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AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
***OXNARD FINANCING AUTHORITY**
OXNARD HOUSING AUTHORITY
Regular Meeting
City Council Chambers, 305 West Third Street, Oxnard
December 13, 2011
5:30 P.M. Closed Session
7:00 P.M. Regular Meeting

A. ROLL CALL/POSTING OF AGENDA

* The Oxnard Financing Authority will not meet because there are no items requiring consideration at this time.

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 (Please see Page 8 for description of closed session items)

D. OPENING CEREMONIES - 7:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Employee of the Fourth Quarter.
2. SUBJECT: Presentation to City Council of the 2011 Emergency Planning Council Award for Best Emergency Preparedness Implementation.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

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

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

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

City Attorney Department

1. SUBJECT: Ordinance No. 2852 Regarding Preferences for Small Local Businesses. (001)
RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: Alan Holmberg Phone: 385-7427

Document: View Item (pdf 115KB)

City Clerk Department

2. SUBJECT: Minutes of Regular Meeting of the Oxnard Community Development Commission of November 8 and 15, 2011, and December 6, 2011; and Minutes of the Regular Meeting of the Oxnard Housing Authority of November 8 and 15, 2011, and December 6, 2011. (005)
RECOMMENDATION: Approve.
Legislative Body: CDC/HA Contact: Daniel Martinez Phone: 385-7803

Document: [View Item \(pdf 343KB\)](#)

City Manager Department

3. SUBJECT: Agreements for City Council Review. (013)
RECOMMENDATION: Pursuant to Ordinance 2835, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.
Legislative Body: CC Contact: Edmund Sotelo Phone: 385-7950

Document: [View Item \(pdf 78.4KB\)](#)

ACTION: Remove only #5 agreement.

4. SUBJECT: Transportation Development Act (TDA) Local Transportation Fund (LTF) Allocations for FY 2011/12. (015)
RECOMMENDATION: Adopt a resolution approving the submittal of a claim with the Ventura County Transportation Commission (VCTC) for allocation of TDA funds as follows: 1) Gold Coast Transit (GCT) to receive \$4,981,910 of the City's Article 4 LTF allocation for FY 2011/12 to support and develop the public transportation system in Ventura County; 2) The City's transit services program to receive \$500,000 of Article 8c LTF funding for its operations and \$681,275 for its capital program ; and 3) Ventura Intercity Transit Authority (VISTA) to receive \$88,354 of the City's Article 4 LTF allocation for FY 2011/12.
Legislative Body: CC Contact: Martin Erickson Phone: 385-7870

Document: [View Item \(pdf 98.1KB\)](#)

City Treasurer Department

5. SUBJECT: Ordinance No. 2851 Regulating Massage Professionals and Massage Businesses. (019)
 RECOMMENDATION: Second reading and adoption.
 Legislative Body: CC Contact: Eden Alomeri Phone: 385-7811

Document: [View Item](#) (pdf 197KB)

Community Development Department

6. SUBJECT: FY 2010-2011 Annual Report for the Community Development Commission. (025)
 RECOMMENDATION: Approve the FY 2010-2011 CDC Annual Report and direct the Community Development Director to submit the Annual Report to the State Controller's Office.
 Legislative Body: CDC Contact: Sabrina Rodriguez Phone: 385-7875

Document: [View Item](#) (pdf 88.0KB)

Document: [View Item](#) (pdf 9,84MB)

Document: [View Item B](#) (pdf 3,35MB)

Document: [View Item C](#) (pdf 5,73MB)

Document: [View Item D-H](#) (pdf 6,44MB)

Document: [View Item I](#) (pdf 7,81MB)

ACTION: Remove from agenda.

7. SUBJECT: Second Amendment to Agreement with the Oxnard Downtown Management District Inc. for Downtown Services. (027)
RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment to Agreement (4192-07-CD) ("Agreement") between the City of Oxnard ("City") and the Oxnard Downtown Management District Inc. ("ODMD"), to extend the Agreement to December 31, 2014.
Legislative Body: CC Contact: Kymberly Horner Phone: 385-7407

Document: [View Item](#) (pdf 1.41MB)

8. SUBJECT: Extension of Plan Effectiveness Deadlines and the Tax Increment Receipt Deadline for the Redevelopment Plan for the Downtown Renewal (R-108) Project Area Pursuant to California Health and Safety Code Sections 33331.5 concerning Supplemental Educational Revenue Augmentation Fund ("SERAF") Payments. (065)
RECOMMENDATION: 1) Approve the first reading by title only and subsequent adoption of an Ordinance to amend the Redevelopment Plan for the Downtown Renewal Project Area ("R-108"), to extend certain time limits in accordance with California Health and Safety Code Section 33331.5; and 2) Adopt a Resolution to amend the Redevelopment Plan for the Downtown Renewal Project Area (R-108), to extend certain time limits in accordance with California Health and Safety Code Section 33331.5.
Legislative Body: CC Contact: Kymberly Horner Phone: 385-7407

Document: [View Item](#) (pdf 3.66KB)

ACTION: Remove from agenda.

Development Services Department

9. SUBJECT: Planning and Zoning Permit No. 06-300-19 (Final Map for Phase 3A of Tract No. 5644), Within the RiverPark Specific Plan Area Filed by Shea Homes. (073)
RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 06-300-19 (Final Map) for Phase 3A of Tract No. 5644, located north of Tiber River Way and east of the Santa Clara River within District H of the RiverPark Specific Plan area.
Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: [View Item](#) (pdf 322KB)

10. SUBJECT: Planning and Zoning Permit No. 10-300-06 (Parcel Map) to Subdivide an Approximately 21.9-acre Parcel Located at 2000/2001 Lockwood Street Into Four Separate Parcels. Filed by Mike Penrod, McGaelic Group c/o Parkstone Companies, 860 Hampshire Road, Suite U, Westlake Village, CA 91361. (081)
RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 10-300-06 (Parcel Map), for the subdivision located at 2000/2001 Lockwood Street.
Legislative Body: CC Contact: Juan Martinez Phone: 385-7556

Document: [View Item \(pdf 499KB\)](#)

11. SUBJECT: Planning and Zoning Permit No. 07-300-20 (Final Map for Tract No. 5781). Filed by Ernie Mansi, Aldersgate Investment, LLC 300 East Esplanade Drive, Suite 430, Oxnard, CA 93036. (093)
RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 07-300-20 (Final Map for Tract No. 5781), dividing one parcel into two lots for development of a 156 unit affordable housing condominium project and public park space, located at the southeast corner of RiverPark Boulevard and American River Court.
Legislative Body: CC Contact: Juan Martinez Phone: 385-7556

Document: [View Item \(pdf 575KB\)](#)

Fire Department

12. SUBJECT: Authorization to Submit an Application for Federal Emergency Management Agency Assistance to Firefighters Grant in the Amount of \$3,354,067.04. (109)
RECOMMENDATION: Adopt a resolution authorizing the City Manager to submit an application for \$3,354,067.04 in Federal Emergency Management Agency Assistance (FEMA) grant funds, to be used to increase the number of firefighting personnel.
Legislative Body: CC Contact: Brad Windsor Phone: 385-7708

Document: [View Item \(pdf 79.0KB\)](#)

Police Department

13. SUBJECT: Amendment to Agreement with Coastal Occupational Medical Group. (113)
RECOMMENDATION: Approve and authorize the Mayor to execute an amendment to the agreement with Coastal Occupational Medical Group, (5243-10-PO), in the amount of

\$142,500 for an additional two years for a total contract amount of \$285,000.
Legislative Body: CC Contact: Eduardo Miranda Phone: 385-7725

Document: [View Item \(pdf 122KB\)](#)

Public Works Department

14. SUBJECT: First Amendment to Agreement with AECOM for Construction Management Services for the GREAT Program Phase I AWPf and Phase I RWBS. (117)
RECOMMENDATION: Approve, and authorize the Mayor to execute the first amendment to the agreement with AECOM (A-7230) to increase the amount by \$102,732 for the total of \$6,618,417 for the construction management services of the GREAT Program Phase I Advanced Water Purification Facility (AWPF) and the Phase I Recycled Water Backbone System (RWBS).
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 273KB\)](#)

15. SUBJECT: Fourth Amendment to Agreement with Hopkins Groundwater Consultants, Inc. for Hydrogeologic Design, Technical Review, and Consulting Support Services. (125)
RECOMMENDATION: RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Fourth Amendment to the Agreement with Hopkins Groundwater Consultants, Inc. (?Hopkins Groundwater?) (A-7115) to increase the amount by \$200,000 for a total of \$587,200 for the siting and design of Aquifer Storage and Recovery (ASR) wells, assistance with wells permitting, and associated post-design services, preparation of specifications for the rehabilitation of Wells Numbers 22, 32 and 33 and associated post-design services, and technical support regarding ongoing groundwater regulatory requirements; and 2) Approve a special budget appropriation to transfer funds in the amount of \$80,000 from the Recycled Water Distribution Project No. 116504 to the GREAT ASR Wells Project No. 116505.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: [View Item \(pdf 188KB\)](#)

16. SUBJECT: Agreement with KEH and Associates for Design and Post Design Services for the Effluent Sampling Facility Project. (131)
RECOMMENDATION: 1) Approve, and authorize the Mayor to execute the agreement with KEH and Associates (5639-11-PW) in the amount of \$218,527 for the design and post design services for the Effluent Sampling Facility Project; and 2) Approve a special

budget appropriation to transfer funds in the amount of \$218,527 from the GREAT - Advanced Water Purification Facility Project (No. 066010) to the Advanced Water Purification Facility Sampling Station Project.

Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 966KB)

Document: View Item Attach 16A (pdf 880KB)

17. SUBJECT: Project Specification PW10-05 Wooley Road Utilities Improvement Project. (155)
RECOMMENDATION: 1) Approve Project Specification No. PW10-05 for utility infrastructure improvements to include the installation of a recycled water pipeline on Wooley Road from Victoria Avenue to Rose Avenue and on C Street from Channel Islands Road to Wooley Road, and authorize staff to solicit bids for the project; and 2) Approve a Special Budget Appropriation of: (a) \$4,000,000 from the Recycled Water CIP (project 116503) and Recycled Distribution (project 106503) projects to the Wooley Road Utilities Improvement Project No. 083125 for the installation of the recycled water line, and (b) \$3,940,849 to recognized funding from the New Surface Transportation Authorization Act for street resurfacing improvements to the Wooley Road Utilities Improvement Project No. 083125.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 138KB)

ACTION: Remove from agenda.

18. SUBJECT: Project Specification PW10-12 Rose Avenue Improvement Project). (159)
RECOMMENDATION: 1) Approve Project Specification No. PW10-12 to include the construction and installation of a recycled water pipeline on the northbound corridor along Rose Avenue from Wooley Road to Camino del Sol and authorize staff to solicit bids for the project; and 2) Approve a Special Budget Appropriation of \$4,250,000 from the Recycled Water CIP (project 116503), Recycled Distribution (project 106503) and Recycled Backbone (project 096002) projects to Rose Avenue Improvement Project for the installation of the recycled water line.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item 18 (pdf 113 KB)

ACTION: Remove from agenda.

19. SUBJECT: Project Specification No. PW12-07 Camino del Sol Recycled Water Line Project. (163)
RECOMMENDATION: 1) Approve Project Specification No. PW12-07 to include the construction and installation of a recycled water pipeline along Camino del Sol from Rose Avenue to Elevar Street and authorize staff to solicit bids for the project; and 2) Approve a Special Budget Appropriation of \$4,250,000 from the Recycled Water CIP (project 116503), Recycled Distribution (project 106503) and Recycled Backbone (project 096002) projects to the Camino del Sol Improvement Project for the installation of the water recycled line.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358

Document: View Item (pdf 115KB)

Document: View Item 19A (pdf 372KB)

ACTION INFORMATION CONSENT: Approve as recommended with removal of I-3(#5 only), I-6, I-8, I-17, I-18 and I-19.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

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

Development Services Department

1. SUBJECT: Request to rename a portion of Laurel Street to Coach C Lane (PZ No. 10-650-1). Filed by Morey Navarro.
RECOMMENDATION: Continue to January 10, 2012.
Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

2. SUBJECT: Planning and Zoning Permit Nos. 02-640-01 (Specific Plan), 02-570-04.
RECOMMENDATION: Continue to January 24, 2012.
Legislative Body: CC Contact: Chris Williamson Phone: 385- 8156

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.

1. SUBJECT: Pars Supplemental Retirement Benefit Plan. (167)
RECOMMENDATION: Receive and file a report on the City's PARS Supplemental Retirement Benefit Plan. Contact: Edmund Sotelo Phone: 385- 7428

Document: [View Item \(pdf 2.62MB\)](#)

ACTION: Remove from agenda.

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

1. SUBJECT: Discussion of Resolution Supporting the Federal Clean Air Act.
(Councilmember Carmen Ramirez)

ACTION: Remove from agenda.

O. REPORTS

Finance Department

1. SUBJECT: Annual Report for Development, Connection and Improvement Fees for the Year Ended June 30, 2011. (263)
RECOMMENDATION: Receive and file the Annual Report for Development, Connection, and Improvement Fees for the year ending June 30, 2011 in accordance with

Government Code Section 66006.

Legislative Body: CC Contact: James Cameron Phone: 385-7708

Document: View Item (pdf 195KB)

ACTION: Received report and filed.

2. SUBJECT: Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2010-11 and Fiscal Year 2011-12 Financial Update. (273)
RECOMMENDATION: 1) Receive and file the City of Oxnard Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2010-11; and 2) Receive an update of the Fiscal Year 2011-12 financial status.

Legislative Body: CC Contact: James Cameron Phone: 385-7708

Document: View Item (pdf 77.9KB)

ACTION: Remove from agenda.

Housing Department

3. SUBJECT: Amendments of Affordable Housing Loan Agreements Previously Approved by the City Council on June 21, 2011, Regarding the Las Villas de Paseo Nuevo Project Located in the Cypress Neighborhood Southwest of the Intersection of Cypress Road and Pleasant Valley Road. (277)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute a First Amendment to the Affordable Housing Pre-Development and Construction Loan Agreement changing the priority payment in-lieu of taxes (PILOT), and making certain other changes described in this report; and 2) Approve and authorize the Mayor to execute a First Amendment to the Affordable Housing Loan Agreement amending the definition of "Operating Expense" and deleting the references to the PILOT Promissory Note consistent with the amendments to the Affordable Housing Pre-Development and Construction Loan Agreement.

Legislative Body: CC Contact: Larry White Phone: 385-8235

Document: View Item (pdf 934KB)

Document: View Item Attach 2 (pdf 8.14MB)

Document: View Item Attach 4 (pdf 3.12MB)

ACTION: Approve as recommended.

4. SUBJECT: Issuance of Housing Authority Multifamily Mortgage Revenue Note for Las Villas de Paseo Nuevo, located at 5637 to 5727 Cypress Road. (307)
RECOMMENDATION: Adopt a resolution authorizing the issuance of a revenue note in a principal amount of up to \$15,000,000 to finance the acquisition and construction of Las Villas de Paseo Nuevo, authorizing each of the Chairman, the Vice Chairman and the Executive Director to execute a Note, a Funding Loan Agreement, a Borrower Loan Agreement and the Regulatory Agreement and Declaration of Restrictive Covenants in connection therewith, and authorizing the execution of other related documents and actions.
Legislative Body: HA Contact: Larry White Phone: 385-8235

Document: View Item (pdf 124KB)

Document: View Item Attach 2 (pdf 3.37MB)

Document: View Item Attach 3 (pdf 5.25MB)

Document: View Item Attach 4 (pdf 2.88MB)

Document: View Item Attach 5 (pdf 191KB)

Document: View Item Attach 1 (pdf 26KB)

ACTION: Approved as recommended.

P. PUBLIC COMMENTS ON REPORTS

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

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 - (Continued from Page 1)

1. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION.

CDC/CC On the advice of the City Attorney, pursuant to Government Code section 54956.9(b)(3)(C), based on existing facts and circumstances, there is significant exposure to litigation against the City and Community Development Commission in one potential case based upon a written threat of litigation which is available for inspection at the City Clerk's office during normal business hours.

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 - Potential Litigation.

2. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION.

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

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.

T. ADJOURNMENT