The Finance and Management Services Director advised the City Council an appeal would be filed, but there was not much hope in getting the money back. Councilman Plisky moved approval of a special budget appropriation in the amount of \$105,185 from Account No. 001-901-0A-390A (General Fund/Non-Departmental Appropriated Reserve) to Account No. 001-901-0A-234B (General Fund/Non-Departmental Prior Year Adjustment) to repay disallowed costs identified in the 1980 FEMA grant audit. Councilman Lopez seconded - motion carried unanimously. The Finance and Management Services Director described the staffing efforts in managing grants and projects which were greatly paying

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off

RPT. PRES. RE  
RIVER RIDGE GOLF  
COURSE  
F283

The Parks and Recreation Director presented his memorandum dated May 31, 1985, relating to the financial outlook of the River Ridge Golf Course. He informed the City Council that construction of the clubhouse commenced on Monday with a 200-day development schedule. He reviewed the total monies available for the River Ridge Golf Course project; Table A, proceeds from bond sale; Table B, increased funding; Table C, available funding; original budget for the golf course project; Table D, adjusted budget; remaining funds to complete the project; Table E expenditures/encumbrances; planned use of the remaining funds for clubhouse construction, equipment/maintenance, golf carts, and contingency; and Exhibit A, financial outlook report. The Parks and Recreation Director advised the City Council that if the Calleguas refund was not received, then some of the items could be deferred and other items could be done if a loan was made by the City to the golf course enterprise fund to be repaid within a certain time. He referred to Exhibit B, reflecting the number, description, and amount of change orders. He explained the landfill closure costs. Councilwoman Maron moved that this accounting report format be used as a prototype for City projects. Councilman Plisky seconded - motion carried unanimously.

CLOSED SESSION  
F202

At 4:42 p.m., Council went into closed session to consider salary negotiations. At 6 p.m., Council reconvened.

RECESS TO EVENING  
SESSION

At 6 p.m., Council concurred to recess to the evening session

EVENING SESSION

At 7:40 p.m., Council members Johs, Lopez, Maron, Plisky, and Takasugi were present. Mayor Takasugi presided and called the meeting to order.

MR. R BRANSON RE  
REFUSE COLLECTION  
SYSTEM, AVAILABIL-  
ITY OF COUNCIL  
MEMBERS, &  
CHANGING THE CITY  
NAME  
F276

Mr. Raymond Branson, 4510 South B Street, appeared and indicated he supported the refuse collection system, but he opposed having another truck follow. Also, Mr. Branson complimented Council members for making themselves available to the public. Additionally, Mr. Branson said he was opposed to changing the name of the City because of the investment and cost. Mr. John Zaragoza, Refuse Superintendent, indicated there was a scrub crew that followed to handle the excess refuse. The Refuse Superintendent mentioned that if a family had more than an average amount of refuse, they could request an additional can for \$1.50. He described the reduction of refuse trucks and routes under the new system.

ADOPTED RES. NO.  
8834, APPRV. CITY  
WATER, WASTEWATER,  
& REFUSE UTILITY  
OPERATING BUDGETS  
F/ FY 1985-86  
F150

ADOPTED RES. NO.  
8835, ADJUSTING

Mayor Takasugi opened the public hearing to consider the 1985-86 utility budgets and and user rate adjustments. Miss Mabi Covarrubias, City Clerk, presented an affidavit of publication and reported no written communications. The Interim City Manager made reference to his memorandum dated May 29, 1985. The Acting Public Works Director referred to the May 7 budget study session on the utility budgets and user rate adjustments. Mr. Andy Belknap, Management Analyst, referred to the utility fund budgets

OXNARD CITY COUNCIL  
Regular Meeting  
June 25, 1985

ROLL CALL

At 1:40 p.m., the regular meeting of the City Council convened in the Council Chambers. Council members Johs, Lopez, Maron, Plisky, and Takasugi were present. Mayor Takasugi presided; and the meeting opened with a pledge of allegiance to the flag of the United States.

MR. E. HERNANDEZ  
RE EXPANDED AIR-  
PORT LEVEL OF  
SERV., & CONV. &  
VISITORS BUREAU  
BUDGET  
F91

Mr. Elizar Hernandez, 2120 North H Street, appeared and indicated he supported an expanded airport level of service. Also, Mr. Hernandez mentioned the Oxnard Convention and Visitors Bureau budget should not be funded in order to bring additional people to Oxnard because there was already too much traffic.

MR. C. LORBEER RE  
EXPANDED AIRPORT  
LEVEL OF SERV.  
F91

Mr. Carroll Lorbeer, 542 West Fifth Street, appeared and noted he favored an airport Level of Service II. Mr. Lorbeer pointed out it would be in the best interests of business and tourism. Mr. Lorbeer said the airport could handle airport Level of Service II, but it was not authorized to do so.

MR. R. WALDO RE  
WATERWAY MAINTEN-  
ANCE ASSESSMENT  
DIST. BUDGET F/  
1985-86  
F561

Mr. Robert Waldo, 450 Rosewood Avenue, Camarillo, representing the Channel Islands Waterfront Homeowners Association, appeared and referred to the report from the Acting Public Works Director and Parks and Recreation Director dated June 14, 1985, relating to the Waterway Maintenance Assessment District budget for 1985-86 and the waterway dredging project for 1984-85. Mr. Waldo commented on the sources of silt and the distribution of dredging costs equitably. Mr. Waldo told the City Council it was unfair to impose the entire dredging costs on the homeowners as they were not totally responsible. Mr. Waldo referred to the letter from the Southwest Area 5 and Channel Islands Waterfront Homeowners Association dated May 23, 1985.

MR. J. RUSCIO RE  
AIRPORT LOCATION  
F91

Mr. Joe Ruscio, 3711 Via Marina Avenue, appeared and presented Mayor Takasugi with a gift from the Mayor of Erie, Pennsylvania. Mr. Ruscio stated that before the City proceeded with consideration of the proper location of the airport, the City should carefully study the matter rather than forcing it on the people.

MR. O. KARRIN RE  
MONIES F/ DEV.  
AGREEMENT W/  
STRATHMORE HOMES  
RE GOLF COURSE  
PROJ. BONDS  
F283

Mr. Oscar Karrin, 3697 Orange Grove Avenue, appeared and presented a page from the development agreement between the City and Strathmore Homes. Mr. Karrin asked whether the developer would be paying the \$6,146,786 for the golf course project bonds. Mr. W. E. Yates, Finance and Management Services Director, informed the City Council the money from Strathmore Homes would be used to make the payment on the bonds.

RPT. PRES. RE  
SPECIAL BUDGET  
APPROP. RE CDBG  
F652

With respect to the report from the report from the Finance and Management Services Director dated June 17, 1985, concerning special budget appropriations related to the Community Development Block Grant (CDBG), Ms. Billie Golden, Financial Services Officer, advised the City Council that the Department of Housing and Urban Development (HUD) ruled that economic development was an

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administrative function rather than a project as interpreted by staff. The Financial Services Officer indicated there was a limit on administrative costs which had been reached already. She mentioned that the problem had been corrected for the future.

RPT. RE WATERWAY  
MAINTENANCE  
ASSESSMENT DIST.  
BUDGET F/ 1985-86  
& WATERWAY  
DREDGING PROJ. F/  
1984-85  
F561  
8-27-85

Minute correction:  
"dredging" rather  
than "landscaping  
maintenance," and  
"dredging" rather  
than "landscaping."

Regarding the report from the Acting Public Works Director and Parks and Recreation Director dated June 14, 1985, relative to the Waterway Maintenance Assessment District budget for 1985-86 and waterway dredging project for 1984-85, Mr. James E. Frandsen, Interim City Manager, noted that staff met with the homeowners association yesterday, and he presented a revised memorandum from the Acting Public Works Director dated June 25, 1985. Mr. David Bailey, Management Analyst, pointed out the homeowners association supported the development of a ~~landscaping-maintenance~~ program but would like to have further discussions before the amounts appeared in the budget. The Management Analyst stated the work would be postponed pending resolution of the landscaping concerns. Mr. K. Duane Lyders, City Attorney, informed the City Council that the Waterway Maintenance Assessment District was aware of the silting problem and wanted the responsible parties to pay for the costs. The City Attorney indicated the City could accept the revisions or approve the originally proposed budget. Mr. Benjamin Y. Wong, Acting Public Works Director, said that once the area was developed, it would address most of the silting problem, however, there would still be some silting from the storm drains.

APPRV. INFO./  
CONSENT AGENDA  
ITEMS

Councilwoman Maron moved approval of the Information/Consent Agenda Items as recommended. Councilman Plisky seconded - motion carried by the following vote: Ayes: Council members Johns, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.

The Information/Consent Agenda Items were the following:

CITY ATTORNEY OFFICE ITEMS:

NO PROTEST OF ALC.  
BEVERAGE LICENSE  
AT 527 S. A ST.,  
FILED BY R. & R.  
CHAVEZ  
F199

Alcoholic beverage license application for Rene's, 527 South A Street, for on sale beer and wine, eating place license, filed by Rene and Rosalie D. Chavez.

PROTEST ALC.  
BEVERAGE LICENSE  
APPL. AT 216-218  
W. FIFTH ST.,  
FILED BY F. & M.  
MARQUEZ  
F148

Alcoholic beverage license application for La Rancherita, 216-218 West Fifth Street, for off sale beer and wine license, filed by Francisco and Maria De La Luz Marquez.

CITY CLERK'S OFFICE ITEM:

APPRV. MINUTES

Minutes of the meeting of June 8, 1985.



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FINANCE AND MANAGEMENT SERVICES DEPARTMENT ITEM:

RECD. RPT. RE  
MOBILE HOME PK.  
RENT REVIEW BD.  
ACTIVITIES  
F148

Report from the Finance and Management Services Director dated June 17, 1985, regarding the Mobile Home Park Rent Review Board activities for fiscal year 1984-85, and recommending the City Council receipt the report.

APPRV. SPECIAL  
BUDGET APPROP. OF  
\$61,730 RE CDBG RE  
ECONOMIC DEV.  
PROG.  
F652, F751

Report from the Finance and Management Services Director dated June 17, 1985, relating to special budget appropriations related to Community Development Block Grant (CDBG) regarding the Economic Development Program, and recommending the City Council approve special budget appropriations in the amount of \$61,730 from Account No. 202-401-ZA-1010-00000 (CDBG 1981-82/South Oxnard Center) to Account Nos. 202-020-PA-0000-00000 (CDBG 1981-82/CDBG General Administration), 202-110-PD-0000-00000 (CDBG 1981-82/Environmental Review and Monitoring), and 202-020-PC-0000-00000 (CDBG 1981-82/CDBG Citizen Involvement); and from Account No. 203-401-ZA-1010-00000 (CDBG 1982-83/South Oxnard Center) to Account Nos. 203-020-PA-0000-00000 (CDBG 1982-83/CDBG General Administration), 203-110-PD-0000-00000 (CDBG 1982-83/Environmental Review and Monitoring), 203-020-PC-0000-00000 (CDBG 1982-83/CDBG Citizen Involvement).

PARKS AND RECREATION DEPARTMENT ITEM:

APPRV. AGREEMENT  
W/ PUB. SOCIAL  
SERV. AGCY.,  
NUTRITION PROG.  
F691

Report from the Parks and Recreation Director dated June 13, 1985, concerning an agreement with the Ventura County Public Social Service Agency (PSSA), Nutrition Program, and recommending the City Council approve the agreement.

PUBLIC WORKS DEPARTMENT ITEMS:

ADOPTED RES. NO.  
8847, FIXING  
ASSESSMENTS ON  
PROPERTY IN  
WATERWAY MAINTENANCE  
ASSESSMENT  
DIST. F/ FY 1985-  
86; & APPRV.  
SPECIAL BUDGET  
APPROP. OF  
\$200,000  
F561

Report from the Acting Public Works Director and Parks and Recreation Director dated June 14, 1985, regarding the Waterway Maintenance Assessment District budget and Waterway Dredging Project, and recommending the City Council adopt RESOLUTION NO. 8847, fixing the assessments on property in the Waterway Maintenance Assessment District for the fiscal year 1985-86; and (2) Approve a special budget appropriation in the amount of \$200,000 from Account No. 425-302-JQ-0000-00000-309B (Waterway Maintenance Assessment District/Contingency Reserve) to Account No. 425-302-JQ-0000-00000-277A (Waterway Maintenance Assessment District/Services-General Contractual-External).

APPRV. SPECIAL  
BUDGET APPROP. OF  
\$180,000 RE STORM  
DRAIN FUND ADJUST-  
MENT & ASSOC.  
ADJUSTMENTS TO J  
ST. DRAIN PROJ.  
BUDGET  
F256

Report from the Acting Public Works Director and Finance and Management Services Director dated June 17, 1985, relative to a storm drain fund adjustment and associated adjustments to J Street Drain Project budget, and recommending the City Council approve a special budget appropriation in the amount of \$180,000 from Account No. 014-302-ZG-M010 (Storm Drain Fund/J Street Drain Project) to Account No. 014-70101 (Storm Drain Fund/Fund Balance).

September 3, 1985

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RPT. PRES. RE  
REPLACEMENT OF  
SEWER LIFT ST. 4  
& 6, GRAVITY LINES  
& FORCE MAINS,  
PROJ. SPEC. NO.  
PW85-25  
F231

Relating to the report from the City Manager dated August 23, 1985, about the Replacement of Sewer Lift Stations 4 and 6, Gravity Lines and Force Mains, Project Specification No. PW85-25, Mr. David R. Mora indicated the bid was within staff's estimate.

RPT. PRES. RE  
MANDALAY BAY  
DREDGING, PROJ.  
SPEC. NO. PW84-10  
F231

Concerning the report from the City Manager dated August 1, 1985, Mandalay Bay Dredging, Project Specification No. PW84-10, the Deputy City Attorney advised the City Council that the status of the issue on the City's purported financial responsibility was pending action by the homeowners. The Deputy City Attorney stated it would be in the best interests of Oxnard to proceed with the project and would not jeopardize the City's position.

APPRV. INFO./  
CONSENT AGENDA  
ITEMS

Councilman Plisky moved approval of the Information/Consent Agenda Items as recommended. Councilwoman Johs seconded - motion carried by the following vote: Ayes: Council members Johs, Maron, and Plisky. Noes: Council members Johs and Plisky on D. 4 and D. 5, which resulted in the failure of the recommended actions. Absent: Councilmen Lopez and Takasugi.

The Information/Consent Agenda Items were the following:

CITY ATTORNEY'S OFFICE ITEM:

APPRV. RELEASE OF  
COVENANT & AGREE-  
MENT RE MAINT. OF  
YDS. F/ OVERSIZED  
BLDG. & IMPROVE-  
MENTS OF PARCEL  
MAP NO. 77-18, G.  
& B. CRAIG  
F89

Report from the City Manager dated August 19, 1985, regarding the release of a covenant and agreement concerning the maintenance of yards for an oversized building and release of an agreement with George and Betty P. Craig for improvements of Parcel Map No. 77-18, and recommending the City Council approve release of the covenant and agreements.

CITY CLERK'S OFFICE ITEM:

APPRV. MINUTES

Minutes of the meeting of August 13, 1985.

COMMUNITY DEVELOPMENT DEPARTMENT ITEM:

ADOPTED RES. NO.  
8887, AMENDING  
RES. NO. 8569  
DEALING W/ CEQA  
IMPLEMENTATION TO  
CORRESPOND W/ ST.  
LAW CHANGES  
F148

Report from the City Manager dated August 7, 1985, relating to revisions to the environmental guidelines to comply with State law, and recommending the City Council adopt RESOLUTION NO. 8887, amending Resolution No. 8569 dealing with California Environmental Quality Act (CEQA) implementation to correspond with changes in State law.

PUBLIC WORKS DEPARTMENT ITEMS:

COUNCIL FAILED TO  
APPRV. SUPPORT OF  
SB 1199 & AB  
1024, FWY. CALL  
BOXES  
F146

Report from the City Manager dated August 22, 1985, relative to Senate Bill (SB) 1199 and Assembly Bill (AB) 1024, Freeway Call Boxes, and recommending the City Council: (1) Adopt a resolution supporting SB 1199 and AB 1024 regarding the installation and maintenance of freeway call boxes; and (2) Encourage amendments to SB 1199 and AB 1024, (D. 4). Council failed to approve the

October 15, 1985

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CALIF. TRANS.  
COMM. FED. LEGIS.  
INITIATIVE  
F96

Deferrals and Federal Obligation Authority for highway funds, and recommending the City Council adopt RESOLUTION NO. 8909, supporting the California Transportation Commission's Federal Legislative Initiative.

PURCHASING OFFICE ITEMS:

APPRV. AWARD TO &  
AUTH. EXECUTION OF  
SERV. CONTRACT W/  
STEPHENSON CONSTR.  
CO. RE EMERGENCY  
REPAIRS TO WATER  
DIST. SYSTEM F/  
FY 1985-86, PROJ.  
SPEC. NO. PW85-13A  
F231

Report from the City Manager dated October 1, 1985, concerning a revised award for Emergency Repairs to Water Distribution System for fiscal year 1985-86, Project Specification No. PW85-13A, and recommending the City Council award to and authorize execution of a service contract with Stephenson Construction Co. in the amount not to exceed \$50,000.

REJECTED BID RECD.  
& AUTH. REBIDDING,  
MANDALAY BAY  
DREDGING, PROJ.  
SPEC. NO. PW84-10  
F231

Report from the City Manager dated October 2, 1985, regarding the Mandalay Bay Dredging, Project Specification No. PW84-10, and recommending the City Council reject the single bid received and authorize rebidding of this project.

APPRV. BID SPEC.  
NO. PW 84-58, DEL  
SOL PK. DRAIN LIFT  
ST. & FORCE MAIN  
PROJ., & AUTH.  
ADVERTISING F/  
BIDS  
F231

Report from the City Manager dated September 24, 1985, relating to the Del Sol Park Drain Lift Station and Force Main Project, Specification No. PW84-58, and recommending the City Council approve Bid Specification No. PW84-58 and authorize advertising for bids to be opened on December 4, 1985.

APPRV. BID SPEC.  
NO. PR85-10,  
HARBOR BLVD.  
MEDIANS -  
EASTBOURNE BAY TO  
WOOLEY RD., &  
AUTH. ADVERTISING  
F/ BIDS  
F231

Report from the City Manager dated September 13, 1985, relative to the Harbor Boulevard Medians - Eastbourne Bay to Wooley Road, Project Specification No. PR85-10, and recommending the City Council approve Bid Specification No. PW85-10 and authorize advertising for bids to be opened December 4, 1985.

APPRV. BID SPEC.  
NO. PW85-26,  
INSTALLATION OF  
TWIN HYDRAULIC  
HOISTS, & AUTH.  
ADVERTISING F/  
BIDS  
F231

Report from the City Manager dated October 9, 1985, concerning the Installation of Two Twin Hydraulic Hoists, Project Specification No. PW85-26, and recommending the City Council approve Bid Specification No. PW 85-26 and authorize advertising for bids to be opened November 27, 1985.

APPRV. BID SPEC.  
NO. PW85-34,  
INSTALLATION OF  
PAINTING BOOTH,  
& AUTH. ADVERTIS-  
ING F/ BIDS  
F231

Report from the City Manager dated October 9, 1985, about the Installation of a Painting Booth (standard truck, filtered), Project Specification No. PW85-34, and recommending the City Council approve Bid Specification No. PW85-34 and authorize advertising for bids to be opened November 27, 1985.

RECESS

At 3 p.m., Council recessed. At 3:20 p.m., Council reconvened.

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economic relief from the Oxnard Harbor District. Mr. Lorbeer encouraged the City to address the environmental issues only. Mr. Lorbeer pointed out that if the City had not removed Highway 118 from the General Plan, Oxnard would have a freeway serving truck traffic. The Community Development Director told the City Council that staff would present a summary of findings after studying the EIR. He mentioned that the economic impact was part of the EIR review. Mayor Takasugi moved to amend the motion offered by Councilman Lopez and seconded by Councilwoman Maron to include that the summary of EIR findings be presented to Council - motion carried unanimously.

RPT. PRES. RE  
MANDALAY BAY  
DREDGING, PROJ.  
SPEC. NO. PW84-10A  
F729

The Public Works Director summarized the memorandum from the City Manager dated January 2, 1986, concerning Mandalay Bay Dredging, Project Specification No. PW84-10A. He referred to the letter from the residents of the area. Mr. Robert Fredricks, Streets Superintendent, described the area to be dredged. The Public Works Director indicated the major problems resulted from the sand and dirt blowing from the adjacent fields. He explained the efforts to keep the channels clean. He noted that staff kept the owners aware of the situation and costs. Councilman Plisky moved to: (1) Approve a request for a special budget appropriation in the amount of \$20,000 from Account No. 425-404-JP-0000-00000-390B (Waterway Maintenance Assessment District/Contingency Reserve) to Account No. 425-302-JQ-0000-00000-277A (Waterway Maintenance Assessment District/Services-General Contractual-External); and (2) Award to and authorize execution of a contract with Nehalem River Dredging in the amount of \$188,440.00. Councilwoman Johs seconded - motion carried by the following vote: Ayes: Council members Maron, Plisky, Takasugi, Johs, and Lopez. Noes: None. Absent: None.

RECESS

At 2:55 p.m., Council recessed. At 2:58 p.m., Council reconvened.

RECESS TO HOLD  
REG. REDEV. AGCY.  
MTG.

At 2:58 p.m., Council recessed in order to hold the regular Redevelopment Agency meeting. At 2:59 p.m., Council reconvened.

CLOSED SESSION  
F598, F202

At 2:59 p.m., Council went into closed session to consider pending litigation regarding the City of Ventura and a personnel matter. At 4:50 p.m., Council reconvened.

PUBLIC WORKS DEPARTMENT ITEM:

APPRV. AGREEMENT  
W/ CALTRANS RE  
TRAFFIC SIGNAL AT  
VINEYARD AVE. &  
SOUTHBOUND 101  
RAMP  
F229

Report from the City Manager dated March 28, 1986, concerning the traffic signal at Vineyard Avenue and the Southbound 101 Ramp, and recommending the City Council execute an agreement with the State of California Department of Transportation (Caltrans).

ORAL RPT. PRES. RE  
AUDIT RELATED  
FOLLOW-UP ACTIVI-  
TIES IN FINANCE &  
MANAGEMENT SERVS.  
DEPT. & CITY  
TREASURER'S OFFICE  
F721

Regarding the audit related follow-up activities in the Finance and Management Services Department and City Treasurer's Office, the City Manager indicated a report would be presented on the 1984-85 cash reconciliation process, and that the 1985-86 procedure was continuing to progress. He mentioned that the first 6 months of the 1985-86 financial records had been formatted and entered into the computer system. Council concurred to receive the report.

RPT. PRES. RE GOLF  
COURSE SECURITY  
F283

The Parks and Recreation Director summarized the memorandum from the City Manager dated March 20, 1986, concerning the golf course security. He presented a copy of Table 4 which reflected the planned use of available funds as of December 31, 1985. He noted there were sufficient funds to cover the cost. The Parks and Recreation Director described the area to be fenced. He pointed out the Golf Commission was studying the feasibility of fencing the area along the Santa Clara River as well as the area around the condominium project. He said the fencing would be provided for approximately three years, pending further progress of the residential development. He mentioned the fencing would not drastically affect the golf course aesthetically. He indicated that staff had been informed the fencing could be resold. He told the City Council that staff would look into the feasibility of having the City keep the fence for its use. Councilwoman Maron moved to authorize staff to pursue the purchase and installation of security fencing around the southern perimeter of the River Ridge Golf Course. Councilman Plisky seconded - motion carried unanimously.

RPT. PRES. RE  
MANDALAY BAY  
DREDGING PROJ.  
F229, F231

The Public Works Director highlighted the memorandum from the City Manager dated March 31, 1986, relating to the Mandalay Bay Dredging Project. He mentioned that the City would be responsible for hauling the material after it was dry. He pointed out the material could be sold to the Ventura Regional Sanitation District (VRSD). He indicated the material had very little clay. He said all the costs would be paid by the assessment district. The City Manager noted a report would be prepared for Council consideration regarding the Mandalay Bay Dredging Project funding issue which would be shared with the neighborhood council and assessment district. He informed the City Council that staff recommended that the individuals benefiting from the work pay the expense. The Public Works Director said the dump site regulations required special treatment of the material; however, they did not apply in placing the material on the McGaelic Group land because it already had a high sodium content. Councilman Lopez moved to approve: (1) Change Order No. 2 in the amount of \$39,500 to Nehalem River Dredging for additional work; (2) Lease agreement in the amount of \$5,500 with the McGaelic Group for additional property to

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increase the dredge drying basin; and (3) Special budget appropriation in the amount of \$45,000 from Account Nos. 425-302-JQ-0000-00000-390B (Waterway Maintenance Assessment District Fund/Contingency Reserve) and 425-302-JQ-0000-00000-252A and B (Bulkhead Maintenance Slope Survey) to Account No. 425-302-JQ-0000-00000-277A (Waterway Maintenance Assessment District/Services-General Contractual-External)). Councilwoman Maron seconded - motion carried by the following vote: Ayes: Council members Lopez, Maron, Plisky, Takasugi, and Johs. Noes: None. Absent: None.

## RECESS

At 2:25 p.m., Council recessed. At 2:35 p.m., Council reconvened.

RECESS TO HOLD  
REG. REDEV. AGCY.  
MTG.

At 2:35 p.m., Council recessed in order to hold the regular Redevelopment Agency meeting. At 3:45 p.m., Council reconvened.

ADOPTED RES. NO.  
8993, RE UTILIZA-  
TION OF UMTA SEC.  
9/9A FUNDS  
F153

Mr. Vic Kamhi, Transportation Planner, summarized the memorandum from the City Manager dated March 24, 1986, relative to the utilization of Urban Mass Transportation Administration (UMTA) Section 9/9A funds. The Transportation Planner advised the City Council that Oxnard's vote constituted 46% of the South Coast Area Transit (SCAT) Board. He said the monies could be used to purchase capital items but not to operate facilities. He told the City Council that the SCAT Board would control the funds. He indicated the City SCAT Board representative could be instructed by the City Council to discourage expanded services which would be impacted as a result of a decrease in funds and which Oxnard would be asked to financially support. He mentioned that if the recommendation was not approved, the monies would be returned to the Federal government. Councilman Lopez offered RESOLUTION NO. 8993, for adoption, regarding the utilization of Federal UMTA Section 9/9A funds. Councilwoman Johs seconded - motion carried by the following vote: Ayes: Council members Plisky, Takasugi, Johs, Lopez, and Maron. Noes: None. Absent: None.

ADOPTED RES. NO.  
8994, AUTH.  
EXECUTION OF  
PROG. SUPPLEMENT  
NO. 19 TO LOCAL  
AGCY. AGREEMENT  
NO. 07-5129  
F229

Mr. Joe Genovese, Traffic Engineer, summarized the memorandum from the City Manager dated March 28, 1986, relative to the Federal Aid Safety Grant. The Traffic Engineer advised the City Council that the Pleasant Valley Signal Project was being further evaluated and a report would be presented to them. He indicated that staff intended to seek funds from the County of Ventura and Department of Transportation (Caltrans) for the Pleasant Valley Signal Project. Councilwoman Johs offered RESOLUTION NO. 8994, for adoption, authorizing execution of Program Supplement No. 19 to Local Agency Agreement No. 07-5129. Councilman Plisky seconded - motion carried by the following vote: Ayes: Council members Takasugi, Johs, Lopez, Maron, and Plisky. Noes: None. Absent: None.

RPT. PRES. RE  
STRUCTURAL  
EVALUATION F/  
PUB. SAFETY BLDG.  
F611

The City Manager presented and reviewed a memorandum from the Public Works Director dated April 7, 1986, regarding the structural evaluation for the Public Safety Building. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared and indicated the cause could be the lack of proper inspections. Council concurred to receive the report.

PUBLIC WORKS DEPARTMENT ITEMS:

APPRV. & AUTH. Report from the City Manager dated May 1, 1986, regarding  
RELEASE OF REQUEST a Request for Proposal (RFP) for the East Third Street  
F/ PROP. F/ E. Widening and Wooley Road Improvement Projects, and  
THIRD ST. recommending the City Council approve and authorize  
WIDENING & WOOLEY release of the RFP.  
RD. IMPROVEMENT  
PROJ.  
F600

APPRV. PROJ. SPEC. Report from the City Manager dated April 29, 1986,  
NO. PW85-50, 1986- regarding the 1986-87 Pavement Recycling Program, Project  
87 PAVEMENT Specification No. PW85-50, and recommending the City  
RECYCLING PROG., & Council approve Project Specification No. PW85-50 and  
AUTH. ADVERTISING authorize advertising for bids to be opened on June 25,  
F/ BIDS 1986.  
F231

APPRV. AWARD TO & Report from the City Manager dated May 6, 1986, regarding  
AUTH. EXECUTION OF the Downtown Traffic Signal and Lighting Improvements,  
CONTRACT W/ STEINY Project Specification No. PW85-7, and recommending the  
& CO. INC., RE City Council approve the award to and authorize execution  
PROJ. SPEC. NO. of a contract with Steiny and Company Inc., in the amount  
PW85-7, DOWNTOWN of \$206,957.  
TRAFFIC SIGNAL &  
LIGHTING IMPROVE-  
MENTS  
F231

APPRV. AGREEMENTS Report from the City Manager dated May 7, 1986, regarding  
W/ NEHALEM RIVER the Mandalay Bay Dredging, Project Specification No.  
DREDGING, PW84-10A, and recommending the City Council approve: (1)  
McGAELIC GROUP, & Supplementary Agreement with Nehalem River Dredging in  
CO. OF VENTURA RE the amount of \$49,125; (2) Land Lease Agreement with  
MANDALAY BAY McGaelic Group for dredge soil basin in the amount of  
DREDGING., PROJ. \$5,500; and (3) City/County Agreement for reimbursement  
SPEC. NO. PW84-10A by the County to the City for County's share of dredging  
F231 project.

## RECESS

At 3:08 p.m., Council recessed. At 3:20 p.m., Council reconvened.

RPT. PRES. RE  
PERMANENT OFF-  
CAMPUS UNIVERSITY  
CTR.  
F607

The City Manager reviewed his memorandum dated May 8, 1986, concerning the permanent off-campus university center. He referred to the letter from the California State University dated May 5, 1986. Mr. Erie Kuske, President of the Oxnard Chamber of Commerce, appeared and indicated they had held several meetings in support of a facility in Oxnard. Mr. Kuske told the City Council they agreed one committee should be formed to endorse the proposition. Mr. Kuske suggested the committee include representation of the military, El Rio Municipal Advisory Committee, Hispanic community, and Supervisor Flynn. Councilman Lopez nominated Mayor Takasugi to serve as a representative of the City Council. Councilwoman Johs nominated Councilman Plisky to also serve as a representative of the City Council. Councilman Lopez moved to approve the immediate formation of a task force to work with City staff to prepare a presentation for the Ad Hoc Committee on Off-Campus Facilities of the California State University Board of Trustees consisting of the following: (a) Two members of the Oxnard City Council, Council members Takasugi and Plisky; Chairperson of the Oxnard City Planning Commission, Manuel Perez;

expensive as the larger ones. He stated that SCAT had informed them their ridership was estimated at 1.5 million per year. Mr. Peter Drake, General Manager of SCAT, appeared and told the City Council that Oxnard's ridership was about 5,000 per day. Mr. Drake advised the City Council that there were an average of 30 people per bus in Oxnard. The Transportation Planner noted the SCAT Board had taken some action to implement the contingency plan. Mr. Frank McDevitt, SCAT Board Chairman and Ojai City Councilman, appeared and noted he had just received the report Monday evening which did not afford him sufficient time to analyze it. Mr. McDevitt pointed out that many items in the contingency plan could not be implemented tomorrow, and that some items would be ridiculous to carry out such as totally reducing the Board travel expenses. Mr. McDevitt stated the SCAT Board needed time to study the contingency plan and determine what to do. Mr. McDevitt indicated the SCAT Board should not be told what to do. Mr. McDevitt mentioned that he obtained a quote for transit service in Ojai, and it was \$1 less expensive than SCAT. Mr. McDevitt suggested action be delayed so that the SCAT Board could act on the contingency plan. The City Manager stated the staff memorandum was delivered to the SCAT office on Monday morning. He indicated the matter was timely because of the City budget process. He noted the report did not indicate what changes should be made in the SCAT budget, but it did ask SCAT to strongly consider the contingency plan. Mr. McDevitt pointed out that SCAT adopted its budget in February, and that it would be difficult to make changes now. Mr. McDevitt said the SCAT budget information was available to our staff and City representative before it was adopted in February. Mr. F. L. Haake, 1519 Little Farms Road, appeared and indicated he was a member of the Citizen Advisory Transportation Committee. Mr. Haake mentioned he did not believe the ridership figures were correct. Mr. Haake noted that the bus riders should be subsidized rather than SCAT. Mr. Haake said the bus fare should be reduced. The City Manager pointed out the portion of the budget regarding SCAT could be delayed until June 30, if additional time was needed to study the matter. Mayor Takasugi moved to continue the matter to June 24, 1986, and to convene a meeting of the staff of SCAT and City with Councilman Lopez and himself to further evaluate the report and present recommendations to the City Council. Councilwoman Maron moved to amend the motion to provide that the remaining Council members serve as ex-officio members. Councilman Plisky seconded - motion carried unanimously.

RPT. PRES. RE  
POLICY FUNDING  
SOURCES F/ MAIN-  
TENANCE OF  
MANDALAY BAY  
WATERWAYS,  
PARKING, &  
LANDSCAPING  
F729

The Public Works Director reviewed the memorandum from the City Manager dated May 23, 1986, concerning the policy as to funding sources for the maintenance of the Mandalay Bay waterways, parking, and landscaping. Mr. Joe Donnelly, 2015 Napoli Drive, Chairman of the Waterways Dredging Committee, appeared and commented on the silting problems in the area. Mr. Donnelly showed slides of the flood channels, farmland abutting the residential neighborhood, and examples of low tide. He showed a transparency of Mandalay Bay and explained the dredging areas. Mr. Donnelly indicated they believed there was a big inequity. Mr. Donnelly mentioned the staff recommendation was that the homeowners pay the full cost of the dredging which they believed was necessary because of the impacts by the City, Harbor, and farmland. He referred to the letter dated February 7,



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1984, to Frank McGrath. He suggested the City pay 66% and the homeowners pay 34%. The Public Works Director indicated the letter to Frank McGrath made reference to tail water rather than storm water. He noted the silt from tail water was insignificant. He pointed out there would be less problems once the farmland was developed. Mr. Robert Frederick, Streets Superintendent, told the City Council the situation referred to in the letter was addressed by diverting the tail water to another area; however, during a storm, it would run into the waterways. The Streets Superintendent informed the City Council that the material had been dredged, and it was now necessary to remove it to an appropriate site and repay the Federal Emergency Management Agency (FEMA) grant. He advised the City Council there would be dredging every five years. He indicated an indepth analysis should have been done to assess sufficient funds to cover all costs associated with dredging rather than just immediate expenses. He mentioned a five-year plan and budget should be developed for the district. Mr. David Bailey, Management Analyst, noted that approximately \$80,000 per year should be set aside for future dredging expenses. The Management Analyst pointed out the homeowners did not want to pay for future dredging costs until the City Council made a policy decision as to who would be responsible. He said that once the current expenses were paid, the monthly assessment would be \$20. He stated a five-year plan and budget would be provided for action by Council. The Public Works Director mentioned there was weekly work done at Mandalay Bay. Mr. Joe Donnelly reappeared and noted that when the district was formed, the homeowners were unaware of the environmental issues which would impact them. Mr. Donnelly pointed out the waterways were not solely used by the homeowners but were available for all the residents. The Public Works Director said the material was hopefully going to go to the Santa Clara Landfill. The City Manager indicated there were no City funds appropriated for the removal of the material to the landfill. Mr. Robert Waldo noted the district was formed in 1970 and there was no history as to what could be expected. Mr. Waldo mentioned it was not anticipated it would be such a problem. Mr. Waldo pointed out it was not a matter of hardship on the homeowners but an issue of equity. Mr. Waldo stated there was City material going into the waterways and the City should share the expense. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared and told the City Council he believed the responsibility was more of the City than homeowners. Mr. Lorbeer commented on the history of the area. Mr. Lorbeer pointed out the City and County should share in the responsibility. Mr. Lorbeer mentioned that once Phase IV of Mandalay Bay was developed, it would relieve the situation. The Public Works Director indicated it might be feasible for the City to post the money and be reimbursed by the homeowners over the next 5 years at about \$22 per month. He mentioned the payment scheduled would be worked out with the homeowners. Councilman Plisky moved to instruct staff to prepare a payment schedule for the dredging costs to be prorated over a 5-year period in addition to establishing a rate for 1986-87 to be presented on June 24, 1986. Councilwoman Maron seconded - motion carried unanimously.

RPT. TO BE PRES.  
RE HOMELESS  
F14 OA

The City Manager informed the City Council that staff would make arrangements for a presentation on the homeless.

COMMUNITY DEVELOPMENT DEPARTMENT ITEM:

ADOPTED RES. NO.  
9022, INITIATING  
PROCEEDINGS &  
SETTING A PUB.  
HRG. RE OXNARD  
TOWN CTR.  
REORGANIZATION  
F767

Report from the City Manager dated May 20, 1986, regarding the Oxnard Town Center Reorganization, and recommending that Council adopt RESOLUTION NO. 9022, initiating proceedings and setting a public hearing on July 8, 1986, regarding the Oxnard Town Center Reorganization annexation to and detachment from the City of Oxnard, the Ventura County Fire Protection District, and the Ventura County Resource Conservation District.

COMMUNITY SERVICES DEPARTMENT ITEM:

AUTH. MAYOR TO  
SEND LTRS. TO  
LEGISLATORS  
STATING OPPOSITION  
TO AB 483,  
MOBILE HOME RENT  
STABILIZATION ORD.  
F146, F296A

Report from the City Manager dated May 23, 1986, regarding Assembly Bill (AB) 483 affecting the Mobilehome Rent Stabilization Ordinance, and recommending that Council oppose AB 483 and authorize the Mayor to send letters to the appropriate local legislators.

PARKS AND RECREATION DEPARTMENT ITEM:

APPRV. WORDING  
FOR PLAQUE ON  
CHANNEL ISLANDS  
BRIDGE HONORING  
T. LAUBACHER  
F144

Report from the City Manager dated May 29, 1986, regarding a plaque for Thomas Laubacher on the Channel Islands Bridge, and recommending approval of the proposed wording. Mayor Takasugi moved to reverse the order of the title to read "Supervisor, Ventura County." Councilman Plisky seconded. The Parks and Recreation Director stated that the plaque was designed to be seen by pedestrians, and there were plans in the Capital Improvement Projects (CIP) budget for a pedestrian walkway on the bridge. He stated that the plaque would measure 13 inches by 14 inches, and would be similar to the bronze plaque at the River Ridge Golf Course. Mayor Takasugi amended the motion to also delete the words "to the people of Oxnard and for his progressive leadership," and to insert the words "a resident of this City" after Mr. Laubacher's name in the body of the plaque. Councilman Plisky seconded - motion carried unanimously.

PUBLIC WORKS DEPARTMENT ITEMS:

FIRST READING OF  
ORD. 2080 AMEND-  
ING SEC. 18-36 &  
CHANGING SPEED  
LIMITS ON ROSE  
& VICTORIA AVES.  
F229

Report from the City Manager dated May 28, 1986, regarding speed limits, and recommending: (1) That a speed limit of 35 miles per hour be established on Rose Avenue between Wooley Road and East Fifth Street; (2) That a speed limit of 40 miles per hour be established on Rose Avenue between Channel Islands Boulevard and Wooley Road; (3) That a speed limit of 45 miles per hour be established on Victoria Avenue between Lakeshore Drive and Fifth Street, and (4) That ORDINANCE NO. 2080 be read by title only, and further reading of the body of the ordinance be waived.

APPRV. CHANGE  
ORDER NO. 3, TO  
PROJ. SPEC. NO.  
PW84-10A, MANDALAY  
BAY DREDGING  
F231

Report from the City Manager dated May 27, 1986, regarding Mandalay Bay Dredging Project (PW84-10A), and recommending that Council approve Change Order No. 3 to Nehalem Dredging Company in the amount of \$22,024.00.

Schilbrack suggested that consideration be given to finding another site to accommodate increased crowds. Mr. Schilbrack pointed out that with the continued improvements, the tenants would be supportive. Councilman Plisky moved to: (1) Receive and accept the report and evaluation summary of the 1986 California Strawberry Festival prepared by the California Strawberry Festival Committee and approved by the Special Events Planning Committee; and (2) Direct staff to work with the committee to prepare a budget and operating plan for the 1987 festival to be submitted to the City Council for approval by August 5, 1986, as a department report. Councilwoman Johs seconded - motion carried unanimously.

## RECESS

At 5:50 p.m., Council recessed. At 5:58 p.m., Council reconvened.

RPT. PRES. RE  
MANDALAY BAY  
WATERWAY  
MAINTENANCE  
ASSESSMENT DIST.  
BUDGET F/ 1986-87  
& POLICY RE  
FUNDING SOURCES

ADOPTED RES. NO.  
9034, APPRV.  
WATERWAY ASSES-  
MENT DIST. BUDGET  
F/ 1986-87 &  
SETTING ASSESSMENT  
F561

The Public Works Director referred to the memorandum from the City Manager dated June 16, 1986, concerning the Mandalay Bay Waterway Maintenance Assessment District budget for 1986-87 and policy concerning the funding sources. He reviewed the Mandalay Bay budget as revised on June 19, for the period from 1986-87 to 1990-91. He told the City Council that the proposed budget would generate approximately \$500,000 for dredging by 1990. Mr. Carroll Lorbeer, 542 West Fifth Street, appeared and noted the City should be responsible for the waterways just as it was for the streets. Mr. Lorbeer pointed out the City benefited from the area. Mr. Lorbeer said the City should have some responsibility. He indicated the City maintained the sand off of Mandalay Beach Road. Councilwoman Maron moved to: (1) Adopt the policy that the Waterways Maintenance Assessment District pay the full cost of the maintenance of waterways, parking, and landscaping and that the City would continue to support administrative overhead from General Fund resources; and (2) Adopt RESOLUTION NO. 9034, fixing the assessments on property in the Waterway Maintenance Assessment District for the fiscal year 1986-87. Councilman Lopez seconded - motion carried by the following vote: Ayes: Council members Lopez, Maron, Plisky, Takasugi, and Johs. Noes: None. Absent: None.

RPT. PRES. RE  
SCAT FUNDING &  
1986 BUDGET

ADOPTED RES. NO.  
9035, AMENDING  
CITY BUDGET F/ FY  
1986-87 APPRV. BY  
RES. NO. 9023

The Public Works Director referred to the memorandum from the City Manager dated June 16, 1986, relating to the South Coast Area Transit (SCAT) funding and 1986 budget. He highlighted the staff recommendations. The Management and Budget Director advised the City Council the State Transportation Assistance Fund (STAF) went directly to SCAT. Mr. Vic Kamhi, Transportation Planner, informed the City Council there would be a savings of about \$130,000 for next year, however, there were still some liabilities. The Transportation Planner advised the City Council the SCAT Board was dealing with the implementation of the contingency plan in order to reduce costs. The City Manager told the City Council that in the future the SCAT budget would be dealt with by them prior to the SCAT budget adoption. Mr. Mel Chambers, Director of Administrative Services of SCAT, appeared and indicated there was a reserve of \$300,000 of Local Transportation Funds (LTF) carryover monies, which allowed SCAT to more fully use Urban Mass Transit Authority (UMTA) funds. The City Manager noted he was satisfied the staff recommendations would give the City a better handle on budget and operation issues. Councilman

APPRV. CONTRACT W/ L. F. HORNER CONSTR. CO., INC., RE DREDGE SPOILS REMOVAL, NO. PW86-51 F231\* Report from the City Manager dated September 15, 1986, concerning Dredge Spoils Removal, Project Specification No. PW86-51, and recommending the City Council approve award to and authorize execution of a contract with Loyd F. Horner Construction Company, Inc., in the amount of \$115,296.

APPRV. CONTRACT W/ FOOTHILL ELEC. RE EMERGENCY WATER WELL, PHASE II-B, NO. PW86-46 F231\* Report from the City Manager dated September 17, 1986, relative to Emergency Water Well, Phase II-B (Well No. 20), Project Specification No. PW86-46, and recommending the City Council approve award to and authorize execution of a contract with Foothill Electric in the amount of \$171,291.80.

APPRV. REJECTION OF BIDS RECD. & AUTH. REBID OF MANDALAY BEACH RD. SEWER MAIN RELOCATION, NO. PW86-36 F231\* Report from the City Manager dated September 17, 1986, regarding Mandalay Beach Road Sewer Main Relocation, Project Specification No. PW86-36, and recommending the City Council approve rejection of all bids received and authorize rebid of this project.

RECESS At 2:25 p.m., Council recessed. At 2:35 p.m., Council reconvened.

RECESS TO HOLD REG. REDEV. AGCY. MTG. At 2:35 p.m., Council recessed in order to hold the regular Redevelopment Agency meeting. At 2:40 p.m., Council reconvened.

RPT. PRES. RE QUARTERLY PROGRESS RPT. RE IMPROVEMENTS TO ACCT. & TREASURY CONTROLS F721\* The City Manager reviewed his memorandum dated September 17, 1986, concerning the quarterly progress report regarding improvements to the accounting and treasury controls. He informed the City Council that the auditors would present input upon completion of the 1985-86 audit. Councilwoman Maron moved to (1) Receive and file the quarterly report concerning improvements to the City's accounting and treasury internal controls; and (2) Authorize discontinuance of the quarterly progress reports in this regard. Councilman Lopez seconded - motion carried unanimously.

RPT. PRES. RE REQUEST F/ SUPPORT TO TALLSHIP CALIFORNIAN F724\* The Community Services Director discussed the memorandum from the City Manager dated September 17, 1986, Report relative to a request for support to the Tallship Californian. He indicated the City was the main source of revenue for the Convention and Visitors Bureau. The City Manager advised the City Council the funds being donated by the Convention and Visitors Bureau were not extra monies from the City. He mentioned the Convention and Visitors Bureau had decided to use these monies to promote the City. Mr. David Schenk, Chairman of the Convention and Visitors Bureau, appeared and presented Mr. Steve Christman, Director of the Tallship Californian, with a check in the amount of \$5,000. Mr. Christman thanked the Bureau. Mr. Christman noted the race was scheduled on October 4. Mr. Christman encouraged the City to prepare a flag design, and that he could get it donated. Councilwoman Maron moved to authorize Mr. Steve Christman to obtain a donation for a flag. Councilwoman Johns seconded - motion carried unanimously. Mr. Christman stated there were seats available for Council members. Councilwoman Johns moved

AUTH. AGREEMENT  
W/ S. CAL. EDISON  
& MCGAELIC GROUP  
F/EASEMENTS, &  
AUTH. RENEWAL OF  
LICENSE AGREEMENT  
W/EDISON  
F97\*

Report from the City Manager dated October 29, 1986, regarding execution of temporary easements and license renewal for Dredge Spoils Removal, PW 86-51, and recommending that City Council: (1) Approve and authorize the City Manager to execute a Temporary Easement with Southern California Edison Company; and (2) Approve and authorize the City Manager to execute a Renewal of License Agreement with Southern California Edison Company; and (3) Approve and authorize the City Manager to execute a Temporary Easement with the McGaelic Group.

RECESS TO HOLD  
HOUSING AUTH. &  
REDEV. AGCY. MTGS.

At 2:33 p.m., the City Council recessed. At 2:40 p.m., Council reconvened. At 2:40 p.m., Council recessed to hold the Housing Authority and Redevelopment Agency meetings. At 2:50 p.m., Council reconvened.

RPT. PRES. RE S.  
OXNARD CTR.  
FINANCING PLAN &  
ARCHITECTURAL FIRM  
SELECTION  
F709\*

The Parks and Recreation Director presented a memorandum from the City Manager dated October 28, 1986, regarding the South Oxnard Center financing plan and architectural firm selection. He indicated that one of the charges Council gave to staff was to evaluate the sale versus the lease of the property, and that evaluation would be done as a part of the package brought to Council with respect to financing of the housing portion of the project. The City Manager indicated that in order to finance the Center, funds could be reallocated from a number of other programs without deleting one specific program entirely, or if a particular program did not survive the budget process, funds earmarked for it could be used for the South Oxnard Center. The City Manager noted that funds may also be provided for this project by curtailing Revolving Loan Fund disbursements. The Parks and Recreation Director discussed the proposed building size and configuration, as well as the parking layout, and the process that was used to select the architectural firm which staff recommended for approval. He explained that the process used to select the architectural firm was the most objective way to deal with the selection process, and that process included consideration of which firms indicated they had the most knowledge of the project, and had done some preliminary work, spoken to staff, etc. The Parks and Recreation Director indicated that staff's approach to the RFP was to make the information concise and clear, and leave it up to the architects to request any other information they desire. The Parks and Recreation Director stated that in his experience, a petting zoo adjacent to the senior citizens residential building was not a compatible use, and a petting zoo would require a larger community park. Councilman Pisky asked that the record reflect his belief that the design of the first floor should allow for the addition of a second floor or an outward expansion of the South Oxnard Center. Councilwoman Maron moved to approve both the financial plan and the architectural selection of Rasmussen and Associates for an amount not-to-exceed \$120,000.00. The motion died for lack of a second. Mr. Leroy Andrews, 2319 Alameda Street, Ventura, appeared and expressed concerns regarding the selection process. He indicated that he felt he was asked to submit a proposal contrary to ethical standards, and that a one-sentence proposal could not do justice to a project of this size and scope. Mr. Andrews stated that it was not the company's responsibility to find out what the City wanted, and that although he did speak with the Parks and

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RES. NO. 9127,  
CHANGING SALARY  
RANGE OF FESTIVALS  
COORDINATOR, &  
DELETING MANPOWER  
SPECIALIST II &  
AUTH. ASST.  
FESTIVALS  
COORDINATOR  
F202\*

Report from the City Manager dated November 18, 1986, regarding a salary adjustment and title change for the Festivals Coordinator and Assistant Festivals Coordinator, and recommending the City Council adopt RESOLUTION NO. 9127, amending Sections 1 and 2 of Resolution No. 9024 implementing the following salary and title changes in the Community Services Department: (a) Change the salary range for the Festivals Coordinator position from A90.00 to A105.00; and (b) Delete the Manpower Specialist II position at salary range A70.00 and authorize an Assistant Festivals Coordinator position at range A80.00.

PUBLIC WORKS DEPARTMENT ITEMS:

FIRST READING OF  
ORD. NO. 2100,  
AMENDING CH. 18  
DEALING W/ PARKING  
F474\*, F183

Report from the City Manager dated October 30, 1986, concerning an amendment to City Code Chapter 18, dealing with parking, and recommending City Council first reading by title only of ORDINANCE NO. 9100, amending City Code Sections 18-70.1, 18-70.2, and 18-70.3, regarding the parking of commercial vehicles, and City Code Section 18-81, regarding vehicles over six feet in height.

APPRV. SUPPLE-  
MENTAL AGREEMENT  
W/ L. F. HORNER  
CONSTR. CO., INC.,  
& APPROP. OF  
\$10,517 RE DREDGE  
SPOILS REMOVAL,  
NO. PW86-51  
F231\*

Report from the City Manager dated November 20, 1986, relating to a supplemental agreement for Dredge Spoils Removal, Project Specification No. PW86-51, and recommending the City Council: (1) Approve and authorize the City Manager to execute a supplemental agreement with Lloyd F. Horner Construction Company, Inc., Contract No. 3765, increasing the amount of 16,000 cubic yards dredge spoils removal to 41,225 cubic yards and increasing the contract amount from \$115,295.00 to \$297,067.35; and (2) Approve an appropriation of funds in the amount of \$10,517 from the Waterway Maintenance Assessment District Unappropriated Fund Balance to Mandalay Bay Waterway Maintenance Dredging.

RECESS

At 2:50 p.m., Council recessed. At 3 p.m., Council reconvened.

RECESS TO HOLD  
REDEV. AGCY. MTG.

At 3 p.m., Council recessed in order to hold the regular meeting of the Redevelopment Agency. At 3:15 p.m., Council reconvened.

JT. SESSION W/  
REDEV. AGCY. RE  
CITY REDEV. AGCY.  
SUPPORT  
F401A

At 3:15 p.m., Council held a joint session with the Redevelopment Agency. The City Manager reviewed his memorandum dated November 17, 1986, regarding the City Redevelopment Agency support. He stated that a recruitment agency could be utilized at a cost of approximately \$10,000 to \$12,000 to fill the position of Redevelopment Director. The City Manager stated this was a conceptual approval and that the job description and salary range had not been established, and that the Personnel and Employee Relations Department would commence working on that upon conceptual approval. He noted that six people were allocated to the Redevelopment Division of the Community Development Department and that the Redevelopment Department would not increase that number but that some reorganization would have to occur. He mentioned that after consideration of staffing levels, restructuring of duties and budget allocations, the Redevelopment Department would have an increase of

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MR. O. KARRIN RE  
COST OF LAWSUITS &  
UTILITY TAX  
ELIMINATION  
F598, F752

Mr. Oscar Karrin, 3697 Orange Grove Avenue, appeared and asked when a report would be published relative to how much was spent on lawsuits since 1980. The City Attorney told the City Council that a report was compiled during the last election campaign. Also, Mr. Karrin asked when the utility tax would be eliminated. The City Manager stated a report on the issue would be presented during the mid-year budget presentation.

RPT. PRES. RE  
SUPPLEMENTAL  
AGREEMENT TO  
DREDGE SPOILS  
REMOVAL, NO.  
PW86-51  
F231\*, F212

The Public Works Director highlighted the memorandum from the City Manager dated December 29, 1986, concerning the supplemental agreement to Dredge Spoils Removal, Project Specification No. PW86-51. He indicated it was hoped the dredging would address the situation for 5-7 years. He pointed out that staff was reviewing methods to insure the silt buildup would be minimized. He said that in the future, it might be more costly to haul the material. He mentioned that the subject area was a natural depository for drainage material. The City Manager noted that a copy of the report prepared in response to a question as to whether there were additional contributing factors after the formation of the assessment district would be distributed to the City Council. The Public Works Director stated that as surrounding agricultural land was developed, it would address the silting problem. Councilwoman Johs moved to: (1) Approve and authorize the City Manager to execute a supplemental agreement with Loyd F. Horner Construction Company, Inc., Contract No. 3765, increasing the dredge spoils removal quantity from 41,225 cubic yards to 80,000 cubic yards and increasing the contract amount from \$297,067.35 to \$576,480.00; and (2) Approve the appropriation of funds in the amount of \$277,163.00 to the Mandalay Bay Waterway Maintenance Dredging Account from various sources detailed in the financial impact section of the report and in Attachment #3, including a loan of \$177,230.00 from the General Fund Unappropriated Fund Balance; and (3) Approve the transfer of previously appropriated funds in the amount of \$6,000.00 from the Mandalay Bay Maintenance District budget Dredging Reserve line item to the Loan Interest Expense line item. Councilwoman Maron seconded, and the motion was carried by the following vote: Ayes: Council members Plisky, Takasugi, Johs, and Maron. Noes: None. Absent: Councilman Lopez.

FIRST READING OF  
ORD. NO. 2105,  
APPRV. ZONE CHANGE  
APPL. NO. 751,  
FILED BY J. FIELDS  
F210\*

Mayor Takasugi opened the public hearing to consider Zone Change Application No. 751, a request to rezone 0.3 acres from R-1 (Single Family Residential) to C-2-PD (General Commercial Planned Development), or such other zone as the City Council may designate, for the property located at 125-131 St. Mary's Drive, within the Rio Lindo Neighborhood, filed by Jerry Fields. The City Clerk presented affidavits of publication and mailing and she reported no written communications. The Community Development Director summarized the memorandum from the City Manager dated December 24, 1986, and he made reference to the staff report dated October 23, 1986. Councilwoman Maron moved to close the public hearing. Councilwoman Johs seconded, and the motion was carried unanimously with Councilman Lopez absent. Councilwoman Maron moved that Ordinance No. 2105, approving Zone Change Application No. 751, be read by title only and that further reading of the body of the ordinance be waived. Councilman Plisky seconded, and the motion was carried unanimously with Councilman Lopez absent. Councilwoman Maron offered ORDINANCE NO. 2105 for first

DISCUSSION: Mr. Carroll Lorbeer, 542 West Fifth Street, said a correction should be made on page 144 to read, "\$14,770,000" rather than "\$24,770,000."

CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.

#### Library Item

8. (179) SUBJECT: Acceptance of \$5,000.00 state grant for the  
F359 purchase of older adult library materials.  
RECOMMENDATION: (1) Approve receipt of a \$5,000.00 grant from the California State Library for the City to purchase older adult library materials; and (2) Approve the appropriation of the \$5,000.00 grant to the Library Adult Services Program.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.

#### Parks and Recreation Department Item

9. (197) SUBJECT: Citywide Park Trash Enclosures, Phase II  
F231 Improvements, Project Specification No. PR 88-2.  
RECOMMENDATION: Approve Project Specification No. PR 88-2 and authorize advertisement for bids.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.
10. (201) SUBJECT: 1988-89 assessment revisions for Landscape  
F506 Maintenance Districts No. 1 (Summerfield), No. 2 (Channel  
F377 Islands Business Park), and No. 3 (River Ridge).  
RECOMMENDATION: Adopt Resolution Nos. 9427, 9428, 9429, 9430, 9431, and 9432, approving updated engineer's reports of landscaping costs for Fiscal Year (FY) 1988-89 in Tract Nos. 2247 (Summerfield), 4065, 4164, 4355, 4225 (Channel Islands Business Park), and 3384 (River Ridge), and declaring intention to levy and collect assessments in these districts for FY 1988-89.  
REVISED RECOMMENDATION: The City Manager informed the City Council that the public hearing date should be changed to June 14.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval of the recommendation and revised recommendation. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.
11. (227) SUBJECT: Annual revision of cost estimates and assessments  
F506 for Mandalay Beach and Landscape Maintenance District  
(1988-89).  
RECOMMENDATION: Adopt: Resolution No. 9433, revising a maintenance cost for and spreading the assessment on parcels in the Mandalay Beach and Landscaping Maintenance District for Fiscal Year 1988-89; and Resolution No. 9434, declaring intention to levy and collect the Mandalay Beach and landscaping assessments for Fiscal Year 1988-89 within maintenance district pursuant to the Improvement Act of 1911.  
DISCUSSION: Mr. Richard Mulligan, 2201 Vina Del Mar, Treasurer of the Colony Homeowners Association, presented and highlighted a statement dated May 19 objecting to their assessment for any portion of the cost of maintaining the beach area.





REVISED RECOMMENDATION: The City Manager informed the City Council that the public hearing date should be changed to June 14.

ACTION: Councilman Plisky moved to refer the statement from the Colony Homeowners Association to staff for a report at the June 14 public hearing. Councilman Lopez seconded, and the motion carried unanimously.

DISCUSSION: Mr. Richard Mulligan requested a copy of the report prior to the public hearing.

CONSENT AGENDA ACTION: Councilman Lopez moved approval of the recommendation and revised recommendation. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.

#### Public Works Department Item

2. (235) SUBJECT: Mandalay Bay Assessment District (85-5R Voss  
F231 Construction)/Linear Park, Project Specification No. PW 88-18.  
RECOMMENDATION: Approve Project Specification No. PW 88-18 and authorize advertisement for bids.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.
13. (241) SUBJECT: 1988 Fog Seal and Striping Program, Project  
F231 Specification No. PW 88-6.  
RECOMMENDATION: Approve Project Specification No. PW 88-6 and authorize advertisement for bids.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.
14. (245) SUBJECT: Northeast Industrial Assessment District, Phase  
F231 VII-A, Project Specification No. PW 87-54.  
RECOMMENDATION: Approve and authorize the Mayor to execute a contract with B & Sons Construction, Inc., in the amount of \$717,297.80 for the installation of underground utilities along Rice Avenue.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Maron seconded, and the motion carried by the following vote: Ayes: Council members Johs, Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent: None.

#### RECESS

At 2:35 p.m., Council recessed. At 2:50 p.m., Council reconvened.

#### HOUSING AUTHORITY

At 2:50 p.m., Council recessed in order to hold the special meeting of the Housing Authority. At 3:25 p.m., Council reconvened.

#### E. CITY BOARD AND COMMISSION REPORTS



N. PUBLIC HEARINGS

1. (285) SUBJECT: Request to change the name of Aleric Street.  
 F223 Filed on City Council Resolution of Intention No. 9284.  
RECOMMENDATION: (1) Receive the results of a poll  
 requesting renaming of Aleric Street to Cameron Drive; and  
 (2) Adopt a resolution denying the requested name change.  
DISCUSSION: Mayor Takasugi opened the public hearing. The  
 City Clerk presented affidavits of publication and mailing,  
 and she reported no written communications. \*~~Councilman~~  
 Plisky moved to close the public hearing. \*~~Councilwoman Johs~~  
 seconded, and the motion carried unanimously. Mr. Dennis  
 Waldman, 721 Aleric Street, presented approximately 150  
 pages signed by individuals yesterday and today indicating  
 their preference regarding the street name. Mr. Waldman  
 informed the City Council there were 52 pages signed by  
 persons residing at 633 and 651 Aleric Street expressing  
 their opinion on the street name which were sent by mail.  
 Mr. Waldman indicated that he had about 100 more pages in  
 his office. Mr. Waldman mentioned that there were probably  
 6 owners who resided on Aleric Street. Mr. Waldman noted  
 that it was difficult to get a response from people who did  
 not understand English. Mr. Waldman pointed out that the  
 association related to Aleric Street was a negative  
 influence on the City as well as the neighborhood. Mr.  
 Waldman made reference to the street name change article in  
 the STAR-FREE PRESS on May 8 and a crime story in the  
 STAR-FREE PRESS on May 9. Mr. Waldman stated he wanted the  
 street name changed. Mr. Waldman recapped the result of his  
 poll which showed a majority vote in favor of Cuesta Del Mar  
 Drive. Rev. Sean Teal, 1860 La Puerta Avenue, told the City  
 Council he was concerned about the voice of the people not  
 being heard. Rev. Teal stated that the activities in the  
 area of Aleric Street were symbolic of what was occurring in  
 other areas of Oxnard. Rev. Teal said he did not believe  
 the poll results were representative of the area. Rev. Teal  
 indicated that he hoped the street name would be changed in  
 response to the voice of the people.  
ACTION: Councilman Lopez moved to close the public hearing.  
 Councilwoman Johs seconded, and the motion carried  
 unanimously. Councilwoman Maron offered Resolution No.  
 9435, approving the street name change to Cuesta Del Mar  
 Drive. Councilman Lopez seconded, and the motion carried by  
 the following vote: Ayes: Council members Maron, Plisky,  
 Takasugi, Johs, and Lopez. Noes: None. Absent: None.

\*Minute correction  
 of 6-14-88:  
 Delete the  
 sentences.

RECESS

At 8:20 p.m., Council recessed. At 8:30 p.m., Council reconvened.

2. (293) SUBJECT: Mandalay Bay Waterway Maintenance System Budget  
 F729 for 1988-89, policy concerning funding sources, and  
assessment engineer's report on the assessment spread  
methodology.  
RECOMMENDATION: (1) Adopt one of four alternative policies  
 concerning General Fund contributions to dredging costs in  
 Zone 1 of the District; (2) Approve the Waterway  
 Maintenance District Budget for 1988-89 based on the funding  
 policy in Recommendation No. 1; and (3) Approve the  
 assessment spread methodology presented by the assessment  
 engineer and direct staff to return with a resolution  
 setting the Waterway Maintenance District assessments for  
 1988-89.



MAY 10, 1988

OXNARD CITY COUNCIL

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**DISCUSSION:** Mayor Takasugi opened the public hearing. The City Clerk presented affidavits of publication and mailing, and she reported no written communications. Staff presented and reviewed transparencies depicting a summary of Alternative Nos. 1-4 and budgets for Alternative Nos. 1-4. Mr. Pat Reeves, Principal Engineer, Penfield & Smith, 2530 Financial Square Drive, recapped his experience. Mr. Reeves made reference to the Report of Formula and Methodology of Assessments dated April 26. Mr. Stan Cohen, 300 Esplanade Drive, representing Voss Construction Company, informed the City Council that they were not going to contest the spread sheets. Mr. Cohen advised the City Council that they endorsed the City Council's determination to participate in the costs of maintaining the waterways. Mr. Cohen stated that it was apparent there were parties other than the home owners which had been contributing to the dredging problem and that the City should participate. Mr. Cohen indicated that their primary concern was the linear park. Mr. Cohen pointed out that the assessment district was formed, the assessment district acquired the property out of assessment district monies, and the cost to buy the land was assessed to his client's property. He noted that the costs of building the park were also being charged to his client's property and the park was being paid for by assessments levied by a separate district applicable to his client only. He mentioned that the City would receive an approximate 3 acre, fully improved public park which was mandated by the Coastal Commission. He stated the City should pay for the maintenance of this City park. He said that they would prefer not to have the park. He told the City Council that the linear park was not part of a landscape maintenance district because it was not the walkway, parkway, or swale near a house. He requested that the City remove the linear park maintenance cost from Zone 2 and that the City absorb the expense. Mrs. Carmen Donia, President of the Channel Waterfront Home Owners Association, informed the City Council that they were outraged about the inclusion of Alternative No. 1, which meant no General Fund contribution to the cost of dredging the silt deposited by the City into the inland waterways, after the City Council voted to help pay for dredging the channel. Mrs. Donia stated that Alternative No. 2 was not fair or equitable. Mrs. Donia told the City Council that a City share of 42.5% was a more equitable figure based on the amount of silt deposited in the inland waterways from the storm drain system. Mrs. Donia urged the City Council to approve Alternative No. 4.

**ACTION:** Councilman Plisky moved to close the public hearing. Councilwoman Johs seconded, and the motion carried unanimously.

**DISCUSSION:** Mr. Dennis Daniel, D.I.al Services, 300 Montgomery Avenue, indicated the linear park went around the perimeter of the project, varied in width, created a green and lawn area for public use, contained a jogging and bike path, seating placed throughout the park, and water fountains. Mr. Daniel mentioned that this was a park. Mr. Stan Cohen noted there was nothing comparable in River Ridge. Mr. Dennis Daniel noted the linear park varied in width from 15 feet to a 6, 8, 10,000 square foot area. Mr. Daniel pointed out that people could access the park off of Hemlock Street and eventually off of Victoria Avenue.

**ACTION:** Councilman Plisky moved to open the public hearing. Councilman Lopez seconded, and the motion carried unanimously.

**DISCUSSION:** Mr. James Wolf stated he was raising a point of order because the linear park was not on the agenda and the public hearing should get back to the subject. The City Manager stated the linear park was part of the Zone 2 assessment and it was on the agenda.



MAY 10, 1988

OXNARD CITY COUNCIL

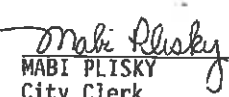
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ACTION: Councilman Plisky moved to close the public hearing. Councilwoman Johs seconded, and the motion carried unanimously.

DISCUSSION: Mr. Dennis Daniel stated the linear park would consist of a total of 25 acres upon completion of the project which would be accessible from Victoria Avenue, Wooley Road, and Hemlock Street.

ACTION: Councilman Plisky moved approval as recommended with the provisions that Alternative No. 4 be selected and that the linear park not be the maintenance responsibility of the district. The motion died for lack of a second. Councilwoman Maron moved approval as recommended with the provisions that Alternative No. 2 be selected and that the linear park not be the maintenance responsibility of the district. Councilman Lopez seconded. Councilwoman Maron moved to amend the motion to approve Alternative No. 2 with the provisions that a 24.3 percent contribution be designated for the last dredging and that the maintenance costs of the linear park be excluded from the district. Councilman Lopez seconded. Mayor Takasugi offered a substitute motion to approve the recommendations with the provisions that Alternative No. 3 be selected and that the maintenance costs of the linear park be excluded from the district. Councilwoman Johs seconded, and the motion carried by majority vote with Councilman Plisky voting "No."

- O. STUDY SESSION
- P. CITY COUNCIL BUSINESS
- Q. ADJOURNMENT

  
MABI PLISKY  
City Clerk

  
NAO TAKASUGI  
Mayor





14. (191) SUBJECT: Approval of Request for Proposal (RFP) for  
F729 engineering design and construction administration of  
Mandalay Bay Seawall Repair project.  
RECOMMENDATION: Approve and authorize the issuance of a RFP  
to qualified consultants for engineering design work  
associated with the repair of Mandalay Bay seawalls.  
CONSENT AGENDA ACTION: Councilwoman Johs moved approval as  
recommended. Mayor Takasugi seconded, and the motion  
carried by the following vote: Ayes: Council members  
Lopez, Maron, Takasugi, and Johs. Noes: None. Absent:  
None. Abstentions: Councilwoman Furr.
15. (203) SUBJECT: Wastewater Treatment Plant Expansion Progress  
F212 Report for November 1989.  
RECOMMENDATION: Accept the report.  
CONSENT AGENDA ACTION: Councilwoman Johs moved approval as  
recommended. Mayor Takasugi seconded, and the motion  
carried by the following vote: Ayes: Council members  
Lopez, Maron, Takasugi, Furr, and Johs. Noes: None.  
Absent: None.
16. (227) SUBJECT: "J" Street Drain, Phase III, Project Specification  
F231 No. PW89-24.  
RECOMMENDATION: Approve Project Specification No. PW89-24  
and authorize advertisement for bids for "J" Street Drain,  
Phase III project.  
CONSENT AGENDA ACTION: Councilwoman Johs moved approval as  
recommended. Mayor Takasugi seconded, and the motion  
carried by the following vote: Ayes: Council members  
Lopez, Maron, Takasugi, Furr, and Johs. Noes: None.  
Absent: None.

#### RECESS

At 2:35 p.m., the City Council recessed. At 3:05 p.m., the Council reconvened.

#### HOUSING AUTHORITY MEETING

At 3:55 p.m., the City Council recessed in order to hold the regular Housing Authority meeting. At 3:03 p.m., the City Council reconvened.

#### REDEVELOPMENT AGENCY MEETING

At 3:03 p.m., the City Council recessed in order to hold the regular adjourned Redevelopment Agency meeting. At 4:50 p.m., the City Council reconvened.

#### E. CITY BOARD AND COMMISSION REPORTS

##### 1. INFORMATION/CONSENT

##### 2. REPORTS

#### F. DEPARTMENT REPORTS

#### G. CITY COUNCIL BUSINESS (F296B)

1. SUBJECT: Discussion of City Council annual retreat.  
ACTION: Councilman Lopez moved that the Council go forward  
with the annual retreat to be held in Oxnard on January 15  
(retreat preparation meeting) and on February 2, 3 and 4;  
and to instruct staff to arrange for a meeting site on those  
days. Councilwoman Maron seconded, and the motion carried  
unanimously.

#### H. APPOINTMENT ITEMS

DECEMBER 19, 1989

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11. (089) **SUBJECT:** East Third Street Widening Project, adoption of  
F222 **Negative Declaration No. 90-9.**  
**RECOMMENDATION:** Approve and adopt Negative Declaration No.  
(90-9) for the East Third Street Widening Project.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Council members Johs,  
Lopez, Maron, Takasugi, and Furr. Noes: None. Absent:  
None.
12. (093) **SUBJECT:** Quitclaim of a portion of certain drainage  
F161 **easement to The Sammis Company.**  
**RECOMMENDATION:** Approve and authorize the Mayor to execute  
a quitclaim deed for a portion of certain drainage easement  
(Parcel D122) in Northeast Industrial Assessment District  
(NIAD) to The Sammis Company.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Council members Johs,  
Lopez, Maron, Takasugi, and Furr. Noes: None. Absent:  
None.
13. (097) **SUBJECT:** Bill of sale for telephone property to GTE for  
F763 **facilities constructed by the Northeast Industrial  
Assessment District (NIAD).**  
**RECOMMENDATION:** Approve and authorize the Mayor to execute  
a bill of sale with GTE California Incorporated, without  
cost, to convey ownership of underground conduits, manholes,  
and appurtenances in Colonia Road.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Council members Johs,  
Lopez, Maron, Takasugi, and Furr. Noes: None. Absent:  
None.
14. (099) **SUBJECT:** Mandalay Bay Trust Fund.  
F729 **RECOMMENDATION:** (1) Approve the transfer of \$234,311.58  
from the Mandalay Bay Trust Fund to the Sea Wall  
Repair/Weepole Project effective April 2, 1990; (2) Approve  
a variance in the distribution of funds from 60 percent for  
waterways and bulkhead repairs to 63 percent; and (3) Adopt  
**Resolution No. 9897**, approving the final accounting and  
completion of Mandalay Bay settlement, directing the City  
Attorney to record a notice of completion and directing the  
City Clerk to publish such notice.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Council members Johs,  
Lopez, Maron, and Takasugi. Noes: None. Absent: None.  
Abstentions: Councilwoman Furr.
15. (121) **SUBJECT:** Approval of agreement for services for telephone  
F212 **and public address system with Siemens/Tel Plus  
Communications, Inc.**  
**RECOMMENDATION:** Approve and authorize the Mayor to execute  
an agreement with Siemens/Tel Plus Communications, Inc., in  
the amount of \$80,912.54 for services for a telephone and  
public address system at the Wastewater Treatment Plant.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Council members Johs,  
Lopez, Maron, Takasugi, and Furr. Noes: None. Absent:  
None.

4. (045) SUBJECT: Selection of sales tax and franchise fee audit  
F227 Firm.  
RECOMMENDATION: (1) Approve the selection of Municipal Resource Consultant (MRC) for sales tax and franchise fee audit services; (2) Approve and authorize the Mayor to execute an agreement with Municipal Resources Consultants for the above services at a cost not to exceed 25% of any incremental revenue received from the audit, plus \$6,000.00; and (3) Adopt Resolution No. 10014, designating MRC as an authorized City representative to examine sales and use tax records.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Furr seconded, and the motion carried by the following vote: Ayes: Council members Furr, Lopez, and Maron. Noes: None. Absent: Council members Johs and Takasugi.

Personnel Department Item

5. (103) SUBJECT: Ordinance No. 2228, amending Ordinance No. 2203  
F202 regarding the classifications of City Clerk and City Treasurer, to approve salary adjustments for the City Clerk and City Treasurer for Fiscal Year 1990-91.  
RECOMMENDATION: Second reading and adoption.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Furr seconded, and the motion carried by the following vote: Ayes: Council members Furr, Lopez, and Maron. Noes: None. Absent: Council members Johs and Takasugi.

Public Works Department Item

6. (105) SUBJECT: Replace Roof System at Community Center Oxnard  
F231 Room, Project Specification No. PW90-17.  
RECOMMENDATION: Approve Project Specification No. PW90-17 and authorize advertising for bids to replace the roof system at the Community Center Oxnard Room Building.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Furr seconded, and the motion carried by the following vote: Ayes: Council members Furr, Lopez, and Maron. Noes: None. Absent: Council members Johs and Takasugi.
7. (109) SUBJECT: Consultant selection to provide engineering design  
F729 and construction administration services for the Mandalay Bay Seawall Repair Project.  
RECOMMENDATION: Approve the Request for Proposal/Consultant Selection Process and authorize the Mayor to execute the consulting services agreement between the City and Noble Consultants, Inc., in an amount not to exceed \$287,852.00 to provide engineering design, destructive testing, and construction administration services for the Mandalay Bay Seawall Repair Project.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Furr seconded, and the motion carried by the following vote: Ayes: Council members Furr, Lopez, and Maron. Noes: None. Absent: Council members Johs and Takasugi.

Redevelopment Department Item

8. (147) SUBJECT: Emergency access agreement with Southern California  
F350 Edison.  
RECOMMENDATION: Approve and authorize the Mayor to execute a license agreement with Southern California Edison to allow emergency vehicle access through their facility at Ormond Beach.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as recommended. Councilwoman Furr seconded, and the motion carried by the following vote: Ayes: Council members Furr, Lopez, and Maron. Noes: None. Absent: Council members Johs and Takasugi.

JUNE 5, 1991

OXNARD CITY COUNCIL

PAGE 2

Staff presented and reviewed revised Pages 313 and 314 regarding the Mandalay Bay Waterway and Landscape Maintenance District budget.

Mr. Sheldon Berger, 2011 Jamestown Way, representing the Mandalay Bay Home Owners Association, told the City Council that they were pleased to be able to have input on the use of funds and the establishment of the budget. Mr. Berger pointed out that last year they were concerned with the establishment of a sunken boat fee, which was changed to a code enforcement program cost, because they believed it should be the responsibility of the property owner. He noted that the property owner of the sunken boat episode did pay for the expenses of removing the vessel from the waterway. He mentioned that the code enforcement program expense was reduced substantially after meetings held between staff and the association. He suggested that the code enforcement program monies be earmarked for the proposed insurance policy. He advised the City Council that they did not have any control over the boats entering the waterways. He stated that now there was a private contractor who was responsible for cleaning trash out of the waterways, and that they were in the process of considering the same arrangement for landscaping. He urged the City Council to reconsider fulfilling the reinstatement of the City's contribution to the dredging costs. He recommended that there was no need for the code enforcement program, the monies be allocated for the dredging reserve. He thanked staff for the cooperation.

ACTION: The Assistant City Manager informed the City Council that the City's dredging contribution as well as other programs and projects would be put on a list for consideration in the future when the City was in a better financial position.

At 2:36 p.m., Councilwoman Furr was present.

DISCUSSION: There was discussion relating to the number of Parks Maintenance Supervisors, the number of employees in the Parks Division, the reorganization of the Parks Division, an analysis of the staffing and supervision required in the Parks Division, and the responsibilities assigned to Parks Maintenance Supervisors.

ACTION: The Parks and Recreation Director advised the City Council that staff would prepare a report on the Parks Division reorganization and provide periodic transition progress reports. The Assistant City Manager told the City Council that the Parks Maintenance Supervisor positions would be presented to them for consideration in the future.

DISCUSSION: There was discussion relative to the General Fund Reserve status and estimation, the unmet budgetary needs, the differences between General Fund and Utilities Fund Reserves, the study conducted on the appropriate General Fund Reserve level, the estimated General Fund Reserve level at the end of FY 1991-92 and 1992-93, the anticipated lack of Public Employees Retirement System (PERS) refund, the goal of striving to rebuild the General Fund Reserve to 15-20% of the General Fund operating budget as the City restructured itself and as the economy improved to be available for recessions and special projects.

D. CLOSED SESSION

Public Works Department Item

6. (035) SUBJECT: 1991 Sewer Line Replacement Program (Phase I),  
F-215 Project Specification No. PW 90-24.  
F-693 RECOMMENDATION: Approve Project Specification No. PW 90-24  
and authorize advertising for bids to replace 2155 feet of  
sewer main.  
DISCUSSION: Mr. Carroll Lorbeer, 542 West Fifth Street,  
talked about the City providing this service outside the  
corporate limits.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as  
recommended. Councilwoman Maron seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.
7. (041) SUBJECT: 1991 Pavement Resurfacing Program, Phase II,  
F-693 Project Specification No. PW91-2.  
RECOMMENDATION: Approve Project Specification No. PW91-2  
and authorize advertising for bids for Phase II of the 1991  
Pavement Resurfacing Program.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as  
recommended. Councilwoman Maron seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.
8. (045) SUBJECT: Mandalay Bay Seawall Repair, Phase I, Project  
F-729 Specification No. PW89-26.  
RECOMMENDATION: (1) Approve Project Specification No.  
PW89-26 and authorize advertising for bids for Phase I of  
the Mandalay Bay Seawall Repair Project; and (2) Approve the  
transfer of previously appropriated funds in the amount of  
\$221,200.00 to the Mandalay Bay Seawall Repair Project from  
the Operations/Waterways Maintenance Operating Budget.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as  
recommended. Councilwoman Maron seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.
9. (053) SUBJECT: Amendment to Agreement No. 3945 for traffic  
F-229 signals at Pleasant Valley and Route 1.  
RECOMMENDATION: Approve and authorize the Mayor to execute  
Amendment #1 to the Agreement No. 3945 between the City,  
County of Ventura and State of California, extending the  
termination date to July 1, 1992. This agreement concerns  
the project to install two new traffic signals at Pleasant  
Valley Road and Route 1 ramps.  
CONSENT AGENDA ACTION: Councilman Lopez moved approval as  
recommended. Councilwoman Maron seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.

RECESS

At 2:50 p.m., the City Council recessed. At 3:05 p.m., the City  
Council reconvened.

D. CITY BOARD AND COMMISSION REPORTS

1. INFORMATION/CONSENT
2. REPORTS

Finance and Management Services Department Item

3. (133) SUBJECT: Mandalay Bay Seawall Repair/Maintenance, Phase I,  
F-231 Project Specification No. PW89-26.  
F-729 RECOMMENDATION: Approve the award and authorize the Mayor  
to execute a contract with Associated Industries in the  
amount of \$171,706.00 for the repairs to the Mandalay Bay  
seawall.  
CONSENT AGENDA ACTION: Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Lopez,  
Maron, Plisky, and Takasugi. Noes: None. Absent: None.  
Abstentions: Councilwoman Furr.

Housing Department Item

4. (151) SUBJECT: City Community Development Block Grant (CDBG)  
F-652 contribution to American Red Cross warming shelter.  
RECOMMENDATION: (1) Approve the use and appropriation of  
\$3,000.00 from the CDBG Unappropriated Fund Balance for the  
operation of the Red Cross Emergency Warming Shelter for the  
homeless; (2) Authorize staff to amend the 1991-92 Final  
Statement of Community Development Objectives and Projected  
Uses of Funds to include this new CDBG activity; and (3)  
Approve and authorize the Mayor to execute an agreement with  
the Red Cross in the amount of \$3,000.00 for services  
provided through the Emergency Warming Shelter at the Oxnard  
National Guard Armory.  
CONSENT AGENDA ACTION: Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.

Parks and Recreation Department Item

6. (237) SUBJECT: Approval of Request for Proposal (RFP) for the  
F-186 management of the Oxnard Tennis Center.  
RECOMMENDATION: Authorize staff to distribute an RFP for  
the management of the Oxnard Tennis Center.  
CONSENT AGENDA ACTION: Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.
7. (273) SUBJECT: Replacement of vehicle.  
F-186 RECOMMENDATION: Authorize the appropriation of \$18,000.00  
from the General Fund Operating Reserve to the Senior  
Recreation Services Program's Capital Outlay account for the  
replacement of a passenger van destroyed by arson in early  
November 1991.  
CONSENT AGENDA ACTION: Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.

Personnel Department Item

8. (277) SUBJECT: Renewal of group dental plan with Delta Dental  
F-202 Plan of California.  
RECOMMENDATION: (1) Authorize staff to renew for one year  
the existing agreement with Delta Dental Plan of California  
to provide group dental coverage at the current monthly rate  
of \$45.95 per employee; and (2) Approve and authorize the  
Mayor to execute an addition to Article 6 of the agreement  
regarding Delta Dental's payment procedures to participating  
dentists.  
CONSENT AGENDA ACTION: Councilwoman Maron moved approval as  
recommended. Councilman Lopez seconded, and the motion  
carried by the following vote: Ayes: Councilmembers Furr,  
Lopez, Maron, Plisky, and Takasugi. Noes: None. Absent:  
None.

**DISCUSSION:** Mr. Larry Stein, 1965 Falkner Place, indicated the annual increase of the reclassification requests would be \$14,658.00 and reclassifications should be postponed due to the City's fiscal crisis and until the new City Council was installed. He described the ratio of funds which could be used for the special election or other purposes.

**CONSENT AGENDA ACTION:** Councilwoman Maron moved to approve the recommendation. Councilman Lopez seconded, and the motion carried by the following vote: Ayes: Councilmembers Furr, Lopez, Maron, Plisky and Takasugi. Noes: None. Absent: None.

Public Works Department Item

3. (031) **SUBJECT:** Route 101 Corridor Improvement Project.  
F-96 **RECOMMENDATION:** (1) Approve and authorize the Mayor to execute a contract with Centennial Civil Engineers, Inc., in the amount of \$320,750.00 for preliminary engineering consulting services for the Route 101 Improvement Project from Vineyard Avenue to Johnson Drive; and (2) Approve the appropriation of funds in the amount of \$320,750.00 from the Circulation System Improvement Fee Fund to the Highway 101 Widening Vineyard Avenue to Johnson Drive Account for preliminary engineering consultant services.  
**REVISED RECOMMENDATION:** The City Manager indicated the second recommendation regarding the budget appropriation should be deleted because no appropriation was needed.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved to approve the recommendation. Councilman Lopez seconded, and the motion carried by the following vote: Ayes: Councilmembers Furr, Lopez, Maron, Plisky and Takasugi. Noes: None. Absent: None.
4. (045) **SUBJECT:** Amendment to Agreement No. 4527A with Noble Consultants, Inc., for Mandalay Bay Seawall Repair.  
F-729 **RECOMMENDATION:** Approve and authorize the Mayor to execute an amendment to Agreement No. 4527A between the City and Noble Consultants, Inc., to extend the agreement for twenty-four months and bring the total compensation to \$560,908.00 for additional emergency services including: Phase I Contract Completion Report; surface and diver reconnaissance of seawall and pilings; and Engineering Design and Contract Administration for Phase II Project.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved to approve the recommendation. Councilman Lopez seconded, and the motion carried by the following vote: Ayes: Councilmembers Lopez, Maron, Plisky and Takasugi. Noes: None. Absent: None. Abstain: Councilmember Furr.
5. (063) **SUBJECT:** Earth Day 1993 in Oxnard.  
F-2968 **RECOMMENDATION:** (1) Endorse sponsoring an Earth Day Event at Oxnard College in Spring, 1993; (2) Approve a transfer of previously appropriated funds in the amount of \$3,000.00 from the Solid Waste Recycling Program to a special program account to provide partial funding for Earth Day expenses; and (3) Approve an appropriation and offsetting revenue in the amount of \$3,000.00 to the same special program account to record donations from other organizations involved in Earth Day 1993, and to provide the remaining funding for Earth Day 1993 expenses.  
**CONSENT AGENDA ACTION:** Councilwoman Maron moved to approve the recommendation. Councilman Lopez seconded, and the motion carried by the following vote: Ayes: Councilmembers Furr, Lopez, Maron, Plisky and Takasugi. Noes: None. Absent: None.

RECESS

At 2:25 p.m., the City Council recessed. At 2:45 p.m., the City Council reconvened.



MARCH 9, 1993

OXNARD CITY COUNCIL

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ACTION: The City staff would provide information on various options for opening park restrooms such as using Summer Youth Program. The staff would include the cost of operations and cost of vandalism to the restrooms.

DISCUSSION: In discussing the Assessment Districts, the Public Works Director mentioned the increased costs of up-grading equipment. He also commented that the Mandalay Bay Assessment District asked for seawall repairs and the trenching of the canals.

III. ADJOURNMENT

At 11:05 a.m., the City Council concurred to adjourn.

  
DANIEL MARTINEZ  
City Clerk

  
DR. MANUEL M. LOPEZ  
Mayor

The Public Works Director stated this was the first year a letter was sent to homeowners as required by law. He stated that the City tries and will continue to work with associations as to what they want. He stated that staff could look at outside bids if it is the desire of the City Council. The Public Works Director stated the assessment was determined by a private engineer and was willing to discuss this item. He commented that 1,500 notices were mailed.

The City Manager stated staff has contacted Southern Pacific about the bridge and was working to solve the problem.

The Parks and Facilities Superintendent stated that the greatest problem was that many associations do not know where the landscape assessment begins and ends. He commented that developers are responsible for undeveloped areas of the development. He also commented that the letter sent to homeowners was an estimate which will probably decrease.

Mr. Robert Serros, 2741 Windcrest Court, expressed concern with the assessment district program. He also expressed concern with the quality of service the landscape districts provided. He asked that the community have some say in not only the landscape districts, but parks and schools.

CONSENT AGENDA ACTION: Councilmember Plisky moved to close the public hearing. Councilmember Holden seconded, and the motion carried unanimously. Councilmember Plisky moved to approve the recommendation. Councilmember Holden seconded, and the motion carried by the following vote: Ayes: Councilmembers Holden, Herrera, Lopez, Pinkard and Plisky. Noes: None. Absent: None. Abstained: Councilmembers Pinkard and Plisky on No. 3 (River Ridge) only.

5. (255) SUBJECT: Public Hearing to Receive Public Testimony  
F-506 Regarding FY 1993-94 Special Assessment Taxes for Mandalay Bay Waterway Maintenance Assessment District.  
RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding proposed new and increased assessments for Mandalay Bay Waterway Maintenance District; and (2) Set a second public hearing date of June 15, 1993, to receive further testimony on proposed new and increased assessments.

ACTION: Mayor Lopez opened the public hearing.

**DISCUSSION:** The City Clerk presented an affidavit of publication, posting and reported 26 written communications opposing the recommendation from Clair Abdalla, Mr. Chuck Engel, Ms. Edna Brown, Leslie Champion, Pat French, Mr. and Mrs. Gavlik, Mr. and Mrs. Pope and Family, Mrs. Helen Odenwald, D. Byrum, Mr. Otis Coppock, Mr. and Mrs. Widder, Mr. William Lacoste, Mr. and Mr. Morse, Mr. Ralph Galpin, Mr. and Mrs. Wiese, Mr. Dale Thuman, Mr. Edward Dore and Mr. Robert McElhose, Mr. Michael Adams, Mr. Jules Melillo, Mr. and Mrs. Morrisset, Ms. Shirley Komick, Mr. and Mrs. Stebbins, Mr. William Elswick, Ms. Barbara Cooper, and E.C. Sigmon.

Mr. Owen Patotzka, 1728 Emerald Isle Way, expressed concern with how the assessments are being made. He stated his association was being assessed dredging costs but did not have access to docks in the harbor. He also stated his belief the allocations was unfair based on services being provided.

Mr. Sheldon Berger, 2011 Jamestown Way, stated that his association, Mandalay Bay, had worked with the City. He commented that this was the first year of notices being sent out, but the association has always paid this assessment. He stated that his association was in favor of the recommendation and was happy with the service received.

Ms. Rose Christensen, 2324 Monaco Drive, expressed concern with the increased assessments. She stated the waterways are open to the public and silt flows into the waterways. She asked if other people, who use the waterway, pay for the use of the waterway. She stated her belief that the assessment was not fair.

Councilmember Plisky stated he had a longstanding dispute with the assessment relative to the dredging costs and that was the only reason he opposed it.

**CONSENT AGENDA ACTION:** Councilmember Plisky moved to close the public hearing. Councilmember Holden seconded, and the motion carried unanimously. Councilmember Plisky moved to approve the recommendation. Councilmember Holden seconded, and the motion carried by the following vote: Ayes: Councilmembers Pinkard, Holden, Herrera and Lopez. Noes: Councilmember Plisky. Absent: None.

6. (149) **SUBJECT:** Drain Outlet Rehabilitation of Fifth Street at  
F-231 Edison Canal, Project Specification No. PW93-11.  
**RECOMMENDATION:** Approve the award and authorize the Mayor  
to execute a contract with Blois Construction, Incorporated,  
in the amount of \$65,648.00 for the rehabilitation of the  
Fifth Street storm drain outlet at the Edison Canal.
7. (159) **SUBJECT:** 1992 Storm Damage, Repair Overpasses at Pleasant  
F-231 Valley/Channel Islands Boulevards, Highway 1, Project  
Specification No. PW93-12.  
**RECOMMENDATION:** Approve the award and authorize the Mayor  
to execute a contract with Berry General Engineering  
Contractors, Incorporated, in the amount of \$39,445.10 to  
provide repairs to storm damaged overpasses at Highway 1 and  
Pleasant Valley and Channel Islands Boulevards.

Police Department Item

8. (169) **SUBJECT:** Office of Criminal Justice Planning grant  
F-505 applications.  
F-736 **RECOMMENDATION:** Authorize staff to prepare and the Mayor or  
City Manager to sign the following grant applications: (1)  
An application in conjunction with the Oxnard High School  
District to the Office of Criminal Justice Planning for  
\$428,500.00 to fund an anti-drug abuse/drug suppression  
program for high school age students as part of the  
Operation Revitalization Program; (2) An application in  
conjunction with the Oxnard Elementary School District to  
the Office of Criminal Justice Planning for \$100,000.00 in  
grant funding to establish a suppression of drug abuse  
program in junior high schools; (3) An application in  
conjunction with the Oxnard Elementary School District to  
the Office of Criminal Justice Planning for \$100,000.00 in  
grant funding to establish a drug resistance education  
program for elementary school age children. Upon selection  
for funding staff will return to Council for a resolution to  
enter into a grant award agreement with the Office of  
Criminal Justice Planning.

Public Work's Department Item

9. (171) **SUBJECT:** 1993 Slurry Seal Program, Project Specification  
F-231 No. PW92-26.  
**RECOMMENDATION:** (1) Approve Project Specification No.  
PW92-26 and authorize advertising for bids for the 1993  
Slurry Seal Program; and (2) Approve the transfer of  
previously appropriated funds in the amount of \$17,500.00  
from the General Fund to the Capital Outlay Fund to  
partially cover the cost of slurry sealing various parking  
lots.
10. (181) **SUBJECT:** Request for Qualifications (RFQ) for contractual  
F-729 services for Mandalay Bay Seawall repair and maintenance.  
F-721 **RECOMMENDATION:** Approve an RFQ for contractual services and  
authorize the Purchasing and Contracting Officer to  
distribute the RFQ to suitable contractors for their  
evaluation and response.

**O. INFORMATION/CONSENT PUBLIC HEARINGS****Community Development Department Item**

1. (169) **SUBJECT:** Vacation of a portion of Emerald Street east of Almanor Street (Planning and Zoning Permit No. 93-5-1), filed by the City of Oxnard, Community Development Department.  
**F-235** **RECOMMENDATION:** Adopt Resolution No. 10.592 ordering the vacation of a portion of Emerald Street east of Almanor Street.  
**ACTION:** Mayor Lopez opened the public hearing.  
**DISCUSSION:** The Assistant City Clerk indicated all legal publication and posting requirements were previously met from the continued public hearing on June 15, 1993, and she reported no written communications.  
**ACTION:** The City Council concurred to close the public hearing. Councilmember Holden moved to approve the recommendation. Councilman Plisky seconded, and the motion carried unanimously.

**P. PUBLIC HEARINGS - Contd.**

2. (191) **SUBJECT:** Annexation of Tract Nos. 4132-2 and 4132-3 to  
**F-549** Mandalay Bay Waterway Maintenance District.  
**F-729** **RECOMMENDATION:** (1) Adopt Resolution No. 10.593 ordering annexation of the properties in Tract Nos. 4132-2 and 4132-3 to the Mandalay Bay Waterway Maintenance Assessment District and to change the boundaries of Zone 2 of the District to include the area being annexed; and (2) Adopt Resolution No. 10.594 adopting a statement of annexation to Waterway Maintenance District and change of boundaries of Zone 2 thereof.  
**ACTION:** Mayor Lopez opened the public hearing.  
**DISCUSSION:** The Assistant City Clerk indicated all legal posting requirements were previously met from the continued public hearing on June 15, 1993, and she reported no written communications.

The Parks and Facilities Superintendent verified that all legal notification requirements were met in response to City Council's request at the June 15, 1993 meeting. He also discussed the assessment with Harbor Islands Homeowners Association for the linear park, and waterway maintenance assessments for Mandalay Bay homeowners and Harbour Island assessments.

A comment card from Mr. Frank Lin, 4031 Ischia Drive, was read concerning the cost of maintaining the linear park.

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Mr. Owen Patotzka, 1728 Emerald Isle Way, discussed his share of the assessments, dredging and requested changed or reduced assessments.

**ACTION:** The Assistant City Manager indicated staff would work with the homeowners to try to come to agreement on the landscape maintenance assessments issue prior to July 8, 1993.

**ACTION:** Councilman Plisky moved to close the public hearing. Mayor Lopez seconded, and the motion carried unanimously. Councilman Plisky moved to approve the recommendation. Mayor Lopez seconded, and the motion carried by the following vote: Ayes: Councilmembers Lopez, Pinkard, Plisky, Herrera, and Holden.

1. (181) **SUBJECT:** Public Hearing to receive public testimony  
F-729 regarding Fiscal Year (FY) 1993-94 Special Assessment Taxes for Mandalay Bay Waterway Maintenance Assessment District  
**RECOMMENDATION:** (1) Hold a public hearing to receive public testimony regarding proposed new and increased assessments for Mandalay Bay Waterway Maintenance District; and (2) Adopt Resolution No. 10,595 setting assessments for FY 1993-94.  
**ACTION:** Mayor Lopez opened the public hearing.  
**DISCUSSION:** The Assistant City Clerk indicated all legal publication and posting requirements were previously met from the continued public hearing on June 15, 1993, and she reported receipt of two written communications from William E. Thompson and Gloris Miller stating their opposition to the matter.  
**ACTION:** Mayor Lopez moved to close the public hearing. Councilman Plisky seconded, and the motion carried unanimously. Mayor Lopez moved to approve the recommendation, with the exception that the landscaping assessment would be at seventy-seven percent. Councilmember Holden seconded, and the motion carried by the following vote: Councilmembers Lopez, Pinkard, Herrera, and Holden. Noes: Councilmember Plisky.
3. (211) **SUBJECT:** Annual revision of cost estimates and assessments  
F-506 for Mandalay Beach and Landscape Maintenance District (1993-94).  
**RECOMMENDATION:** Adopt Resolution No. 10,596 confirming a special assessment tax in the Mandalay Beach and Landscaping Maintenance District for 1993-94.  
**ACTION:** Mayor Lopez opened the public hearing.  
**DISCUSSION:** The Assistant City Clerk indicated all legal publication and posting requirements were previously met from the continued public hearing on June 15, 1993, and she reported no written communications.

19. (199) **SUBJECT:** Mandalay Bay Seawall Repair, Phase II, Project  
F-231 **Specification No. PW93-20.**  
**RECOMMENDATION:** Approve Project Specification No. PW93-20  
and authorize advertising for bids for Mandalay Bay Seawall  
Repair, Phase II.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to  
approve the recommendation. Councilmember Herrera seconded,  
and the motion carried: Ayes: Councilmembers Plisky,  
Herrera, Lopez and Pinkard. Absent: Councilmember Holden.
20. (203) **SUBJECT:** First floor tenant improvement project located  
F-441 within east wing of 305 West Third Street.  
**RECOMMENDATION:** Approve and authorize the Mayor to execute  
Change Order No. 1 in the amount of \$47,000.00 to an  
existing agreement and authorize CST Environmental Services,  
Inc. to continue with the asbestos abatement phase of the  
first floor, east wing of City Hall.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to  
approve the recommendation. Councilmember Herrera seconded,  
and the motion carried: Ayes: Councilmembers Plisky,  
Herrera, Lopez and Pinkard. Absent: Councilmember Holden.
21. (211) **SUBJECT:** Consultant selection and agreement to provide  
F-276 solid waste consulting planning services.  
**RECOMMENDATION:** Approve and authorize the Mayor to execute  
an agreement with Michael Brandman Associates for consulting  
solid waste consulting planning services in the amount not  
to exceed \$20,000.00 for Fiscal Year 1994.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to  
approve the recommendation. Councilmember Herrera seconded,  
and the motion carried: Ayes: Councilmembers Plisky,  
Herrera, Lopez and Pinkard. Absent: Councilmember Holden.

Recreation and Community Services Department

22. (227) **SUBJECT:** Operating plan for 1994 California Strawberry  
F-189 Festival and summary report on 1993 Strawberry Festival.  
**RECOMMENDATION:** (1) Receive report on 1993 California  
Strawberry Festival; (2) Authorize staff and the Special  
Events Manager to renew and/or negotiate, and the City  
Manager to execute, as appropriate, the agreements necessary  
to implement the 1994 California Strawberry Festival, as  
approved by Council in June, and consistent with the budget  
amounts reflected herewith, including agreements for  
publicity services, on-site operations, race management,  
food and beverage service, arts and crafts show production,  
design and production of banners and promotional materials,  
entertainment services, souvenirs, electrical, sound  
systems, and ticket sales and event services; and (3)  
Authorize staff to obtain event income insurance to mitigate  
the City's financial exposure in case of foul weather with  
premium not to exceed \$7,500.00.

Community Development Department

8. (073) **SUBJECT:** Task force study on the proposed Federal Implementation Plan (FIP).  
F-401 **RECOMMENDATION:** (1) Authorize staff to continue to work with the other cities in Ventura County, the Council on Economic Vitality (CEV), and the Ventura County Economic Development Association (VCEDA) in a cooperative, Countywide effort to respond to the proposed Federal Implementation Plan (FIP); and (2) Approve the appropriation of funds in the amount of \$10,500 from the General Fund Operating Reserve to the Community Development Department/Planning Division's contractual services account for the City's share of the cost for a task force study sponsored by the CEV and the VCEDA on alternative strategies and control measures to meet the requirements of the FIP.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to approve the recommendation. Councilman Pinkard seconded, and the motion carried by the following vote: Ayes: Councilmembers Herrera, Holden, Lopez, Pinkard and Plisky.
9. (077) **SUBJECT:** Weed and rubbish abatement resolution.  
F-241 **RECOMMENDATION:** Adopt Resolution No. 10.718 providing for the abatement of weeds, rubbish, refuse and dirt upon or in front of certain properties within the City.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to approve the recommendation. Councilman Pinkard seconded, and the motion carried by the following vote: Ayes: Councilmembers Herrera, Holden, Lopez, Pinkard and Plisky.
10. (081) **SUBJECT:** Martin Luther King, Jr., Drive.  
F-223 **RECOMMENDATION:** Adopt Resolution No. 10.723 of intention to name "D Street" in the Northeast Community Specific Plan Area as Martin Luther King, Jr., Drive.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to approve the recommendation. Councilman Pinkard seconded, and the motion carried by the following vote: Ayes: Councilmembers Herrera, Holden, Lopez, Pinkard and Plisky.

Finance and Management Services Department

- 11.. (083) **SUBJECT:** Mandalay Bay Seawall Repair, Phase II, Project  
F-231 Specification No. PW93-20.  
**RECOMMENDATION:** Approve the award and authorize the Mayor to execute a contract with American Divers, Incorporated, in the amount of \$167,916 for the second phase of repairs at the Mandalay Bay Seawall.  
**CONSENT AGENDA ACTION:** Councilmember Plisky moved to approve the recommendation. Councilman Pinkard seconded, and the motion carried by the following vote: Ayes: Councilmembers Herrera, Holden, Lopez, Pinkard and Plisky.



12. (057) **SUBJECT:** Mandalay Bay Seawall Repair, Project Specification No. PW93-20, Change Order No. 2.  
F-729 **RECOMMENDATION:** (1) Approve and authorize the Mayor to execute Change Order No. 2 in the amount of \$62,477 and authorize American Divers, Inc. to continue with the repairs to the seawalls; and (2) Approve the appropriation of funds in the amount of \$156,000 from the Waterway Maintenance Services Account (550-055-0308) to the Mandalay Bay Seawall Repair Account (550-955-0301) for repair work on the Mandalay Bay Seawalls.  
**ACTION:** Councilmember Holden moved to approve the recommendation. Councilman Pinkard seconded, and the motion carried by the following vote: Ayes: Councilmembers Lopez, Maulhardt, Pinkard, Herrera and Holden.

#### HOUSING AUTHORITY AND REDEVELOPMENT AGENCY

At 3:43 p.m., the meeting with the Housing Authority and Redevelopment Agency concluded.

#### H. CITY COUNCIL BUSINESS F-296B

**SUBJECT:** Painting of Carnegie Art Museum (Councilmember Holden)  
**DISCUSSION:** Councilmember Holden commended local businesses, Dunn-Edwards, who donated supplies and Holiday Painting, who volunteered to paint the Carnegie Art Museum.

#### Housing Department

1. (063) **SUBJECT:** Tenant commissioner selection process.  
F-140 **RECOMMENDATION:** Provide direction regarding the process to be used for selection and appointment of two tenant commissioners for the two-year term which commences February 1, 1995.  
**DISCUSSION:** The Housing Director reviewed possible options and legal requirements.  
**ACTION:** Mayor Pro Tem Herrera moved that the public housing residents would make a recommendation to the Mayor for the number of seats available and other applicants wishing to be selected would use the Citizen Advisory Group (CAG) process to be considered. Mayor Lopez seconded, and the motion carried unanimously.

#### I. REPORTS

#### J. INFORMATION/CONSENT PUBLIC HEARINGS

#### Community Development Department

1. F-88 **SUBJECT:** Planning and Zoning Permit No. 93-5-32, a request to annex and re-zone a 4.82 acre mobile home park (Valley Trailer Villa) located at 2371 Ventura Boulevard within the Rose-Santa Clara Corridor Specific Plan Area, filed by Valley Trailer Villa, 2371 Ventura Boulevard, Oxnard, CA 93030.

Dec 1954

- F. REVIEW OF INFORMATION/CONSENT AGENDA
- G. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA
- H. REPORT OF CITY MANAGER/SECRETARY
- L. REPORTS

**SUBJECT:** Update on Rain Storm Affects.

**RECOMMENDATION:** Adopt Resolution No. 11.322 declaring a local emergency.

**DISCUSSION:** The Public Services Director (Director), who is also the section coordinator for information and intelligence of the Emergency Operations Center (EOC), reported on the activation of the EOC. The Director reviewed the activities related to the storm, including street closures due to flooding, downed power lines and trees; the collapse of a seawall on the north side of Channel Islands Boulevard west of Victoria Avenue; a minor spill from the trunkline at Pleasant Valley/Saviors Road area; and an overflow situation at the wastewater treatment plant.

The Acting City Manager stated that five months ago the seawall was inspected and found structurally sound.

The Director reported that the current public property damage assessment is at \$300,000 to \$600,000 and private property damage is estimated at \$300,000. The EOC is monitoring the events.

The Coordinator of Disaster Services (Coordinator) reported on upcoming weather, soil saturation and the status of the Santa Clara River flow. The Coordinator announced the activation of a rain storm hotline to inform the public about sandbags and street closures and stated the Red Cross has designated Hueneme High School as its shelter site.

The City Attorney cited Government Code section 54954.2, which permits the City Council in certain situations, such as the current rain storm, to add an item to an agenda if, upon determination by two-thirds of the legislative body that the need to take immediate action arose after the preparation and posting of the agenda. The adoption of the resolution declaring the existence of a local emergency will enable the City to take steps to obtain funding to pay for some of the damages as a result of the storms.

**ACTION:** Mayor Pro Tem moved to add this item to the agenda. Councilmember Zaragoza seconded; and the motion was passed by the following vote: Ayes: Maulhardt, Pinkard, Zaragoza, Holden and Lopez.

#### DISCUSSION

Mr. Bernard Dunhom reported on problems on his street from the rain.

**ACTION:** Councilmember Maulhardt moved approval as recommended. Councilmember Zaragoza seconded; and the motion was adopted by the following vote: Ayes: Councilmembers Pinkard, Zaragoza, Holden, Lopez and Maulhardt.

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**SUBJECT:** Road potholes due to recent rain storms (Mayor Pro Tem Pinkard)

**DISCUSSION:** Mayor Pro Tem Pinkard observed many potholes on City roads and asked if Federal Emergency Management Agency (FEMA) would help pay for the cost of repairs. The Public Services Director commented on the minor problems due to the recent rain storm. He stated that his office was looking to have contracts to repair the potholes and the City would apply for reimbursement from FEMA. He also stated that FEMA was not establishing an office locally and the Small Business Administration (SBA) had set up an office on Tuesdays in the City.

**K. PUBLIC COMMENTS ON REPORTS**

**L. REPORTS**

**Infrastructure and Utilities**

2. (85) **SUBJECT:** Emergency Repair of Seawall. - 11,327

**RECOMMENDATION:** Adopt Resolution No. 11.326 confirming the decision of the Acting City Manager to authorize emergency repair of the seawall at Channel Islands Boulevard west of Victoria Avenue by Berry General Engineering, Inc.

**DISCUSSION:** The Public Services Director stated the reasons for this resolution to confirm the decision of the Acting City Manager. He stated the seawall should be repaired within seven to fourteen days. He also stated the City would seek reimbursement from FEMA for the repairs.

**ACTION:** Councilmember Zaragoza moved to approve the recommendation. Mayor Lopez seconded and the motion carried by the following vote: Ayes: Councilmembers Holden, Lopez, Maulhardt, Pinkard and Zaragoza.

1. (79) **SUBJECT:** Scenic Drive Designation. - 11,326

**RECOMMENDATION:** Adopt Resolution No. 11.327 designating certain City streets as part of the "Coastal Scenic Drive."

**DISCUSSION:** The Traffic Engineer reviewed the route of the Scenic Drive Designation and signage to be used.

Ms. Carol Lavender, Greater Oxnard and Harbors Tourism Bureau, commented on the great idea to have signage to direct travelers to Channels Islands Harbor. She also stated that the scenic drive designation had the support of Port Hueneme, San Buenaventura and CalTrans.

**ACTION:** Councilmember Maulhardt moved to approve the recommendation. Councilmember Zaragoza seconded and the motion carried by the following vote: Ayes: Councilmembers Zaragoza, Holden, Lopez, Maulhardt, and Pinkard.

**Community and Resident Services**

3. (87) **SUBJECT:** Soccer Fields Use Agreement.

**RECOMMENDATION:** Approve and authorize the Mayor to execute a three year renewal of the soccer fields use agreement with the Ventura County Community College District for community use of the soccer facilities at Oxnard College.

**DISCUSSION:** The Recreation Supervisor commented the current use of soccer fields and the new agreement.

1. **SUBJECT:** Presentation of a Commendation to James L. Vasquez for his Life Saving Action on June 23, 1999.  
**DISCUSSION:** Mayor Lopez introduced James L. Vasquez who thanked the City Council for the recognition and stated he was pleased that he could help save a young boy's life. Chief Owen, Ventura County Federal Fire Department, commented on the commendable performance of Firefighter Vasquez.
2. **SUBJECT:** Presentation of a Commendation to the Finance Department for their Award-Winning Comprehensive Annual Financial Report.  
**DISCUSSION:** Mayor Lopez introduced Phil Molina, Finance Director, who commented on the significance of the awards and thanked the City Council for the recognition. He thanked the staff of the Finance Department and introduced Susan Winder, Debra Dubois, Paul Lewow, Orlando Capulong, Robert Tovas, Norma Owens, Jim Fabian and Tom Wilson.
3. **SUBJECT:** Presentation of Employee of the Quarter.  
**DISCUSSION:** Mayor Lopez introduced Robin Middleton, Oxnard Library, who introduced Sue Shrope as Employee of the Quarter. Ms. Shrope thanked the City Council for the recognition and recognized the excellent performance of her fellow co-workers.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mr. Bernard Dunhom, 215 North "H" Street, commented, (1) that the State of California was recognizing veterans who received Purple Hearts and stated his belief the City should have a similar program, and (2) that the City had too many thrift and 99 cent stores.

Mr. Steve Buratti, 234 South "F" Street, thanked Mayor Lopez for an article published in the Oxnard Star regarding the Oxnard Airport expansion. He also thanked staff for their support of the Heritage Trust (historical district) and for helping to reduce traffic speed in the neighborhood.

Mr. Rudy D. Liporada, 900 Nottingham Drive, Deputy Director of Ventura County Filipino-American Council, (and Chairperson of the Special Affairs on Violent Ethical Matters, a subcommittee of the Ventura County Filipino-American Council), expressed concern on behalf of the organizations he represented regarding the shooting of Joseph Ileto, a postal worker who was killed in Los Angeles. He also thanked the City Council for their support of organizations that support community harmony such as the Ethical Council (Oxnard Police Department), and the Commission on Community Relations.

Mr. Shaun Stanistreet, P.O. Box 50455, stated his opinions regarding the conduct of a former PAL employee.

Ms. Sunny Atkinson, P.O. Box 50455, commented on the attempt to have a restraining order placed against her by a City employee.

Ms. Evie Lundin, 4240 Meridian Street, stated her belief that the City was responsible for structural problems she was having at her home in the harbor due to poor maintenance of the seawall.

with the pledge of allegiance to the flag of the United States led by the Cruz Azul soccer team. This was followed by a moment of silence. Additional staff members present were: Mathew Winegar, Development Services Director; Michael Henderson, Parks and Facilities Superintendent; Dave Mesa, Facilities Maintenance Supervisor, Marilyn Miller, Acting Planning and Environmental Services Manager; Norma Owens, Grants Manager; and Gary Sugano, Associate Planner.

E. CEREMONIAL CALENDAR

1. **SUBJECT:** Presentation of a Commendation to Cruz Azul Soccer Team.  
**DISCUSSION:** Mayor Lopez presented the commendation (for winning the Section 10 Championship) to Juan Gutierrez and Salvador Naranjo, coaches, who thanked the City for supporting soccer programs.
2. **SUBJECT:** Presentation of Proclamation declaring November 15 - 19, 1999 as GIS week as part of National Geographic Week.  
**DISCUSSION:** Mayor Lopez presented the commendation to Aspet Amirkhanian, who thanked the City Council for the recognition.
3. **SUBJECT:** Presentation of a Commendation to Stan Hakes for over 14 Years of Outstanding Service to the City of Oxnard.  
**DISCUSSION:** Mayor Lopez presented the commendation to Mr. Hakes, who thanked the Mayor and Councilmembers for the privilege of working for the City.
4. **SUBJECT:** Presentation of Employee of the Quarter.  
**DISCUSSION:** Mayor Lopez introduced the Facilities Maintenance Supervisor, who presented Mike Glenn, Senior Facilities Maintenance Worker, as the Employee of the Quarter. Mr. Glenn recognized the other nominees and thanked the Committee and City Council for the award.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mr. Bernard Dunhom, 215 N. H Street, commented on an award for combat veterans of the Korean conflict.

Patty McWaters, 505 Poli Street, invited the community to a forum on December 9, 1999 to plan for future child care.

Sunny Atkinson, P. O. Box 50455, discussed a court case and a local cable television program.

Mr. Shaun Stanistreet, P. O. Box 50455, spoke about a court case.

Ms. Evie Lundin, 4240 Meridian, relayed alleged problems with a seawall at or near her residence.

1. (049) **SUBJECT:** Appeal of Certification of Final Supplemental Environmental Impact Report ("Report") No. 98-2, Filed by Lyn Krieger, Director of the Harbor Department, County of Ventura.  
**RECOMMENDATION:** Adopt Resolution No. 11,725 upholding Planning Commission's certification of the Report for the Westport at Mandalay Bay project as adequate and in compliance with the requirements of the California Environmental Quality Act.  
**ACTION:** Mayor Lopez declared the public hearing open.  
**DISCUSSION:** The Assistant City Clerk reported on publication and posting and that there were no written communications received.

The Development Services Director introduced Mr. Robert Orellana, County of Ventura County Counsel and stated that settlement has been reached with the County of Ventura and the appeal has been withdrawn. Mr. Orellana read a letter from the Director of the Harbor Department thanking City Council and staff.

The City Attorney announced that the City Council voted unanimously to execute a Memorandum of Understanding (A-5848) with the County of Ventura to resolve issues related to challenges to the certification of the Environmental Impact Report for the Westport Project. Provisions of the agreement include: 1) the County will enter into a service agreement with the City to provide certain patrol and enforcement services in the Mandalay Bay waterways in the future; 2) the City will create, with the developer, a community facilities district to provide certain funding for the waterways in Mandalay Bay; 3) provisions for the possible future need for dredging, who will pay for the costs of the dredging, and for certain studies in the event the Reliant Energy Plant would close; 4) agreements on the percentage share between and among the developer, the County and the City for certain remediation work; 5) agreements as to the amount of tax in the community facilities district and dredging costs in the Channel Islands Harbor, 6) agreements on escalator amounts for certain contributions by the parties; and 7) the City at some future time and meeting certain conditions would take over some patrol services and enforcement work in the waterways in the future.  
**ACTION:** Councilman Pinkard moved to close the public testimony portion of the hearing. Mayor Pro Tem Zaragoza seconded, and the motion was unanimously adopted. Councilmember Holden moved approval as recommended. Councilmember Maulhardt seconded, and the motion was adopted by the following vote: Ayes: Councilmembers Lopez, Maulhardt, Pinkard, Zaragoza, and Holden.

#### P. APPOINTMENT ITEMS

Public Works Department

10.(071) **SUBJECT:** Request for Funds from 2001 Petroleum Violation Escrow Account (PVEA).

**RECOMMENDATION:** Authorize the Mayor to sign letters addressed to the Honorable Tom McClintock, State Senator, and the Honorable Tony Strickland, Assembly Member, requesting that they sponsor an allocation of \$300,000 in federal funds from the PVEA to replace an old heating and cooling system in the former Oxnard Public Library building on the southeast corner of Second and C Streets.

11.(075) **SUBJECT:** Appropriation of Funds for Mandalay Bay Seawall Repair and Maintenance.

**RECOMMENDATION:** Approve the appropriation of funds in the amount of \$1,000,000 from the Waterways Assessment District Fund Balance to the Inland Waterways operating account for the purpose of continuing maintenance and repair of the 6.2 miles of seawalls within the Waterways Assessment District.

12.(079) **SUBJECT:** Groundwater Storage Program Feasibility Study and Pilot Project Grant Application.

**RECOMMENDATION:** (1) Adopt Resolution No. 11,899 authorizing the submittal of a grant application for \$1,420,950 to the State of California's Department of Water Resources; and (2) Authorize the Water Superintendent, if the grant is approved, to develop a pilot groundwater treatment system and storage facilities project.

**INFORMATION/CONSENT AGENDA ACTION:** Mayor Pro Tem Zaragoza moved to approve the recommendation. Councilmember Maulhardt seconded and the motion carried by the following vote: Ayes: Councilmembers Holden, Lopez, Maulhardt, Pinkard, and Zaragoza.

HOUSING AUTHORITY

At 7:55 p.m., the joint meeting with the Housing Authority concluded.

K. PUBLIC HEARINGS

**ACTION:** Mayor Lopez opened the public hearing.

**DISCUSSION:** The City Clerk presented an affidavit of publication, posting and mailing and reported no written communications.

Development Services Department

1.(095) **SUBJECT:** Density Bonus Permit 00-0-87 and Appeal of Planned Development Permit 00-5-118, Filed by Lauterbach and Associates.

**RECOMMENDATION:** (1) Adopt Resolution No. 11,903 approving Density Bonus Permit 00-0-87, a request for incentives under the density bonus ordinance; and (2) Adopt Resolution No. 11,904 upholding the Planning Commission decision to approve Planned Development Permit 00-5-118, a planned development for 72 affordable housing units, located at the northwest corner of the A Street and Robert Avenue alignments.

10. (081) **SUBJECT:** Emergency Waste Tipping Floor Restoration at the Del Norte Regional Recycling and Transfer Station ("DNRRTS").  
**RECOMMENDATION:** (1) Find, pursuant to Oxnard City Code section 2-93.9 and Public Contract Code section 22050, that a case of emergency exists at the DNRRTS, requiring that the tipping floor immediately be restored and repaired; and (2) Authorize the City Manager or Purchasing Agent to execute a contract with Delta Pacific Inc., (A-6034) for restoration and repair of the tipping floor in the approximate amount of \$310,000.
11. (085) **SUBJECT:** First Amendment to Ground Lease/Land Improvements with Continuing Development Incorporated ("CDI").  
**RECOMMENDATION:** Approve and authorize the Mayor to execute the First Amendment to Ground Lease/Land Improvements with CDI (A-5935), concerning the day care center at Colonia Park.
12. (089) **SUBJECT:** Appropriation of Funds for Mandalay Bay Seawall Repairs and Maintenance Dredging Project.  
**RECOMMENDATION:** Approve the appropriation of funds in the amount of \$1,700,000 from the Waterways Assessment District Fund Balance to the Inland Waterways operating account for the purpose of continuing maintenance and repair of the 6.2 miles of seawalls and performing a maintenance-dredging project within channels of the Waterways Assessment District.

**INFORMATION/CONSENT AGENDA ACTION:** Mayor Pro Tem Zaragoza moved approval as recommended. Councilman Pinkard seconded, and the motion was adopted by the following vote: Ayes: Councilmembers Holden, Lopez, Pinkard, Maulhardt, and Zaragoza.

- J. INFORMATION/CONSENT PUBLIC HEARINGS
- K. PUBLIC HEARINGS

Public Works Department

- 1.(093) **SUBJECT:** Public Hearing and Adoption of Resolutions to Form and to Levy Fiscal Year (FY) 2002-2003 Assessments for Landscape Maintenance District Nos. 40 and 41.  
**RECOMMENDATION:** (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 40 located in Tract No. 5214 (Cantada), located at Rose Avenue and Socorro Way in the Northeast Specific Plan area, and District No. 41 located in Tract No. 5171 (Pacific Cove), located at Saviers Road and Clara Street ("the District"), and determine whether a majority protest against formation exists; (2) If a majority protest against formation does not exist, continue with the public hearing to consider all protests against the proposed assessments in the Districts; tabulate the ballots; and determine whether a majority protest exists as to the assessments; and (3) If a majority does not exist as to the assessments, adopt Resolutions No. 12,078 and No. 12,079 to form and levy FY 2002-2003 assessments in the Districts.

**ACTION:** Mayor Lopez declared the public hearing open.

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



**G. REVIEW OF INFORMATION/CONSENT AGENDA****H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA**

Larry Stein questioned the terms of the Rainbow House (I-3) agreement.

**I. INFORMATION/CONSENT AGENDA****City Clerk's Office**

1. (007) **SUBJECT:** Minutes of the Regular Meeting of City Council for September 9, 2003.  
**RECOMMENDATION:** Approve.\*

**Finance Department**

2. (019) **SUBJECT:** City of Oxnard Consolidated Annual Performance and Evaluation Plan Report (CAPER) for Fiscal Year (FY) 2002-2003.  
**RECOMMENDATION:** Approve and authorize the submittal of the City of Oxnard's FY 2002-2003 CAPER to the U. S. Department of Housing and Urban Development.

**Housing Department**

3. (021) **SUBJECT:** Appropriation of Funds for Rainbow House Recovery Center, 1810 East Wooley Road.  
**RECOMMENDATION:** (1) Make an exception to the In-Lieu Fee Priority Allocation Policy to provide funds to purchase property to be leased to the Rainbow House Recovery Center; and (2) Approve the appropriation of funds in the amount of \$490,000 from the housing in-lieu fees fund balance to be used for the purchase of the property.
4. (025) **SUBJECT:** Development Fee Deferrals for Villa Madera, Villa Victoria, and Villa César Chávez Affordable Housing Projects.  
**RECOMMENDATION:** (1) Approve and authorize the Mayor to execute an agreement (A-6264) with Mercy Housing California XVI (Mercy) for the deferral of approximately \$660,000 development fees for the Villa Madera affordable housing project; and (2) Approve and authorize the Mayor to execute agreements with Cabrillo Economic Development Corporation for the deferral of approximately \$1.4 million development fees for the Villa Victoria (A-6266) and Villa César Chávez (A-6265) affordable housing projects.

**Public Works Department**

5. (033) **SUBJECT:** Eastern Mandalay Bay Dredging Project.  
**RECOMMENDATION:** Approve Project Specification No. PW03-23 for dredging in the eastern Mandalay Bay area. The project is located in the eastern Mandalay Bay area only, between Hemlock Street to Channel Islands Boulevard and Victoria Avenue to the Main Channel.

Larry Stein questioned placement of a police storefront in an area with two police facilities already in the area.

Bert Perello commented in favor of a public restroom.

**ACTION:** Councilman Pinkard moved approval as recommended. Councilmember Zaragoza seconded, and the motion was adopted by the following vote: Ayes: Councilmembers Zaragoza, Herrera, Maulhardt and Pinkard. Absent: Mayor Lopez.

**L. REPORT OF CITY MANAGER**

The Assistant City Manager reported on 1) a Yan Can Restaurant benefit to raise funds for the Oxnard Public Library literacy program; 2) 5-K Run for Youth, Latino Police Officers Association, Ventura County Chapter on November 8<sup>th</sup>; 3) a film, Uncommon Courage, showing at the Oxnard Public Library November 9<sup>th</sup>, about the military intelligence service and Japanese interpreters during and after WWII; 4) visit to the Oxnard Public Library by Congresswoman Lois Capps on November 1<sup>st</sup>; and 5) Oxnard Streets and Water Divisions installing two debris booms in the Oxnard West Drain on Channel Islands Boulevard to reduce the amount of debris entering the Mandalay Bay Waterways.

**M. CITY COUNCIL BUSINESS/COMMITTEE REPORTS**

1. **SUBJECT:** Regional Transportation Plan (Councilman Pinkard).  
**RECOMMENDATION:** Continue to November 18, 2003.  
**ACTION:** The City Council concurred to continue this item to November 18, 2003.

**N. PUBLIC COMMENTS ON REPORTS**

**O. REPORTS**

**Housing Department**

1. (031) **SUBJECT:** Local Housing Trust Fund Grant Application; Affordable Rental Housing.  
**RECOMMENDATION:** (1) Establish an Affordable Rental Housing Trust Fund, and provide that 25% of future affordable housing in lieu fee payments be deposited into such fund; (2) Approve the appropriation of funds in the amount of \$1.2 million from the Affordable Housing Trust Fund to the Affordable Rental Housing Trust Fund for the purpose of funding the Affordable Rental Housing Trust Fund; and (3) Adopt Resolution No. 12,518 authorizing the Housing Director to (1) execute and submit an application to the California Department of Housing and Community Development (HCD) for a \$1 million Local Housing Trust Fund grant; and (2) execute all documents necessary and appropriate to pursue the grant application and obtain grant funds.



A STUDY OF THE EFFECTS  
OF WATERWAY EXPANSION

CHANNEL ISLANDS HARBOR

Prepared for

COUNTY OF VENTURA  
DEPARTMENT OF PUBLIC WORKS

by

MOFFATT & NICHOL, ENGINEERS  
Long Beach, California

April 1970



MOFFATT & NICHOL, ENGINEERS

CALIFORNIA • OREGON • HAWAII • MICHIGAN

April 1970

Director of Public Works  
County of Ventura,  
592 Poli Street  
Ventura, California 93001

Subject: Channel Islands Harbor  
Engineering Study

Gentlemen:

In accordance with your Engineering Services Contract A&E 70-9, Project No. 9797, we are pleased to submit herewith our report regarding limiting conditions of harbor expansion.

The report contains conclusions, recommendations and comparative background data for evaluating the tidal and navigational capacity of the Channel Islands Harbor complex.

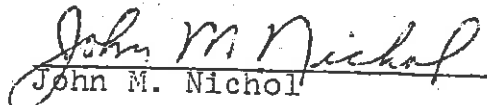
Also included in the Appendix to this report is a study prepared by Mr. Charles H. Turner, Consulting Marine Biologist, regarding the Harbor's present and estimated future biological well-being.

In order to facilitate a quick perusal of our findings, the Summary, Conclusions and Recommendations are at the beginning of the report commencing on page 3.

We considered it a privilege to serve you in this investigation of a most interesting project.

Very truly yours,

MOFFATT & NICHOL, ENGINEERS

  
John M. Nichol

JMN-e.



A STUDY OF THE EFFECTS  
OF WATERWAY EXPANSION

CHANNEL ISLANDS HARBOR

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A STUDY OF THE EFFECTS  
OF WATERWAY EXPANSION  
CHANNEL ISLANDS HARBOR

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## Appendix A

Ecological Study  
Charles H. Turner,  
Marine Biologist



## INTRODUCTION

### Definition of the Problem

Ventura County is presently considering certain expansion regulations for the progressive development by private interests of a residential water-oriented community (residential marina) in the land adjacent to its Channel Islands Harbor. Boat access and tide-water exchange for this community will be through the harbor, and the harbor itself will ultimately be expanded both in water area and small-craft berthing capacity. The Southern California Edison Company draws cooling water for its Mandalay power-generating steam plant from a canal leading from the harbor through the proposed residential marina area. The County is concerned over possible detrimental effects that might ultimately result from an uncontrolled expansion of the residential marina community by private interests, not only in the harbor entrance but also in other parts of their waterway system.

### Purpose and Scope of Study

The purpose of this study is to develop the criteria necessary to determine the limits that must be imposed on the proposed waterway expansion to prevent overcrowding of the harbor entrance and generation of troublesome tidal currents. Four items of investigation are required to accomplish this purpose:



1. Evaluation of tidal prism for different degrees of waterway expansion and determination of the effects of the resultant currents on channel stability and small craft navigation.

2. Evaluation of the entrance congestion that will result from the additional boats using the entrance at different levels of waterway expansion.

3. Appraisal of possible detrimental changes in the ecology of the harbor and residential marina sites resulting from the proposed expansion.

4. Appraisal of the effects of terminating the northeast arm of the harbor basin at Channel Islands Blvd., when the proposed northwest arm is extended past that roadway under a new bridge to join the Edison canal further north.





## SUMMARY AND CONCLUSIONS

The tidal prism of the inland waterway, measured at the Harbor entrance and at Channel Islands Blvd., and the resultant current velocities at these points were calculated (taking into account cooling-water withdrawals) for residential-marina expansion by progressive steps northward of the County Harbor. The effects of the currents on channel stability and boating activities were then analyzed. A measure of the level of traffic congestion in the entrance was devised by utilizing the blockading-area method of analysis in conjunction with lane-density calculations and sailboat-tacking patterns. Traffic-densities for various fleet-count levels were estimated through comparative use of traffic-count surveys of the Newport Bay entrance made over a 7-year period by the Orange County Harbor District.

Electronic-computer programs were implemented to carry out the voluminous calculations involved in the analysis, and the results were tabulated and depicted on charts. Discussion of entrance traffic problems with various Southern California Harbor Officials formed the basis for certain assumptions that had to be made to keep the analysis from becoming too involved. The validity of the computed results was demonstrated by their general agreement with opinions of such officials as to just how much congestion can be tolerated in a navigation entrance. The ecological effects of the



proposed expansion were estimated by conducting a floral-fauna inventory of the existing water areas and forecasting the impact of the proposed expansion on water quality. As a result of this study, the following conclusions were reached:

1. The increase in tidal-current velocities due to a waterway expansion to approximately 5th Street will not cause channel instability within the County Harbor or navigational hazard in the entrance.

2. The Edison Company's ultimate cooling-water demand of 3000 cfs combined with any appreciable residential marina development will cause tidal-current velocities in excess of 1.5 feet per second in the channel under the new Channel Islands Boulevard Bridge. Current velocities of this magnitude will create navigation difficulties for small sailboats and will interfere with docking maneuvers in the adjacent slip-lease area.

3. The boat-traffic capacity of the entrance channel exceeds the ultimate needs of the County's Small Craft Harbor. Various levels of this surplus count and their corresponding effects on entrance congestion are as follows:

600 boats- Slight Congestion

1100 boats- Significant Congestion

1600 boats- Severe Congestion

4. The marine biota in the existing harbor are presently in good health.



5. While localized water-quality degradation may occur in some of the proposed new water areas north of Channel Islands Boulevard, no significant reduction in the Small Craft Harbor water quality should result.

6. Maintaining the east bridge opening will improve water circulation in the Harbor and reduce channel-current velocities.





**iston H. Hickox**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Los Angeles Region

320 W. 4th Street, Suite 200, Los Angeles, California 90013  
Phone (213) 576-6600 FAX (213) 576-6640  
Internet Address: <http://www.swrcb.ca.gov/~rwqcb4>



**Gray Davis**  
Governor

August 3, 2000

Jeff Pratt  
Deputy Director, Department of Public Works  
Ventura Countywide Stormwater Quality Management Program  
Ventura County Flood Control District (Principal Co-Permittee)  
800 South Victoria Avenue, L#1600  
Ventura, CA 93009

Directors of Public Works/City Engineers  
Municipal Co-Permittees  
Ventura County MS4

### **VENTURA COUNTY MUNICIPAL STORM WATER NPDES PERMIT (BOARD ORDER No. 00-108; NPDES PERMIT No. CAS004002) – LETTER OF TRANSMITTAL**

Dear Mr. Pratt, et al:

We are pleased to send you the final municipal storm water permit for the Ventura County (attached), which was adopted by the Regional Board at its meeting on July 27, 2000, pursuant to Division 7 of the California Water Code. Board Order No. 00-108 serves as your permit, under the National Pollutant Discharge Elimination System (NPDES), for storm water discharges and urban runoff within Ventura County, and will expire on July 27, 2005.

The Order requires the Ventura County Flood Control District, herein referred to as the Principal Co-Permittee, and other Co-Permittees to implement the NPDES Permit No. CAS004002, including the Monitoring and Reporting Program, Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP), and Ventura Countywide Stormwater Quality Management Plan (SMP). The first Annual Storm Water Report and Assessment, for the period July 1, 1999 through July 27, 2000, is due on October 1, 2000. The first Annual Monitoring Report is due July 15, 2001.

Once again, we wish to thank you and your staff for their participation and assistance during the development and adoption of the permit for the Ventura County. Should you have any questions, please do not hesitate to call me at (213) 576-6605 or Dr. Xavier Swamikannu at (213) 576-6654.

Sincerely,

The Original signed by  
Dennis A. Dickerson  
Executive Officer

**California Environmental Protection Agency**



*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*



Jeff Pratt  
Ventura County Flood Control District

- 2 -

August 3, 2000

cc: Jorge Leon, State Water Resources Control Board  
Marilyn Levin, Office of the State Attorney General  
County of Ventura Co-Permittee  
City of Camarillo Co-Permittee  
City of Fillmore Co-Permittee  
City of Moorepark Co-Permittee  
City of Ojai Co-Permittee  
City of Oxnard Co-Permittee  
City of Port Hueneme Co-Permittee  
City of San Buenaventura Co-Permittee  
City of Santa Paula Co-Permittee  
City of Simi Valley Co-Permittee  
City of Thousand Oaks Co-Permittee  
Interested Parties on File

***California Environmental Protection Agency***



*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

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**STATE OF CALIFORNIA**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**ORDER NO. 00-108      NPDES PERMIT NO. CAS004002  
WASTE DISCHARGE REQUIREMENTS  
FOR  
MUNICIPAL STORM WATER AND URBAN RUNOFF DISCHARGES  
WITHIN  
VENTURA COUNTY FLOOD CONTROL DISTRICT,  
COUNTY OF VENTURA, AND THE CITIES OF VENTURA COUNTY**

**FINDINGS**

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter called the Regional Board), finds that:

Permit Parties

1. Ventura County Flood Control District (VCFCD), the County of Ventura, and the Cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks (hereinafter referred to separately as Co-permittees and jointly as the Discharger) have joined together to form the Ventura Countywide Storm Water Quality Management Program to discharge wastes under waste discharge requirements contained in Order No. 94-082, adopted by this Board on July 27, 2000. The Discharger discharges or contributes to discharges of storm water and urban runoff from municipal separate storm sewer systems (MS4s), also called storm drain systems, into receiving waters of the Santa Clara River, Ventura River, Calleguas Creek, and other coastal watersheds within Ventura County.
2. The Regional Board may require a separate National Pollutant Discharge Elimination System (NPDES) permit for any entity that discharges storm water into coastal watersheds of Ventura County. Such entity can be any State or Federal agency, State or Federal facility, real estate development, waste disposal facility, special district, private interest, etc. Pursuant to 40 CFR 122.26(a), the Regional Board will give these entities the option to become a Co-permittee, after obtaining the concurrence of the Co-permittees, or obtain an individual storm water discharge permit.

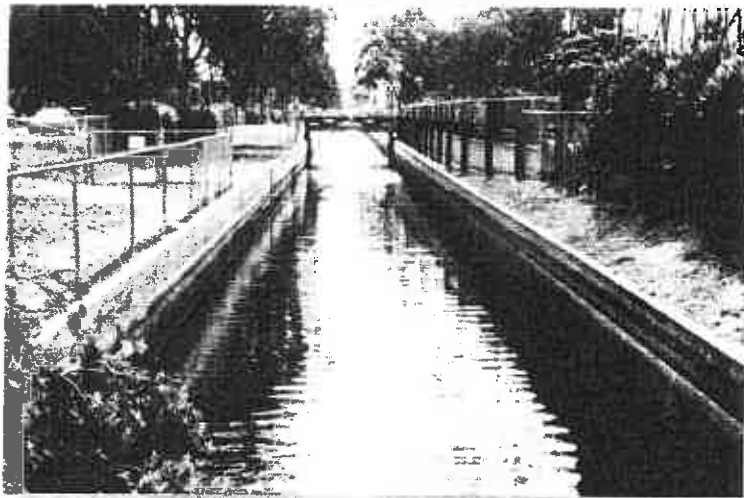
Nature of Discharge

3. Storm water discharges consist of surface water runoff generated from various land uses in all the hydrologic drainage basins which discharge into waters of the State. The quality of these discharges varies and is affected by hydrology, geology, land use, season, and sequence and duration of hydrologic events. The primary

## Ventura County Watershed Protection District

### Oxnard West Drain Trash and Debris Study

January 2004



## *Study Report*

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# Section 1

## Project Goals and Research

### 1.1 Project Goals

The Oxnard West Drain (Drain) is one of four main drainage channels located in the City of Oxnard and City of Port Hueneme. The other drainage channels include the J Street Drain, Oxnard Industrial Drain, and Wooley Road Drain. The Drain begins near West 5<sup>th</sup> Street and runs in a southerly direction along Ventura Road then proceeds westerly along Channel Islands Boulevard where it connects with the Wooley Road Drain (at Patterson Road) before it discharges into Mandalay Bay (Bay). The total length of the Drain is 3.39 miles with an approximate tributary watershed area of 2,800 acres (4.4 square miles). Figure 1-1 shows the location of the Drain.

The Ventura County Watershed Protection District (VCWPD) goal is to identify and evaluate sources of trash and debris in the Drain and receive recommendations for minimizing trash and debris discharges from the Drain. To meet this goal, the following tasks were performed:

- A field review of the Drain's tributary watershed
- A review of local agency control programs
- A literature review of relevant studies involving debris collection and characterization efforts within the Drain and in other urban watershed areas
- A review of treatment control options

The VCWPD hosted two stakeholders meetings in July and September 2003, where findings were presented from the research. Key input from stakeholders including the Channel Islands Waterfront Home Owners Association (HOA) and local City staff was received and considered in the options and recommendations for trash and debris control presented within this report.

### 1.2 Field Review

A field review was conducted to gain a baseline understanding of sources of trash and debris within the Drain's watershed area. Several sources of trash and debris were identified including commercial retail areas, landscape areas, city streets, curbs, sidewalks, and residential areas.

## Structure - Channel Islands Waterfront Homeowners Association

The following is a summary of the authority and succession of the Channel Islands Waterfront Homeowners Association (CIWHA) and the applicable CC&Rs applying to Tracts 2026 and 1904 as derived from available documents.

On April 22, 1976, Articles of Incorporation were filed with the California Secretary of State for the Channel Islands Waterfront Homeowners Association (CIWHA) pursuant to what was then the California General Non-Profit Corporation Law and is now the Nonprofit Mutual Benefit Corporation Law. The Articles state that the primary purposes of the Corporation are to ". . . serve the interests of property owners at Mandalay Bay and Leeward Estates, Oxnard, California. . ." (note the 1976 use of "Leeward Estates")

Based on earlier proposals, By-Laws were adopted by the CIWHA on July 9, 1976.

On February 15, 1986, the CIWHA Board of Directors adopted revised By-Laws currently in effect.

### T/M 2026 - Mandalay Bay

On March 10, 1977, the Oxnard Marina Development Company, developer of the Mandalay Bay Project (Tract Map No. 2026) caused to be recorded in Book 4790, Page 43, Official Records of Ventura County, a declaration designating CIWHA as the sole member of the T/M 2026 Mandalay Bay Improvement Authority and granting all of its rights and powers, with respect to the operation of the Improvement Authority, to the CIWHA. The following CC&R related data apply -

1. CC&Rs - T/M 2026, Mandalay Bay, recorded September 18, 1970 in Book 3772, Page 441 and First Amendment recorded March 18, 1971 in Book 3794, Page 302. Schedule "A" applies to lots 1-284 of T/M 2026-1 while Schedule "B" sets forth the metes and bounds for T/Ms 2026 -2 and 2026-3. The subsequent transfer to another developer of a part of T/M 2026 did not invalidate the applicability of the CC&Rs which run with the land (follow the title) in the same manner as for the sale of an individual property. T/M 2026 Mandalay Bay CC&Rs therefore specifically apply to T/M 2026-1 and 2026-3.
2. CC&Rs - T/M 2026-2, recorded for Oxnard Marina Development Company by Zurn Industries on November 26, 1971 in Book 3890, starting at Page 352, is essentially a repeat of the T/M 2026 CC&Rs, extending them specifically to the lots comprising T/M 2026-2. Additionally, Page 368 defines contiguous Parcel 4C to be known as T/M 2026-3 when recorded. There is a subsequent T/M 2026-2 recording (August 11, 1972) by Oxnard Marine Development Company/Zurn Industries in Book 3994 starting at page 516, again without significant change from the original T/M 2026 CC&Rs.
3. T/M 2026-3 is subject to T/M 2026 Mandalay Bay CC&Rs as established by the



metes and bounds set forth in T/M 2026, Schedule "B", and in the T/M 2026-2 Declaration recorded as noted above. (When Zurn sold the property to Armstrong, the CC&Rs ran with the land (followed the title) in the same manner as for the sale of an individual property. Just as other owners, 2026-3 owners have prescribed easement rights into Mandalay Bay, the same common interest that applies to the balance of Tracts 2026 and 1904. Those easement rights of 2026-3 owners constitute an appurtenant common interest and confirm the tract as a Common Interest Development and subject to the Davis-Sterling Common Interest Development Act. A recent check of a Falkirk Bay property in T/M 2026-3 confirmed that its title is encumbered by the T/M 2026 Mandalay Bay CC&Rs.)

### T/M 1904

Boise Cascade Home and Land Corporation, successor in interest to R. A. Watt Company, Inc., as developer of Tracts 1904-1, 1904-2, and 1904-3, caused to be recorded on September 1, 1983 in the Official Records of Ventura County, California as Document #97122, a Supplemental Declaration which assigned its powers et al to the Channel Islands Waterfront Homeowners Association (CIWHA) and named therein the Architectural Review Committee as having the rights and duties to enforce the CC&Rs for all of Tract 1904.

1. CC&Rs - T/M 1904-1 recorded on July 9, 1968 in Book 3334 starting at Page 82 with 4 developer initiated recorded amendments.
2. CC&Rs - T/M 1904-2 recorded on November 7, 1968 in Book 3394 starting at Page 464 with 4 developer initiated recorded amendments and a subsequent declaration dated January 31, 1980 and recorded in Book 5603 starting at Page 100.
3. CC&Rs - T/M 1904-3 recorded on December 22, 1970 in Book 3783 starting at Page 367.

At their regular meeting on January 17, 1996, the CIWHA Board of Directors merged the T/M 2026 Mandalay Bay Improvement Authority with the T/M 1904 Architectural Review Committee. This 3-person committee is to be named the Architectural Review Committee, is to be comprised of 3 persons (at least one to be a resident/property owner in T/M 1904 and one in T/M 2026), will be chaired by the CIWHA President, and is charged with carrying out the declarations (CC&Rs) of the developer(s) as required by the succession documents from the developer(s) to the CIWHA, all subject to the direction and approval of the CIWHA Board of Directors. Assuming a 1996 revision of the By-Laws, this designation is of sufficient importance to be included.

The foregoing summary has been completed using all information available at the time of preparation. Any reader with contrary or additional information is requested to provide same to the end that this paper may most accurately reflect the relevant issues regarding the establishment of the CIWHA and the rights, duties, powers, and limitations applicable to the CIWHA Board of Directors.



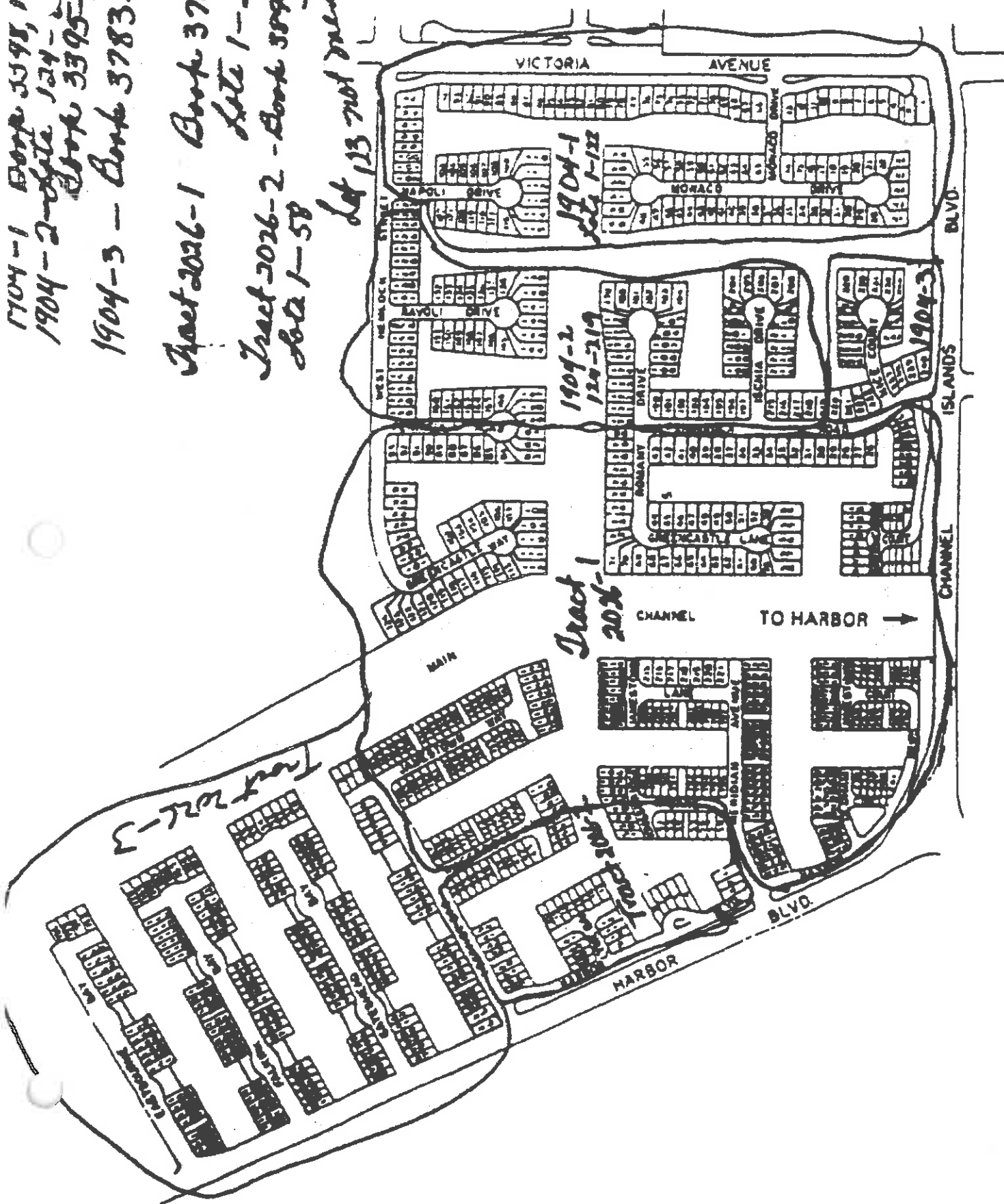
1704-1 Book 3398, 1 301  
 1904-2-2-124-2  
 Book 3395-19964  
 1904-3 - Book 3783 - pg 367

Tract 2026-1 Book 3722 pages

lots 1-284

Tract 2026-2 - Book 3890-19352  
 lots 1-58

lot 113 not mentioned





CHANNEL ISLANDS WATERFRONT HOMEOWNERS ASSOCIATION, INC.

# BYLAWS

APPROVED AND EFFECTIVE FEBRUARY 8, 1997

## ARTICLE I

### DEFINITIONS:

A. ASSOCIATION: The term *Association* shall mean the Channel Islands Waterfront Homeowners Association, Inc., which may also be referred to herein as the Channel Islands Waterfront Homeowners Association and/or CIWHA.

B. OWNER: Any person(s) holding the beneficial interest in any improved or unimproved residential waterfront parcel(s) in Tract 1904 or Tract 2026, all within the City of Oxnard, County of Ventura, State of California. Ownership of a parcel or parcels in the aforementioned tracts confers simultaneous, concurrent, and inseparable membership in the CIWHA, one (1) membership for each parcel owned. Said membership may not be sold, resold, assigned, gifted to another, repudiated, denied, or in any other way separated from ownership. Said membership authorizes a vote in Association affairs only if it is an active membership and current dues and assessments are paid. An owner's right to act on matters authorized by or within the scope of applicable Codes, Covenants, and Restrictions (CC&Rs) and/or laws in effect and applicable to said matters, is paramount and shall not be abridged by virtue of membership status in the Association. Without regard to membership status in the Association, owners are subject to and must comply with the proper exercise of authority by the Association Board of Directors through its Architectural Review Committee, said Committee acting simultaneously as an instrumentality of the Association and the ownership, subject to and within the applicable Codes, Covenants, and Restrictions of the respective tract.

C. ACTIVE MEMBER: An owner who voluntarily pays on a current and timely basis the fees, dues, and/or assessments in accordance with Article III and is therefore entitled to one (1) indivisible vote per parcel, for which dues are paid, in the affairs of the Association and to other benefits of Association membership.

D. DELINQUENT MEMBER: An owner who elects not to pay on a current and timely basis the fees, dues, and/or assessments in accordance with Article III, and therefore is not entitled to vote in the affairs of the Association nor enjoy the other benefits of Association membership. This membership status in no way abrogates or otherwise limits the rights of ownership established by applicable laws, ordinances, and/or Codes, Covenants, and Restrictions governing the respective tract. This membership class is subject, however, to the proper exercise of authority by the Association Board



of Directors through its Architectural Review Committee in matters related to the enforcement of applicable Codes, Covenants, and Restrictions.

E. SUSPENDED OR EXPELLED MEMBER: See Article VI A 2.

F. PATRON MEMBER: An active member who additionally contributes moneys and/or other valuable considerations to the Association which are accepted for the Association by the Board of Directors. Patron membership is an honorary class of membership and does not in and of itself confer voting rights.

G. FISCAL YEAR: The Association fiscal year (FY) runs with the calendar year (CY) which is contrary to the year for which Board members are elected which runs from March 1 through the last day of the following February.

H. MAJORITY: A majority of the members of the Association shall consist of fifty percent (50%) plus one (1) of the voting members in attendance at any duly publicized meeting of the Association at which a quorum is present. Due care will be taken to ensure that no more than one (1) vote per represented parcel is counted. Such actions as may be approved or disapproved by the membership shall not conflict with the CC&Rs and are not binding on owners who are not active members of the Association unless said actions are within the purview of and in furtherance of the CC&Rs and therefore apply to all owners.

I. QUORUM: When at least ten percent (10%) of the active members (1 vote per parcel) are present at any publicized meeting, the chair shall record a quorum and business may proceed.

## ARTICLE II

### AUTHORITY AND PURPOSE

#### A. AUTHORITY

1. California Civil Codes, particularly the Davis-Stirling Common Interest Development Act.
2. California Corporations Code, particularly the Nonprofit Mutual Benefit Corporations provisions.
3. California Code of Civil Procedure, particularly as to standing to sue and statutes of limitations.
4. U.S. Internal Revenue Code, particularly section 528.
5. California Revenue and Taxation Code, particularly sections 23701 & 23701t.
6. California Health and Safety Code, particularly as to building records.
7. Applicable Resolutions, Codes, Ordinances, and the like as promulgated by the County of Ventura and City of Oxnard.
8. Developer Declarations to include Codes, Covenants, and Restrictions (CC&Rs) and Amendments thereto, and each and all of them, for Tracts 1904 and 2026 and all subdivisions thereof, as recorded in the Official Records of the County of Ventura.

9. Articles of Incorporation of the Association filed as Document #767145 in the Official Records of Ventura County on April 22, 1976.

10. Document #97122, a Supplemental Declaration recorded on September 1, 1983, in the Official Records of Ventura County, assigning the powers of the developer to the Association (CIWHA) and naming therein the Architectural Review Committee of the Association as having the rights and duties to enforce the CC&Rs for Tract 1904.

11. Declaration at Book 4790, Page 43, Official Records of Ventura County, designating the CIWHA as the sole member of the Tract 2026 Mandalay Bay Improvement Authority and granting all the Declarant's rights and powers with respect to the operation of that Authority to the CIWHA.

12. CIWHA Board of Director's Minutes of January 17, 1996, establishing that effective March 1, 1996, the Tract 1904 Architectural Review Committee and Tract 2026 Mandalay Bay Improvement Authority shall be merged into a three (3) person Architectural Review Committee for the purpose of carrying out the existing CC&Rs or any subsequent revisions of same for Tracts 1904 and 2026 as applicable. Cited designation of a common Architectural Review Committee to act for, in behalf of, and with regard to Tracts 1904 and 2026 is herewith ratified and incorporated within these Bylaws. Said Architectural Review Committee shall be responsible to the CIWHA Board of Directors, shall be chaired by the elected CIWHA President, and the two (2) additional members of the total of three (3) members shall be elected by and from the membership of the CIWHA Board of Directors. Of the three (3) committee members including the Chair, all three (3) of whom shall have the right to vote on Committee affairs, at least one (1) shall be an owner/resident in Tract 1904 and at least one (1) shall be an owner/resident in Tract 2026. Duties in addition to those set forth in the CC&Rs are set forth in Article VI C 1 of these Bylaws as pertains to committees. As this provision is specifically incorporated as a provision of these Bylaws, it can be modified or changed only by amendment to or repeal of these Bylaws by the membership.

#### B. PURPOSE

The purposes of the Association shall be:

1. To serve the interests of property owners and other residents of Tracts 1904 and 2026, Oxnard, California; to stimulate an interest in the affairs of the development among such property owners and other residents; to provide a medium for the exchange of information relating to community affairs and issues of common concern; and to do all other things which will further the development of said Common Interest Development as a better community in which to live.

2. To enhance the quality of life for all residents.

3. To enhance property values within the development.

#### ARTICLE III

#### FEES, DUES, AND ASSESSMENTS:

A. There shall be an operating fund into which the Association shall deposit all monies paid to it. Any dues or other amounts stated shall include any tax that may be

applicable:

1. Dues for active members on a per parcel basis shall be determined by the voting membership of the Association. Any change in dues from the previously established rate(s) shall be approved by the membership at its Annual Meeting and the change shall be effective for the calendar year then in progress.

2. Assessments: A voluntary assessment may be levied against the membership if a majority of the voting members agree. Said procedure does not constitute an assessment against owners as a class or who are not active members. Any assessment against owners as a class, to include fines and penalties, must be processed as provided for in the CC&Rs and laws then in effect.

B. An invoice for Association dues shall be mailed to each owner during the month of March each year, excepting where possible those members who may have already paid. When the issue of dues is not a matter on the agenda of the Annual Meeting, collection efforts may be initiated earlier in the year than March, and particularly at the February Annual Meeting.

C. Failure of owners to pay dues by June 1st of each year shall cause said memberships to become or remain delinquent. The delinquent membership may be reactivated by payment of dues in arrears. Delinquent members shall be notified in writing prior to July 1 of each year and advised that they have forfeited any and all rights and privileges of their membership as well as an interest in any funds previously paid into the Association.

D. Dues paid by a *new* member between October 1 and December 31 shall be considered payment of dues for the subsequent year.

E. Notice of a voluntary assessment shall be mailed to each active member not less than sixty (60) days before it is due.

#### ARTICLE IV

##### VOTING:

A. In Association voting, there shall be one (1) vote for each active membership regardless of the number of persons having a beneficial interest in the respective parcel.

B. The vote for each parcel represented by an active membership must be cast as a unit; fractional votes are not permitted. In the event joint owners representing a single active membership are unable to agree among themselves as to how their vote or votes shall be cast, they shall forfeit their right to vote on the issue at hand.

C. At any meeting, each voting member may cast the number of votes entitled to be cast under Article IV, paragraph A. Votes may be cast by written proxy.

D. Voice votes may be accepted at all meetings unless a voting member requests a written ballot or roll call vote. Any matter requiring a vote may be submitted by written ballot without a meeting. In the event a vote is required by the Association officers without a meeting, ballots will be mailed to the members and the results of the balloting in this event will be decided by a majority of the ballots returned.

## ARTICLE V

### MEETINGS

A. There shall normally be an annual meeting of the membership at 10 a.m. on the second or third Saturday in February. The election of the Board of Directors shall take place at this meeting.

B. General membership meetings may be called from time to time by the Board of Directors with not less than ten (10) days notice.

C. Any ten (10) voting members of the Association may, by written request to the Board of Directors, call for a special meeting of the Association for a stated purpose. Within thirty (30) days of receipt of such a request, the members having been duly noticed, the meeting shall be held.

D. Notice of meetings, annual, general, or special, shall be given in writing to all members. The use of the Association newsletter for this purpose will serve as proper notice if said newsletter is distributed so as to arrive at the recorded address of each member not more than thirty (30) days prior nor less than ten (10) days prior to the noticed meeting. Otherwise, said notice shall be mailed to each member's address appearing on the Association books not less than twelve (12) days before such meeting. Notice of any meeting of the members shall specify the place, the day, the hour of the meeting, and the general nature of any business to be transacted.

## ARTICLE VI

### BOARD OF DIRECTORS, OFFICERS, AND COMMITTEES

#### A. BOARD OF DIRECTORS

1. Subject to the authority and limitations of the laws, codes, and Governing Documents set forth in Article II, all corporate powers shall be exercised by or under the authority of, and the business and affairs of the Association shall be conducted by, the Board of Directors.

2. The Board of Directors shall have the power and authority, acting by a majority vote or in a unanimous quorum, to suspend or expel any active member for infraction of the Articles of Incorporation, Bylaws, or for conduct which in the opinion of the Board shall be deemed prejudicial to the best interests of the Association.

3. The Board of Directors, or the Architectural Review Committee with the approval

of the Board of Directors, shall have the power, authority, and the duty to initiate informal, formal, and/or legal action against any property owner or occupant of any parcel in Tracts 1904 and 2026 for any known violations of applicable Codes, Covenants, and Restrictions (CC&Rs), as well as City, County, State, and Federal laws, without regard to class of Association membership. The legal relationship of the Board of Directors and/or Architectural Review Committee is with the owner and not with any other resident or owner's agent. Appropriate action may include Alternative Dispute Resolution procedures as and if appropriate under the law. Further, The Board of Directors, or the Architectural Review Committee with the approval of the Board of Directors, shall have the power, authority, and the duty to initiate and/or respond to informal, formal, and/or legal action against or in response to an outside agency, entity, or activity on behalf of the Association upon the Board's determination that such action is necessary and appropriate, said action to include Alternative Dispute Resolution if same is appropriate under the law.

4. The Board of Directors shall meet at least ten (10) times during the year, normally on the third (3d) Wednesday of each month except February, August, and December, and for a special meeting in February following the Annual General Meeting as set forth in Section B-1 of this Article. State of California notice requirements shall be met and provided to the general membership which shall be invited to attend any meeting of the Board except those executive sessions conducted for reasons set forth in the statutes. "Open Meeting" procedures as set forth in the law shall be followed to include the advance distribution to Board Members of an agenda with any action items enumerated, and the posting of same in a place known and accessible to the membership prior to the meeting. Except in the case of a declared emergency as provided for in the law, the Board of Directors shall not take any action at a meeting that was not listed in the agenda as an action item. An accepted form of parliamentary procedure shall be followed at each Board meeting and minutes shall be prepared and kept as the official record of each Board meeting.

5. Election or other designation of Board members

a. There shall be seven (7) members of the Board of Directors serving two (2) year terms, approximately half, or enough to maintain the Board at seven (7) members, being elected each year, subject to the temporary *exception* noted below:

*Exception.* This exception provides for the orderly transition from the approved Bylaws of February 15, 1986, which provide for eleven (11) members of the Board of Directors. By way of resignation, other attrition, and/or the nominating process, fewer than eleven (11) but no less than seven (7) nominees will be offered at the February 1997 Annual meeting for one (1) year terms, and for the February 1998 Annual meeting, four (4) members will be nominated for two (2) year terms and three (3) members for one (1) year terms.

b. Prospective Board members shall be active members of the Association and shall be nominated by a designated nominating committee of the then existing Board of Directors. The election will normally be so structured that approximately one-half of the seven (7) Board members are elected at the Annual General Meeting. Any attrition between Annual Meetings of the Board membership may be filled by appointment by the Board for the balance of the period until the next Annual Meeting. At that Annual Meeting, a sufficient slate of candidates will be nominated for election as will restore

the total Board members to seven (7). The Board of Directors shall at all times be comprised of not less than two (2) Member/residents from Tract 1904 and two (2) Member/residents from Tract 2026. Each member of the Board, without regard to elective position held, is entitled to one (1) vote on any matter brought to vote before the Board.

## B. OFFICERS

1. The officers of the Board of Directors shall be elected by simple majority vote of the newly comprised Board of Directors at a special meeting of the Directors to be called by the outgoing President for a date and time following the Annual General Meeting and prior to the first day of March. The officers so elected shall be the officers of both the Association and the Board of Directors. March 1 shall be the effective date the newly elected officers take office and the last day of February shall be the last day of office for outgoing officers. Officers are elected for one year terms. The Board of Directors may replace one or more officers by a majority vote with the replacement(s) being elected from the membership of the Board of Directors who were elected at an Annual Meeting.

2. The Officers of the Board of Directors and the Association shall include a President, Vice President, Secretary, and Treasurer. The balance of the Board membership shall be members-at large. The duties of these positions are as follows:

a. President. The President shall be the Chief Executive Officer and preside at all meetings of the Association and the Board of Directors and shall be a member of and Chair the Architectural Review Committee. The President shall call all meetings (except as otherwise provided for herein); prepare and publish the agenda; see to the enforcement of the Articles of Incorporation and the Bylaws; and shall jointly with the Secretary sign all contracts, bonds, law suits, or other instruments necessary to be executed by the Association that have been approved by the Board. The President, with the assistance of requested officers and Board members, shall plan and prepare the Annual Membership Meeting.

b. Vice President. The Vice President, in the absence or disability of the President, shall perform all the duties and possess all the powers of the President. The Vice President shall succeed to and complete the term of the office of President should it be vacated, unless otherwise determined by action of the Board of Directors. The Vice President will assist the President in other ways mutually agreed to. The Vice President will serve as an *ex officio* member of all committees and may serve as a committee chairperson.

c. Secretary. The Secretary shall keep or cause to be kept a book of minutes of all meetings of the Association and the Board of Directors to include in the case of Board meetings the names of all members present and absent, and the proceedings thereof. The Secretary shall give or cause to be given proper notice of all meetings to Members and the Board of Directors. The Secretary shall be custodian of the Association corporate seal and shall participate with the President in the duties enumerated for the two (2) offices to be taken jointly in a, above.

d. Treasurer. The Treasurer shall be the Chief Financial Officer of the Association and shall keep and maintain or cause to be kept and maintained, adequate and correct accounts of the properties and financial transactions of the

Association. The Treasurer shall provide access to the books of the accounts at all reasonable times for inspection by any member of the Board of Directors. The Treasurer shall deposit all monies and other valuables in the name and to the credit of the Association with such depositories as may be designated by the Board of Directors. The Treasurer shall disperse the funds of the Association as directed by the President or by the Board of Directors, and have such other powers and perform such other duties as may be prescribed from time to time by the Board of Directors or Bylaws. The Treasurer will advise the Board as to the investment of funds in excess of current operational needs and will invest those excess funds in accordance with the directions of the Board. Should the funds and other assets under the control of the Association ever exceed \$75,000 in the aggregate during the course of a Fiscal Year, the Treasurer will so advise the Board and an audit will be directed in accordance with the law. All checks drawn by the Treasurer are to be signed by one additional member of the Board approved by the President. The Treasurer shall advise the Board as to insurance matters and shall maintain policy(s) as directed and approved by the Board.

### C. COMMITTEES

1. The Architectural Review Committee authority, membership and basic responsibility are set forth at Article II A12. The Architectural Review Committee shall also be responsible for matters pertaining to the enforcement of CC&Rs to include coordination with the City of Oxnard and its agencies with regard to enforcing resolutions, codes, and ordinances; maintaining liaison with the City of Oxnard regarding police patrols and other City services; and coordination and management of Association enforcement contractors and activities. The Architectural Review Committee will also prepare for and coordinate the Association's actions to be taken regarding the Tract 1904 CC&R review/modification in 1998 and the Tract 2026 CC&R review/modification in 2012. This committee will also coordinate any CC&R Amendment or other modification activity that from time to time may be undertaken. This committee is also responsible for all matters pertaining to architectural integrity, zoning, review and approval of building and remodeling plans, and coordination with the City of Oxnard in the review of construction plans and permits. This committee will also serve as CIWHA liaison to activities involved in the Harbor Redevelopment Plan in terms of these activities serving the best interests of the membership.

2. The President shall appoint Board members as Committee Chairpersons for the following standing committees. These committees, other than for the Chair of each who shall be a Board member, may be comprised of other Board members and/or volunteer Association members not serving on the Board. These committees are interdependent, not mutually exclusive, and will coordinate as necessary and appropriate with the other appointed committees.

a. Membership Committee: Responsible for developing and enlarging Association membership; maintaining membership records; invoicing owners for annual dues in accordance with Article III; preparing, updating, maintaining, and publishing lists of members and addresses (to include residences and residents of non-owner occupied parcels); and initiating social activities to enhance membership and otherwise facilitate Association objectives.

b. Waterway Assessment District Committee: As differentiated from the



Waterways Committee (para f, below) this committee is responsible for all matters related to Association input to budgeting and monitoring expenses for the Waterway Assessment District to include coordination with the City of Oxnard with regard to tracking monies spent; attending meetings with City personnel to develop the yearly budget, and reporting to the Association membership regarding the status of the District.

c. Newsletter and Publicity Committee: Responsible for writing, editing, publishing, and distributing a periodic newsletter as well as other news releases and publicity for the Association.

d. Landscaping Committee: Responsible for initiating and overseeing activities on behalf of the Association to plant, maintain, and ensure proper irrigation of superior quality landscaping in and on the City owned land and walls associated or contiguous with Tracts 1904 and 2026.

e. Neighborhood SW-5 Committee: Responsible for representing the Association in its participation with the Oxnard Neighborhood Council in such areas as Neighborhood Watch, the annual neighborhood cleanup, and other joint or related activities of the neighborhoods comprising Oxnard.

f. Waterways Committee: As differentiated from the Waterways Assessment District Committee (para b, above), the Waterways Committee oversees, coordinates, monitors, and recommends action to the Board regarding the status and condition of seawalls and the waterway. This committee also coordinates with the City of Oxnard with regard to the City's codes and other regulations as they apply to the waterway and enforcement of activities on the waterway. The committee also monitors and recommends action with regard to docks, ramps, pilings, and water easement violations or concerns and coordinates same with the Architectural Review Committee.

g. Such *ad hoc* committees that the Board of Directors may commission to study specified issues and recommend action as may be called for by the circumstances at hand.

## ARTICLE VII

### ADOPTION, AMENDMENT, OR REPEAL OF BYLAWS.

A. It is the intention of these Bylaws that the Board of Directors be given maximum discretion in the amendment and/or revision of these Bylaws consistent with the provisions of Corporation Code Section 7150 and other laws or statutes in effect.

B. All changes in the Bylaws, whether initiated by the membership as a whole or by the Board of Directors, shall be distributed to all members within thirty (30) days of the change.

C. Whenever an amendment or new Bylaw is adopted, it shall be copied into the book of Bylaws with the original Bylaw. If any Bylaw is repealed, the fact of repeal, with the date of the meeting at which the repeal was enacted or written assent was filed, shall be written into said book.



D. A complete copy of these revised Bylaws shall be distributed to each member within thirty (30) days of enactment, to new members as they join, and to new owners of parcels within the affected tracts as they become known to the Association.

#### ARTICLE VIII

These Bylaws replace the Association Bylaws dated and approved on February 15, 1986, were presented at the Annual Meeting of the Membership on February 8, 1997, and were approved and are effective as of that date.

Certified and attested to by the elected Board of Directors on the date of ratification:

*Take responsibility for 1904 Developer, Boise Cascade,  
to CILAA on 8/19/83*

AGREEMENT FOR ASSIGNMENT OF POWERS OF REMOVAL  
AND APPOINTMENT WITH RESPECT TO  
THE CHANNEL ISLANDS (CONARD MARINAS)  
ARCHITECTURAL REVIEW COMMITTEE  
AND FOR VESTING OF POWERS OF DECLARANT UNDER  
CERTAIN DECLARATIONS OF COVENANTS AND AMENDMENTS

This Agreement is made and entered into as of this 19th day of August, 1983, by and between Boise Cascade Home & Land Corporation, a Delaware corporation, successor in interest to Boise Cascade Building Co., a Delaware corporation, formerly known as R. A. Watt Company, Inc., (hereinafter collectively designated "Boise"), and, for the limited purposes stated herein, the Architectural Review Committee (hereinafter designated the "Architectural Review Committee") of Tract Nos. 1904-1, 1904-2, and 1904-3 (hereinafter collectively designated as "Tract 1904") in the City of Oxnard, County of Ventura, State of California, on one hand, and Channel Islands Waterfront Homeowners' Association, Inc., a California non-profit corporation, on the other hand (hereinafter designated "Association").

WHEREAS, Boise since on or about July 1966 has, as developer, acting through various subcontractors, consultants and other persons and entities, planned, designed, developed, constructed, sold and transferred lands and improvements comprising Tract 1904;

WHEREAS, Boise in connection with the development of Tract 1904 has filed certain Declarations of Limitations, Covenants, Conditions, Restrictions and Reservations affecting portions of the

-1-

EXHIBIT "A"

97122

SEP 1 1983

DECLARATIONS OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS AFFECTING PORTIONS OF THE  
REAL PROPERTY KNOWN AS TRACT NO. 1904-1  
IN THE CITY OF OXNARD  
COUNTY OF VENTURA, CALIFORNIA

THIS DECLARATION, made this 9<sup>TH</sup> day of JULY, 1968,  
by R. A. WATT COMPANY, INC., a Delaware corporation (hereinafter  
called "Declarant"),

WITNESSETH:

WHEREAS, Declarant is the record owner of the real property  
described in Clause 1 of this declaration (hereinafter sometimes  
referred to as "subject property"); and

WHEREAS, Declarant has established a general plan of develop-  
ment of subject property and the lots therein for the benefit of  
subject property and each and every lot, part or parcel thereof or  
therein and desires to secure the uniform development of subject  
property and said lots, parts and parcels in accordance with said  
plan;

NOW, THEREFORE, Declarant hereby declares that subject property  
and each and every lot, part or parcel thereof or therein is and  
shall be owned, held, transferred, sold, conveyed, hypothecated or  
encumbered, leased, rented, used, occupied, maintained, altered,  
and improved subject to the limitations, covenants, conditions,  
restrictions, reservations, exceptions and terms (hereinafter col-  
lectively referred to as "said Covenants") hereinafter set forth,  
as a part of and pursuant to a common and general plan of develop-  
ment and improvement of subject property. Said Covenants shall run  
with the land, and shall bind, be a charge upon, and inure to the  
benefit of all of subject property and each lot, part or parcel  
thereof or therein and to Declarant, its successors or assigns,  
and each owner of any such lot, part or parcel and his heirs, suc-  
cessors, administrators, and assigns for the benefit of each such  
lot, part or parcel and for the mutual benefit of all such lots.

*Blattman*

FIRST AMENDMENT TO DECLARATIONS OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS AFFECTING PORTIONS OF THE  
REAL PROPERTY KNOWN AS TRACT NO. 1904-1  
IN THE CITY OF Oxnard  
COUNTY OF VENTURA, CALIFORNIA

1904-1

INDEXED

*1st Amendment*

THIS AMENDMENT TO DECLARATION, made this 7th day of  
August, 1968, by R. A. WATT COMPANY, INC., a Delaware corporation,  
(hereinafter called "Declarant"),

W I T N E S S E T H:

WHEREAS, Declarant caused to be recorded in the office  
of the County Recorder of Ventura County, California, on July 12,  
1968, in Book 3334, Page 52, a Declaration of Limitations,  
Covenants, Conditions, Restrictions and Reservations effecting  
portions of the real property known as Tract No. 1904-1 in the  
City of Oxnard, County of Ventura, California, and in particular,  
lots 1 through 122 of said Tract; and

WHEREAS, Declarant now desires to amend said Declaration  
in the following respects;

NOW, THEREFORE, Declarant hereby amends said Declaration  
by adding to subparagraph (a) of paragraph 3 of Clause VII the  
following sentence:

"In the event the owner of such lot fails  
to pay upon demand, the expense of such alteration,  
correction, modification, remedying, abatement or  
removal, the person, firm, corporation, or association  
performing such curative action, whether it be  
Declarant, the Architectural Review Committee or an  
assignee of Declarant pursuant to paragraph 7 of  
this Clause VII, shall be entitled to record a lien

RECORDING REQUESTED BY:

Boise Cascade Home & Land Corporation

WHICH RECORDING RETURN TO:

Robert H. Deaky, Esq.  
4 W. Fourth Ave., Ste. 311  
San Mateo, CA 94402

97122 ✓

RECORDED IN OFFICIAL RECORDS  
OF VENTURA COUNTY, CALIFORNIA

SEP 1 1983 AT 8:30 AM

RICHARD D. DEAN, COUNTY RECORDER

PAID BY CR

FEE \$23.00/24

SUPPLEMENTAL DECLARATION OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS ASSIGNING POWERS OF REMOVAL AND  
APPOINTMENT WITH RESPECT TO THE CHANNEL ISLANDS  
(OXNARD MARINAS) ARCHITECTURAL REVIEW COMMITTEE  
AND FOR VESTING OF POWERS OF DECLARANT UNDER  
PROVISIONS OF THE DECLARATION, WITH RESERVATIONS  
AFFECTING THAT REAL PROPERTY KNOWN AS TRACT NO. 1904-1  
IN THE CITY OF OXNARD, COUNTY OF VENTURA, CALIFORNIA

THIS DECLARATION is made this 19th day of August, 1983, by  
BOISE CASCADE HOME & LAND CORPORATION, a Delaware corporation,  
successor in interest to BOISE CASCADE BUILDING CO., a Delaware  
corporation, which was previously named R. A. Watt Company, Inc.  
(hereinafter collectively designated "Declarant").

R E C I T A L S

WHEREAS, Declarant was and is the Declarant under the  
Declaration of Limitations, Covenants, Conditions, Restrictions  
and Reservations Affecting Portions of the Real Property Known  
as Tract 1904-1 in the City of Oxnard, County of Ventura, made  
on the 9th day of July, 1968, and recorded in Book 3314, Page 82,  
in the Official Records of the County of Ventura, State of  
California, which Declarations were subsequently amended by an  
Amendment to the same recorded in Book 3348 at Page 301 of such  
Official Records, by a Second Amendment to the same recorded  
in Book 3352 at Page 556 of such Official Records, by a Third

RECORDING REQUESTED BY:

Boise Cascade Home & Land Corporation

WHEN RECORDED RETURN TO:

Robert M. Deaky, Esq.  
4 W. Fourth Ave., Ste. 311  
San Mateo, CA 94402

97121

RECORDED IN OFFICIAL RECORDS  
OF VENTURA COUNTY, CALIFORNIA

SEP 1 1983 AT 8:30 AM

EDWARD R. DEAR, COUNTY RECORDER

PAID BY CL

FEE \$ 23.00

SUPPLEMENTAL DECLARATION OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS ASSIGNING POWERS OF REMOVAL AND  
APPOINTMENT WITH RESPECT TO THE CHANDEL ISLANDS  
(OXNARD MARINAS) ARCHITECTURAL REVIEW COMMITTEE  
AND FOR VESTING OF POWERS OF DECLARANT UNDER  
PROVISIONS OF THE DECLARATION, WITH RESERVATIONS  
AFFECTING THAT REAL PROPERTY KNOWN AS TRACT NO. 1904-2  
IN THE CITY OF OXNARD, COUNTY OF VENTURA, CALIFORNIA

THIS DECLARATION is made this 19th day of August, 1983, by  
BOISE CASCADE HOME & LAND CORPORATION, a Delaware corporation,  
successor in interest to BOISE CASCADE BUILDING CO., a Delaware  
corporation, which was previously named R. A. Watt Company, Inc.  
(hereinafter collectively designated "Declarant").

#### R E C I T A L S

WHEREAS, Declarant was and is the Declarant under the  
Declaration of Limitations, Covenants, Conditions, Restrictions  
and Reservations Affecting Portions of the Real Property known  
as Tract 1904-2 in the City of Oxnard, County of Ventura, made  
on the 6th day of November, 1968, and recorded in Book 3395, Page  
464, in the Official Records of the County of Ventura, State of  
California, which Declaration was subsequently amended by an  
Amendment to the same recorded in Book 3527, at Page 507 of such  
Official Records, and by a Supplemental Declaration of Limita-  
tions, Covenants, Conditions, Restrictions and Reservations

When recorded  
return to:  
R. A. WATT COMPANY, INC.  
16901 So. Western Ave.  
Gardena, California 90247

59292 Doc 3395 NCE 464  
RECORDED AT REQUEST OF  
TITLE INS & TR CO - 1  
AT 8:00 A.M.  
OFFICIAL RECORDS VENTURA COUNTY  
NOV-7 1968 1

1904-2

DECLARATION OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS AFFECTING PORTIONS OF THE  
REAL PROPERTY KNOWN AS TRACT 1904-2  
IN THE CITY OF OXNARD  
COUNTY OF VENTURA, CALIFORNIA

FEE \$23.60-28

THIS DECLARATION, made this 6th day of November,  
1968, by R. A. WATT COMPANY, INC., a Delaware corporation (herein-  
after called "Declarant"),

W I T N E S S E T H:

WHEREAS, Declarant is the record owner of the real property  
described in Clause I of this declaration (hereinafter sometimes  
referred to as "subject property"); and

WHEREAS, Declarant has established a general plan of develop-  
ment of subject property and the lots therein for the benefit of  
subject property and each and every lot, part or parcel thereof or  
therein and desires to secure the uniform development of subject  
property and said lots, parts and parcels in accordance with said  
plan;

NOW, THEREFORE, Declarant hereby declares that subject property  
and each and every lot, part or parcel thereof or therein is and  
shall be owned, held, transferred, sold, conveyed, hypothecated or  
encumbered, leased, rented, used, occupied, maintained, altered,  
and improved subject to the limitations, covenants, conditions,  
restrictions, reservations, exceptions and terms (hereinafter col-  
lectively referred to as "said Covenants") hereinafter set forth,  
as a part of and pursuant to a common and general plan of develop-  
ment and improvement of subject property. Said Covenants shall run  
with the land, and shall bind, be a charge upon, and inure to the  
benefit of all of subject property and each lot, part or parcel

When recorded  
return to:

BOISE CASCADE BUILDING CO.  
16200 Ventura Blvd., Suite 429  
Encino, California 91316

Order No. 266272-FWL

6479

RECORDED AT REQUEST OF  
TITLE INS. & TR. CO.  
AT 1 MIN. PAST 8 A.M.  
OFFICIAL RECORDS VENTURA COUNTY  
FEB - 9 1971 71

*[Signature]*  
FEE \$18<sup>00</sup> - 22

DECLARATION OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS,  
AND RESERVATIONS AFFECTING PORTIONS OF THE  
REAL PROPERTY KNOWN AS TRACT NO. 1904-3  
IN THE CITY OF OXNARD  
COUNTY OF VENTURA, CALIFORNIA

THIS DECLARATION, made this 22nd day of December, 1970,  
by BOISE CASCADE BUILDING CO., a Delaware corporation (hereinafter called  
"Declarant"),

W I T N E S S E T H:

WHEREAS, Declarant is the record owner of the real property described in  
Clause I of this declaration (hereinafter sometimes referred to as "subject prop-  
erty"); and

WHEREAS, Declarant has established a general plan of development of subject  
property and the lots therein for the benefit of subject property and each and  
every lot, part or parcel thereof or therein and desires to secure the uniform  
development of subject property and said lots, parts and parcels in accordance  
with said plan;

NOW, THEREFORE, Declarant hereby declares that subject property and each and  
every lot, part or parcel thereof or therein is and shall be owned, held, trans-  
ferred, sold, conveyed, hypothecated or encumbered, leased, rented, used, occupied,  
maintained, altered, and improved subject to the limitations, covenants, conditions,  
restrictions, reservations, exceptions and terms (hereinafter collectively referred  
to as "said Covenants") hereinafter set forth, as a part of and pursuant to a common  
and general plan of development and improvement of subject property. Said Covenants  
shall run with the land, and shall bind, be a charge upon, and inure to the benefit  
of all of subject property and each lot, part or parcel, thereof or therein and to  
Declarant, its successors or assigns, and each owner of any such lot, part or parcel  
and his heirs, successors, administrators, and assigns for the benefit of each such  
lot, part or parcel and for the mutual benefit of all such lots, parts and parcels  
and the respective owners thereof. It is the intent of the Declarant that each of  
said Covenants shall be mutual and equitable servitudes upon and in favor of each  
lot, part or parcel of or in subject property and the present or future owner or

604-3783  
PAGE 367

*Lot 240*  
*200*

*2.00*

*400-21*



WHEN RECORDED RETURN TO:

Robert M. Deaky  
Attorney at Law  
4 W. Fourth Ave., Ste. 511  
San Mateo, CA 94402

Vol 1

FEE  
\$8  
4

RECORDED AT REQUEST OF  
TITLE INS. & TRUST - 71

FEB 27 8 01 AM '80

RECEIVED AT  
COUNTY RECORDER  
ROBERT L. HAMM

017803  
K35603 in 104

SUPPLEMENTAL DECLARATION OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS AFFECTING THAT REAL PROPERTY  
KNOWN AS TRACT NO. 1904-3  
IN THE CITY OF OXNARD  
COUNTY OF VENTURA, CALIFORNIA

THIS DECLARATION is made this 31<sup>st</sup> day of January, 1980,  
by BOISE CASCADE BUILDING CO., a Delaware corporation, which was  
previously named R. A. Watt Company, Inc. (hereinafter called  
"Declarant").

R E C I T A L S

WHEREAS, Declarant was and is the Declarant under that  
Declaration of Limitations, Covenants, Conditions, Restrictions  
and Reservations Affecting Portions of the Real Property Known  
as Tract 1904-3 in the City of Oxnard, County of Ventura, made  
on the 22nd day of December, 1970, and recorded in Book 3783,  
Page 367, in the Official Records of the County of Ventura,  
State of California; and

WHEREAS, Declarant pursuant to such Declaration hereby  
desires to exercise its powers under Clause V, section 1, of  
such Declaration, which permits Declarant at its sole discretion  
at any time to assign by supplemental declaration its powers of  
removal and appointment with respect to the Architectural Review  
Committee for said tract to such association or corporation as  
Declarant may select and subject to such terms and conditions

This instrument filed for record by Title Insurance  
and Trust Company as an accommodation only.  
It has not been examined as to its accuracy or  
as to its effect upon the title.

-1-

331P00-138

Boise Cascade Bldg Co  
TD  
Plan & Map

Boise Cascade Bldg Co  
Corp  
16402-RF

RECORDING REQUESTED BY:

Boise Cascade Home & Land Corporation

WHEN RECORDED RETURN TO:

Robert M. Deaky, Esq.  
4 W. Fourth Ave., Ste. 311  
San Mateo, CA 94402

97123

RECORDED IN OFFICIAL RECORDS  
OF VENTURA COUNTY, CALIFORNIA

SEP 1 1983 AT 8:30 AM

RICHARD D. DEAN, COUNTY RECORDER

PAID BY CK

FEE \$23.00/21

**SUPPLEMENTAL DECLARATION OF  
LIMITATIONS, COVENANTS, CONDITIONS, RESTRICTIONS  
AND RESERVATIONS ASSIGNING POWER OF REMOVAL AND  
APPOINTMENT WITH RESPECT TO THE CHANNEL ISLANDS  
(OXNARD MARINAS) ARCHITECTURAL REVIEW COMMITTEE  
AND FOR VESTING OF POWERS OF DECLARANT UNDER  
PROVISIONS OF THE DECLARATION, WITH RESERVATIONS  
AFFECTING THAT REAL PROPERTY KNOWN AS TRACT NO. 1904-3  
IN THE CITY OF OXNARD, COUNTY OF VENTURA, CALIFORNIA**

THIS DECLARATION is made this 19th day of August, 1983, by  
BOISE CASCADE HOME & LAND CORPORATION, a Delaware corporation,  
successor in interest to BOISE CASCADE BUILDING CO., a Delaware  
corporation, which was previously named R. A. Watt Company, Inc.  
(hereinafter collectively designated "Declarant").

**R E C I T A L S**

WHEREAS, Declarant was and is the Declarant under the  
Declaration of Limitations, Covenants, Conditions, Restrictions  
and Reservations Affecting Portions of the Real Property Known  
as Tract 1904-3 in the City of Oxnard, County of Ventura, made  
on the 22nd day of December, 1970, and recorded in Book 3783,  
Page 367, in the Official Records of the County of Ventura,  
State of California, and by a Supplemental Declaration of Lim-  
itations, Covenants, Conditions, Restrictions and Reservations  
Affecting that Real Property Known as Tract No. 1904-3 in the

*Boise Cascade Corp*  
*CLW HA*  
*ARC*

USE OF PROPERTY

1.01 No lot shall be used for any purpose (including any business or commercial activity) other than for residential purposes except that the developer, for the purpose of selling lots, improved or otherwise, may use any lot owned by it for a model home or for a real estate office.

1.02 No lot shall be used to keep any animals except domestic household pets. *Do it*

1.03 No sign or other advertising device of any nature larger than customary and reasonable dimensions no larger than two square feet in surface area shall be placed upon any lot except as provided herein. Developer may erect and maintain on any lot owned by it any signs and other advertising devices in connection with the development and sale of lots in Mandalay Bay.

1.04 No temporary building, trailer, garage, building in the course of construction or other temporary structure shall be used, temporarily or permanently, as a residence on any lot. No trailer or boat shall be kept on a lot except within an enclosed building, or pursuant to the regulations issued by the Mandalay Bay Improvement Authority.

1.05 No clothing or other household fabrics shall be hung outside on a clothesline or similar apparatus upon any lot.

1.06 No lumber, metals, bulk materials, refuse or trash shall be kept, stored or allowed to accumulate on

RECORDED RETURN TO:  
Lynn T. Jones  
7120 Bayview Avenue  
San Diego, California  
ATTN: Mr. E. W. Grayfield  
Order No. 273439-FVL

3890 352

73414

RECORDED AT REQUEST OF  
THE REC. & CO.  
NOV 26 1971

(No 71)

DECLARATION OF RESTRICTIONS  
AND PROTECTIVE COVENANTS

Mandalay Bay Tract 2026-2

FILE 14-17

Onard Marina Development Co., a California limited partnership, hereinafter referred to as "developer", is the owner of that real property in the County of Ventura, State of California, more particularly described in Schedule "A" attached hereto and by this reference made a part hereof, and hereinafter referred to as "Mandalay Bay". Developer intends to sell said real property, and for the benefit of it, each lot therein, or into which it may become subdivided, and for the benefit of the additionally benefited property described in Schedule "B", and for the benefit of property annexed pursuant to paragraph 2.03 hereof, developer hereby declares that Mandalay Bay is and shall be owned, conveyed, encumbered, leased, rented, used, occupied and improved subject to the following covenants and restrictions, each of which will run with the land and be binding on all parties acquiring any right, title or interest in Mandalay Bay and each of which is for the purpose of enhancing and protecting the value, desirability and attractiveness of the property therein and the other benefited real property. As used in this declaration, Mandalay Bay shall include the property described in Schedule "A" and any annexed property or properties deemed to be part thereof in the future pursuant to paragraph 2.03 hereof. As used in this declaration, the word "lot" shall mean each of the parcels of land into which said Mandalay Bay is hereafter subdivided, shown and designated as such on any recorded subdivision map.

567-19

1-4-57  
3954-516

DECLARATION OF RESTRICTIONS  
AND PROTECTIVE COVENANTS

RECORDED AT REQUEST OF  
TITLE INS. & TR. CO.  
AT 3:30 PM, LAST 11/11/71  
OFFICIAL RECORDS SECTION, COUNTY  
AUG 11 1972 71  
*Paul L. ...*

*aug 71*

Mandalay Bay

1972 13 11

Quilard Marina Development Co., a California limited partnership,  
hereinafter referred to as "developer", is the owner of the real  
property in the County of Ventura, State of California, more par-  
ticularly described as: Lots 1 through and including 59, Tract No.  
2026-2, as per map recorded in Book 58 pages 80 to 81 of Maps in the  
office of the County Recorder of said county, and hereinafter referred  
to as "Mandalay Bay", and hereby declares that said lots are and shall  
be owned, conveyed, encumbered, leased, rented, used, occupied and im-  
proved subject to the following covenants and restrictions, each of  
which will run with the land and be binding on all parties acquiring  
any right, title or interest in Mandalay Bay and each of which is for  
the purpose of enhancing and protecting the value, desirability and  
attractiveness of the property therein. As used in this declaration,  
Mandalay Bay shall include the property described in Schedule "A" and  
any annexed property or properties deemed to be part thereof in the  
future pursuant to paragraph 2.03 hereof.

USE OF PROPERTY

1.01 No lot shall be used for any purpose (including any business or  
commercial activity) other than for residential purposes except that  
the developer, for the purpose of selling lots, improved or otherwise,  
may use any lot owned by it for a model home or for a real estate  
office.

1.02 No lot shall be used to keep any animals except domestic house-  
hold pets.

1.03 No sign or other advertising device of any nature larger than  
customary and reasonable dimensions no larger than two square feet in  
surface area shall be placed upon any lot except as provided herein.