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AGENDA

November 09, 2010

OXNARD CITY COUNCIL

***OXNARD COMMUNITY DEVELOPMENT COMMISSION**

***OXNARD FINANCING AUTHORITY**

OXNARD HOUSING AUTHORITY

Regular Meetings

City Council Chambers, 305 West Third Street, Oxnard

6:15 P.M.

A. ROLL CALL/POSTING OF AGENDA

*The Oxnard Community Development Commission 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 (Please see page 5 for 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 Attorney Department

1. SUBJECT: License Agreement For Use of City Property Adjacent to 1100 Mercantile St. (001)
RECOMMENDATION: Approve and authorize the Mayor to execute an agreement (A-7210) granting 1100 Mercantile LLC a license to use the surface of City property adjacent to 1100 Mercantile St. and preserving City access to subsurface facilities.
Legislative Body: CC Contact: Stephen M. Fischer Phone: 385-7492

Document: [View Item](#) (pdf 172 KB)

City Clerk Department

2. SUBJECT: Minutes of the Regular Meetings of the City Council for September 14, 21 and 28, October 5, 12, 19, and 26, 2010; and Minutes of the Regular Meetings of the Housing

Authority for July 20, and 27, September 14, 21 and 28, October 5, 12, 19, and 26, 2010. (013)

RECOMMENDATION: Approve.

Legislative Body: CC/HA Contact: Daniel Martinez Phone: 385-7803

Document: [View Item \(pdf 690 KB\)](#)

3. SUBJECT: Lease Agreement between the City of Oxnard and T-Mobile West Corporation for Wireless Communications Equipment at Del Sol Park. (055)
RECOMMENDATION: Approve and authorize the Mayor to execute a Lease Agreement (A-7252) for the placement of wireless communications equipment in the premises of Del Sol Park located at 1500 Camino Del Sol, Oxnard, California.
Legislative Body: CC Contact: Lori Rice Phone: 385- 7950

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

Document: [View Item \(pdf 785 KB\)](#)

City Treasurer Department

4. SUBJECT: Quarterly Investment Report for the First Quarter F/Y 2010-2011. (057)
RECOMMENDATION: Accept the quarterly Investment Report for the First Quarter F/Y 2010-2011.
Legislative Body: CC Contact: Danielle M. Navas Phone: 385- 7810

Document: [View Item \(pdf 87 KB\)](#)

Development Services Department

5. SUBJECT: Second Amendment to Agreement with Washington Group International Inc. to Provide Engineering Support Services for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project on Highway 101. (063)
RECOMMENDATION: Approve and authorize the Mayor to execute the second amendment to the agreement with Washington Group International, Inc. to increase the amount by \$91,555 (a total of \$971,905) to provide engineering services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101 (A-

7240).

Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

Document: [View Item \(pdf 3.2 MB\)](#)

6. SUBJECT: First Amendment to Development Agreement No. A-7113 (PZ 10-670-03) for Planning District B (West Peripheral Commercial District) in RiverPark. Filed by Oxnard Development Company, LLC, 199 Figueroa St, Suite 100, Ventura CA 93001. (073)
RECOMMENDATION: Approve the second reading of Ordinance No. 2832
Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: [View Item \(pdf 31 KB\)](#)

7. SUBJECT: Planning and Zoning Permit No. 10-630-01 (Amendment to Rose-Santa Clara Corridor Specific Plan) to Amend the Sign Guidelines and Standards Section of the Rose-Santa Clara Corridor Specific Plan for the Marketplace Shopping Center Located West of Paseo Mercado, and North of Ventura Boulevard. Filed by Parkstone Companies. (075)
RECOMMENDATION: Approve the second reading of Ordinance No. 2833
Legislative Body: CC Contact: Kathleen Mallory Phone: 512-9800

Document: [View Item \(pdf 206 KB\)](#)

Finance Department

8. SUBJECT: Request from Horvath Towers, LLC for Consent to Assign its Interest in Cell Tower Site Lease to SBA Towers III LLC, at Beck Park, 600 West Kamala Street (081)
RECOMMENDATION: Approve and authorize the Mayor to execute a Landlord Estoppel Certificate, Consent and Agreement (A-7360) permitting Horvath Towers, LLC to assign its interest in a Site Lease with the City of Oxnard to SBA Towers LLC.
Legislative Body: CC Contact: Mike More Phone: 385-7480

Document: [View Item \(pdf 1.3 MB\)](#)

Police Department

9. SUBJECT: Ordinance Concerning Parties, Gatherings, or Assemblages on Private Property (129)
RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance repealing and readopting Article VI of Chapter 7 of the Oxnard City Code concerning parties, gatherings, or assemblages on private property.
Legislative Body: CC Contact: Tom Chronister Phone: 385-7746

Document: [View Item \(pdf 416 KB\)](#)

ACTION: Approve as recommended, Ord. No. 2834.

10. SUBJECT: Justice Assistance Grant (JAG) Budget Modification (135)
RECOMMENDATION: Authorize the City Manager to submit a budget modification in the amount of \$12,428 to the U.S. Department of Justice (DOJ) from the Justice Assistance Grant (JAG) for an ammunition storage bunker and audio video equipment for the briefing room.
Legislative Body: CC Contact: Jason Benites Phone: 385-7626

Document: [View Item \(pdf 537 KB\)](#)

Public Works Department

11. SUBJECT: Implementation Agreement for Countywide Stormwater Program. (139)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Implementation Agreement for the National Pollutant Discharge Elimination System (NPDES) Permit (No. CAS004002) for Storm water Discharges from the Municipal Separate Storm Sewer Systems (A-7357), which identifies the responsibilities of the City, Ventura County Watershed Protection District (VCWPD), nine other Ventura County cities, and Ventura County under the Ventura County Municipal Stormwater Permit, and creates a mechanism for the distribution of revenues and the funding for the Principal Permittee activities; and 2) Approve an appropriation of \$298,812 from the Wastewater Collection Operating Fund to the Stormwater Quality Management Program to partially fund Principal Permittee costs under the Ventura County Municipal Stormwater Permit for Fiscal Year 2010/2011.
Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: [View Item \(pdf 811 KB\)](#)

ACTION: INFORMATION/CONSENT Approve as recommended.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

City Manager Department

1. SUBJECT: Establishment of Fees for Parks Services and Permits for Rio Lindo Park. (155)
RECOMMENDATION: 1) Hold a public hearing to receive public testimony regarding proposed new fees for the use of two group BBQ areas at Rio Lindo Park.; 2) Adopt a resolution establishing the proposed new fees.
Legislative Body: CC Contact: Lori Rice Phone: 385- 7950

Document: View Item (pdf 263 KB)

ACTION: Approved as recommended, Res. No. 13,929.

Development Services Department

2. SUBJECT: Planning and Zoning Permit No. 10-510-04 (Major Modification to Special Use Permit No. 1517), Play Billiards 658 South A Street. (159)
RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 10-510-04 (Major Modification to Special Use Permit No. 1517), subject to certain findings set forth in Planning Commission Resolution No. 2010-32.
Legislative Body: CC Contact: Juan Martinez Phone: 385-7556

Document: View Item (pdf 1.3 MB)

ACTION: Aproved as recommended, Res. No. 13,930.

L. PUBLIC HEARINGS

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

City Attorney Department

1. SUBJECT: Amendment of General Purchasing Procedures and Public Contract Purchasing Procedures (179)
RECOMMENDATION: 1) Adopt a resolution amending purchasing procedures for professional services, trade services, equipment and supplies; and 2) Approve the first reading by title only and subsequent adoption of an ordinance amending public contract purchasing procedures.
Legislative Body: CC Contact: Alan Holmberg Phone: 385-7483

Document: View Item (pdf 710 KB)

ACTION: Removed from agenda.

O. REPORTS

Housing Department

1. SUBJECT: Paseo Nuevo Predevelopment Agreement (191)
RECOMMENDATION: That the City Council approve an appropriation of funds in the amount of \$600,000 from the City Affordable Housing In-Lieu Fee funds to the Paseo Nuevo Housing fund for the predevelopment costs associated with obtaining entitlement for the Paseo Nuevo Project located at 5655, 5667, 5701, 5703-5705, 5709, 5711, 5713, 5715 and 5727 Cypress Road, Oxnard, California 93033.

That the Housing Authority Board of Commissioners approve and authorize the Chairman to execute a Predevelopment Agreement to obtain the entitlements for a seventy two unit affordable housing development (Paseo Nuevo).

Legislative Body: CC/HA Contact: Larry White Phone: 385-8235

Document: View Item (pdf 921 KB)

ACTION: Approved as recommended.

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 ITEM - 8:00 P.M.

1. SUBJECT: Verbal presentation by the Cabrillo Economic Development Corporation.

ACTION: Removed from the agenda.

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 - (Continue from page 1)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.
City of Oxnard, et al. v. California Coastal Commission Los Angeles Superior Court, Case No. BS122248; 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.

T. ADJOURNMENT