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AGENDA
March 18, 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

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 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 Annual Commission on Community Relations Awards.

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.

Q. APPOINTMENT ITEMS - 7:30 P.M.

1. SUBJECT: Ventura Regional Sanitation District Presentation on Services Provided to Member Agencies. (by Mark Lawler)

ACTION: Received report.

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

ACTION: Information/Consent Agenda approved.

City Attorney Department

1. SUBJECT: Ordinance Regarding Skateboarding, Bicycling, Roller Skating, Inline Skating, or Razor Scooting in Public Parking Lots and on Private Property. RECOMMENDATION: Second reading and adoption. (001) Contact Person: Julie Doi Phone: 385-7483
Legislative Body: CC

Document: [View Item \(PDF 75 KB\)](#)

ACTION: Approved, Ordinance No. 2767.

2. SUBJECT: Ordinance Regarding the Recovery of Nuisance Abatement Costs. RECOMMENDATION: Second reading and adoption. (003) Contact Person: Julie Doi Phone: 385-7483
Legislative Body: CC

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

ACTION: Ordinance No. 2768.

City Clerk Department

3. SUBJECT: Minutes of the Regular Meetings of City Council for February 12 and 26 and March 4, 2008; Minutes of the Regular Meetings of Community Development Commission for February 12 and 26 and March 4 and 11, 2008. (007) RECOMMENDATION: Approve. Contact Person: Daniel Martinez Phone: 385-7803
Legislative Body: CC/CDC

Document: [View Item \(PDF 487 KB\)](#)

Development Services Department

4. SUBJECT: Deferral of Development Fees for Construction of St. Paul Baptist Church. (021) RECOMMENDATION: (1) Approve the first reading by title only and subsequent adoption of an ordinance deferring for four years \$130,159.09 in development fees owed by St. Paul Baptist Church ("Church") for construction of an approximately 28,250 square foot building at 1787 Statham Boulevard; (2) Approve and authorize the Mayor to execute an Agreement to Pay Deferred Development Fees (A-7021) between the City and Church, requiring church to pay interest on and provide adequate security for payment of the deferred fees and to pay the deferred fees within four years from the date of obtaining a building permit to construct the building. Contact Person: Rob Roshanian Phone: 385-

7893

Legislative Body: CC

Document: [View Item \(PDF 210 KB\)](#)

ACTION: Approved, Ordinance No. 2769.

Housing Department

5. SUBJECT: Acquisition of Tax-Defaulted Properties. (029) RECOMMENDATION: Approve and authorize the purchase and acquisition of tax-defaulted properties at 321 Harrison Avenue and 1262 South J Street. Contact Person: Ernest Whitaker Phone: 385-7402
Legislative Body: CC

Document: [View Item \(PDF 56 KB\)](#)

Public Works Department

6. SUBJECT: Proposition 1B Local Street Improvement Funds. (031) RECOMMENDATION: (1) Designate the street resurfacing projects of Sea Air Neighborhood located from Patterson Road to Ventura Road and West Fifth Street to Wooley Road; Cal-Gisler Neighborhood located from Saviers Road to Oxnard Boulevard and East Channel Islands Boulevard to the Ventura County Watershed Protection District Channel and Del Norte Boulevard for funding with Proposition 1B Local Street Improvement Fund bond proceeds and authorize the Public Works Director to apply to the State Department of Finance for release of Proposition 1B funds for these projects; (2) Adopt a resolution authorizing the use of Proposition 1B funds in the amount of \$6,041,133 for street resurfacing projects of Sea Air Neighborhood, Cal-Gisler Neighborhood, and Del Norte Boulevard; (3) Approve the appropriation of funds in the amount of \$1,889,425 for Sea Air Neighborhood Resurfacing Project and \$1,222,860 for the Cal-Gisler Neighborhood Resurfacing Project from Proposition 1B funds. Contact Person: Grant Dunne Phone: 385-7956
Legislative Body: CC

Document: [View Item \(PDF 147 KB\)](#)

ACTION: Approved, Resolution No. 13,389.

7. SUBJECT: Lease Purchase and Vendor Agreement for the Acquisition of Solid Waste Containers. (035) RECOMMENDATION: (1) Adopt a resolution authorizing the Mayor to execute an equipment lease purchase agreement with Upton & Oliver Funding Corporation for the lease purchase of containers and services for the Environmental Resources Division; (2) Authorize and direct the City Manager to perform such acts necessary and proper to carry out the terms of the resolution; (3) Approve a special budget appropriation in the amount of \$3,441,062 for the purchase of containers and services for the Environmental Resources Division; and (4) Approve and authorize the Mayor to execute an Agreement for Purchase of Containers and Services between the City of Oxnard and Toter, Incorporated (A-7025). Contact Person: Dennis Scala Phone: 385-7957
Legislative Body: CC

Document: [View Item \(PDF 1200 KB\)](#)

ACTION: Approved, Resolution No. 13,390.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

City Attorney Department

1. SUBJECT: Ordinance Adding Section 16-515 to the City Code Regarding Non-Conforming Uses. (059) RECOMMENDATION: Approve the first reading and subsequent adoption of an ordinance setting forth a procedure for appealing a decision regarding a non-conforming use or non-conforming buildings. Contact Person: James F. Rupp, Jr. Phone: 385-7483
Legislative Body: CC

Document: [View Item \(PDF 183 KB\)](#)

ACTION: Approved, Ordinance No. 2770.

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

Development Services Department

1. SUBJECT: PZ 06-300-05 Tentative Subdivision Map (Tract Map No. 5687) to Subdivide Property Commonly Known as The Courts and Bounded by Rose Avenue, First Street, Marquita Street, and Del Sol Park. Filed by Steadfast Residential Development, LLC. and the Oxnard Housing Authority and the City of Oxnard. (065) RECOMMENDATION: Adopt a resolution approving Tentative Subdivision Map for Tract Map No. 5687 for the Las Cortes Housing Development.
Contact Person: Stephanie Diaz Phone: 385-7858
Legislative Body: CC

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

ACTION: Approved, Resolution No. 13,391.

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

1. SUBJECT: Verbal Report Regarding the Status of the Roussey Building, Located at 3501 Saviers Road (Former Swap Meet Building). CC Contact Person: James F. Rupp, Jr.
Phone: 385-7483

ACTION: Received report.

O. REPORTS

City Manager Department

1. SUBJECT: Midyear Report on the Fiscal Year 2007-2008 Budget.
(073) RECOMMENDATION: (1) Approve adjustments to revenue, services, and expenditures for the FY 2007-2008 budget as follows: a) an increase of \$417,289 in General Fund ongoing budget appropriations as provided in this report; b) an increase of \$1,698,240 in General Fund one-time budget appropriations as provided in this report; c) an adjustment in other funds appropriations as provided in this report; and (2) Adopt a resolution authorizing full-time equivalent positions in the City effective March 18, 2008, and approving the Classification and Salary Schedule effective March 18, 2008.
Contact Person: Grace Hoffman Phone: 385-7430
Legislative Body: CC

Document: [View Item \(PDF 820 KB\)](#)

ACTION: Received report and continued item.

2. SUBJECT: Fiscal Year 2008-09 through Fiscal Year 2012-13 General Fund Financial Forecast. (099) RECOMMENDATION: Consider the General Fund Financial Forecast for Fiscal Years 2008-09 through 2012-13 and provide direction to the City Manager concerning the preparation of the Fiscal Year 2008-09 operating budget.
Contact Person: Mike More Phone: 385-7475
Legislative Body: CC

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

ACTION: Received report.

Community Development Department

3. SUBJECT: 2008 Historic Enhancement and Revitalization of Oxnard (HERO) Façade and Paint Improvement Program. (103) RECOMMENDATION: Approve the 2008 HERO Façade and Paint Improvement Program ("Program") and authorize the Community Development Director to execute Program agreements and related documents with approved applicants to implement the Program. Contact Person: Suzanne Quitoriano Phone: 385-7407
Legislative Body: CDC

Document: View Item (PDF 435 KB)

ACTION: Continue this item.

Development Services Department

4. SUBJECT: Pre-Application Request to Pay an Affordable Housing Payment In-Lieu of Providing Affordable Housing On-Site at the Proposed Press Courier Lofts Project Located at 300 West Ninth Street. Filed by Press Courier Lofts, LLC.
(113) RECOMMENDATION: (1) Consider a request to make an in-lieu affordable housing payment to the Community Development Commission's Affordable Housing In-Lieu Fee Fund instead of providing on-site affordable housing units; and (2) Find that, in accordance with Section 15061 (b)(3) of Title 14 of the California Code of Regulations, there is no possibility of a significant effect on the environment if the request is either granted or denied.
Contact Person: Winston Wright Phone: 385-7952
Legislative Body: CDC

Document: View Item (PDF 568 KB)

ACTION: Approved as recommended.

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.

R. STUDY SESSION

General Services Department

1. SUBJECT: Use of Synthetic Playing Surfaces in City Parks.
(127) RECOMMENDATION: Consider a report on the use of synthetic playing surfaces in the City park system and provide direction to the General Services Manager. Contact Person: Michael Henderson Phone: 385-7951
Legislative Body: CC

Document: View Item (PDF 99 KB)

ACTION: Continue this item.

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 negotiator, Edmund Sotelo, City Manager, regarding the price and terms of payment for the potential lease/sale by the City of 1,280 acres of real property located approximately 16 miles northwest of Wasco, California in Kern County to Carl Daniel, Daniel Farms, a California General Partnership, Peter Bouma, P & D Dairy, a California General Partnership or Charlie Pitigliano, Pitigliano Farms, a California General Partnership. 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/sale of real property and to provide instructions to the City Manager.

Legislative Body: CC

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR.

Instructions to negotiators, Matthew Winegar, Development Services Director, and Mike More, Financial Services Manager, regarding the price and terms of payment for the potential sale by the City of 1.39 acres of property located along the west side of Harbor Boulevard between Breakers Way and Reef Way ("Breakers Parcel") to Elevar Seven, LLC. The City Manager, Development Services Director and Financial Services 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 real property and to provide instructions to the negotiators.

Legislative Body: CC

3. 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 approximately 14,000 square feet of real property designated as Lot 3 of Tract 4132-1, located west of Victoria Avenue on Hemlock Street to Robert A. Stein. The City Manager and Financial Services 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

4. CONFERENCE WITH LABOR NEGOTIATOR.

Instructions to negotiators, Karen Burnham, Assistant City Manager, Lino Corona, Acting Human Resources Director, and Lynn Hutton, Human Resources Manager, regarding salaries, salary schedules or compensation paid in the form of fringe benefits for employees represented by the International Union of Operating Engineers (IUOE), Local No. 501, and other matters within the scope of representation. The Assistant City Manager and the Acting 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.

Legislative Body: CC

T. ADJOURNMENT