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**AGENDA**  
**May 5, 2009**  
OXNARD CITY COUNCIL  
OXNARD COMMUNITY DEVELOPMENT COMMISSION  
\*OXNARD HOUSING AUTHORITY  
City Council Chambers, 305 West Third Street, Oxnard  
5:30 P.M. Closed Sesstion  
7:00 P.M. Regular Meetings

- 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 5 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: Proclamation Designating May 9-16, 2009 as "Tourism Week".
  
  - 2. SUBJECT: Proclamation Designating the Month of May 2009 as "Water Awareness Month".

3. SUBJECT: Proclamation Designating the Month of May 2009 as "Older Americans Month".
4. SUBJECT: Resolution Presented to Pramod Gulati for Dedicated Service to the Senior Services Commission. (001)

Document: View Item (pdf 55 KB)

ACTION: Approved, R-13,613.

5. SUBJECT: Commendation Presented to Joyce Pinkard for Dedicated Service to the Senior Services Commission.
  6. SUBJECT: Presentation of Bone Builder Program
- 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

### Community Development Department

1. SUBJECT: Supplement to the Acquisition Agreement and Owner Participation Agreement (OPA) for the RiverPark Project Located Adjacent to and North of the Highway 101 Freeway, Adjacent to and East of the Santa Clara River, and West of Vineyard Avenue (003) RECOMMENDATION: That City Council: (1) Approve a Supplement to the Acquisition Agreement (A-7153) and Owner Participation Agreement (A-5965) for the RiverPark Project; (2) Authorize the Mayor or City Manager, on behalf of the City, to each sign any documents which may be necessary and appropriate to carry out and implement the Supplement; and (3) Approve and adopt the attached resolution consenting to the payment by the Oxnard Community Development Commission ("CDC") of certain costs related to public improvements in the Historic Enhancement and Revitalization of Oxnard ("HERO") Project Area and making certain determinations and findings; and that Community Development Commission (CDC): (1) Approve and authorize the Chairman or Executive Director to execute a Supplement to the Acquisition Agreement (A-7153) and Owner Participation Agreement (A-5965) for the RiverPark Project; (2) Authorize the Chairman and Executive Director, on behalf of the CDC, to each sign any documents which may be necessary and appropriate to carry out and implement the Supplement, and to administer the CDC's obligations, responsibilities, and duties to be performed thereunder; and (3) Approve and adopt the attached resolution agreeing to reimburse certain costs related to public improvements in the Historic Enhancement and Revitalization of Oxnard (HERO) Project Area and making certain determinations and findings. Legislative Body: CC/CDC Contact: Curtis Cannon Phone: 385-7407

Document: [View Item](#) (pdf 1,114 KB)

ACTION: Approved, A-7158; R-13,614; CDC R-134.

2. SUBJECT: Community Development Commission's Educational Revenue Augmentation Fund (ERAF) Remittance for Fiscal Year (FY) 2008-2009. (017) RECOMMENDATION: Remove from agenda. Legislative Body: CDC Contact Person: Kymberly Horner Phone: 385-7407

Document: [View Item](#) (pdf 194 KB)

### Development Services Department

3. **SUBJECT:** Agreement With Union Pacific Railroad Company (UPRR) for Railroad Crossing Improvements at the Former Enterprise Street. (021) **RECOMMENDATION:** (1) Approve and authorize the Mayor to execute the agreement with UPRR (No. A-7136) in the amount of \$503,381 to construct improvements to the railroad crossing at the former Enterprise Street for the Oxnard Transportation Center's long term parking lot at 255 East Fifth Street; and (2) Adopt a resolution authorizing the Mayor to execute the agreement and certifying the funds have been appropriated for the project. Legislative Body: CC Contact: Cynthia Daniels Phone: 385-7871

Document: [View Item \(pdf 207 KB\)](#)

**ACTION:** Approved, R-13,615.

### Fire Department

4. **SUBJECT:** Donation of Surplus Fire Apparatus to Oxnard College Fire Academy and to Oxnard's Sister City, Ocotlan, Mexico. (025) **RECOMMENDATION:** Approve the donation of one 1984 Mack fire engine (equipment #1982) to Oxnard Fire Academy and one 1983 Mack fire engine (equipment #1922) to Oxnard's Sister City, Ocotlan, Mexico. Legislative Body: CC Contact: William Milligan Phone: 385-7722

Document: [View Item \(pdf 109 KB\)](#)

### Public Works Department

5. **SUBJECT:** Special Budget Appropriation for Street Improvement Projects. (027) **RECOMMENDATION:** (1) Approve the appropriation of funds in the amount of \$687,677 from the Gas Tax Revenue Certificates of Participation (COP) interests earnings to the Tierra Vista Neighborhood Resurfacing Project; (2) Approve a special budget appropriation for the reallocation of \$29,451 to provide for cost increases and decreases for various street improvement projects funded by the Gas Tax Revenue COP; and (3) Approve a special budget appropriation in the amount of \$37,555 from Traffic Congestion Relief Fund Balance to the Via Marina and Diamond Neighborhood Resurfacing Projects. Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 198 KB\)](#)

6. SUBJECT: Assessment for the City's National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program. (031) RECOMMENDATION: Adopt a resolution re-authorizing the existing assessment of \$10.28 per Benefit Assessment Unit for the City's National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program for inclusion in the Ventura County Watershed Protection District's Benefit Assessment Program. Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: [View Item \(pdf 261 KB\)](#)

ACTION: Approved, R-13,616.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

City Manager Department

1. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy FY 2010-2011 Assessments in Landscape Maintenance District No. 60 (District). RECOMMENDATION: Remove from the agenda. Legislative Body: CC Contact: Joel Galaviz Phone: 385-8245

ACTION: Approved.

- 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

Public Works Department

1. SUBJECT: Federal Emergency Management Agency (FEMA) /Flood Insurance Rate Maps (FIRM) Public Outreach Program. (035) RECOMMENDATION: Receive a verbal presentation from the Public Works Director on the status of the FEMA/FIRM Public Outreach Program and provide direction to the Director regarding the program. Legislative Body: CC Contact: Ken Ortega Phone: 385-8281

Document: View Item (pdf 92 KB)

ACTION: Received and direction provided.

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 - (Cont'd)

1. 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 against one potential defendant.

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. Legislative Body: CC

2. CONFERENCE WITH LABOR NEGOTIATOR.  
RECOMMENDATION: Instructions to negotiators, Karen Burnham, Assistant City Manager, and Michelle Tellez, Human Resources Director, 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) and the Oxnard Peace Officers' Association (OPOA) and other matters within the scope of representation.  
Legislative Body: CC

The Assistant City Manager and the Human Resources Director 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.

T. ADJOURNMENT