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AGENDA
June 24, 2008
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD HOUSING AUTHORITY
City Council Chambers, 305 West Third Street, Oxnard
6:00 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 7 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

1. SUBJECT: Presentation of a Resolution to Dave Mesa for over 31 Years of Outstanding Service to the City of Oxnard. (001) RECOMMENDATION: Approve.
Legislative Body: CC

Document: [View Item \(PDF 39 KB\)](#)

ACTION: Approved Resolution No. 13,493

- 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

City Attorney Department

1. SUBJECT: Ordinance No. 2778 Regarding Adopting a Development Agreement with Breakers 12, LLC. (003) RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: James F. Rupp Phone: 385-7493

Document: [View Item \(PDF 63 KB\)](#)

ACTION: Approved Ordinance No. 2778.

City Clerk Department

2. SUBJECT: Resolution to Call November 4, 2008 Regular Municipal Election. (005); RECOMMENDATION: (1) Adopt a resolution calling a regular municipal election for November 4, 2008, for the purpose of electing municipal officers; requesting consolidation with the Statewide general election on November 4, 2008; requesting the County Clerk to render services and supplies; and authorizing the Board of Supervisors to canvass the returns; (2) Adopt a resolution establishing rules to govern submission of candidates' statements. Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803

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

ACTION: Approved Resolution No. 13,494 and 13,495.

3. SUBJECT: Agreement for Publication of Legal Notices and Legal Advertisements and for Publication of Display Advertisements and Classified Advertisements.(013); RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement (A-7068) with the Ventura County Reporter (Reporter) for publication of legal notices and legal advertisements for fiscal year (FY) 2008-09; and (2) Authorize the City Manager or designee to negotiate and execute agreements with other newspapers to allow for the publication of legal advertisements, display advertisements and classified advertisements for FY 2008-09. Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803

Document: [View Item \(PDF 375 KB\)](#)

ACTION: Removed from agenda.

Community Development Department

4. SUBJECT: Resolution Approving Levy and Collection of Assessments for FY 2008-09 within Oxnard Downtown Management District. (021) RECOMMENDATION: Adopt a resolution ordering the levy and collection of assessments within the Oxnard Downtown Management District ("District") for Fiscal Year (FY) 2008-09. Legislative Body: CC Contact: Maureen Hooper Phone: 385-7407

Document: [View Item \(PDF 98 KB\)](#)

ACTION: Approved Resolution No. 13,496.

5. SUBJECT: Extension of Financial Agreement between the City of Oxnard and the Community Development Commission for Funds in the Amount of \$1,250,000 Appropriated to the Central City Project Area in Fiscal Year 2003.
(023) RECOMMENDATION: That the City Council adopt a resolution approving and authorizing the Mayor to execute an extension of a Financial Agreement between the Community Development Commission and the City of Oxnard, in the amount of \$1,250,000, related to the 2004 acquisition of property located at 455 South "A" Street in the Central City Redevelopment Project Area. That the Community Development Commission adopt a resolution approving and authorizing the Chairman to execute an extension of a Financial Agreement between the CDC and the City, in the amount of \$1,250,000, related to the 2004 acquisition of property located at 455 South "A" Street in CCRP. Legislative Body: CC/CDC Contact: Kymberly Horner Phone: 385-7407

Document: [View Item \(PDF 164 KB\)](#)

ACTION: Approved Resolution No. 13,497 and CDC 125.

6. SUBJECT: Extension of Financial Agreement for Short Term Loan.
(029) RECOMMENDATION: That the City Council adopts a resolution approving and authorizing the Mayor to execute an Extension of Financial Agreement with the Community Development Commission (the "CDC") providing for a two-year extension for the CDC to repay a short term loan in the amount of \$750,000 to the CDC; That the Community Development Commission adopt a resolution approving and authorizing the Chairman to execute an Extension of Financial Agreement with the City to extend the time for repayment of a short term loan to the CDC in the amount of \$750,000. Legislative Body: CC/CDC Contact: Suzanne Quitoriano Phone: 385-7407

Document: [View Item \(PDF 161 KB\)](#)

ACTION: Approved Resolution No. 13,498 and CDC 126.

[Development Services Department](#)

7. SUBJECT: Review of Revised Architecture for the CVS Pharmacy Shopping Center, PZ 06-500-1, Located at the Five Points Intersection. (035) RECOMMENDATION: Approve the revised architecture for the CVS Pharmacy Shopping Center. Legislative Body: CC Contact: Stephanie Diaz Phone: 385-3918

Document: [View Item \(PDF 693 KB\)](#)

ACTION: Remove from agenda.

8. SUBJECT: Planning and Zoning Permit (PZP) Nos. 07-300-02 (Final Map for Tract No. 5737 for Condominium Purposes) and 07-300-03 (Final Map for Tract No. 5738 for Condominium Purposes) for Property Located at 720 and 730 Arcturus Avenue. Filed by Barry H. Carlisi. (043) RECOMMENDATION: (1) Adopt a resolution approving PZP No. 07-300-02 (Final Map for Tract No. 5737 for Condominium Purposes), subject to the conditions set forth in Planning Commission Resolution No. 2007-12; and (2) Adopt a resolution approving Planning and Zoning Permit No. 07-300-03 (Final Map for Tract No. 5738 for Condominium Purposes), subject to the conditions set forth in Planning Commission Resolution No. 2007-10. Legislative Body: CC Contact: Juan Martinez Phone: 385-7556

Document: [View Item \(pdf 944 KB\)](#)

ACTION: Approved Resolution No. 13,499 and 13,500.

Finance Department

9. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 88-1 (Oxnard Town Center). (063) RECOMMENDATION: Acting as the legislative body of CFD No. 88-1, adopt a resolution setting a special tax rate within CFD No. 88-1 (Oxnard Town Center) for FY 2008-2009. Legislative Body: CC Contact: Beth Vo Phone: 385-7456

Document: [View Item \(PDF 159 KB\)](#)

ACTION: Approved Resolution No. 13,501.

10. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 5 (Riverpark). (067) RECOMMENDATION: Acting as the legislative body of CFD No. 5, adopt a resolution setting a special tax rate within CFD No. 5 (Riverpark) for FY 2008-2009. Legislative Body: CC Contact: Beth Vo Phone: 385-7456

Document: [View Item \(PDF 50 KB\)](#)

ACTION: Approved Resolution No. 13,502.

Housing Department

11. SUBJECT: Submission of BEGIN Application. (069) RECOMMENDATION: Adopt a resolution authorizing the City Manager and/or his designee (1) to execute and submit an application to the California Department of Housing and Community Development (HCD) for \$3,000,000 under the CalHome Building Equity and Growth in Neighborhoods (BEGIN) Program; (2) to execute a Standard Agreement, and all other documents required by HCD for participation in the Program, as well as any amendments thereto as necessary and appropriate to pursue the funding application and obtain funding; and (3) to prepare special budget appropriations for the use of the funds. Legislative Body: CC Contact: Ernest Whitaker Phone: 385-7402

Document: [View Item \(PDF 147 KB\)](#)

ACTION: Approved Resolution No. 13,503.

12. SUBJECT: State of California Assembly Bill 2818. (073) RECOMMENDATION: Execute letters to the State Assembly Speaker Karen Bass and Assembly Member Pedro Nava stating that the City of Oxnard opposes Assembly Bill 2818. Legislative Body: CC/HA Contact: Valerie Vazquez Phone: 385-8041

Document: [View Item \(PDF 208 KB\)](#)

ACTION: Approved with change to letters.

Police Department

13. SUBJECT: Appropriation of P.O.S.T. Police Training Funds.
(079) RECOMMENDATION: Recognize revenue in the amount of \$88,000 in the Peace Officer Standards and Training (POST) Reimbursement Training Fund and appropriate these funds to the Oxnard Police Department Training Program to support police training requirements through the end of FY 2007-2008. Legislative Body: CC Contact: David Villanueva Phone: 385-7777

Document: [View Item \(PDF 69 KB\)](#)

Public Works Department

14. SUBJECT: Ocean View Mutual Water System Metering and Water Service Lines Project.
(081) RECOMMENDATION: (1) Approve Project Specification No. PW08-03 for the Ocean View Water System Metering and Water Service Lines Project; and (2) Approve a special budget appropriation of \$978,050 from available Water Operating Fund balance for the Ocean View Water System Metering and Water Service Lines Project. Legislative Body: CC Contact: Anthony Emmert Phone: 385-8111

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

15. SUBJECT: Fourth Amendment to Agreement with Parrent Security for Construction Site Security Services at the Blending Station No. 1, 251 South Hayes Avenue.
(085) RECOMMENDATION: Approve and authorize the Mayor to execute the Fourth Amendment to Agreement with Parrent Security (No. 3302-04-PW) in the amount not to exceed \$184,400, for a total agreement amount of \$900,062, for the purpose of providing construction site security services at the Blending Station No. 1, located at 251 South Hayes Avenue. Legislative Body: CC Contact: Anthony Emmert Phone: 385-8111

Document: [View Item \(PDF 260 KB\)](#)

ACTION: Remove from agenda.

16. SUBJECT: Amendment to Agreement for Professional Services with Aquatic Bioassay and Consulting Laboratories, Inc. (091) RECOMMENDATION: Approve and authorize the Mayor to execute an amendment to agreement with Aquatic Bioassay and Consulting

Laboratories, Inc. (A-6892), for a total agreement amount of \$558,480 for receiving water monitoring services. Legislative Body: CC Contact: Anthony Emmert Phone: 385-8111

Document: [View Item \(PDF 95 KB\)](#)

ACTION INFORMATION/CONSENT: City Council removed items 3, 7 and 15 from the agenda and approved all other items as recommended.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

1. SUBJECT: Monthly Budget Status Reports for the Period Ending May 31, 2008. (093) Legislative Body: CC Contact: James Cameron Phone: 385-7475

Document: [View Item \(PDF 402 KB\)](#)

K. INFORMATION/CONSENT PUBLIC HEARINGS

City Manager Department

1. SUBJECT: Public Hearing and Adoption of Resolutions to Levy FY 2008-2009 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26. (109) RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding the proposed FY 2008-2009 assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26; (2) Adopt resolutions for FY 2008-2009 confirming assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26 in the following tracts: Tract No. 2247, District No. 1 (Summerfield); Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park); Tract No. 3384, District No. 3 (River Ridge); Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park); Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields); Tract No. 4405, District No. 10 (Country Club Estates); Tract No. 4376, District No. 11 (St. Tropez); Tract No. 4294, District No. 12 (Standard Pacific); Tract No. 4424, District No. 13 (Le Village); Tract No. 4492, District No. 14 (California Cove); Tract No. 4443, District No. 15 (Pelican Pointe); Tract No. 4810, District No. 16 (California Lighthouse); Tract No. 4702, District No. 17 (Village of San Miguel); Parcel Map Nos. 213-03-28 and 213-03-29, District No. 18 (St. John's Regional Medical Center); Tract No. 4827, District No. 19 (Shopping at the Rose); Parcel Map Nos. 231-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center); Tract No. 3384-7, 8, District No. 21 (Cypress Pointe); Tract No. 4611, District No. 22 (McDonald's)

Median); Tract No. 4529, District No. 23 (Greystone); Tract No. 4529, District No. 24 (Vineyards); Tract No. 4840, District No. 25 (The Pointe); and Parcel Map No. 94-5-25, District No. 26 (Albertsonâ€™s).

Legislative Body: CC Contact: Michael Henderson Phone: 385-7950

Document: [View Item \(PDF 195 KB\)](#)

ACTION: Approved Resolution No. 13,504 to 13,525.

Fire Department

2. SUBJECT: Establishment and Adjustment of Fees and Charges for Certified Unified Program Agency Services and Permits. (113) RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding the proposed new fees and adjustments to current fees for Certified Unified Program Agency (CUPA) services and permits; and (2) Adopt a resolution establishing new fees and a two phase adjustment to current fees for services and permits, with future annual increases based on the April CPI-U (Consumer Price Index - Urban) of that year. Legislative Body: Contact: Steve Mattern Phone: 385-8364

Document: [View Item \(PDF 330 KB\)](#)

ACTION: Approved Resolution No. 13,526.

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

Finance Department

1. SUBJECT: Public Hearing to Consider Oxnard's Fiscal Years 2008-2013 Consolidated Plan (Plan) and Fiscal Year 2008-09 Annual Action Plan Component, Including Applications to the U.S. Department of Housing and Urban Development (HUD) and Projected Use of Community Development Block Grant, HOME Investment Partnership Act and Emergency Shelter Grant (ESG) Funds. (123) RECOMMENDATION: (1) Conduct a public hearing to receive comments and provide direction to staff regarding any changes to the Plan; (2) Authorize the City Manager to make changes to the Plan as directed by City Council; (3) Approve the Plan and the recommended proposed use of funds; (4) Authorize the City Manager to execute the required applications, certifications,

and other pertinent documents and submit the Plan to HUD; and (5) Authorize the City Manager to execute any agreements and other documents necessary to implement the Plan after approval of the Plan by HUD. Legislative Body: CC Contact: Norma Owens Phone: 385-7477

Document: [View Item \(PDF 329 KB\)](#)

ACTION: Approved as recommended.

City Manager Department

2. SUBJECT: Presentation and Adoption of the Fiscal Year (FY) 2008-2009 City, Community Development Commission, and Housing Authority Operating and Capital Improvement Budgets. (131) RECOMMENDATION: (1) That City Council conduct a public hearing on the FY 2008-2009 budgets for the City of Oxnard (City), Community Development Commission, Housing Authority, and Capital Improvement Plan; (2) At the conclusion of the public hearing, at the discretion of City Council, adopt resolutions: (a) approving the City's Operating and Capital Improvement Budgets for FY 2008-2009; (b) authorizing full-time equivalent positions in the City effective July 1, 2008; (c) authorizing the Classification and Salary Schedule effective July 1, 2008; and (d) establishing FY 2008-2009 Financial Management Policies; (3) That the Community Development Commission (CDC) adopt a resolution approving the CDC's Operating and Capital Improvement Budgets for FY 2008-2009; and (4) That the Housing Authority Commission adopt a resolution approving the Housing Authority's Operating Budget for FY 2008-2009.

Legislative Body: CC/HA/CDC Contact: Grace Magistrale Hoffman Phone: 385-7430

Document: [View Item \(PDF 3000 KB\)](#)

ACTION: Approved as recommended, Resolution No. 13,527 to 13,530; CDC 127; and HA 1222.

- 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.

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

O. REPORTS

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 (Contd)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.

RECOMMENDATION: Affholder, Inc. v. City of Oxnard United States District Court
Case No. CV 07-06562 RGK (CWx) Legislative Body: CC

The Public Works Director 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.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.

RECOMMENDATION: 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. Legislative Body: CC

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

T. ADJOURNMENT

Document: Minutes (pdf 296KB)