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AGENDA & ADDENDUM AGENDA

June 26, 2007

OXNARD CITY COUNCIL

OXNARD COMMUNITY DEVELOPMENT COMMISSION

OXNARD HOUSING AUTHORITY

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

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 8 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: Presentation of a Resolution Commending Tony Hernandez for 38 Years of Service with the City of Oxnard. (001) RECOMMENDATION: Approve.
Legislative Body: CC

ACTION: Approved as Recommended.

- 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.

Pat Brown, parking of trucks Public Works Director

Larry Stein, Housing decift Housing Department explained declining

- I. INFORMATION/CONSENT AGENDA

ACTION: Approved as Recommended.

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of Housing Authority for April 3, 10, 17, 24, May 1, 8 and 15, 2007. (003) RECOMMENDATION: Approve. Contact Person: Daniel Martinez Phone: 385-7803
Legislative Body: HA

Document: [View Item - PDF \[116 KB\]](#)

2. SUBJECT: Agreement for Publication of Legal Notices and Legal Advertisements and for Publication Agreements of Display Advertisements and Classified Advertisements. (013) RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with Ventura County Star Newspaper (Star) {A-6896} for publication of legal notices and legal advertisements for Fiscal Year (FY) 2007-08; and (2) Authorize the City Manager or designee to negotiate and execute agreements with other newspapers to allow for the publication of legal advertisements, display advertisements and classified advertisements for FY 2007-08. Contact Person: Daniel Martinez Phone: 385-8201
Legislative Body: CC

Document: [View Item - PDF \[483 KB\]](#)

Community Development Department

3. SUBJECT: Ordinance No. 2737, Describing the Community Development Commission's Program to Acquire Property By Eminent Domain within the Merged Downtown Renewal (R-108) and Central City Revitalization Project Area Pursuant to California Health and Safety Code Section 33342.7(a). (027) RECOMMENDATION: Second reading and adoption. Contact Person: Suzanne Quitariano Phone: 385-7407
Legislative Body: CC

Document: [View Item - PDF \[123 KB\]](#)

4. SUBJECT: Ordinance No. 2738, Describing the Community Development Commission's Program to Acquire Property by Eminent Domain within the Historical Enhancement and Revitalization of Oxnard Redevelopment Project Area Pursuant to California Health and Safety Code Section 33342.7(a). (031) RECOMMENDATION: Second reading and adoption. Contact Person: Suzanne Quitariano Phone: 385-7407
Legislative Body: CC

Document: [View Item - PDF \[99.8 KB\]](#)

5. SUBJECT: Ordinance No. 2739, Describing the Community Development Commission's Program to Acquire Property by Eminent Domain within the Southwinds Project Area Pursuant to California Health and Safety Code Section 33342.7(a).
(035) RECOMMENDATION: Second reading and adoption. Contact Person: Suzanne Quitoriano Phone: 385-7407
Legislative Body: CC

Document: [View Item - PDF \[101 KB\]](#)

6. SUBJECT: Ordinance No. 2740, Describing the Community Development Commission's Program to Acquire Property by Eminent Domain within the Ormond Beach Project Area Pursuant to California Health and Safety Code Section 33342.7(a).
(039) RECOMMENDATION: Second reading and adoption. Contact Person: Suzanne Quitoriano Phone: 385-7407
Legislative Body: CC

Document: [View Item - PDF \[98.4 KB\]](#)

7. SUBJECT: Resolution Approving Levy and Collection of Assessments for Fiscal Year (FY) 2007-08 within the Oxnard Downtown Management District.
(043) RECOMMENDATION: Adopt a resolution ordering the levy and collection of assessments within the Oxnard Downtown Management District for FY 2007-08. Contact Person: Maureen Hooper Phone: 385-7407
Legislative Body: CC

Document: [View Item - PDF \[74.6 KB\]](#)

Housing Department

8. SUBJECT: Section 8 Housing Choice Voucher Program Budget for Fiscal Year 2008.
(045) RECOMMENDATION: (1) Adopt a resolution approving and adopting the recommended \$15,481,279 operating budget for the Section 8 Housing Choice Voucher Program ("Section 8") for Fiscal Year 2008; and (2) Approve and authorize the use of \$79,190 of administrative reserves to fund the projected deficit. Contact Person: Carrie Sabatani Phone: 385-8092
Legislative Body: HA

Document: [View Item - PDF \[194 KB\]](#)

9. SUBJECT: Low Rent Public Housing Budget for Fiscal Year 2008.
(051) RECOMMENDATION: Adopt a resolution approving and adopting the recommended \$5,360,365 operating budget for the Low Rent Public Housing program for Fiscal Year 2008, as presented by project. Contact Person: Carrie Sabatani Phone: 385-8092
Legislative Body: HA

Document: [View Item - PDF \[401 KB\]](#)

Police Department

10. SUBJECT: Appropriation of Peace Officer Standards and Training (P.O.S.T.) Police Training Funds. (063) RECOMMENDATION: Recognize revenue in the amount of \$96,075 in the POST Reimbursement Training Fund and appropriate these funds to the Oxnard Police Department Training Program to support police training requirements through the end of Fiscal Year 2006-2007. Contact Person: David Villanueva Phone: 385-7777
Legislative Body: CC

Document: [View Item - PDF \[51.9 KB\]](#)

11. SUBJECT: Application for COPS Technology Program Grant.
(065) RECOMMENDATION: Adopt a resolution authorizing the City Manager to submit an application for \$3,000,000 in U. S. Department of Justice Community Oriented Policing Services (COPS) grant funds to be used for acquisition of police and fire Computer Aided Dispatch, Records Management and Mobile Data Computer (CAD/RMS/MDC) systems. Contact Person: Jim Willis Phone: 385-7612
Legislative Body: CC

Document: [View Item - PDF \[116 KB\]](#)

12. SUBJECT: Application for Office of Juvenile Justice Delinquency Prevention Grant Funding. (069) RECOMMENDATION: Adopt a resolution ratifying the City Manager's submission of an application for \$200,000 in Office of Juvenile Justice Delinquency

Prevention grant funds to be used for funding of the Community Action Partnership Project Coordinator and the implementation of the Boys and Girls Clubs of Greater Oxnard and Port Hueneme Street S.M.A.R.T. gang violence prevention program. Contact Person: Scott Hebert Phone: 385-8290
Legislative Body: CC

Document: View Item - PDF [87.5 KB]

Public Works Department

13. SUBJECT: Landscape Maintenance Agreement with California Department of Transportation ("Caltrans") for Future Parking Lot at 255 East Fifth Street for Oxnard Transportation Center. (073) RECOMMENDATION: Approve and authorize the Mayor to execute the agreement to maintain landscape area at 255 East Fifth Street between the City and the Caltrans, (A-6886). Contact Person: Cynthia Daniels Phone: 385-7871
Legislative Body: CC

Document: View Item (PDF 250 KB)

14. SUBJECT: Second Amendment to Agreement for Trade Services with Natural Resource Protection, Inc. (081) RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to an Agreement with Natural Resource Protection, Inc. (No. 3642-05-PW), extending the agreement from July 1, 2007 to June 30, 2008 in the amount of \$117,694 for fats, oils and grease and hydrogen sulfide control services, so that the total amount of the agreement is \$943,000. Contact Person: Grant Dunne Phone: 385-7956
Legislative Body: CC

Document: View Item - PDF [86.3 KB]

15. SUBJECT: Third Amendment to Agreement with Parrent Security for Construction Site Security Services at the Blending Station No. 1, 251 South Hayes Avenue. (083) RECOMMENDATION: Approve and authorize the Mayor to execute the Third Amendment to Agreement with Parrent Security (No. 3302-04-PW) in an amount not to exceed \$220,000, for a total agreement amount of \$716,562, for the purpose of providing construction site security services at the Blending Station No.1, located at 251 South Hayes Avenue. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: [View Item - PDF \[733 KB\]](#)

16. SUBJECT: Blending Station No. 1 Water Desalination Grant.
(103) RECOMMENDATION: (1) Adopt a resolution approving and authorizing the Mayor to execute a Water Desalination Grant Agreement between the Department of Water Resources (DWR) and the City of Oxnard (A-6885); and (2) Recognize the revenue and approve the appropriation in the amount of \$2,900,000 from DWR to the Groundwater Recovery Enhancement and Treatment ("GREAT") Blending Station No. 1 Desalter Project for the Water Desalination Grant. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: [View Item - PDF \[94.0 KB\]](#)

17. SUBJECT: Blending Station No. 3 Water Desalination Grant Appropriation.
(107) RECOMMENDATION: (1) Adopt a resolution approving and authorizing the City Manager or designee to execute a Water Desalination Grant Agreement between the Department of Water Resources and the City of Oxnard (4164-07-PW); and (2) Recognize the revenue and approve the appropriation in the amount of \$187,000 from Department of Water Resources to the Blending Station No. 3 Desalter Project for the Water Desalination Grant. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: [View Item \(PDF 95 KB\)](#)

18. SUBJECT: Settlement Agreement with Exhibit 1 the Fourth Amendment to Service Agreement for Del Norte Regional Recycling and Transfer Station (Del Norte Facility).
(111) RECOMMENDATION: Authorize the Mayor to execute a Settlement Agreement between the City of Oxnard and Republic Services, Incorporated and BLT Enterprises of Oxnard, Inc., including an Exhibit 1, the Fourth Amendment to Agreement relating to the operation and management of the Del Norte Facility located at 111 South Del Norte Boulevard to resolve the litigation entitled Oxnard v. Republic Services, Inc., Ventura County Superior Court Case No. CIV 233956. Contact Person: Grant Dunne Phone: 385-7956
Legislative Body: CC

Document: [View Item - PDF \[68.1KB\]](#)

19. SUBJECT: Rename Water Task Force as Utilities Task Force (UTF); Establish Jurisdiction of UTF. (113) RECOMMENDATION: Rename the Water Task Force the Utilities Task Force with jurisdiction to consider water, recycled water, wastewater, stormwater, solid waste and recycling issues. Contact Person: Anthony Emmert Phone: 385-8111
Legislative Body: CC

Document: [View Item - PDF \[58.3 KB\]](#)

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit Nos. PZ 05-300-01 (Tentative Parcel Map) and Appeal of Special Use Permit for Planned Residential Group PZ 05-500-01 for Project Located at 901 Cheyenne Way, Filed by Juan Cervantes. (115) RECOMMENDATION: (1) Adopt a resolution approving Planning and Zoning Permit No. PZ 05-300-01 (Tentative Parcel Map) for condominium purposes, subject to certain findings and conditions; and (2) Adopt a resolution upholding the Planning Commission's approval of Special Use Permit (PZ 05-500-01) for a Planned Residential Group, subject to conditions.
Contact Person: Nicole Doner Phone: 385-8312
Legislative Body: CC

Document: [View Item - PDF \[270 KB\]](#)

ACTION: Continue to July 10, 2007.

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

Finance Department

1. SUBJECT: Public Hearing to Consider Oxnard's Fiscal Year 2007-2008 Annual Action Plan (the Plan), Component of the 2003-2008 Consolidated Plan, Including Applications to the U.S. Department of Housing and Urban Development (HUD) and Projected Use of Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME) and Emergency Shelter Grant (ESG) Funds. (125) RECOMMENDATION: (1) Conduct a public hearing to receive comments and provide direction to staff regarding any changes to the Plan; (2) Authorize the City Manager to make changes to the Plan as directed by City Council; (3) Approve the Plan and the recommended proposed use of funds; (4) Authorize the City Manager to execute the required applications, certifications, and other pertinent documents and submit the Plan to HUD; and (5) Authorize the City Manager to execute any agreements and other documents necessary to implement the Plan after approval of the Plan by HUD. Contact Person: Norma J. Owens Phone: 385-7477
Legislative Body: CC

Document: [View Item - PDF \[281 KB\]](#)

Norma Owens

ACTION: Approved as Recommended.

Police Department

2. SUBJECT: Recovery of Civil Citation Fines. (133) RECOMMENDATION: (1) Conduct a public hearing to consider objections of property owners liable to be assessed for civil citation fines stated in the cost report; (2) Approve the cost report; and (3) Direct the City Manager or designee to file a certified copy of the cost report with the Ventura County Auditor-Controller.
Contact Person: Dirk Voss Phone: 385-7940
Legislative Body: CC

Document: [View Item - PDF \[231 KB\]](#)

ACTION: Approved as Recommended with one change.

3. SUBJECT: Recovery of Nuisance Abatement Costs. (141) RECOMMENDATION: (1) Conduct a public hearing to consider objections of property owners liable to be assessed for nuisance abatement costs stated in the cost report; (2) Approve the cost report; and (3) Direct the City Manager or designee to file a certified copy of the cost report with the

Ventura County Auditor-Controller. Contact Person: Dirk Voss Phone: 385-7940
Legislative Body: CC

Document: [View Item \(PDF 70 KB\)](#)

ACTION: Approved as Recommended.

Public Works Department

4. SUBJECT: Public Hearing and Adoption of Resolution to Form and to Levy Fiscal Year (FY) 2007-2008 Assessments in Landscape Maintenance District No. 59.
(145) RECOMMENDATION: (1) Hold a public hearing concerning the formation of Landscape Maintenance District No. 59, consisting of Tract No. 5542 (Orbela), located south of Fifth Street between Northport Lane and Victoria Avenue, and determine whether a majority protest against formation exists; (2) If a majority protest against formation does not exist, continue with the public hearing to consider all protests against the proposed assessment in the District; tabulate the ballots; and determine whether a majority protest exists as to the assessment; and (3) If a majority protest does not exist as to the assessment, adopt a resolution to form and levy FY 2007-2008 assessments in the District.
Contact Person: Michael Henderson Phone: 385-7950
Legislative Body: CC

Document: [View Item \(PDF 194 KB\)](#)

ACTION: Approved as Recommended.

5. SUBJECT: Adjustment to Planned Traffic Circulation Facilities Fees.
(151) RECOMMENDATION: Adopt a resolution establishing interim planned traffic circulation facilities fees of \$730 per vehicle trip to be effective until the 2020 General Plan update is complete and City Council considers a fee based on a new master plan of traffic circulation facilities.
Contact Person: Jason M. Samonte Phone: 385-7872
Legislative Body: CC

Document: [View Item \(PDF 777 KB\)](#)

Development Services Director upgardes

ACTION: Approved as Recommended.

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.

Housing Department

1. SUBJECT: Report on Reorganization of Public Housing Staff. Contact Person: Sal Gonzalez Phone: 385-8096

ACTION: Council received the report.

N. CITY COUNCIL/HOUSING AUTHORITY/COMMUNITY DEVELOPMENT
COMMISSION BUSINESS/COMMITTEE REPORTS

City Manager Department

1. SUBJECT: Cancellation of the Regular Meetings Scheduled for July 3, 2007.
(175) RECOMMENDATION: Cancel the regular meetings scheduled for July 3, 2007.
Contact Person: Edmund F. Sotelo Phone: 385-7430
Legislative Body: CC/ CDC/HA

Document: View Item - PDF [26.4 KB]

ACTION: Approved as Recommended.

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 of a Proposal for the Development of 528 Seniors Mixed Income Rental Units at the Former Home Depot Site and 4.6 Acres of Proposed Annexed Land, Filed by D2 Development, Inc. (177) RECOMMENDATION: Review and provide preliminary comments on a proposal to develop the former 11.37 acre Home Depot site and to annex a total of 4.6 acres for construction of 528 senior mixed use income rental units with a cultural arts/learning center, located at 2600 North Vineyard Avenue, and 2557 and 2571 Cortez Street. Contact Person: Ashley Golden Phone: 385-7882
Legislative Body: CC

Document: View Item - PDF [1.28 MB]

Sue Martin

ACTION: Provided comments.

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 REAL PROPERTY NEGOTIATOR. Instructions to negotiators, Edmund Sotelo, City Manager, and Mike More, Financial Services Manager, regarding the price and terms of payment for the potential sale by the City of a single family residence located at 1826 Channel Islands Boulevard to Mark Ratto. The City Manager requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations for the potential sale of property and to provide instructions to the City Manager.
Legislative Body: CC

Instructions to negotiators, Edmund Sotelo, City Manager, and Ken Ortega, Public Works Director, regarding the price and terms of payment for the potential lease by the City of approximately thirteen acres of real property located at the northwest corner of Del Norte Boulevard and Sturgis Road to Cal Mat Company, a Delaware corporation, dba Vulcan Materials Company, Western Division. The City Manager requested that this item be discussed in closed session under the Brown Act exception of Conference with Real Property Negotiator. The purpose of the closed session is for the City Council to review the status of negotiations for the potential lease of property and to provide instructions to the City Manager.
Legislative Body: CC

2. CONFERENCE WITH LABOR NEGOTIATOR. Instructions to negotiators, Lynn Hutton, Acting Human Resources Director, and Dennis Scala, Special Assistant to the City 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, Local 1684, and the Service Employees International Union (SEIU), Local No. 998, and other matters within the scope of representation.

The Acting Human Resources Director and Special Assistant to the City Manager requested that this item 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

T. ADJOURNMENT

***** ADDENDUM AGENDA *****

I. INFORMATION/CONSENT AGENDA

Public Works Department

20. SUBJECT: Resolution in Support of Ventura Regional Sanitation District Biosolids Program (001) RECOMMENDATION: Adopt a resolution in support of the efforts of the Ventura Regional Sanitation District to establish the Toland Road Landfill Biosolids Facility and Electric Generation Project, thereby providing a countywide regional solution to disposal of biosolids. Contact Person: Mark S. Norris Phone: 271-2211
Legislative Body: CC

Document: [View Report \(PDF 100 KB\)](#)

ACTION: Approved as Recommended.

O. REPORTS

Community Development Department

1. RECOMMENDATION: Third Amended Owner Participation Agreement (OPA) and Amendments to Related Documents, Assignment and Assumption Agreement of Development Agreement and OPA, and Hotel Option Agreement 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.(005)
RECOMMENDATION: SUBJECT: That City Council 1) Approve the form of the Assignment and Assumption Agreement for the Development Agreement (A-6128); and 2) Authorize the Mayor to execute the Assignment and Assumption for the Development Agreement (A-6128) upon the Mayor's review and approval of the designated Assignee upon legal formation of the Shea RiverPark assignee entity. That Community Development Commission (CDC): 1) Approve and authorize the Chairman to execute a Third Amendment to Owner Participation Agreement (A-5965) between the CDC and RIVERPARK A, LLC that authorizes relocating the hotel from a 12 acre site to a 5 acre site and extending the hotel completion date. 2) Approve and authorize the Chairman to execute a Third Amendment to Agreement Containing Covenants Affecting Real Property (A-5966) between the CDC and RiverPark A, LLC. 3) Approve the form of the Assignment and Assumption Agreement for the OPA (A-5965). 4) Authorize the Chairman to execute the Assignment and Assumption for the OPA (A-5965) upon the

Chairman's review and approval of the designated Assignee upon legal formation of the Shea RiverPark assignee entity. 5) Approve and authorize the Chairman to execute an Option Agreement for Purchase of Real Property and Joint Escrow Instructions (A-5965) between the CDC and RIVERPARK A, LLC that enables the CDC to assume title to the hotel site in the event of developer default. Contact Person: Richard R. Bryan
Legislative Body: CC/ CDC

Document: [View Report \(PDF 418 KB\)](#)

ACTION: Continue to July 10, 2007.