The linked image cannot be displayed. The file may have been moved, renamed, or deleted. Verify that the link points to the correct file and location.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

The entire agenda packet is available for review in the Library, 251 Sourg "A"St and the City Clerk's Office, 300 West Third St, 4th Floor, during customary business hours. The agenda reports are on the City of Oxnard web site at www.oxnard.org.

This page contains Portable Document Format (PDF) files. To view PDF documents please download and install the free Adobe Acrobat Reader.

AGENDA
July 26, 2011
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
*OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Regular Meetings
City Council Chambers, 305 West Third Street, Oxnard
6:00 P.M. Closed Session
7:00 P.M.

A. ROLL CALL/POSTING OF AGENDA

* The Financing Authority will not meet because there are no items requiring consideration at this time.

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 - (Please see page 7 for a description of closed session items)

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

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

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

1. <u>SUBJECT:</u> Agreements for City Council Review. (001)
<u>RECOMMENDATION:</u> 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.
<u>Legislative Body:</u> CC Contact: Edmund Sotelo Phone: 385-7950

Document: Staff Report (pdf 159 KB)

<u>City Treasurer Department</u>

2. <u>SUBJECT:</u> Quarterly Investment Report for the Fourth Quarter F/Y 2010-2011. (005)
<u>RECOMMENDATION:</u> Accept the quarterly Investment Report for the Fourth Quarter

F/Y 2010-2011.
Legislative Body: CC Contact: Danielle M. Navas Phone: 385-7810

Document: Staff Report (pdf 178 KB)

Development Services Department

3. SUBJECT: Joint Use Agreements with Southern California Edison Company (SCE). (011)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an agreement with SCE (A-7429) for joint use of public right of way at Rice Avenue north of Gonzales Road; and 2) Approve and authorize the Mayor to execute an agreement with SCE (A-7428) for joint use of public right of way at Santa Clara Avenue and Ventura Boulevard.
Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

Document: Staff Report (pdf 523 KB)

4. SUBJECT: Third Amendment to Agreement with AECOM Technical Services, Inc. (AECOM) for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101; Special Budget Appropriation for "Highway 101?Rice Avenue". (029)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a third amendment to the agreement with AECOM (A-7235) to increase the amount by $376,293.21 (a total of $3,686,793.23) to provide construction management services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101; and 2) Approve the appropriation of funds in the amount of $630,000 for "Highway 101?Rice Avenue" project construction expenses from the Circulation System Improvement Fees to the "Highway 101?Rice Avenue" project for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.
Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

Document: Staff Report (pdf 124 KB)

Document: Third Amendment to Agreement (pdf 1.05 MB)

5. SUBJECT: Planning and Zoning Permit No. 05-300-8 (Final Map for Phase 1 of Tract No. 5592) North Shore at Mandalay Bay, filed by Mandalay Bay Development, LLC. (033)
RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 05-300-8 (Final Map) for Phase 1 of Tract No. 5592, located at the northeast intersection

of West Fifth Street and Harbor Boulevard.
Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: Staff Report (pdf 241 KB)

ACTION: Continued.

Housing Department

6. SUBJECT: 2011 US Department of Housing and Urban Development Continuum of Care Grant. (041)
RECOMMENDATION: Adopt a resolution authorizing: 1) The City Manager to execute and submit the 2011 Continuum of Care Grant application in the amount of $764,156; 2) The City Manager or designee to execute any agreements necessary to accept the grant award and appropriate funds in the amount of the grant award; 3) The Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations; and 4) The Housing Director or designee to submit non-financial reports.
Legislative Body: CC Contact: Will Reed Phone: 385-8044

Document: Staff Report (pdf 106 KB)

ACTION: Approved, Res. No. 14,103.

7. SUBJECT: Encumbrance of Funds for Community Action of Ventura County and 1450 South Rose Avenue Contracts Awarded by the U.S. Department of Housing and Urban Development Contracts in the amounts of $123,348 and $13,490. (045)
RECOMMENDATION: 1) Recognize Revenue and Appropriate Funds in the amounts of $123,348 and $13,490 from the U.S. Department of Housing and Urban Development's Continuum of Care Grant, Supportive Housing Program; and 2) Authorize the City Manager to execute any agreements necessary to accept the grant award.
Legislative Body: CC Contact: Will Reed Phone: 385-8044

Document: Staff Report (pdf 177 KB)

8. SUBJECT: Section 8 Management Assessment Program Certification. (055)
RECOMMENDATION: Adopt a resolution: 1) That the data contained in the Section 8

Management Assessment Program (SEMAP) Certification for the fiscal year ending June 30, 2011, is accurate; 2) Authorizing the Chairman of the Board of Commissioners to sign the Resolution and Certification; and 3) Directing the Housing Director to submit the Certification form to the U.S. Department of Housing and Urban Development (HUD).
Legislative Body: HA Contact: William Wilkins Phone: 385-8094

Document: Staff Report (pdf 307 KB)

ACTION: Approved, Res. No. 1255.

Police Department

9. SUBJECT: Enterprise Fleet Management Contract. (063)
RECOMMENDATION: Approve and authorize the Mayor to execute a five year agreement for vehicle leasing with Enterprise Fleet Management (A-7401) for undercover vehicles in the amount not to exceed $875,000.
Legislative Body: CC Contact: Greg Hebert Phone: 385-7636

Document: Staff Report (pdf 82.5 KB)

Document: Master Equity Lease Agreement (pdf 88 KB)

10. SUBJECT: Agreement for Professional Services with Siemens Industry, Inc. for Comprehensive Remote Surveillance Program. (065)
RECOMMENDATION: Approve and authorize the Mayor to execute an Agreement for Professional Services with Siemens Industry, Inc. (A-7419) in the amount of $300,000 to develop the City's comprehensive remote surveillance system.
Legislative Body: CC Contact: Tom Chronister Phone: 207-4744

Document: Staff Report (pdf 165 KB)

Document: Agreement No. A-7419 (pdf 688 KB)

11. SUBJECT: Resolution Commending Sergeant Robert Camarillo for Over Thirty-Three Years of Exemplary Service to the City of Oxnard. (067)

RECOMMENDATION: Approve Resolution.
Legislative Body: CC Contact: Eduardo Miranda Phone: 385-7725

Document: Resolution (pdf 65.2 KB)

ACTION: Approved, Res. No. 14,104.

Public Works Department

12. SUBJECT: Restated License Agreement to Encroach Upon Easement, Blending Station No. 3, 1700 Solar Drive. (069)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a Restated License Agreement granting to the City a right to encroach upon an easement in favor of Flag Properties ("Flag") across property located at 1700 Solar Drive, Oxnard, California, used by the City for operations at its Blending Station Number; and 2) Approve a Special Budget Appropriation of $135,000 from 2006 Water Bonds interest earnings to Blending Station No. 3 Driveway Modifications Project No. 126501.
Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: Staff Report (pdf 399 KB)

13. SUBJECT: Adoption of a Mitigated Negative Declaration for the Phase I Recycled Water Backbone System (RWBS) - Wooley Road and Rose Avenue Extensions for the Groundwater Recharge Enhancement and Treatment (GREAT) Program. (079)
RECOMMENDATION: Adopt a resolution to adopt a Mitigated Negative Declaration for the City of Oxnard's GREAT Program Phase I Recycled Water Backbone System for the Wooley Road and Rose Avenue Extensions.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: Staff Report (pdf 1.92 KB)

Document: Site Plan - Attach #1 (pdf 31.2 KB)

Document: Mitigated Negative Declaration Final - Attach #2 (pdf 1.72 MB)

ACTION: Approved, Res. No. 14,105.

14. SUBJECT: Metropolitan Water District of Southern California Member Agency Funded Water Conservation Programs. (131)
RECOMMENDATION: 1) Adopt a resolution authorizing the City Manager or his designee to execute agreements, amendments and documents necessary to secure reimbursements from Metropolitan Water District of Southern California and Calleguas Municipal Water District for the following three water conservation programs: a) A High Efficiency Toilet Exchange Program for single-family water customers; b) A High Efficiency Toilet Installation Program for multi-family water customers; c) A High Efficiency Sprinkler Nozzle Distribution program for both residential and commercial water customers; and 2) Approve a Special Budget Appropriation in the amount of $483,400 consisting of $207,750 reimbursable funds and $275,650 from Water Fund Balance.
Legislative Body: CC Contact: Anthony Emmert Phone: 385-8111

Document: Staff Report (pdf 203 KB)

ACTION: INFORMATION/CONSENT Approved as recommended, Res. No. 14,106 with I-5 continued.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 11-580-02 (Zone Text Amendment) to Define and Add Pawnshops as an Allowed Use in Specific Zones. (137)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance to authorize a Zone Text Amendment regarding pawnshops.
Legislative Body: CC Contact: Stephanie Diaz Phone: 385-3918

Document: Staff Report (pdf 229 KB)

ACTION: Approved as recommended, Ord. No. 2847 with review of language.

2. SUBJECT: Zone Code Text Amendment (PZ 10-580-02), Reasonable Accommodation Ordinance. (145)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City Code to add a procedure and standards for the granting of reasonable accommodations for persons with disabilities.
Legislative Body: CC Contact: Stephanie Diaz Phone: 385-3918

Document: Staff Report (pdf 563 KB)

ACTION: Approved as recommended, Ord. No. 2848.

Housing Department

3. SUBJECT: First Amendment to the FY 2011-2012 Annual Action Plan. (163)
RECOMMENDATION: 1) Approve and authorize the City Manager to execute the First Amendment to the FY 2011-2012 Annual Action Plan reflecting the updates in the Emergency Shelter Grant Program (ESG) Awards; and 2) Approve the revised ESG allocation in the amount of $119,991.
Legislative Body: CC Contact: Will Reed Phone: 385-8044

Document: Staff Report (pdf 272 KB)

ACTION: Approve as recommended.

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

Development Services Department

1. SUBJECT: Amendments to: RiverPark Specific Plan (PZ 09-630-03), Development Agreement (PZ 11-670-01), Owner Participation Agreement and Agreement Containing Covenants, Filed by RiverPark Legacy on behalf of the RiverPark Developers.
RECOMMENDATION: Continue to September 13, 2011
Legislative Body: CC/CDC Contact: Linda Windsor Phone: 385-7849 Richard Bryan Phone: 385-7851

ACTION: Continue to Sept. 13, 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

O. REPORTS

1. SUBJECT: Implementation of an Alternative Redevelopment Program Pursuant to Part 1.9 of the California Health and Safety Code, as Amended, Including Adoption of an Enabling Ordinance, Execution of a Remittance Agreement and Adoption of a Low and Moderate Income Housing Fund ("LMIHF") Reduction Resolution. (171)
RECOMMENDATION: That City Council: 1) Introduce an Ordinance (Attachment No. 1) for first reading, authorizing the City to participate in a voluntary alternative redevelopment program under applicable provisions of Part 1.9 of the California Health and Safety Code, as amended, and adopt said Ordinance at the Councilâ€™s next regular or adjourned regular meeting following the first reading; and 2) Approve and authorize the Mayor to execute the Remittance Agreement (Attachment No. 2), continuing redevelopment under applicable provisions of Part 1.9 of the California Health and Safety Code, as amended, including the payment of annual remittances to the county auditor-controller pursuant to Section 34194 or 34194.5 thereof.

That the Community Development Commission: 1) Approve and authorize the Chairman to execute the Remittance Agreement (Attachment No. 2), requiring the Community Development Commission ("Commission") to transfer funds to the City in an amount sufficient for the City to make annual remittances to the county auditor-controller with net available tax increment in this current fiscal year and forthcoming fiscal years; and 2) Adopt a Resolution (Attachment No. 3), reducing the allocation of Tax Increment to the Low and Moderate Income Housing Fund for the 2011-2012 Fiscal Year as authorized under applicable provisions of Part 1.9 of the California Health and Safety Code, as amended, and making findings in support of said reduction.
Legislative Body: CC/CDC Contact: Curtis Cannon Phone: 385-8044 Kymberly Horner Phone: 385-7853

Document: Staff Report (pdf 177 KB)

Document: Assembly Bill Chapter 5 - Attach #3 (pdf 1.77 MB)

Document: Assembly Bill Chapter 6 - Attach #4 (pdf 458 KB)

ACTION: Approve as recommended, Ord. No. 2849.

Document: O-1 Attach #1 & 2

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.

C. CLOSED SESSION - (Continued from page 1)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.
Southern California Edison v. City of Oxnard, et al. - Ventura County Superior Court Case No. 56-2011-00399096-CU-WM-VTA; and

City of Oxnard, et al. v. California Coastal Commission and Southern California Edison Court of Appeal of California, Second Appellate District, Case No. B227835; and

Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resources Adequacy Requirements Program
PUC Rulemaking No. 09-10-032

The City Manager and 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 to report to City Council on the status of the litigation.

2. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION.
On the advice of the City Attorney, pursuant to Government Code section 54956.9(b)(3)(B), based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

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 - Potential Litigation.

T. ADJOURNMENT