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AGENDA

Sept 18, 2007

OXNARD CITY COUNCIL

***OXNARD COMMUNITY DEVELOPMENT COMMISSION**

***OXNARD HOUSING AUTHORITY**

Regular Meetings

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 Community Development Commission and 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 7 for description of closed session items)

D. OPENING CEREMONIES

RECOMMENDATION: Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Week of September 16 - 22, 2007, as "POW/MIA Recognition Days."

RECOMMENDATION: ACTION: Mayor Holden presented the proclamation to Tech Sergeant Jeremy Pitard, Air Force Sergeants' Association.

1. SUBJECT: Oxnard Independent Film Festival.

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.

Tom Joyce re an incident at City Hall.

Lawrence Stein re

Sandra Stewart, SEIU re

Mary Chappell re

Cathy Moreno re Autum Homes

Jean Joneson re housing conference

Ventura Fernandez re various issues

Nancy Pedersen re Ormond Beach

Shirley Godwin re South Oxnard neighborhood

Larry Godwin re development agreement for Ormond Beach

John Korsten re various issues

Edgar Mohorko re South Oxnard neighborhood

Ignacio Cervantes re the Courts, 31-1

- 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.

I. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: Ordinance No. 2746, Adding Section 7-93 of the Oxnard City Code Concerning the Recovery of Graffiti Abatement Costs Incurred by the City.
(001) RECOMMENDATION: Second reading and adoption. Contact Person: Julie Doi
Phone: 385-7487
Legislative Body: CC

Document: [View Item \(PDF 52 KB\)](#)

ACTION: Approved, Ordinance No. 2746.

Development Services Department

2. SUBJECT: Planning and Zoning Permit No. 06-300-2 (Final Map for Phases 5 and 6 of Tract No. 5643), within the RiverPark Specific Plan Area, Filed by RiverPark Legacy, LLC. (003) RECOMMENDATION: Adopt Resolution No. 13,349 approving Planning and Zoning Permit No. 06-300-2 (Final Map) for Phases 5 and 6 of Tract No. 5643, located west of North Oxnard Boulevard, between Kiawah River Drive, and south of Owens River Drive within District I and District H of the RiverPark Specific Plan area.

Contact Person: Linda Windsor Phone: 385-7849
Legislative Body: CC

Document: [View Item \(PDF 760 KB\)](#)

ACTION: Approved, Resolution No. 13,349.

3. SUBJECT: Approval of Development Agreement Negotiating Team for the 25 Acre and 9.6 Acre Project Sites Located at 1801 West Vineyard Avenue and 2501 North Ventura Road, respectively, Filed by Casden Properties, LLC (PZ 07-670-01 and PZ 07-670-02). (021) RECOMMENDATION: Direct the City Manager to appoint a negotiating team to negotiate a development agreement with Casden Properties, LLC, for the proposed projects located at 1801 West Vineyard Avenue and 2501 North Ventura Road. Contact Person: Kathleen Mallory Phone: 385-7858
Legislative Body: CC

Document: [View Item \(PDF 643 KB\)](#)

Mat Winegar provided comments regarding

ACTION: Approved.

Finance Department

4. SUBJECT: Purchase Order for Computers and Peripheral Equipment. (029) RECOMMENDATION: Approve and authorize the Mayor to sign a Blanket Purchase Order/Change Order with Compuwave in the amount not to exceed \$500,000 for purchases of computers and peripheral equipment throughout the 2007-2008 fiscal year. Contact Person: Bruce Dandy Phone: 385-7478
Legislative Body: CC

Document: [View Item \(PDF 86 KB\)](#)

ACTION: Approved.

Police Department

5. SUBJECT: Ordinance No. 2747, Amending Sections 7-110 and 7-113 of the Oxnard City Code Concerning the Regulation of Newsracks on Public and Private Property.
 (031) RECOMMENDATION: Second reading and adoption. Contact Person: Dirk Voss
 Phone: 385-7940
 Legislative Body: CC

Document: [View Item \(PDF 77 KB\)](#)

Dirk Voss commented on

Public Works Department

6. SUBJECT: Ordinance No. 2748, Establishing Wastewater System User Fees and Charges.
 (035) RECOMMENDATION: Second reading and adoption. Contact Person: Ken Ortega
 Phone: 385-8281
 Legislative Body: CC

Document: [View Item \(PDF 190 KB\)](#)

ACTION: Approved.

7. SUBJECT: Ordinance No. 2749, Continuing and Establishing Solid Waste System User Fees and Charges. (041) RECOMMENDATION: Second reading and adoption. Contact Person: Ken Ortega Phone: 385-8281
 Legislative Body: CC

Document: [View Item \(PDF 250 KB\)](#)

ACTION: Approved.

8. SUBJECT: Ordinance No. 2750, Establishing Fees and Charges for the Use of and for Services Relating to City Water Services. (051) RECOMMENDATION: Second reading

and adoption. Contact Person: Ken Ortega Phone: 385-8281
Legislative Body: CC

Document: [View Item \(PDF 204 KB\)](#)

ACTION: Approved.

9. SUBJECT: PW06-97 Doris Avenue, Fremont South, Wilson Neighborhoods Resurfacing Project. (059) RECOMMENDATION: Approve Project Specification No. PW06-97 for pavement resurfacing, sidewalk, curb and gutter repair, and replacing street name signs throughout the Fremont South Neighborhood, Wilson Neighborhood and Doris Avenue from Ventura Road to A Street. Contact Person: Raymond Williams Phone: 385-7902
Legislative Body: CC

Document: [View Item \(PDF 290 KB\)](#)

ACTION: Approved.

10. SUBJECT: PW06-25 Gonzales Road Landscaping Project. (063) RECOMMENDATION: Approve Project Specification No. PW06-25 for median landscape and parkway improvements along Gonzales Road between Ventura Road and C Street. Contact Person: Raymond Williams Phone: 385-7902
Legislative Body: CC

Document: [View Item \(PDF 377 KB\)](#)

ACTION: Approved.

11. SUBJECT: PW07-06 Sea View Estates Neighborhood Resurfacing Project. (067) RECOMMENDATION: Approve Project Specification No. PW07-06 for pavement resurfacing, sidewalk, curb and gutter repair, and replace street name signs throughout the Sea View Estates Neighborhood bounded by Wooley Road, Dunkirk Drive, Victoria Avenue, and Patterson Road. Contact Person: Raymond Williams Phone: 385-7902
Legislative Body: CC

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

ACTION: Approved.

12. SUBJECT: PW07-07 Marina West Neighborhood Resurfacing Project.
(071) RECOMMENDATION: Approve Project Specification No. PW07-07 for pavement resurfacing, sidewalk, curb and gutter repair, and replace street name signs throughout the Marina West Neighborhood bounded by Wooley Road, Hemlock Street, Patterson Road, and Ventura Road. Contact Person: Raymond Williams Phone: 385-7902
Legislative Body: CC

Document: [View Item \(PDF 395 KB\)](#)

ACTION: Approved.

13. SUBJECT: PW07-08 Sea Air Neighborhood Resurfacing Project.
(075) RECOMMENDATION: Approve Project Specification No. PW07-08 for pavement resurfacing, sidewalk, curb and gutter repair, and replace street name signs throughout the Sea Air Neighborhood located in the southwestern portion of the City bounded by Fifth Street, Wooley Road, Patterson Road, and Ventura Road. Contact Person: Raymond Williams Phone: 385-7902
Legislative Body: CC

Document: [View Item \(PDF 284 KB\)](#)

ACTION: Approved.

14. SUBJECT: PW07-10 Carriage Square Neighborhood Resurfacing Project.
(079) RECOMMENDATION: Approve Project Specification No. PW07-10 (The Carriage Square Neighborhood Resurfacing Project) for pavement resurfacing, sidewalk, curb and gutter repair, and replace street name signs throughout the Carriage Square Neighborhood bounded by Gonzales Road, Doris Avenue, H Street, and Oxnard Boulevard. Contact Person: Raymond Williams Phone: 385-7902
Legislative Body: CC

Document: [View Item \(PDF 316 KB\)](#)

ACTION: Approved.

ACTION: Approved.

15. SUBJECT: Agreement with Black and Veatch for Preliminary Design Services for the Recycled Water Backbone Pipeline Project Phase I. (083) RECOMMENDATION: Approve and authorize the Mayor to execute the agreement with Black and Veatch (A-6909) in the amount of \$287,288 for preliminary design services for the Recycled Water Backbone Pipeline Project Phase I. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: View Item (PDF 64 KB)

ACTION: Approved.

16. SUBJECT: Acquisition Settlement Agreement with Summit Pools at 2595 East Ventura Boulevard for the Rice Avenue/Santa Clara Avenue Interchange Improvements on Highway 101. (085) RECOMMENDATION: Approve and authorize the Mayor to execute the agreement between the City and Bob Dawson doing business as Summit Pools (A-6931) in the amount of \$118,055 for acquisition of property located at 2595 East Ventura Boulevard for the Rice Avenue/Santa Clara Avenue interchange improvements on U.S. Highway 101. Contact Person: Cynthia Daniels Phone: 385-7871
Legislative Body: CC

Document: View Item (PDF 350 KB)

ACTION: Approved.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS City Manager's Department

1. SUBJECT: Executed Contracts. (097) Contact Person: Edmund F. Sotelo Phone: 385-7430

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 August 1 through August 31, 2007.

Legislative Body: CC

Document: View Item (PDF 67 KB)

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.

Jean Joneson re proposed development (I-3)

Manuel Munoz re newsracks

Shirley Godwin re development in the Ormond Beach

Peggy Hunt re newsracks

Mayor Holden stated that this project will still be required to go thru the process. The Development Services Manager stated that the development agreements are drafts and they are still required to go thru the process.

ACTION: Councilmember Herrera moved approval. Mayor Pro Tem Maulhardt second and the motion carried by the following vote:

K. INFORMATION/CONSENT PUBLIC HEARINGS

Shirley Godwin re (K-1)

ACTION: mAYOR

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 06-500-11 (Special Use Permit), 06-570-08 (Zone Change), and 07-590-1 (Zone Variance), Located at the Southwest Corner of

Oxnard Boulevard and Statham Boulevard, Filed by Statham Commercial Development, LLC, c/o Lanet-Shaw Architects. (101) RECOMMENDATION: (1) Adopt a resolution approving Planning and Zoning Permit No. 06-500-11, a special use permit for a commercial building and three light industrial buildings, located at the southwest corner of Oxnard Boulevard and Statham Boulevard, subject to certain findings and conditions; (2) Adopt a resolution approving Planning and Zoning Permit No. 07-590-1, a zone variance to allow a reduction in the front yard setback for a portion of one building, subject to certain findings and conditions; and (3) Approve the first reading by title only and subsequent adoption of an ordinance changing the zoning for Planning and Zoning Permit No. 06-570-8, from Limited Industrial (M-L) to Business and Research Park (BRP). Contact Person: Linda Windsor Phone: 385-7849
Legislative Body: CC

Document: [View Item \(PDF 780 KB\)](#)

ACTION: Approved, Resolution Nos. 13,350 - 13,351; and Ordinance No. 2751 for first reading only. Approved, with Councilman Flynn voting no.

Public Works Department

2. SUBJECT: Ocean View Municipal Water District Dissolution.
(117) RECOMMENDATION: (1) Adopt a resolution requesting the Ventura County Local Agency Formation Commission (LAFCO) to initiate proceedings to dissolve the Ocean View Municipal Water District (Ocean View); (2) Approve the first reading by title only and subsequent adoption of an uncoded ordinance establishing water rates for Ocean View service area; and (3) Authorize the City Manager to write-off Ocean View's current outstanding accounts receivable of \$1,087,406.96 to the City as a bad debt and not collectable. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: [View Item \(PDF 473 KB\)](#)

ACTION: Approved, Resolution No. 13,352; and Ordinance No. 2752 for first reading only.

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

- 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

Development Services Department

1. SUBJECT: Pre-Application Review (PZ 07-600-7) for Development of a Shopping Center with Ancillary Alcohol Sales at the Southwest Corner of Gonzales Road and Rose Avenue (APN 215-0-061-125), Filed by Michael Penrod, Parkstone Companies.
(130) RECOMMENDATION: Review and provide preliminary comments on a pre-application to develop a 9.4 acre site with a 77,780 square foot neighborhood shopping center including a grocery store, located at the southwest corner of Gonzales Road and Rose Avenue. Contact Person: Ashley Golden Phone: 385-7882
Legislative Body: CC

Document: [View Item \(PDF 170 KB\)](#)

Michael Faulconer re proposed development and reduction in set backs.

Pat Brown re

ACTION: Received report and provided comments.

2. SUBJECT: Pre-Application Review of Proposed Development for a Shopping Center with Ancillary Alcohol Sales and Development of a Church Located at the Southwest Corner of Channel Islands Boulevard and Rose Avenue (APN 221-0-232-515), Filed by Tom Davies, Churchyard Development, LLC. (135) RECOMMENDATION: Review and provide preliminary comments on a pre-application to develop a 4.05 acre site with a shopping center and alcohol sales on the northern portion of the site and a church on the southern portion of the site, located at the southwest corner of Channel Islands Boulevard and Rose Avenue. Contact Person: Ashley Golden Phone: 385-7882
Legislative Body: CC

Document: [View Item \(PDF 446 KB\)](#)

Larry Stein re

Shirley Godwin re

Tom Davies representing Churchyard Development, LLC. reviewed the proposed development.

Nancy Pedersen re proposed development

Sandy Smith

Pat Brown re the proposed project

Larry Godwin re proposed development

COUNCIL COMMENTS:

ACTION: Received report and provided comments.

3. SUBJECT: Cultural Heritage Board Options. (145) RECOMMENDATION: Provide comments and direction to the Planning and Environmental Services Manager on preferred approaches for the preservation and protection of the City's historic and cultural resources. Contact Person: Nicole Doner Phone: 385-8312
Legislative Body: CC

Document: [View Item \(PDF 177 KB\)](#)

Gary Blum re

Nancy Pedersen re keeping the same services

Eileen Tracy re maintaining the current services

Shirley Godwin re agrees with having own board.

Michael Faulconer re cultural heritage board. Recommends with status quo.

Miguel Fernandez re

Pat Brown re

Angela Whitecomb re

ACTION:

ACTION: Received report and provided comments.

Public Works Department

4. SUBJECT: Five Year Street Maintenance Capital Improvement Plan.
(151) RECOMMENDATION: Consider and provide direction to the Public Works Director regarding the Five Year Street Maintenance Capital Improvement Plan. Contact Person: Lou Balderrama Phone: 385-7839
Legislative Body: CC

Document: [View Item \(PDF 34 KB\)](#)

ACTION: Continued.

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: Lindholm v. Gillig

Ventura County Superior Court Case No. 56-2007-00303040-CU-WM-VTA

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.

Legislative Body: CC

2. CONFERENCE WITH LABOR NEGOTIATOR.

RECOMMENDATION: Instructions to negotiators, Dennis Scala, Special Assistant to the City Manager, Lino Corona, Acting Human Resources Director, and Lynn Hutton, Human Resources Manager, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the International Association of Firefighters AFL-CIO (IAFF), Local 1684, the Service Employees International Union (SEIU), Local No. 998, the Oxnard Peace Officers' Association (OPOA), and the Oxnard Public Safety Management Employees Association (OPSMEA), and other matters within the scope of representation.

The Special Assistant to the City Manager, the Acting Human Resources Director, and the Human Resources Manager requested that these items be discussed in closed session under

the Brown Act exception of Conference with Labor Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations and to provide instructions to negotiators.

Legislative Body: CC

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION.
RECOMMENDATION: Title: City Attorney

Legislative Body: CC

- T. ADJOURNMENT