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AGENDA
September 23, 2008
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD HOUSING AUTHORITY
City Council Chambers, 305 West Third Street, Oxnard
5:30 P.M. Closed Session
7:00 P.M. Regular Meetings

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 the Employee of the Quarter.

2. SUBJECT: Presentation of Commendation to the Oxnard School District for the Donation of the Botke Mural to the City of Oxnard Public Library.

3. SUBJECT: Presentation of Proclamation Designating the Month of October 2008 as "Multicultural Month".
 4. SUBJECT: Presentation of the 2008 Multicultural Festival Art Contest Winners.
- 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
RECOMMENDATION: City Clerk Department
1. SUBJECT: Minutes of the Regular Meetings of City Council for July 15 and 22, 2008; Minutes of the Special Meeting of City Council for September 2, 2008; Housing Authority for June 24; July 1, 8,15, 22; September 9 and 16, 2008. (001) RECOMMENDATION: Approve. Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803

Document: View Item (pdf 570 KB)

City Manager Department

2. SUBJECT: Submission of Grant Application for Sports Park Project Funding.
(025) RECOMMENDATION: Authorize the City Manager to execute and submit a grant application to the Martin V. and Martha K. Smith Foundation for capital construction funding for the Sports Park, located at the southeast corner of Gonzales Road and Oxnard Boulevard.
Legislative Body: CC Contact: Michael Henderson Phone: 385-7946

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

Development Services Department

3. SUBJECT: Agreement with Kanji Holdings, Inc. for Assignment of Reimbursement Rights at Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101.
(027) RECOMMENDATION: (1) Approve and authorize the Mayor to execute the agreement with Kanji Holdings, Incorporated (A-7089) in the estimated amount of \$838,158 to assign reimbursement rights to the California Underground Storage Tank Cleanup Fund at 3025 Santa Clara Avenue; and (2) Approve a special budget appropriation in the amount of \$838,158 to recognize State revenue and appropriate funds to "Highway 101-Rice Interchange." Legislative Body: CC Contact: Cynthia Daniels
Phone: 385-7871

Document: [View Item \(pdf 162 KB\)](#)

4. SUBJECT: Final Map for Tract No. 5669 for the 2201 Statham Project. Filed by Oxnard Industrial Partners, LLC. (035) RECOMMENDATION: Adopt a resolution approving the Final Map for Tract No. 5669 for 18 light-industrial condominiums located at 2201 Statham Boulevard. Legislative Body: CC Contact: Chris Williamson Phone: 385-8156

Document: [View Item \(pdf 427 KB\)](#)

ACTION: Approved, R-13,553.

Fire Department

5. SUBJECT: Recognize Revenue and Appropriate Funds for the 2008 Emergency Management Performance Grant (EMPG). (055) RECOMMENDATION: Continue to October 7, 2008. Legislative Body: CC Contact: Deborah Shane Phone: 385-7717

Document: [View Item \(pdf 98 KB\)](#)

Housing Department

6. SUBJECT: Housing Authority Investment Policy. (061) RECOMMENDATION: Adopt a resolution adopting an investment policy for the Housing Authority of the City of Oxnard for FY 2008-2009. Legislative Body: HA Contact: Carrie Sabatini Phone: 385-8092

Document: [View Item \(pdf 362 KB\)](#)

ACTION: Approved, R-1224.

7. SUBJECT: Housing Authority General Depository Agreement. (073) RECOMMENDATION: Approve and authorize the Chairman to execute a general depository agreement (form HUD-51999) with Bank of America. Legislative Body: HA Contact: Carrie Sabatini Phone: 385-8092

Document: [View Item \(pdf 132 KB\)](#)

8. SUBJECT: Authorization for Housing Authority to Establish a Letter of Credit. (077) RECOMMENDATION: Adopt a resolution authorizing the establishment of a \$100,000 letter of credit in support of the Authority's Capital Fund Improvement Bond rating. Legislative Body: HA Contact: Carrie Sabatini Phone: 385-80929

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

ACTION: Approved, R-1225.

Police Department

9. SUBJECT: Photo Red Traffic Light Enforcement Program.
(081) RECOMMENDATION: Approve and authorize the Mayor to execute a five-year Agreement for Consulting Services with Redflex Traffic Systems, Inc. (A-7044) to continue the photo red light traffic enforcement program. Legislative Body: CC Contact: Martin Meyer Phone: 207-7078

Document: [View Item \(pdf 59 KB\)](#)

Public Works Department

10. SUBJECT: Agreement for Supplemental Waste Transfer Hauling Services Between the City of Oxnard and Ecology Auto Parts Inc. (083) RECOMMENDATION: Approve and authorize the Mayor to execute an agreement for Supplemental Waste Transfer Hauling Services between the City of Oxnard and Ecology Auto Parts, Inc. (A-7095). Legislative Body: CC Contact: Dennis Scala Phone: 385-7957

Document: [View Item \(pdf 58 KB\)](#)

11. SUBJECT: Agreement with JCI Jones Chemicals for Chemical Supply and Delivery of Sodium Hypochlorite and Sodium Hydroxide to the Water Campus.
(085) RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with JCI Jones Chemicals (A-7092) for chemical supply and delivery of Sodium Hypochlorite and Sodium Hydroxide. Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

Document: [View Item \(pdf 409 KB\)](#)

12. SUBJECT: Second Amendment to Attorney Services Agreement with Hunt Ortmann Palffy Nieves Lubka Darling & Mah, Inc. for Legal Fees Associated with the Affholder United States District Court Case No. CV 07-06562 RGK (CWx).
(099) RECOMMENDATION: (1) Approve and authorize the Mayor to execute a Second Amendment to an Agreement with Hunt Ortmann Palffy Nieves Lubka Darling & Mah, Inc. (4055-07-CA) increasing the contract amount by \$700,000 to an amount not to exceed \$1,050,000 for legal and expert fees associated with the Affholder United States District Court Case No. CV 07-06562 RGK (CWx) ("Affholder Case"); and (2) Approve a special budget appropriation of \$700,000 from the Wastewater Collection Operating Reserve to the Wastewater Redwood Trunk Sewer Project for legal and expert fees associated with the Affholder Case. Legislative Body: CC Contact: Mark Norris Phone: 797-7586

Document: [View Item \(pdf 104 KB\)](#)

13. SUBJECT: Second Amendment to Agreement with Harbor Offshore, Inc., for On-Call Diving Services and Debris Removal in Mandalay Bay, Westport, and Seabridge Waterway Communities. (103) RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement with Harbor Offshore, Inc. to increase the amount by \$300,000 for a total of \$900,000 for the purpose of "on call" diving services and debris removal services for the Mandalay Bay Waterways Assessment District (Mandalay Bay), Westport Community Facilities District (CFD No. 2) and Seabridge (CFD No. 4) waterway communities located between Wooley Road on the north, Victoria Avenue on the east, Channel Islands Boulevard on the south, and Harbor Boulevard on the west (Agreement No. 3234-04-PW) and extend the contract expiration date to September 30, 2010. Legislative Body: CC Contact: Phil Gregoire Phone: 797-8219

Document: [View Item \(pdf 81 KB\)](#)

Recreation and Community Services Department

14. SUBJECT: Community Development Block Grant (CDBG) Youth Enrichment Program Subrecipient Agreements for FY 08-09. (107) RECOMMENDATION: (1) Approve the allocation of \$68,597 in CDBG Youth Enrichment Program (YEP) funds to five non-profit community based organizations: Big Brothers Big Sisters (A-7099) for \$12,937, Camp Fire USA (A-7100) for \$10,000, City Impact Incorporated (A-7101) for \$15,000, El Centrito (A-7102) for \$18,125, and Palmer Drug Abuse Program (A-7103) for \$12,535; and (2) Authorize the City Manager or his designee to execute CDBG subrecipient agreements requiring such groups to provide enrichment programs that target at-risk youth from very low, low and low-moderate income families. Legislative Body: CC Contact: Sofia Balderrama Phone: 385-7993

Document: [View Item \(pdf 130 KB\)](#)

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Reports for the Period Ending August 31, 2008. (111) Legislative Body: CC Contact: James Cameron Phone: 385-7475

Document: [View Item](#) (pdf 185 KB)

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Parcel Map Planning and Zoning Permit No. 07-300-13 Located on the Southwest Corner of Channel Islands Boulevard and Rose Avenue. Filed by Churchyard Development LLC. (125) RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. PZ 07-300-13 (Parcel Map), for property located on the southwest corner of Channel Islands Boulevard and Rose Avenue (APN 221-0-232-515). Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

Document: [View Item](#) (pdf 217 KB)

ACTION: Approved, R-13,554.

2. SUBJECT: Ordinance No. 2784 Regarding Planning & Zoning Permit 08-570-01 (Zone Change) for 5489, 5527, and 5557 Saviers Road. Filed by City of Oxnard, Development Services Department. (133) RECOMMENDATION: Second reading and adoption. Legislative Body: CC Contact: Chris Williamson Phone: 385-8156

Document: [View Item](#) (PDF 80 KB)

ACTION: Approved, O-2784.

Finance Department

3. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) for the Fiscal Year 2007-2008. (137) RECOMMENDATION: Accept the City of Oxnard's CAPER for FY 2007-2008. Legislative Body: CC Contact: Norma Owens Phone: 385-7477

Document: [View Item \(pdf 65 KB\)](#)

ACTION: Approved.

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

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 07-500-18 (Special Use Permit), 07-570-06 (Zone Change), 08-300-05 (Tentative Subdivision Map), and 08-670-04 (Development Agreement) for the Old Colonial House Site, Located at the Southwest Corner of Oxnard Boulevard and Roderick Avenue. Filed by Aldersgate Investments, LLC.
(139) RECOMMENDATION: (1) Adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 07-500-18 (Special Use Permit), subject to the conditions set forth in Planning Commission Resolution No. 2008-53; (2) Adopt a resolution approving Tentative Subdivision Map for Tract No. 5796 for condominium purposes (Planning and Zoning Permit No. 08-300-05), subject to the conditions set forth in Planning Commission Resolution No. 2008-54; (3) Adopt a resolution approving a Zone Change from C-2 zoning to C-2-PD (Planning and Zoning Permit No. 07-570-06), subject to the conditions set forth in Planning Commission Resolution N. 2008-55; and (4) Approve the first reading by title only and subsequent adoption of an ordinance approving a Development Agreement for the proposed development (Planning and Zoning Permit No. 08-670-04).
Legislative Body: CC Contact: Hollee Brunsky Phone: 385-8312

Document: [View Item \(pdf 312 KB\)](#)

ACTION: Approved, R-13,555, R-13,556; O-2785, first reading; O-2786, first reading.

2. SUBJECT: Appeal of Planning Commission's Action on Planning and Zoning Permit (PZP) Nos. 06-500-14 (Special Use Permit for a Planned Residential Group); 06-300-12 (Tentative Subdivision Map for Tract No. 5580 for Condominium Purposes); 06-620-05

(General Plan Amendment); and 06-570-09 (Zone Change) for the Construction of Residential Condominium Units to be Located on the Northeast Corner of South Victoria Avenue and Hemlock Street. Filed by Courtyard at Mandalay Bay, LLC. RECOMMENDATION CONTINUE TO NOVEMBER 18, 2008 Legislative Body: CC Contact: Kathleen Mallory Phone: 385-8370

ACTION: Continued to November 18, 2008.

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

1. SUBJECT: Discussion of Costs, Benefits, and Community Impacts of "Public/Private Partnerships" Between the City, Community Development Commission and Private Entities. Legislative Body: CC/CDC

City Clerk Department

2. SUBJECT: Agreements for Publication of Legal Notices and Legal Advertisements and for Publication of Display Advertisements and Classified Advertisements.
(151) RECOMMENDATION: (1) Approve and authorize the Mayor to execute an agreement with the Ventura County Star (A-7068) for publication of legal notices and legal advertisements for Fiscal Year (FY) 2008-09; and (2) Authorize the City Manager or designee to negotiate and execute agreements with other newspapers to allow for the publication of legal advertisement, display advertisements and classified advertisements for FY 2008-09. Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803

Document: View Item (pdf 238 KB)

ACTION: Approved, A-7068.

City Manager Department

3. SUBJECT: Ventura Youth Correctional Facility. (159) RECOMMENDATION: Execute a letter opposing the proposed closure of the Ventura Youth Correctional Facility of the Division of Juvenile Justice, to be replaced with a 1,500 maximum-security health care facility.
Legislative Body: CC Contact: Martin R. Erickson Phone: 385-7870

Document: [View Item \(pdf 52 KB\)](#)

ACTION: Approved.

O. REPORTS

Housing Department

1. SUBJECT: Annual Report of Mobilehome Park Rent Review Board. (161) RECOMMENDATION: Consider and accept the 2007 Annual Report of the Mobilehome Park Rent Review Board.
Legislative Body: CC Contact: Karl Lawson Phone: 385-8095

Document: [View Item \(pdf 30 KB\)](#)

ACTION: Considered and accepted.

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

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.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (Contâ€™™d)

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.

Affholder, Inc. v. City of Oxnard

United States District Court Case No. CV 07-06562 RGK (CWx) Legislative Body: CC

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 - 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 - EXISTING LITIGATION.

Wilson v. Polo

United States District Court Case No. CV07-06191 GPS (SHX) Legislative Body: CC

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 - Existing Litigation. The purpose of the closed session is to report to City Council on the status of the litigation.

T. ADJOURNMENT