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AGENDA
September 28, 2010
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD FINANCING AUTHORITY*
OXNARD HOUSING AUTHORITY*
City Council Chambers, 305 West Third Street, Oxnard
7:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

*The Oxnard Housing Authority and 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

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

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Commendation Presented to Kay Swenson for over Seventeen Years of Outstanding Service to the City of Oxnard.

2. SUBJECT: Presentation of a Proclamation Designating the Month of October, 2010, as "Multicultural 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.

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 Manager Department

1. SUBJECT: Approval of Associate Membership Agreement with the California Enterprise Development Authority. (001)
RECOMMENDATION: Adopt the attached resolution approving the execution and delivery of an Associate Membership Agreement with the California Enterprise Development Authority.
Legislative Body: CC Contact: Steve Kinney Phone: 385-7444

Document: View Item (pdf 167 KB)

ACTION: Approve as recommended, Res. No. 13,913

2. SUBJECT: Repealing and Replacement of Resolution No. 13,779 Regarding Urban Greening Grant. (007)
RECOMMENDATION: 1) Adopt a resolution repealing Resolution No. 13,799; 2) Adopt a resolution authorizing the City Manager to submit the grant contract to the State of California Department of Parks and Recreation under the Urban Greening Grant for Sustainable Communities Program in the amount of \$804,188 for tree planting in the downtown core area, and certifying that the City will have sufficient funds to maintain the project area to be paid for with these grant funds; and 3) Authorize the City Manager to appropriate grant funds upon award of the grant.
Legislative Body: CC Contact: Lori Rice Phone: 385-7950

Document: [View Item \(pdf 203 KB\)](#)

ACTION: Approve as recommended, Res. No. 13,914 and 13,915.

Community Development Department

3. SUBJECT: Infrastructure Reimbursements and Affordable Housing Assistance Memorandum of Understanding Regarding the Owner Participation Agreement for the RiverPark A Development which is adjacent to and North of the Highway 101 Freeway, East of the Santa Clara River. (013)
RECOMMENDATION: 1) Approve and authorize the Chairman to execute the Memorandum Of Understanding To Owner Participation Agreement (RiverPark)(A-7344) between the CDC and RIVERPARK A, LLC.; 2) Approve an infrastructure reimbursement special budget appropriation in the amount of \$1,302,816; and 3) Approve an affordable housing assistance special budget appropriation in the amount of \$684,815.
Legislative Body: CDC Contact: Richard Bryan Phone: 385-7407

Document: [View Item \(pdf 140 KB\)](#)

4. SUBJECT: Resolution to commend Paula Arceo for 22 years of service. (017)
RECOMMENDATION: Adopt the resolution.
Legislative Body: CC Contact: Sabrina Rodriguez Phone: 385-7875

Document: View Item (pdf 55 KB)

ACTION: Approve as recommended, Res. No. 13,916.

Library Department

5. SUBJECT: Main Library Homework Center. (019)
RECOMMENDATION: Adopt a resolution authorizing the City Manager to accept a \$26,950 Library Services and Technology Act grant to be used for the establishment of a Main Library Homework Center with a City matching funds requirement.
Legislative Body: CC Contact: Barbara Murray Phone: 385-7522

Document: View Item (pdf 1023 KB)

ACTION: Approve as recommended, Res. No. 13,917.

Public Works Department

6. SUBJECT: Recycled Water Backbone System Phase I - Encroachment Permit. (037)
RECOMMENDATION: 1) Approve and authorize the Interim Public Works Director to execute an Encroachment Permit No. EP 10-064 in the amount of \$877,177 that grants the City of Oxnard the right to construct the Recycled Water Backbone System that lies within the jurisdiction of the City of Port Hueneme; and 2) Approve and authorize the Interim Public Works Director to place the property use fee portion of the encroachment fee (\$298,125) into an escrow account pursuant to an agreement with the City of Port Hueneme.
Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: View Item (pdf 93 KB)

ACTION: INFORMATION/CONSENT AGENDA Approve as recommended.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending August 31, 2010. (039)
Legislative Body: CC Contact: James Cameron Phone: 385-7461

Document: [View Item](#) (pdf 315 KB)

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Third Amendment to the RiverPark Development Agreement No. A-6128 (PZ 10-670-02). Filed by Tony Talamante c/o RiverPark Legacy LLC, for the development which is adjacent to and North of the Highway 101 Freeway, East of the Santa Clara River, on behalf of the RiverPark developers. (051)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance approving the Third Amendment to the RiverPark Development Agreement No. A-6128 (PZ 10-670-02), between the owners of the RiverPark Project and the City of Oxnard, and authorize the Mayor to execute the Third Amendment to the RiverPark Development Agreement after the second reading of the ordinance.
Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: [View Item](#) (pdf 229 KB)

ACTION: Approve as recommended, Ord. No. 2830.

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

Development Services Department

1. SUBJECT: Appeal of Planning and Zoning Permit No. 10-520-01 (Special Use Permit), Life of Victory Worship Center, 2041 Cabot Place. Filed by: Danielle Keys. (057)
RECOMMENDATION: Adopt a resolution granting the appeal and approving the

Planning and Zoning Permit No. 10-520-01.

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

Document: [View Item](#) (pdf 1.53 MB)

ACTION: Return this item to the Planning Commission.

2. SUBJECT: The Anacapa Townhomes Project - Planning & Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance) Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores Co., LLC. (087)
RECOMMENDATION: 1) Adopt a resolution upholding the Planning Commission's approval of the Coastal Development Permit (PZ No. 08-400-04) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-15; 2) Adopt a resolution approving the Tentative Subdivision Map for Tract 5843 (PZ No. 09-300-01) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-16; and 3) Adopt a resolution upholding the Planning Commission's approval of the Coastal Zone Variance (PZ No. 09-590-01) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-17.
Legislative Body: CC Contact: Brian Foote Phone: 385-8312

Document: [View Item](#) (pdf 854 KB)

ACTION: Continue to October 19, 2010.

3. SUBJECT: The Cuesta Del Mar Affordable Housing Project - Planning & Zoning Permit Nos. 10-570-02 (Zone Change), 10-535-01 (Density Bonus), and 10-540-01 (Planned Development) Located at 610 Cuesta Del Mar Drive. Filed by McCarthy Companies, agent for the Housing Authority of the City of Oxnard. (103)
RECOMMENDATION: 1) Adopt a resolution approving the Density Bonus (PZ No. 10-535-01) for the Cuesta Del Mar housing project, subject to the conditions set forth in Planning Commission Resolution No. 2010-23; 2) Adopt a resolution upholding the Planning Commission's approval of the Planned Development (PZ No. 10-540-01) for the Cuesta Del Mar housing project, subject to the conditions set forth in Planning Commission Resolution No. 2010-22; and 3) Approve the first reading by title only and subsequent adoption of an ordinance approving a Zone Change (PZ No. 10-570-02) from R-3-PD to R-4-PD for the Cuesta Del Mar housing project, subject to the conditions set forth in Planning Commission Resolution No. 2010-24.
Legislative Body: CC Contact: Brian Foote Phone: 385-8312

Document: [View Item \(pdf 892 KB\)](#)

ACTION: Approve as recommended, Res. No. 13,918, & 13,919 and Ord. No. 2831.

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.

1. SUBJECT: Update on the Early Retirement Incentive Program. (119)
RECOMMENDATION: Receive an update on the Early Retirement Incentive Program.
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7428

Document: [View Item \(pdf 293 KB\)](#)

ACTION: Received and filed.

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

1. SUBJECT: Strategies Based on Recent Inquiries from the District Attorney. (131)
RECOMMENDATION: Consider a report on the Strategies Based on Recent Inquiries from the District Attorney.
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7428

Document: [View Item \(pdf 322 KB\)](#)

ACTION: Received and filed.

2. SUBJECT: Proposition 19, an Initiative to Legalize Marijuana in California on the November 02, 2010 General Election Ballot. (143)
RECOMMENDATION: That City Council consider a report on Proposition 19, an initiative to legalize marijuana in California on the November 02, 2010 General Election Ballot.
Legislative Body: CC Contact: Martin R. Erickson Phone: 385-7870

Document: [View Item \(pdf 75KB\)](#)

ACTION: Received and filed.

O. REPORTS Community Development Commission

1. SUBJECT: Consideration of Letter of Conditional Financial Support to the Gull Wings Children's Museum. (145)
RECOMMENDATION: Approve and execute a letter of conditional commitment to support Gull Wings Children's Museum's proposed project to create a California Discovery Museum at 2420 North Oxnard Boulevard with a loan of up to \$500,000.
Legislative Body: CDC Contact: Curtis Cannon Phone: 385-7850

Document: [View Item \(pdf 142 KB\)](#)

ACTION: Approve as recommended (letter).

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.

T. ADJOURNMENT