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AGENDA
March 22, 2011
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meetings
City Council Chambers, 305 West Third Street, Oxnard
7:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

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: Presentation of Employee of the Year Denise Brennecke.

2. SUBJECT: Presentation of Commendation to Mayor Tom Holden for His Service on the Air Pollution Control District Board by Mike Villegas, Air Pollution Control Officer.

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 Meeting of the City Council for February 15 and for the Special Meeting of the City Council on February 22, 2011; Minutes of the Oxnard Community Development Commission for February 15, and March 1, 2011; Minutes of the Oxnard Housing Authority for February 15, and March 1 and 8, 2011; Minutes of the Regular Meeting of the Oxnard Financing Authority for December 7 and 14, 2010 and January, 11 and 25, and February 1, 8, and 15, and March 1 and 8, 2011. (001)
RECOMMENDATION: Approve.
Legislative Body: CC/FA Contact: Daniel Martinez Phone: 385-7805

Document: View Item (pdf 451 KB)

City Manager Department

2. SUBJECT: Agreements for City Council Review. (027)
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.
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7950

Document: View Item (pdf 260 KB)

Community Development Department

3. SUBJECT: Purchase and Transfer of 610 Cuesta Del Mar from the Oxnard Housing Authority to Las Cortes, Inc., and Approval of Amended and Restated Affordable Housing and Loan Agreement by and Between the City of Oxnard, Oxnard Community Development Commission and Las Cortes, Inc. (035)
RECOMMENDATION: That the Housing Authority Board of Commissioners: Adopt a resolution (Attachment #1) approving the purchase of Housing Authority property located at 610 Cuesta del Mar, Oxnard, California by Las Cortes, Inc. for the development of a seven unit affordable housing project.

That the City Council and Community Development Commission: 1) Approve and authorize the Mayor and Chairman to execute the Amended and Restated Affordable Housing Loan Agreement and associated documents with Las Cortes, Inc., in substantially the form presented as Attachment #2 with such non-substantive changes as may be approved by the City Attorney, and direct the Community Development Director (or designees) to prepare, revise and sign all documents necessary and appropriate to carry out the City's obligations, responsibilities and duties there under, with the City Attorney's concurrence; 2) Authorize the City Manager, the Executive Director, Community Development Director (or designees), with approval from the City Attorney or the General Counsel on behalf of the Commission, to prepare, revise and sign all documents necessary and appropriate to carry out and implement the Cuesta Del Mar Amended and Restated Affordable Housing Loan Agreement, and to administer the City's obligations, responsibilities and duties pursuant to those documents; 3) Approve the appropriation of funds and expressly limit the City's obligation to the total amount of \$1,600,000 from the Low and Moderate Income Housing Fund ("LMIHF") for the development and construction of the Cuesta del Mar project consisting of seven (7) affordable housing units.

The total sum includes \$350,000 previously approved by the Community Development Commission on July 21, 2009; 4) Find, pursuant to Section 33334.3(j) of the California Health and Safety Code that: (i) other means of private or commercial financing are not reasonably available to the Housing Authority; and (ii) based on substantial evidence, the use of LMIHF is necessary because the Housing Authority has made a good faith attempt but has been unable to obtain commercial or private means of financing the units at the same level of affordability and quantity. 5) Authorize the Chief Financial Officer to establish necessary accounts and budgets in accordance with these recommendations.
Legislative Body: CC/CDC/HA Contact: Kymberly Horner Phone: 385-7871

Document: [View Item \(pdf 145 KB\)](#)

4. SUBJECT: Loan Agreement by and Between the City of Oxnard and Pacific West Communities, for the Development of the Colonial House Located at the Southwest Corner of Oxnard Boulevard and Roderick. (039)
RECOMMENDATION: 1) Authorize the Mayor to execute the Colonial House Mixed Use Project Loan Agreement in substantially the form presented in Attachment #1, with such non-substantive changes as may be approved by the City Attorney, and direct the Community Development Director (or designee) to execute a Local Financing Commitment Letter, evidencing the City's approval for benefit of obtaining tax credits, in a form acceptable to the City Attorney; 2) Approve the appropriation of funds, and expressly limit the City's obligation, to the total amount of \$4,200,000 from the Low and Moderate Income Housing Fund ("LMIHF") for the development and construction of 44 affordable housing units as part of the Colonial House mixed-use project encompassing 14,538 square feet of commercial space and parking facilities; 3) Authorize the City Manager, the Executive Director, Community Development Director (or designees), with approval from the City Attorney or the General Counsel on behalf of the Commission, to prepare, revise and sign all documents necessary and appropriate to carry out and implement the Colonial House Mixed Use Project Loan Agreement, and to administer the City's obligations, responsibilities and duties pursuant to those documents; 4) Find, pursuant to Section 33334.3(j) of the California Health and Safety Code that: (i) other means of private or commercial financing are not reasonably available to the Project; and (ii) based on substantial evidence, the use of LMIHF is necessary because a good faith attempt has been made to obtain commercial or private means of financing, but such financing is not available at the same level of affordability and quantity; and 5) Authorize the Chief Financial Officer to establish necessary accounts and budgets in accordance with these recommendations.
Legislative Body: CC Contact: Kymberly Horner Phone: 385-7871

Document: [View Item \(pdf 173 KB\)](#)

5. SUBJECT: Second Amendment to Affordable Housing Loan Agreement and Memorandum of Understanding Regarding Lot 17A (collectively the "MOU") and Sonata Apartments Acquisition, Predevelopment and Permanent Loan Agreement ("Sonata Loan Agreement"). (043)
RECOMMENDATION: 1) Approve and authorize the Mayor and the Chairman as to the MOU, to execute the MOU and Sonata Loan Agreement, in substantially the form presented in Attachments #1 and #2, with such non-substantive changes as may be approved by the City Attorney, and direct the Community Development Director (or designee) to execute a Local Financing Commitment Letter, evidencing the City's approval for benefit of obtaining tax credits, in a form acceptable to the City Attorney. 2) Re-Authorize the previous appropriation of funds and expressly limit the City's obligation to the total amount of \$3,000,000 from the Low and Moderate Income Housing Fund ("LMIHF") for the development and construction of 53 affordable housing involving Lots 3, 11, 12, 16 and 17 of Districts A and D of the RiverPark Specific Plan within the HERO Redevelopment Project; 3) Authorize the City Manager and Community Development Director (or designees), with approval from the City Attorney, and the Executive Director and Community Development Director, with approval from General Counsel on behalf of the Commission to prepare, revise and sign all documents necessary and appropriate to carry out and implement the MOU and Sonata Loan Agreement, and to administer the City's obligations, responsibilities and duties pursuant to those documents; 4) Find, pursuant to Section 33334.3(j) of the California Health and Safety Code that: (i) other means of private or commercial financing are not reasonably available to the Project; and (ii) based on substantial evidence, the use of LMIHF is necessary because a good faith attempt has been made to obtain commercial or private means of financing, but such financing is not available at the same level of affordability and quantity; and 5) Authorize the Chief Financial Officer to establish necessary accounts and budgets in accordance with these recommendations.
Legislative Body: CC/CDC Contact: Curtis Cannon Phone: 385-7407

Document: [View Item](#) (pdf 980 KB)

Development Services Department

6. SUBJECT: Third Amendment to Agreement with URS Energy & Construction Inc. (URS) for Engineering Services for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101. (069)
RECOMMENDATION: Approve and authorize the Mayor to execute the third amendment to the agreement with URS (A-7240) to increase the amount by \$501,003 (a total of \$1,473,908) to provide engineering services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101.
Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

Document: [View Item \(pdf 355 KB\)](#)

7. **SUBJECT:** Agreement with Southern California Edison for Energy Efficiency Planning Grant. (083)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with Southern California Edison (SCE) in the amount of \$275,000 to implement an energy efficiency planning grant; and 2) Authorize the Chief Financial Officer to establish the necessary accounts and budgets.
Legislative Body: CC Contact: Chris Williamson Phone: 385- 8156

Document: [View Item \(pdf 37 KB\)](#)

8. **SUBJECT:** Oxnard Blvd. Bicycle & Pedestrian Path Easement Acquisition at the Sports Park. (085)
RECOMMENDATION: Approve the payment of \$546,000 as just compensation for an easement for the Oxnard Boulevard bicycle and pedestrian path at the Sports Park at the southeast corner of Gonzales Road and Oxnard Boulevard.
Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

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

Finance Department

9. **SUBJECT:** Refinancing of City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010 (089)
RECOMMENDATION: 1) That City Council approve a plan to pay off the City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010 ("2010 BANs") with a private placement of 3-to-5 year tax exempt bonds; and 2) That the City of Oxnard Financing Authority approve a plan to pay off its 2010 BANs with a private placement of 3-to-5 year tax exempt bonds.
Legislative Body: CC/FA Contact: Michael More Phone: 385-7480

Document: [View Item \(pdf 48 KB\)](#)

10. **SUBJECT:** Lease Purchase of City Vehicles for Fiscal Year 2010-11. (091)
RECOMMENDATION: Approve a special budget appropriation in the amount of \$808,000 from the Master Equipment Lease Purchase Agreement for the acquisition of

capital equipment in Fiscal Year 2010-11.

Legislative Body: CC Contact: Michael More Phone: 385-7480

Document: View Item (pdf 76 KB)

Public Works Department

11. SUBJECT: Third Amendment to Agreement with Hopkins Groundwater Consultants, Inc. (A-7115) for Hydrogeologic Design, Technical Review, and Consulting Support Services. (095) RECOMMENDATION 1) Approve and authorize the Mayor to execute the Third Amendment to the agreement with Hopkins Groundwater Consultants, Inc. ("Hopkins Groundwater") to increase the amount by \$87,200 for a total of \$387,200 for the preparation of a supplemental Aquifer Storage & Recovery (ASR) well siting study, preparation of preliminary well designs, assistance with wells permitting, and preparation of plans and specifications for wells construction; and 2) Approve a special budget appropriation to transfer funds in the amount of \$87,200 to the GREAT ASR Wells Project No. 116505 from the Recycled Water Distribution Project 116504.
Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: View Item (pdf 299 KB)

12. SUBJECT: Change Order No. 4-A to Public Work Contract No. A-7285 with Don Kelly Construction, Incorporated for the Ventura Road Utility Improvements and Resurfacing Project - Phase II. (103)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 4-A with Don Kelly Construction, Incorporated (Don Kelly Construction) (A-7285) to increase the amount of construction cost of the Ventura Road Utility Improvements and Resurfacing Project Phase II (Ventura Road Improvement Project) from \$8,589,110.16 to \$8,617,086.92 for the sum addition of \$27,976.76 for work required to replace 34 water meter boxes.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 65 KB)

ACTION: Approved as recommend with 3, 4, & 5 removed from the agenda.

Q. APPOINTMENT ITEMS - 8:15 P.M.

Development Services Department

1. SUBJECT: Encroachment Prevention Presentation by Navy Base Ventura County.
RECOMMENDATION: Consider a verbal presentation by Navy Base Ventura County.
Legislative Body: CC Contact: Sue Martin Phone: 385-8207

ACTION: Receive presentation and provided comments.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending February 28, 2011. (105)
Legislative Body: CC Contact: James Cameron Phone: 385-7461

Document: View Item (pdf 287 KB)

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Housing Department

1. SUBJECT: Sixth Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Budget Reviewing of the Funds Awarded to the County of Ventura Human Services Agency.
RECOMMENDATION: - Continued until April 5, 2011
Legislative Body: HA Contact: Will Reed Phone: 385-8044

ACTION: Continue to April 5, 2011.

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

1. SUBJECT: Verbal Report Regarding Gull Wings Children's Museum.
RECOMMENDATION: Consider a verbal report.
Legislative Body: CC Contact: Curtis Cannon Phone: 385-7409

ACTION: Receive report and provided comments.

O. REPORTS

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.

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

T. ADJOURNMENT