

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the Library, 251 South "A" Street and the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Any materials to be presented at this meeting will be made available electronically 24 hours prior to the meeting, at the end of this agenda. The agenda reports are on the City of Oxnard web site at www.oxnard.org.



AMENDED AGENDA

AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Council Chambers, 305 West Third Street
November 14, 2017
Regular Meeting - 5:30 PM
Closed Session - 4:30 PM
Appointment Item - 5:30 PM

A. ROLL CALL/POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council and Successor Agency.

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 (4:30 PM)

1. Conference with Legal Counsel – Existing Litigation

CC (Government Code section 54956.9 (d)(1))

Name of case: State of California, Regents of the University of California; et al v. Cellco Partnership dba Verizon Wireless; et al.
Sacramento County Superior Court, Case No. 34-2012-00127517

The City Attorney requested that this item be discussed in closed session under the Brown Act authorization for the City Council to confer with its legal counsel regarding pending litigation.

2. Conference with Legal Counsel – Potential Litigation

CC On the advice of the City Attorney, pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

The City Attorney requested that this item be discussed in closed session under the

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City of Oxnard internet address: www.oxnard.org.

Brown Act authorization for the City Council to confer with its legal counsel regarding potential litigation.

3. Conference with Real Property Negotiators

SA Property: McGrath House, 740 South B Street.

Agency negotiators: Ruth Osuna, Assistant Executive Director, and Kymberly Horner, Economic Development Director.

Negotiating parties: Michelle and Greg Kenney.

Under negotiation: Price and terms of payment for the potential sale of Successor Agency property.

The Assistant Executive Director and Economic Development Director requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiators (Government Code section 54956.8). The purpose of the closed session is for the Successor Agency to review the status of negotiations for the potential sale of real property and to provide instructions to the negotiators.

D. OPENING CEREMONIES

Pledge of allegiance to the flag of the United States.

E. APPOINTMENT ITEMS (5:30 PM)

Public Works Department **AMENDED ITEM**

1. SUBJECT: Housing-Related Parks Program Grant Agreement (15/15/15)
RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute an Agreement with the California Department of Housing and Community Development (HCD) for grant fund distribution of \$1,333,574 awarded to the City for the Housing-Related Parks (HRP) Program (Agreement A-8019).

2. Approve the recommended list of park facility improvement projects for eligible parks.

3. Authorize the City Manager or designee to recognize State grant revenue and appropriate funds in the total amount of \$1,333,574 to the park facility improvement projects approved by City Council in Recommendation #2.

4. Authorize the City Manager or designee to appropriate funds in the total amount of a \$671,973 in Measure O funding for park facility improvement projects in Recommendation #2.

Legislative Body: CC

Contact: Thien Ng

Phone: 432-3575

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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. Speaker cards will not be accepted after the beginning of the general public comment period. Based on the number of speaker cards submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to three minutes, but shorter time may be established as deemed necessary. 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 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.

G. 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.

H. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

I. 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.

J. 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.

K. INFORMATION CONSENT AGENDA

City Attorney Department

1. SUBJECT: Adoption of Ordinance No. 2929 Documenting Cannabis Restrictions in the City Zoning Code

RECOMMENDATION: That the City Council approves Ordinance No. 2929 amending Chapter 16 of the Oxnard City Code to prohibit cannabis and cannabis related uses unless

specifically provided in individual zones, and to specifically prohibit such uses in the following zones: Commercial Office (C-O), Neighborhood Shopping (C-1), General Commercial (C-2), Central Business District (Cbd), Commercial and Light Manufacturing (Cm), Business and Research Park (Brp), Limited Manufacturing (M-L), and Light Manufacturing (M-1) Zones.

Legislative Body: CC

Contact: Stephen M. Fischer

Phone: 385-7483

City Clerk Department

2. SUBJECT: Minutes of the September 12, 2017, September 19, 2017, and September 26, 2017, Regular Meetings.

RECOMMENDATION: That the City Council approve the Minutes as presented.

Legislative Body: CC

Contact: Michelle Ascencion

Phone: 385-7805

City Manager Department

3. SUBJECT: Agreements for City Council Review

RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000:

A. LDP Associates (A-8020) for data room battery and cooling tower maintenance (\$38,175).

B. Encompass Consultant Group, Inc. (A-8013) for on-call civil engineering services (\$250,000).

C. KEH & Associates, Inc. (A-8014) for on-call civil engineering services (\$250,000).

D. MV Engineering, LLC. (A-8005) for on-call civil engineering services (\$250,000).

E. Motorola Solutions, Inc. (Purchase Order No. 6482) for purchase of handheld radios and accessories (\$79,106).

F. AppleOne Employment Services (7379-16-HR) for temporary staffing to several City departments (\$100,000).

G. Nesco, LLC. for the purchase of two (2) one ton cab and chassis mounted with three yard container handling body (\$150,794).

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

Economic Development Department

4. SUBJECT: Disposition of Property, 852 South "A" Street

RECOMMENDATION: That City Council:

1. Adopt a resolution entitled "Resolution of the City of Oxnard, as the Entity Assuming the Housing Functions of the Former Oxnard Community Development Commission Pursuant to California Health and Safety Code Section 34176 and Resolution No. 14,136, Approving the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Vacant Land), by and between the City, as Seller, and George & Manal Jobeh, or Nominee, as

Buyer, With Regard to Vacant Land Located at 852 South A Street;”

2. Authorize the City Manager (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the City Attorney and Redevelopment Special Counsel; and

3. Authorize the City Manager (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the City’s obligations, responsibilities and duties thereunder.

Legislative Body: CC

Contact: Kymberly Horner

Phone: 385-7407

5. SUBJECT: Disposition of Successor Agency Owned Property Located at 720 South B Street
RECOMMENDATION: That the Successor Agency:

1. Adopt a Resolution entitled “Resolution of the Oxnard Community Development Commission Successor Agency, approving, and recommending to its Oversight Board approval of, the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Non-Residential), by and between the Successor Agency, as Seller, and Juan Carlos & Daniel Guerrero or Nominee, as Buyer, with regard to real property located at 720 South B Street;”

2. Authorize the Executive Director (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the Successor Agency General Counsel and Successor Agency Special Counsel; and

3. Authorize the Executive Director (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the Successor Agency’s obligations, responsibilities and duties thereunder.

Legislative Body: SA

Contact: Kymberly Horner

Phone: 385-7407

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. 16-400-04 (Coastal Development Permit); 17-590-01 (Coastal Zone Variance); and 16-300-07 (Tentative Subdivision Map No. 5984). Property Located at the Northeast Corner of Harbor Boulevard & Wooley Road (APN: 196-0-033-295). Filed by Designated Agent Patric Lynam, Planet Home Living, 1451 Quail Street Suite. 204, Newport Beach, CA 92660, on Behalf of the Property Owner. (15/15/10)
RECOMMENDATION: That the City Council:

1. Adopt a resolution upholding the Planning Commission’s approval of Planning and Zoning Permit No. 16-400-04 (Coastal Development Permit), subject to certain findings and conditions;

2. Adopt a resolution upholding the Planning Commission’s approval of Planning and

Zoning Permit No. 17-590-01 (Coastal Zone Variance), subject to certain findings and conditions; and

3. Adopt a resolution approving Planning and Zoning Permit No. 16-300-07 (Tentative Subdivision Map No. 5984) subject to certain findings and conditions; and in lieu of construction of affordable housing units, authorize the applicant to pay the City's affordable housing fees for the 3.96-acre subdivision project.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

2. SUBJECT: Planning and Zoning Permit Nos. 16-500-06 (Special Use Permit); 16-535-01 (Density Bonus); and 16-300-06 (Tentative Subdivision Map No. 5995). Property Located at 5489 Saviers Road (APN: 222-0-011-29). Filed by Designated Agent Henry Casillas, 451 West Fifth Street, Oxnard, California, 93030, on Behalf of the Property Owner (The "Applicant"). (10/15/10)

RECOMMENDATION: That the City Council:

1. Uphold the Planning Commission's approval of Planning and Zoning Permit No. 16-500-06 (Special Use Permit), subject to certain findings and conditions;

2. Uphold the Planning Commission's approval of Planning and Zoning Permit No. 16-535-01 (Density Bonus), subject to certain findings and conditions; and

3. Adopt a resolution approving Planning and Zoning Permit No. 16-300-06 (Tentative Subdivision Map No. 5995), subject to certain findings and conditions.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

M. REPORTS

City Attorney Department

1. SUBJECT: Utility Fee Adjustment Ordinance and Procedures (5/10/5)

RECOMMENDATION: That City Council:

1. Approve the first reading by title only and waive further reading of an ordinance amending section 2-183 of the Oxnard City Code ("OCC") concerning refunds of taxes, assessments and utility fees; and

2. Adopt a resolution creating an administrative appeal process for parties seeking adjustment or refund of utility fees.

Legislative Body: CC

Contact: Stephen M. Fischer

Phone: 385-7483

Public Works Department

2. SUBJECT: Agreement with Ventura County to Assist with Rice Avenue Grade Separation Project (5/10/10)

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute an agreement with the County of Ventura to have its Transportation Department assist the City in the Rice Avenue Grade Separation Project over Fifth Street (State Route 34) and the Union Pacific Railroad; and
2. Approve a budget appropriation in the amount of \$150,000 from Circulation Systems Improvement Fees Fund 354.
Legislative Body: CC Contact: Thien Ng Phone: 432-3575
3. SUBJECT: Second Amendment to Agreement No. 6944-14-DS with WKE, Inc. (5/5/5)
RECOMMENDATION: That City Council:
 1. Approve and authorize the Mayor to execute the Second Amendment to Agreement No. 6944-14-DS with WKE, Inc., to complete the preliminary design effort for the Rice Avenue Grade Separation Project, in the amount of \$1,023,469.82, which will increase the total cost of the Agreement to \$2,943,468.82.
 2. Approve a budget appropriation in the amount of \$1,023,500 in Circulation System Improvement Fees Fund 354, Account No. 354-3109-826.82-09 for Project No. 133101 Rice Avenue at Fifth Street Grade.
Legislative Body: CC Contact: Thien Ng Phone: 432-3575
4. SUBJECT: Award Contract for Street Overlays PW 18-02 (5/15/15) **AMENDED ITEM**
RECOMMENDATION: That City Council:
 1. Award and authorize the Mayor to execute Agreement A-8024 with Toro Enterprises, Inc., in the amount of \$3,767,700 for the Streets Overlay Project Phase I PW 18-02; and
 2. Approve an appropriation of \$4,168,000 for Project No. 183103 Streets Overlay Phase I.
Legislative Body: CC Contact: Thien Ng Phone: 432-3575

N. ADJOURNMENT