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AGENDA
January 11, 2011
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
*OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meetings
City Council Chambers, 305 West Third Street, Oxnard
5:45 P.M. Closed Session
7:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

* The Oxnard Financing Authority will not meet because there are no items requiring consideration on this date.

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 - (Please see page 7 for a description of closed session items)

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

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Employee of the Third Quarter 2010

2. SUBJECT: Presentation of Employee of the Fourth Quarter 2010

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.

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 Meetings of the City Council for November 9 and 16, 2010; and Minutes of the Regular Meeting of the Oxnard Housing Authority for November 9 and 16, 2010. (001)

RECOMMENDATION: Approve.

Legislative Body: CC/HA Contact: Daniel Martinez Phone: 385-7805

Document: [View Item](#) (pdf 552 KB)

ACTION: Approve with Housing Authority minutes removed from agenda.

City Manager Department

2. **SUBJECT:** Agreements for City Council Review. (017)
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. (Please see page 026)
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7950

Document: [View Item \(pdf 41.9 KB\)](#)

City Treasurer Department

3. **SUBJECT:** Ordinance to Amend the Oxnard City Code to Reflect a Conversion in the Renewal Date for Businesses. (019)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending the title of Article I of Chapter 11, the title of section 11-45, subsection (A) of section 11-45, subsection (C) of section 11-56, section 11-57, subsection (A) of section 11-59, subsection (V) of section 11-65, section 11-72, subsection (F) of section 11-82, section 11-131, section 11-186, subsection (B) of section 11-208, section 11-251, subsection (A) of section 11-263, subsection (A) of section 11-283, and subsection (D) of section 11-283 of the Oxnard City Code and repealing and readopting Divisions 1 and 2 of Article I of Chapter 11, section 11-46, section 11-47, section 11-171, section 11-200, section 11-220, and section 11-237 of the Oxnard City Code concerning business tax certificates.
Legislative Body: CC Contact: Tammy Gutierrez Phone: 385-7819

Document: [View Item \(pdf 49.6 KB\)](#)

ACTION: Approved, Ord. No. 2838.

Community Development Department

4. **SUBJECT:** Request \$1,000,000 Additional Funding for the Reimbursement of the Costs to Acquire Land for and Install and Construct the Cypress Neighborhood Garden City Acres Park Located at the Corner of Cypress Road and Eugene Walk in the Historic Enhancement and Revitalization of Oxnard Project Area. (021)

RECOMMENDATION: That City Council: 1) Approve and adopt a resolution entitled, "A resolution of the City Council of the City of Oxnard, California, consenting to payment or reimbursement by the Oxnard Community Development Commission of additional costs related to certain public improvements in the Historic Enhancement and Revitalization of Oxnard ("HERO") Project Area, and making certain determinations and findings (Garden City Acres Park)." And 2) Approve and authorize the Mayor to execute the Cooperation Agreement (A-7384) with the Oxnard Community Development Commission ("CDC") in an amount not to exceed \$1,000,000 for payment of costs associated with the development of the Garden City Acres Park.

That CDC: 1) Approve and adopt a resolution entitled, "A resolution of the Oxnard Community Development Commission agreeing to pay or reimburse additional costs related to certain public improvements in the Historic Enhancement and Revitalization of Oxnard ("HERO") Project Area, and making certain determinations and findings (Garden City Acres Park)." And 2) Approve and authorize the Chairman to execute the Cooperation Agreement (A-7384) with the City of Oxnard in an amount not to exceed \$1,000,000 for payment of costs associated with the development of the Garden City Acres Park.

Legislative Body: CC/CDC Contact: Kymberly Horner Phone: 385-7853

Document: [View Item \(pdf 470 KB\)](#)

ACTION: Approve, Res. No. 13,944, CDC Res. No. 145, A-7384 and additional language.

Development Services Department

5. SUBJECT: Ordinance No. 2837, Planning and Zoning (PZ) Permit No.10-570-01 (Zone Change) and PZ No.10-500-01 (Special Use Permit) for Fresh and Easy Neighborhood Market at 1401 West Gonzales Road. Filed by Designated Agent, Clay Toombs, Evergreen Devco. (035)

RECOMMENDATION: Second reading and adoption.

Legislative Body: CC Contact: Douglas Spondello Phone: 385-3919

Document: [View Item \(pdf 47.5 KB\)](#)

6. SUBJECT: Ordinance No. 2836, Regarding Building Regulations. (037)
RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: Rob Roshanian Phone: 385-7914

Document: [View Item \(pdf 889 KB\)](#)

Finance Department

7. SUBJECT: Cancellation of Special Tax Lien for Property Within Community Facilities District No. 90-1. (065)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District No. 90-1 (Oxnard Town Center) "CFD 90-1") approve the first reading by title only and subsequent adoption of an ordinance dissolving CFD 90-1 and dissolving all associated liens thereof.
Legislative Body: CC Contact: Michael More Phone: 385-7461

Document: [View Item \(pdf 407 KB\)](#)

ACTION: Approve, Ord. No. 2839.

Fire Department

8. SUBJECT: State Homeland Security Grant. (075)
RECOMMENDATION: Recognize Grant Revenue and approve a special budget appropriation in the amount of \$82,405 from the federal Department of Homeland Security and subgranted through the State of California for Hazardous Material Response, Urban Search and Rescue (USAR) and Community Emergency Response Team (CERT) training.
Legislative Body: CC Contact: Brad Windsor Phone: 385-7708

Document: [View Item \(pdf 120 KB\)](#)

9. SUBJECT: Approval to take Project Specification FD11-03 for Fire Stations #1, #2, #3, & #6 to Public Bid. (079)
RECOMMENDATION: Approve project specification # FD11-03 for replacement of degraded asphalt and concrete for Fire Stations #1, #2, #3, & #6.
Legislative Body: CC Contact: Brad Windsor Phone: 385-7708

Document: [View Item \(pdf 2.0 KB\)](#)

Police Department

10. SUBJECT: Resolution Presented to Benjamin Chavez for Over Twenty-Six Years of Exemplary Service to the City of Oxnard. (081)
RECOMMENDATION: Adopt resolution.
Legislative Body: CC Contact: Jason Benites Phone: 385-7624

Document: [View Item \(pdf 32.4 KB\)](#)

ACTION: Approve, Res. No. 13,945.

11. SUBJECT: Resolution Presented to Larry Robertson for Over Twenty-Seven Years of Exemplary Service to the City of Oxnard. (083)
RECOMMENDATION: Adopt resolution.
Legislative Body: CC Contact: Jason Benites Phone: 385-7624

Document: [View Item \(pdf 29.4 KB\)](#)

ACTION: Approve, Res. No. 13,946.

Public Works Department

12. SUBJECT: Change Order No. 14 with McCarthy Building Companies, Inc. for the Advanced Water Purification Facility. (085)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 14 with McCarthy Building Companies, Inc. (A-7259) in the amount of \$126,087.00 for construction costs associated with unforeseen utilities, soil conditions, and asphalt conditions encountered during the installation of the 20-inch Reverse Osmosis Concentrate line, and the extension of the 36-inch Microfiltration Facility line.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 85.2 KB\)](#)

13. SUBJECT: Change Order No. 15 with McCarthy Building Companies, Inc. for the Advanced Water Purification Facility. (087)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 15 with McCarthy Building Companies, Inc. (A-7259) in the amount of \$111,440 for construction costs associated with electrical modifications, with the provision that the City reserves the right with respect to ultimate responsibility for cost of the change.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 234 KB\)](#)

14. SUBJECT: Change Order No. 1 with Blois Construction, Incorporated for the Victoria Avenue Sewer Project. (095)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 1 with Blois Construction, Inc. (Blois) (A-7347) in the amount of \$28,515.11 for construction costs associated with realignment of the sewer line and construction delays due to unforeseen utilities on Victoria Avenue between Hemlock Street and Channel Islands Boulevard.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 45.5 KB\)](#)

ACTION: INFORMATION/CONSENT Approved as recommended with additional language to I-4 and Housing Authority minutes removed from agenda I-1.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

1. SUBJECT: Monthly Budget Status Report for the Period Ending November 30, 2010. (097)
Legislative Body: CC Contact: James Cameron Phone: 385-7461

Document: [View Item \(pdf 234 KB\)](#)

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

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

City Clerk Department

1. SUBJECT: Appointments of Councilmembers to Various Boards, Commissions, and Committees. (109)
RECOMMENDATION: 1) That the Mayor, with the approval of the City Council, appoint members and alternates from the City Council to the: (a) Association of Water Agencies for Ventura County; (b) Beach Erosion Authority for Control of Operation & Nourishment; (c) Big Independent Cities Excess Pool Joint Powers Authority; (d) Economic Development Corporation; (e) Gold Coast Transit; (f) Las Cortes Housing Development Corporation; (g) Oxnard Convention & Visitors Bureau; (h) Oxnard Plain/RiverPark Reclamation and Recharge Joint Powers Authority; (i) Performing Arts and Convention Center Corporation; (j) Point Mugu Regional Airport Authority; (k) Regional Defense Partnership for the 21st Century; (l) Southern California Association of Governments; (m) Ventura Council of Governments; (n) Ventura County Animal Regulation Commission; (o) Ventura County Regional Energy Alliance; (p) Ventura County Air Pollution Control District Board; (q) Ventura County Local Agency Formation Commission; (r) Ventura County Transportation Commission; (s) Ventura Regional Sanitation District; (t) Census 2010 Committee; (u) City Wide Enhancement Program; (v) Downtown Improvement Task Force; (w) Fiscal Policy Task Force; (x) Graffiti Task Force; (y) Transportation Policy Committee; and (z) Utilities Task Force; 2) That the City Council, as a whole, appoint two Councilmembers to the Oxnard Airport Authority and one Councilmember as an alternate; and 3) That the City Council, as a whole, dissolve the following boards, commissions, and committees, for several reasons including completion of objectives and not meeting: (a) Base Realignment and Closure 2005 Ventura County Task Force; (b) Intercity Transit (subcommittee of Ventura County Transportation Commission); (c) Joint Oxnard/Ventura Cooperative Committee; (d) Joint Oxnard/Ventura Santa Clara Bridge Committee; (e) Ormond Beach Property Oversight Ad Hoc Committee; (f) Channel Islands Harbor Task Force;

(g) Homeless Plan Working Group.
Legislative Body: CC Contact: Daniel Martinez Phone: 385-7805

Document: [View Item](#) (pdf 266 KB)

ACTION: Appointed Pinkard and Flynn to Oxnard Airport Authority with MacDonald as alternate.

City Attorney Department

2. SUBJECT: Review of Policies and Procedures Concerning City Council Business. (119)
RECOMMENDATION: 1) That City Council, consider formation of an ad hoc committee of two Councilmembers to examine policies and procedures concerning the conduct of City Council business and to make recommendations to the City Council; and 2) If such a committee is formed, that the Mayor, with the approval of City Council, appoint two Councilmembers to constitute the committee
Legislative Body: CC Contact: Alan Holmberg Phone: 385-7483

Document: [View Item](#) (pdf 298 KB)

ACTION: Appointed Pinkard and Flynn.

3. SUBJECT: Public Access Issues.
RECOMMENDATION: Consider a verbal report by the City Attorney and City Manager on legal and policy issues and discussions with interested public access operators.
Legislative Body: CC Contact: Alan Holmberg Phone: 385-7483

ACTION: Provided direction to staff.

O. REPORTS

City Manager Department

1. SUBJECT: Approval of Award of Contract No. A-7379 for College Park Improvements Phase 1C Project GS09-11. (127)

RECOMMENDATION: 1) Approve the award of contract to C.S. Legacy Construction, Inc. (A-7379) in the amount of \$11,066,475 for the College Park Improvements Phase 1C Project GS09-11, located at 3250 South Rose Avenue; and 2) Authorize the Mayor to execute the contract upon receipt of all supporting contract documents.
Legislative Body: CC Contact: Ralph Alamillo Phone: 385- 8341

Document: [View Item \(pdf 70.1 KB\)](#)

ACTION: Approved as recommended.

Finance Department:

2. SUBJECT: Annual Report for Development, Connection and Improvement Fees for the Year Ended June 30, 2010. (131)
RECOMMENDATION: Receive and file the annual report for Development, Connection and Improvement Fees for the year ended June 30, 2010 in accordance with Government Code Section 66006.
Legislative Body: CC Contact: James Cameron Phone: 385-7461

Document: [View Item \(pdf 176 KB\)](#)

ACTION: Received and filed the report.

3. SUBJECT: Comprehensive Annual Financial Report CAFR) for Fiscal Year 2009-2010. (141)
RECOMMENDATION: Receive and file the Comprehensive Annual Financial Report for 2009-2010.
Legislative Body: CC Contact: James Cameron Phone: 385-7461 Public Works:

Document: [View Item \(pdf 26.9 KB\)](#)

ACTION: Continue to 01/25/2011

4. SUBJECT: Water Conservation Master Plan. (143)
RECOMMENDATION: Approve and adopt a resolution approving the City of Oxnard

Water Conservation Master Plan.

Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: View Item (pdf 188 KB)

ACTION: Continue to 01/25/2011.

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

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 - POTENTIAL LITIGATION. On the advice of the City Attorney, pursuant to Government Code section 54956.9(b)(3)(B), based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

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.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. On the advice of the City Attorney, based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case, pursuant to Government

Code section 54956.9(c).

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

T. ADJOURNMENT