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AGENDA
November 25, 2008
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD HOUSING AUTHORITY
City Council Chambers, 305 West Third Street, Oxnard
5:30 P.M. Closed Session
7:00 P.M. Regular Meetings

- A. ROLL CALL/POSTING OF AGENDA
- B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS
RECOMMENDATION: At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.
- C. CLOSED SESSION (See Page 6 for description of closed session items)
- D. OPENING CEREMONIES 7:00 P.M.
RECOMMENDATION: Pledge of allegiance to the flag of the United States.
- E. CEREMONIAL CALENDAR
- F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)
RECOMMENDATION: At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the City

Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing. The presiding officer shall limit public comments to three minutes.

G. REVIEW OF INFORMATION/CONSENT AGENDA

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

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

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

I. INFORMATION/CONSENT AGENDA

ACTION: Information/Consent Agenda approved as recommended; Item I-2 continued.

City Manager Department

1. SUBJECT: Transportation Development Act Local Transportation Fund Allocations for FY 2008/09. (001) RECOMMENDATION: (1) Adopt a resolution approving the submittal of a claim with the Ventura County Transportation Commission for allocation of Transportation Development Act funds as follows: (a) Gold Coast Transit to receive \$3,983,489 of the City's Article 4 Local Transportation Fund (LTF) allocation for FY 2008/09 to support and develop the public transportation system in Ventura County; (b) The City's transit services program to receive \$500,000 of Article 8c LTF funding for its operations; (c) Ventura Intercity Transit Authority (VISTA) to receive \$100,789 (\$50,708 for the VISTA Highway 101 corridor service and \$50,081 for the VISTA Conejo Connection service) of the City's Article 4 LTF allocation for FY 2008/09; (d) Use of \$2,118,075 from the City's LTF balance to be utilized for streets and roads purposes (Article 8a); and (2) Approve a special budget appropriation in the amount of \$171,000 from the Air-Pollution Buydown fund balance to be paid to Gold Coast Transit for the provision of transit services. Legislative Body: CC Contact: Martin Erickson Phone: 385-7870

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

ACTION: Approved Resolution No. 13,568.

2. SUBJECT: Agreement for Trade Services with Kaneko Landscaping, Inc. (007). RECOMMENDATION: Approve and authorize the Mayor to execute a three year agreement, with Kaneko Landscaping, Inc. (4626-08-CM) in the amount of \$272,320 for the purpose of providing landscape maintenance services within Community Facility District No. 4 known as Seabridge located on Wooley Road between Victoria Avenue and Trade Winds Drive. Legislative Body: CC Contact: Michael Henderson Phone: 385-7950

Document: [View Item \(PDF 106 KB\)](#)

ACTION: Remove from agenda.

Development Services Department

3. SUBJECT: Planning & Zoning Permit No. 06-300-19 (Final Map for Phases 1, 2 & 3 of Tract No. 5644), Within the RiverPark Specific Plan Area. Filed by RiverPark Legacy, LLC. (009). RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 06-300-19 (Final Map) for Phases 1, 2 & 3 of Tract No. 5644, located north of Owens River Drive and east of the Santa Clara River within District H of the RiverPark Specific Plan area. Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

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

ACTION: Approved Resolution No. 13,569.

Housing Department

4. SUBJECT: Agreement to Pay Deferred Development Fees. (017). RECOMMENDATION: Approve and authorize the Mayor to execute an Amendment to Agreement with Sycamore Senior Apartments (A-6822), LP for the deferral of approximately \$642,000 of development fees for the Sycamore Senior Apartments project for a 12 month period of time. Legislative Body: CC Contact: Ernest Whitaker Phone: 385-7402

Document: [View Item \(88.2 KB\)](#)

5. SUBJECT: Amended Affordable Housing and Loan Agreement with HOME Corporation. (021). RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to Affordable Housing and Loan Agreement with HOME Corporation (A-6723) for the 24 unit sales project "Colonia Villas" at First and Hayes Streets in the Colonia neighborhood, extending times for developer performance. Legislative Body: CC Contact: Ernest Whitaker Phone: 385-7402

Document: [View Item \(PDF 103 KB\)](#)

Human Resources Department

6. SUBJECT: Amendment to the Memorandum of Understanding Between the City and the Oxnard Public Safety Management Employee's Association (Fire Unit). (025). RECOMMENDATION: Approve and authorize the Assistant City Manager to execute the amendment to the parties' collective bargaining agreement to include language that was omitted inadvertently. Legislative Body: CC Contact: Michelle Tellez Phone: 385-7596

Document: [View Item \(PDF 254 KB\)](#)

Public Works Department

7. SUBJECT: Amendment Number Two to Implementation Agreement for Countywide Stormwater Program. (033). RECOMMENDATION: (1) Approve and authorize the Mayor to execute a second amendment to the existing National Pollutant Discharge Elimination System Implementation Agreement Stormwater Regulation Program with the Ventura County Watershed Protection District (VCWPD) (A-4884), which identifies the responsibilities of the City, VCWPD, nine other Ventura County cities, and Ventura County under the Ventura County Municipal Stormwater Permit (VCMSP), and creates a mechanism for the distribution of revenues and the funding for the Principal Permittee activities; and (2) Approve an appropriation of \$95,192 from the Wastewater Collection Operating Fund to the Stormwater Quality Management Program to partially fund Principal Permittee costs under the VCMSP for Fiscal Year 2008/2009. Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

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

8. SUBJECT: Agreement with Hopkins Groundwater Consultants, Inc. for Hydrogeologic Design, Technical Review, and Consulting Support Services.
(037). RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Hopkins Groundwater Consultants, Inc. (A-7115) in an amount not to exceed \$100,000 annually for various hydrogeologic design, technical review, and consulting support services consistent with ongoing groundwater resource planning, development projects, and capital improvement programs, which arise on an ad-hoc basis and often require rapid response. This agreement is for one year and has the option for three one year extensions for a total of four years for a total cost not to exceed \$400,000.
Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: [View Item \(PDF 508 KB\)](#)

ACTION: Approve as recommended with I-2 continued.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

City Manager Department

1. SUBJECT: Executed Contracts. (051). Contact Person: Edmund F. Sotelo Phone: 385-7430
RECOMMENDATION: NOTE: Pursuant to City Council Resolution No. 13,014, attached is a listing of contracts in amounts over \$100,000 to \$250,000 executed by the City Manager for the period of October 1 through October 31, 2008.

Document: [View Item \(PDF 58 KB\)](#)

Finance Department

2. SUBJECT: Monthly Budget Status Reports for the Period Ending October 31, 2008. (053). Legislative Body: CC Contact: James Cameron Phone: 385-7475

Document:

Document: [View Item \(pdf 201KB\)](#)

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS 7:15 P.M.

Development Services Department

1. SUBJECT: Appeal of Planning Commission's Action on Courtyard at Mandalay Bay Project, Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Courtyard at Mandalay Bay, LLC. (063). RECOMMENDATION: Adopt a resolution upholding the action of the Planning Commission denying PZ 06-500-14 (Special Use Permit) for PZ 06-300-12 (Tentative Subdivision Map); PZ 06-620-05 (General Plan Amendment); and PZ 06-570-09 (Zone Change).
RECOMMENDATION: (Note: The discussion of this item contains alternative recommendations should City Council determine not to uphold the Planning Commission action.) Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

Document: [View Item \(PDF 513 KB\)](#)

2. SUBJECT: Appeal of Planning Commission Action on Vineyard-Ventura Homes Project for Development of 201 Residential Units on Vacant Property, Located at 1801 Vineyard Avenue. Filed by Casden Properties LLC. (081). RECOMMENDATION: Adopt a resolution upholding the action of the Planning Commission denying PZ 06-540-01 (Special Use Permit) for PZ 06-300-01 (Tentative Subdivision Map); PZ 06-620-01 (General Plan Amendment); PZ 06-630-01 (Specific Plan Amendment); PZ 06-570-02 (Zone Change); and PZ 07-670-01 (Development Agreement) (A-7120).
RECOMMENDATION: (Note: The discussion of this item contains alternative recommendations should City Council determine not to uphold the Planning Commission action.) Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

Document: [View Item \(PDF 849 KB\)](#)

3. SUBJECT: Appeal of Planning Commission Action on Ventura Townhomes Project for Development of 143 Residential Units on Vacant Property, Located at 2501 North Ventura Road. Filed by Casden Properties LLC. (109). RECOMMENDATION: Adopt a resolution upholding the action of the Planning Commission denying PZ 07-540-03

(Special Use Permit) for PZ 07-300-01 (Tentative Subdivision Map); PZ 07-620-04 (General Plan Amendment); PZ 07-630-02 (Specific Plan Amendment); PZ 07-570-03 (Zone Change); and PZ 07-670-02 (Development Agreement) (A-7121).

RECOMMENDATION: (Note: The discussion of this item contains alternative recommendations should City Council determine not to uphold the Planning Commission action.) Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

Document: [View Item \(PDF 804 KB\)](#)

4. SUBJECT: Planning and Zoning Permit Nos. 06-620-03 (General Plan Amendment), 08-630-02 (Specific Plan Adoption), 06-570-05 (Zone Change), and 06-670-02 (Development Agreement), and Replacement Housing Plan for the Oxnard Village Specific Plan Project, Located Near the Northwestern Edge of the City of Oxnard, Bounded by Highway 101 to the North, Oxnard Boulevard to the East, the Union Pacific Railroad and El Rio Drain to the South, and North Ventura Road to the West. Filed by the Daly Group. (135). RECOMMENDATION: (1) Adopt a resolution approving General Plan Amendment (PZ 06-620-03) changing the General Plan land use designation for the project area from Commercial Regional to Oxnard Village Specific Plan; (2) Approve the first reading by title only and subsequent adoption of an ordinance approving Planning and Zoning Permit No. PZ 08-630-02 (Oxnard Village Specific Plan) for the proposed development project; (3) Approve the first reading by title only and subsequent adoption of an ordinance amending the City zone map (PZ 06-570-05) to change the zone designation for the project area from General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (CM) to Oxnard Village Specific Plan; and (4) Approve the first reading by title only and subsequent adoption of an ordinance approving Planning and Zoning Permit No. 06-670-02 (Development Agreement) for the proposed development project. Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

Document: [View Item \(PDF 1,024 KB\)](#)

ACTION: Continue all public hearing items to future date.

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

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

City Manager Department

1. SUBJECT: Public Service Announcement Ads for Graffiti. Legislative Body: CC
Contact: Cyndi Hookstra Phone: 385-8079

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

1. SUBJECT: Cancellation of the Regular Meetings Scheduled for December 2, 2008.
(169). RECOMMENDATION: Cancel the regular meetings scheduled for December 2,
2008.
Legislative Body: CC/CDC/HA Contact: Edmund F. Sotelo Phone: 385-7430

Document: [View Item \(PDF 271 KB\)](#)

O. REPORTS

Public Works Department

1. SUBJECT: Update on Citywide Traffic Mitigation Plan. (171). RECOMMENDATION:
Receive and file report.
Legislative Body: CC Contact: Jason Samonte Phone: 385-8221

Document: [View Item \(79.0 KB\)](#)

P. PUBLIC COMMENTS ON REPORTS

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

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

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

C. CLOSED SESSION (Cont'd)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Wilson v. Polo United States District Court Case No. CV07-06191 GPS (SHX)

RECOMMENDATION: The Acting 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. Legislative Body: CC

2. PUBLIC EMPLOYEE APPOINTMENT/LABOR NEGOTIATION. Title: City Attorney
RECOMMENDATION: The Acting City Attorney requested that this item be discussed in closed session under the Brown Act exceptions pertaining to public employee appointment and labor negotiations, to confer with its designated representatives, the Mayor and Mayor Pro Tem. Legislative Body: CC

T. ADJOURNMENT