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AGENDA

June 8, 2010

OXNARD CITY COUNCIL

OXNARD COMMUNITY DEVELOPMENT COMMISSION

***OXNARD FINANCING AUTHORITY**

OXNARD HOUSING AUTHORITY

City Council Chambers, 305 West Third Street, Oxnard

6:00 P.M. Closed Session

7:00 P.M. Regular Meeting

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 6 for 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 Designating the City of Oxnard as a Storm Ready Community.

- 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 April 13, 20 and 27, May 4, 11 and 18, 2010; Minutes of the Regular Meetings of the Community Development Commission for April 13, 20 and 27, May 4, 11 and 18, 2010; and Minutes of the Regular Meetings of the Housing Authority for April 13, 20 and 27, May 4, 11 and 18, 2010. (001)
Legislative Body: CC/CDC/HA Contact: Daniel Martinez Phone: 385-7805

Document: [View Item \(PDF 761 KB\)](#)

ACTION: Approved, Res. No. 13,811 and 13,812.

2. SUBJECT: Resolutions to Call the November 2, 2010 Regular Municipal Election. (045)
RECOMMENDATION: (1) Adopt a resolution calling a regular municipal election for November 2, 2010, for the purpose of electing municipal officers; requesting consolidation

with the Statewide general election on November 2, 2010; requesting the County Clerk to render services and supplies; and authorizing the Board of Supervisors to canvass the returns; and (2) Adopt a resolution establishing rules to govern submission of candidates'™ statements. Legislative Body: CC Contact: Daniel Martinez Phone: 385-7805

Document: [View Item \(PDF 153 KB\)](#)

City Manager Department

3. **SUBJECT:** General Services Department Landscape Intern Program. (053)
RECOMMENDATION: Approve and authorize the City Manager to execute an agreement with the Ventura County Probation Agency for the Landscape Intern Program. Legislative Body: CC Contact: Michael Henderson Phone: 385-7950

Document: [View Item \(PDF 158 KB\)](#)

Community Development Department

4. **SUBJECT:** Agreement of Purchase and Sale and Joint Escrow Instructions for an Approximate Four Thousand (4,000) Square Foot Single-Story, Commercial Property Located at 318 and 320 West Fifth Street (aka the "Plaza Laundromat" •) for \$705,000. (059) **RECOMMENDATION:** (1) Approve and authorize the Chairman to execute an Agreement of Purchase and Sale and Joint Escrow Instructions (A-7311) between the CDC and St. John's™ Healthcare Foundation (Oxnard and Pleasant Valley) a California Public Benefit Corporation for an approximate 4,000 square foot single- story, commercial building, for \$705,000; (2) Authorize the Chairman, Executive Director, and Community Development Director, on behalf of the CDC, to each sign all documents necessary and appropriate to carry out and implement the Agreement of Purchase and Sale and Joint Escrow Instructions (A-7311), to administer the

CDC's™ obligations, responsibilities, and duties to be performed thereunder and to make all non-substantive changes related to the Agreement of Purchase and Sale and Joint Escrow Instructions; and (3) Approve a special budget appropriation in the amount of \$725,000. Legislative Body: CDC Contact: Kymberly Horner Phone: 385-7853

Document: [View Item \(84 KB\)](#)

Document: Attachment 1.5 MB)

5. SUBJECT: RiverPark Affordable Housing Mortgage Payment Assistance. (063)
RECOMMENDATION: Approve the appropriation of funds in the amount of \$364,000 from the Housing-Set-Aside Fund Balance for the purpose of offering mortgage payment assistance to low and moderate-income homebuyers who purchased homes in the RiverPark development. Legislative Body: CDC Contact: Kymberly Horner Phone: 385-7853

Document: View Item (PDF 352 KB)

ACTION: Continue to future meeting.

Development Services Department

6. SUBJECT: Appeal of Planning and Zoning Permit No. 09-550-13 (Major Modification to Special Use Permit No. 479), Chevron Carwash, 2251 North Oxnard Boulevard. Filed By Mark Di Cecco, AIA. (077) RECOMMENDATION: Adopt a resolution upholding the appeal and approving Planning and Zoning Permit No. 09-550-13, consistent with the Council's vote at the May 18, 2010 meeting. Legislative Body: CC Contact: Douglas Spondello Phone: 385-3919

Document: View Item (PDF 655 KB)

ACTION: Approved, Res. No. 13,813.

Fire Department

7. SUBJECT: Purchase Order for Self Contained Breathing Apparatus Air. (093)
RECOMMENDATION: Authorize the Mayor to sign a Change Order in the amount of \$4,649 to Purchase Order 003495 for the purchase of self contained breathing apparatus air bottles from L.N. Curtis and Sons, increasing the Purchase Order to \$314,852.05.
Legislative Body: CC Contact: Brad Windsor Phone: 385-7708

Document: View Item (PDF 378 KB)

Public Works Department

8. **SUBJECT:** Third Amendment to Agreement with Aquatic Bioassay and Consulting Laboratories, Inc. for Receiving Water Monitoring Services. (099)
RECOMMENDATION: Approve and authorize the Mayor to execute the Third Amendment to the Agreement with Aquatic Bioassay and Consulting Laboratories, Inc. (ABC Labs) (A-6892) to increase the amount by \$279,240 for a total of \$1,116,960 for receiving water monitoring services and extend the contract expiration date to June 30, 2011. Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: [View Item \(PDF 79 KB\)](#)

Recreation and Community Services Department

9. **SUBJECT:** Acceptance of Additional Senior Nutrition Grant Funds from the County of Ventura Area Agency on Aging. (103) **RECOMMENDATION:** Recognize and appropriate \$91,556 in Senior Nutrition Grant Funds from the County of Ventura Area Agency on Aging. Legislative Body: CC Contact: Gil Ramirez Phone: 385-7994

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

ACTION: INFORMATION/CONSENT Approved.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. **SUBJECT:** Monthly Budget Status Report for the Period Ending April 30, 2010. (107)
Legislative Body: CC Contact: James Cameron Phone: 385-7461

Document: [View Item \(PDF 206 KB\)](#)

ACTION: Reviewed and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 10-670-01 amending a Development Agreement for property located at 705-711-747 Oxnard Boulevard and known as the Colonial Mixed-Use Building. Filed by Mike Sanchez . (117)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance approving and authorizing the Mayor to execute the First Amendment to the Development Agreement for the Colonial Mixed-Use Building.
Legislative Body: CC Contact: Hollee King Phone: 385-7952

Document: [View Item \(PDF 421 KB\)](#)

Document: [View Item \(pdf 745 KB\)](#)

ACTION: Approved, Ord. No. 2828.

2. SUBJECT: Planning and Zoning Permit No. 10-500-02 (Major Modification to Special Use Permit). Filed by Doug Kubiske.
RECOMMENDATION: Remove from agenda.
Legislative Body: CC Contact: Justin Beranich Phone: 385-7863

ACTION: Removed from agenda.

Housing Department

3. SUBJECT: Fifth Amendment to the FY2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan (The Plan) for the Homelessness Prevention and Rapid Re-Housing Program Funds Awarded to the County of Ventura Human Services Agency. (131)
RECOMMENDATION: (1) Conduct a public hearing to approve a fifth amendment to The Plan to recognize the realignment of budgeted amounts of the various activities for funds awarded to the County of Ventura Human Services Agency; and (2) Authorize City Manager to re-submit the substantial amendment to The Plan to U.S. Department of

Housing and Urban Development for approval.
Legislative Body: HA Contact: Will Reed Phone: 385-8044

Document: View Item (PDF 151 KB)

Document: Attachment 2 (PDF 834 KB)

ACTION: Approved as recommended.

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

City Manager Department

1. **SUBJECT:** Public Hearing and Adoption of Resolutions to Levy Fiscal Year (FY) 2010-2011 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (137)
RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding the proposed FY 2010-2011 assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26; and (2) Adopt resolutions for FY 2010-2011 confirming assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26 in the following tracts: (a) Tract No. 2247, District No. 1 (Summerfield); (b) Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); (c) Tract No. 3384, District No. 3 (River Ridge); (d) Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park); (e) Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); (f) Tract No. 4405, District No. 10 (Country Club Estates); (g) Tract No. 4376, District No. 11 (St. Tropez); (h) Tract No. 4294, District No. 12 (Standard Pacific); (i) Tract No. 4424, District No. 13 (Le Village); (j) Tract No. 4492, District No. 14 (California Cove); (k) Tract No. 4443, District No. 15 (Pelican Pointe); (l) Tract No. 4810, District No. 16 (California Lighthouse); (m) Tract No. 4702, District No. 17 (Village of San Miguel); (n) Parcel Map Nos. 213-03-28 and 213-03-29, District No. 18 (St. Johnâ€™s Regional Medical Center); (o) Tract No. 4827, District No. 19 (Shopping at the Rose); (p) Parcel Map Nos. 231-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center); (q) Tract No. 3384-7, 8, District No. 21 (Cypress Pointe); (r) Tract No. 4611, District No. 22 (McDonaldâ€™s Median); (s) Tract No. 4529, District No. 23 (Greystone); (t) Tract No. 4529, District No. 24 (Vineyards); (u) Tract No. 4840, District No. 25 (The Pointe); and (w) Parcel Map No. 94-5-25, District No. 26 (Albertsonâ€™s).
Legislative Body: CC Contact: Joel Galaviz Phone: 385- 7950

Document: [View Item \(PDF 2 MB\)](#)

ACTION: Approved, Res. No. 13,814 thru 13,835.

2. SUBJECT: Levy of Fiscal Year (FY)2010-2011 Assessments in Mandalay Beach Maintenance District. (207)
RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding the proposed FY 2010-2011 assessments for the Mandalay Beach Maintenance District; and (2) Adopt a resolution fixing the special assessment tax in the Mandalay Beach Maintenance District for FY 2010-2011.
Legislative Body: CC Contact: Joel Galaviz Phone: 385- 7950

Document: [View Item \(PDF 313 KB\)](#)

ACTION: Approved, Res. No. 13,836.

Development Services Department

3. SUBJECT: Request to Rename a Portion of Laurel Street to Coach C Lane (PZ No. 10-650-1). Filed by Morey Navarro. (217) RECOMMENDATION: Deny a request to change the street name of a portion of Laurel Street (between Saviers Road and C Street) to Coach C Lane. Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: [View Item \(PDF 154 KB\)](#)

ACTION: Continue to future date.

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

City Manager Department

1. SUBJECT: Gold Coast Transit (GCT) Fiscal Year (FY) 2010-11 Capital and Operating Budget. (221)
RECOMMENDATION: Support the GCT FY 2010-11 proposed capital and operating budget in an amount not to exceed \$4,257,160 for fixed route service, senior and disabled paratransit service, and the capital program.
Legislative Body: CC Contact: Martin R. Erickson Phone: 385-7870

Document: [View Item \(PDF 78 KB\)](#)

ACTION: Approved as recommended.

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

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.

CC Oxnard School District v. D.R. Horton Los Angeles Holding Co., et al. Ventura County Superior Case No. 56-2008-00320518-CU-MC-VT

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 - Existing Litigation. The purpose of the closed session is to report to City Council on the status of the litigation.

CC In re the Late Claim Application of Progressive Insurance as Subrogee for Patrick Sullivan

City Claim No. 2010-0068

The City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel - Existing Litigation. The purpose of the closed session is for the City Council to consider the Late Claim Application of Progressive Insurance as Subrogee for Patrick Sullivan.

2. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION.

CC On the advice of the City Attorney, 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.

T. ADJOURNMENT