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AGENDA

April 5, 2011

OXNARD CITY COUNCIL

***OXNARD COMMUNITY DEVELOPMENT COMMISSION**

***OXNARD FINANCING AUTHORITY**

OXNARD HOUSING AUTHORITY

Regular Meetings

City Council Chambers, 305 West Third Street, Oxnard

6:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

* The Oxnard Community Development Commission and the Oxnard Financing Authority will not meet because there are no items requiring consideration at this time.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION

D. OPENING CEREMONIES - 7:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Commendation to the Martin V. and Martha K. Smith Foundation for Its Support of Beautification Efforts in Downtown Oxnard.
2. SUBJECT: Earth Day 2011.
3. SUBJECT: Presentation of Proclamation Designating April 2011 "Sexual Assault Awareness Month."

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

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

L. PUBLIC HEARINGS - 7:15 P.M.

Housing Department

1. SUBJECT: Five-Year/Annual Agency Plan and Five-Year Capital Fund for Low Rent Public Housing. (073)
RECOMMENDATION: 1) Hold a public hearing to receive comments concerning the proposed Five-Year Agency Plan and the 2011 Capital Fund Annual Statement and Five-year Capital Fund Plan; and 2) Adopt a resolution: (a) Approving the Five-Year/Annual Agency Plan for the Housing Authority; (b) Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures; (c) Authorizing the Housing Director to execute and submit all reports, documents, and all other certifications required to comply with HUD's policies and procedures regarding the Five-Year Agency Plan; (d) Approving the 2011 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and (e) Authorizing the Housing Director to accept and expend the funds as indicated in the revised 2011 Capital Fund Annual Statement and Five-Year Capital Fund Plan.
Legislative Body: HA Contact: Karl Lawson Phone: 385-8095

Document: [View Item \(pdf 665KB\)](#)

ACTION: Approved with changes, Resolution No. 1246.

2. SUBJECT: Sixth Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan (The Plan) for the Homelessness Prevention and Rapid Re-Housing Program (HPRP). (091)
RECOMMENDATION: 1) Conduct a public hearing to approve the Sixth Amendment to The Plan; 2) Approve the budget revision of the funds awarded to County of Ventura Human Services Agency (CVHSA); 3) Authorize the Housing Department Director to submit the Sixth Amendment of The Plan to the U. S. Department of Housing and Urban Development for approval; and 4) Authorize the City Manager to submit the Substantial Amendment of the Plan to the U.S. Department of Housing and Urban Development for approval; and 5) Authorize the Mayor to execute the modification of Appendix A "Scope of Services."
Legislative Body: HA Contact: Will Reed Phone: 385-8044

Document: [View Item \(pdf 972KB\)](#)

ACTION: Approve as recommended.

3. SUBJECT: Seventh Amendment to the FY 2008-2013 Consolidated Plan and FY 2008-2009 Annual Action Plan (The Plan) to add the activity funded under the Community Development Block Grant (CDBG-R) Program.
RECOMMENDATION: Continue to April 12, 2011.
Legislative Body: CC Contact: Norma J. Owens Phone: 385-7959

ACTION: Approved as recommended to continue to April 12, 2011.

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

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

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

O. REPORTS

1. SUBJECT: Ventura-Oxnard-Camarillo Tourism Improvement District. (119)
RECOMMENDATION: 1) Adopt a resolution granting consent to the City of Ventura to create the proposed Ventura-Oxnard-Camarillo Tourism Improvement District (VOCTID); and 2) Authorize the Chief Financial Officer to establish accounts and budget to accomplish the necessary receipt and subsequent transfer of the funds collected through this assessment.
Legislative Body: CC Contact: Grace Magistrale Hoffman Phone: 385-7430

Document: View Item (pdf 1,041KB)

ACTION: Approved as recommended, Resolution No. 13,957.

P. PUBLIC COMMENTS ON REPORTS

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

Q. APPOINTMENT ITEMS City Manager - 8:00 P.M.

1. SUBJECT: Oxnard Convention and Visitors Bureau Annual Report. (XXX)
RECOMMENDATION: Receive verbal report and provide comments.
Legislative Body: CC Contact: Janet Sederquist Phone: 385-7545 City Manager - 8:15 P.M.

ACTION: Remove from agenda.

2. SUBJECT: Verbal presentation by Southern California Gas Company on Pipeline Safety.

ACTION: Remove from agenda.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

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

C. CLOSED SESSION - (Continued from page 1)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.

City of Oxnard, et al. v. California Coastal Commission
Los Angeles Superior Court, Case No. BS122248; and

Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resources Adequacy Requirements Program
PUC Rulemaking No. 09-10-032

The City Manager and City Attorney requested that these items be discussed in closed session under the Brown Act exception of Conference with Legal Counsel - Existing Litigation. The purpose of the closed session is to report to City Council on the status of the litigation.

2. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION.

On the advice of the City Attorney, pursuant to Government Code section 54956.9(b)(3)(C), based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case, based upon a written threat of litigation.

The City Manager and the City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel - Potential Litigation.

Document: View Item (pdf 943KB)

G. REVIEW OF INFORMATION/CONSENT AGENDA

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

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

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

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular meeting of the City Council for March 1 and 8, 2011; Minutes of the Special Meeting the City Council for March 8, 2011; and Minutes of the Regular Meeting of the Oxnard Housing Authority for March 22, 2011. (001)
RECOMMENDATION: Approve.
Legislative Body: CC/HA Contact: Daniel Martinez Phone: 385-7805

Document: [View Item \(pdf 405KB\)](#)

City Manager Department

2. SUBJECT: Agreements for City Council Review. (013)
RECOMMENDATION: Pursuant to Ordinance 2835, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7950

Document: [View Item \(pdf 167KB\)](#)

ACTION: Remove from the agenda.

Fire Department

3. SUBJECT: Approval of Award of Contract for FD11-03-Fire Stations #1, #2, #3 and #6 Parking Area Concrete & Site Repairs. (019)
RECOMMENDATION: 1) Approve the award of Contract to Toro Enterprises, Inc. (A-7396) in the amount of \$214,563 for the Fire Stations #1, #2, #3 & #6 Parking Area Concrete and Site Repairs project; and 2) Authorize the Mayor to execute the contract upon receipt of all supporting contract documents.
Legislative Body: CC Contact: Brad Windsor Phone: 385-7708

Document: [View Item \(pdf 27KB\)](#)

Public Works Department

4. SUBJECT: Blanket Purchase Order with Granite Construction, Incorporated. (021)
RECOMMENDATION: Approve and authorize the Mayor to execute a Blanket Purchase Order with Granite Construction, Incorporated (Granite) for a not-to-exceed amount of \$1,000,000 for purchase of hot mix asphalt for street pavement repair (BPO 3742).
Legislative Body: CC Contact: Phillip Gregoire Phone: 797-8219

Document: [View Item \(pdf 125KB\)](#)

5. SUBJECT: Change Order No. 19 to Agreement with McCarthy Building Companies, Inc. for the Advanced Water Purification Facility (AWPF). (025)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 19 to the Agreement with McCarthy Building Companies, Inc. (A-7259) in the amount of \$36,999 for construction costs associated with the relocation of a tie-in for the 20-inch Reverse Osmosis Concentrate (ROC) line to avoid interference with a Verizon duct bank.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 40KB\)](#)

Document: [View Item \(pdf 1,840KB\)](#)

6. SUBJECT: Change Order No. 13 to Public Work Contract with Creamer/Spiniello, Joint Venture (Creamer/Spiniello) for the Recycled Water Backbone System (RWBS) Project Phase I (027)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 13 to Public Works Contract between the City of Oxnard and Creamer/Spiniello (A-7327) for an additional 110 pot-holes along the alignment of the RWBS, increasing the construction cost by \$39,750, from \$13,179,414.85 to \$13,211,852.82.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 362KB\)](#)

7. SUBJECT: Change Order No. 14 to Public Work Contract with Creamer/Spiniello, Joint Venture (Creamer/Spiniello) for the Recycled Water Backbone System (RWBS) Project Phase I (037)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 14 to Public Works Contract between the City of Oxnard and Creamer/Spiniello (A-7327) for additional sewer line work at the intersection of Devonshire and Ventura Road, increasing the construction cost by \$32,437.97, from \$13,211,852.82 to \$13,244,290.79.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 389KB\)](#)

8. SUBJECT: Change Order No. 15 to Public Work Contract with Creamer/Spiniello, Joint Venture (Creamer/Spiniello) for the Recycled Water Backbone System (RWBS) Project Phase I. (049)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 15 to Public Works Contract between the City of Oxnard and Creamer/Spiniello (A-7327), for additional work required to handle additional road pavement thickness of the RWBS, increasing the construction cost by \$81,535, from \$13,244,290.79 to \$13,293,387.82.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 383KB\)](#)

ACTION: INFORMATION/CONSENT Approve as recommended, I-2 removed from agenda.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Rancho Victoria Plaza Project - Planning & Zoning Permit Nos. 10-300-03 (Tentative Subdivision Map) and 10-500-07 (Special Use Permit) Located at 3600 & 3700 West Fifth Street. Filed by Richard Ridgway, Investec Rancho Victoria LLC. (063)
RECOMMENDATION: 1) Adopt a resolution approving the Tentative Subdivision Map for Tract 5877 (PZ No. 10-300-03) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-04; and 2) Adopt a resolution upholding the Planning Commission's approval of the Special Use Permit (PZ No. 10-500-07) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-05.
Legislative Body: CC Contact: Bryan Foote Phone: 385-8312

Document: View Item (pdf 427KB)

Document: View Item (pdf 1,024KB)

Document: View Item (pdf 4,299KB)

ACTION: Approve as recommended, Res. No. 13,955 and 13,556.

T. ADJOURNMENT