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AGENDA
June 19, 2007
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
*OXNARD HOUSING AUTHORITY
CITY OF OXNARD FINANCING AUTHORITY
5:30 P.M. Closed Session
7:00 P.M. Regular Meeting
City Council Chambers, 305 West Third Street, Oxnard

- A. ROLL CALL/POSTING OF AGENDA
RECOMMENDATION: *The Oxnard Housing Authority will not meet because there are no items requiring consideration on this date.
- 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
1. SUBJECT: Presentation by Our Lady of Guadalupe Elementary School.
- 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: Approved.

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of City Council for April 24, May 1, May 8, and May 15, 2007; Minutes of the Regular Meetings of Community Development Commission for April 24, May 1, May 8, and May 15, 2007.(001) RECOMMENDATION: Approve. Contact Person: Daniel Martinez Phone: 385-7803
Legislative Body: CC/CDC

Document: View Item (PDF 826 KB)

Community Development Department

2. SUBJECT: Ordinances to Amend Four Redevelopment Plans to Include Eminent Domain Program Description and Statements to be Recorded in Compliance with Health and Safety Code Sections 33342.7 and 33373.(029) RECOMMENDATION: That City Council approve the first reading by title only and subsequent adoption of four ordinances to amend each of the City's Redevelopment Plans to include an eminent domain program description in compliance with Health and Safety Code Sections 33342.7 and 33373. That the Community Development Commission ("CDC") approve four Redevelopment Plan Statements and authorize the Chairperson to execute and cause such statements to be recorded. Contact Person: Suzanne Quitoriano Phone: 385-7407
Legislative Body: CC/CDC

Document: [View Item \(PDF 1.65 MB\)](#)

ACTION: O-2737, 2738, 2739, 2740

Finance Department

3. SUBJECT: Special Tax Levy for Community Facilities Districts (CFD) Nos. 1 and 2 (Westport at Mandalay Bay). (077) RECOMMENDATION: Acting as the legislative body of (CFD) Nos. 1 and 2: (1) Adopt a resolution setting a special tax rate within CFD No. 1 (Westport at Mandalay Bay) for Fiscal Year (FY) 2007-2008; and (2) Adopt a resolution setting a special tax rate within CFD No. 2 (Westport at Mandalay Bay) for FY 2007-2008. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

Document: [View Item \(PDF 668 KB\)](#)

ACTION: R-13,276 and 13,277

4. SUBJECT: Special Tax Levy for Community Facilities Districts (CFD) Nos. 3 and 4 (Seabridge at Mandalay Bay). (099) RECOMMENDATION: Acting as the legislative body of (CFD) Nos. 3 and 4: (1) Adopt a resolution setting a special tax rate within CFD No. 3 (Seabridge at Mandalay Bay) for Fiscal Year (FY) 2007-2008; and (2) Adopt a resolution setting a special tax rate within CFD No. 4 (Seabridge at Mandalay Bay) for FY 2007-2008. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

Document: [View Item \(PDF 481 KB\)](#)

ACTION: R-13,278 and 13,279

5. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 5 (Riverpark). (115) RECOMMENDATION: Acting as the legislative body of (CFD) No. 5 adopt a resolution setting a special tax rate within CFD No. 5 (Riverpark) for Fiscal Year 2007-2008. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

Document: [View Item \(PDF 45 KB\)](#)

ACTION: R-13,280

6. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 6 (Northshore at Mandalay Bay). (117) RECOMMENDATION: Acting as the legislative body of CFD No. 6 adopt a resolution setting a special tax rate within CFD No. 6 (Northshore at Mandalay Bay) for Fiscal Year 2007-2008. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

Document: [View Item \(PDF 131 KB\)](#)

ACTION: R-13,281

7. SUBJECT: Fiscal Year (FY) 2007-08 Property Tax Rate for Voter Approved Obligations. (123) RECOMMENDATION: Adopt a resolution establishing the FY 2007-08 tax rates on property in the City of Oxnard for the payment of voter approved obligations. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

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

ACTION: R-13,282

8. SUBJECT: Special Tax Levy for Community Facilities District No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange). (127) RECOMMENDATION: Acting as the

legislative body of Community Facilities District No. 2000-3 ("CFD No. 2000-3"), adopt a resolution setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2007-2008. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

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

ACTION: R-13,283

9. SUBJECT: Special Tax Levy for Community Facilities District (CFD) No. 88-1 (Oxnard Town Center). (133) 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 Fiscal Year 2007-2008. Contact Person: Beth Vo Phone: 385-7456
Legislative Body: CC

Document: [View Item \(PDF 121 KB\)](#)

ACTION: R-13,284

10. SUBJECT: Interest Rate Swaps Agreement on Existing Variable Rate Bonds. (137) RECOMMENDATION: (1) Adopt a resolution authorizing the execution and delivery of a Swap Agreement (A-6889) between the City Of Oxnard and Royal Bank of Canada pertaining to the outstanding City of Oxnard Financing Authority Variable Rate Demand Lease Revenue Bonds, 2003 Series B, and authorizing certain actions in connection therewith; and (2) Adopt a resolution authorizing the execution and delivery of a Swap Agreement (A-6890) between the City of Oxnard and Royal Bank of Canada pertaining to the outstanding City Of Oxnard Financing Authority Variable Rate Demand Wastewater Revenue Bonds (Headworks And Septic System Conversion Projects), 2004 Series B, and authorizing certain actions in connection therewith. Contact Person: Mike More Phone: 385-7480
Legislative Body: CC

Document: [View Item \(PDF 337 KB\)](#)

ACTION: 13,285 AND 13,286

Human Resources Department

11. SUBJECT: Contract for Professional Services with ComCo Management, Inc.(147) RECOMMENDATION: Continue to June 26, 2007.
Contact Person: Loretta Fisher Phone: 385-7459
Legislative Body: CC

Document: [View Item \(PDF 60 KB\)](#)

Library Department

12. SUBJECT: Appropriation of Anticipated Library Department Revenues.(149) RECOMMENDATION: Approve the appropriation of anticipated excess revenues in the amount of \$75,000 from the Library's Document Processing Fees as follows: (1) \$53,000 to the Library Circulation Services Program for postage, supplies, and professional services; (2) \$10,000 to the Library Information/Reference Services Program for electronic database subscriptions; and (3) \$12,000 to the Library Literacy Outreach Program for anticipated overexpenditure in personnel expenses. Contact Person: May Roque Phone: 385-7527
Legislative Body: CC

Document: [View Item \(PDF 71 KB\)](#)

Public Works Department

13. SUBJECT: Agreement for Professional Services with Aquatic Bioassay & Consulting Laboratories, Inc.(153) RECOMMENDATION: Approve and authorize the Mayor to execute an agreement (A-6892) with Aquatic Bioassay and Consulting Laboratories, Inc., in the amount of \$279,240 for receiving water monitoring services. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: [View Item \(PDF 60 KB\)](#)

14. SUBJECT: Adoption of Resolutions Levying FY 2007-2008 Assessments for Landscape Maintenance Districts Nos. 27 through 58. (155) RECOMMENDATION: Adopt resolutions levying FY 2007-2008 assessments for Landscape Maintenance Districts Nos.

27 through 58. Contact Person: Michael Henderson Phone: 385-7950
Legislative Body: CC

Document: View Item (PDF 1.81 MB)

ACTION: R-13,287 - 13,318

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Finance Department

1. SUBJECT: Public Hearing to Consider Oxnard's Fiscal Year 2007-2008 Annual Action Plan (the Plan), Component of the 2003-2008 Consolidated Plan, including Applications to the U.S. Department of Housing and Urban Development (HUD) and Projected Use of Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME) and Emergency Shelter Grant (ESG) Funds. RECOMMENDATION: CONTINUE TO JUNE 26, 2007. Contact Person: Norma J. Owens Phone: 385-7477
Legislative Body: CC

ACTION: Approved.

Public Works Department

2. SUBJECT: FY 2007-2008 Assessments in Waterway Maintenance District (205) RECOMMENDATION: (1) Hold a public hearing to receive public testimony regarding proposed assessments for the Waterway Maintenance District for FY 2007-08; and (2) Adopt a resolution for FY 2007-08 fixing assessments for the Waterway Maintenance District. Contact Person: Michael Henderson Phone: 385-7950
Legislative Body: CC

Document: View Item (PDF 84 KB)

ACTION: Approved, R-13,319

- 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

Development Services Department

- 1. SUBJECT: Pilot Curb Cut Program for the Bartolo Square North and South, and Hill Street Neighborhoods (209) RECOMMENDATION: 1) Authorize the implementation of a pilot curb cut and front yard driveway program in the Bartolo Square North and South, and Hill Streets Neighborhoods; and 2) Direct the City Attorney to prepare a "Green Lawn" Ordinance. Contact Person: Matthew Winegar Phone: 385-7896
Legislative Body: CC

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

ACTION: Approved.

- 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

Public Works Department

1. SUBJECT: Financial Assistance for Property Owners in Septic to Sewer Conversion Project Areas. (213) RECOMMENDATION: Consider a report and provide direction to the Public Works Director regarding financial assistance to property owners in the Septic to Sewer Conversion Project Areas. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: View Item (PDF 133 KB)

ACTION: Direction provided. Property owners in project area to be provided more notice and direction in the future.

2. SUBJECT: Comprehensive Utilities Rate Increases.(217) RECOMMENDATION: Review and provide preliminary comments to the Public Works Director to implement a two-step rate increase for the Water Resources Division (Water and Wastewater Services), which would include three percent (3%) increases in Fiscal Year 2007-08 and in Fiscal Year 2008-09 and a five percent (5%) rate increase in FY 2007-08 for the Environmental Resources Division. Contact Person: Michelle Romney Phone: 247-8935
Legislative Body: CC

Document: View Item (PDF 183 KB)

ACTION: Provided comments.

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.

City of Oxnard v. USA Transport, Inc., et al. Ventura County Superior Court Case No. CIV 246116

Legislative Body: CC

City of Oxnard v. Republic Services, Inc. Sacramento County Superior Court Case No. 05AS03411

The City Manager and the City Attorney requested that these items 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 reports regarding the status of these matters and to provide direction to the City Manager and the City Attorney.

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 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 - Anticipated Litigation.

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR.

RECOMMENDATION: Instructions to negotiator, Edmund Sotelo, City Manager, regarding the price and terms of payment for the potential lease by the City of 1,280 acres of real property located approximately 16 miles northwest of Wasco, California in Kern County to John Konda.

Legislative Body: CC

The City Manager requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations for the potential lease of real property and to provide instructions to the City Manager.

Instructions to negotiators, Edmund Sotelo, City Manager, and Mike More, Financial Services Manager, regarding the price and terms of payment for the potential sale by the City of property located at 3139 South J Street to Imelda Galvez or to Hilario Lopez and Juana Alegria.

Legislative Body: CC

The City Manager requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations for the potential sale of real property and to provide instructions to the City Manager.

4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION.

Title: City Manager

Legislative Body: CC

T. ADJOURNMENT