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AGENDA
May 18, 2010
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
City Council Chambers, 305 West Third Street, Oxnard
5:30 P.M. Closed Session
7:00 P.M. Regular Meeting

A. ROLL CALL/POSTING OF AGENDA

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 5 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: Water Conservation Calendar Art Contest Award Presentation.

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 Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Housing Authority for March 9 and 23, April 6, 2010. (001) RECOMMENDATION: Approve. Legislative Body: HA Contact: Daniel Martinez Phone: 385-7805

Document: [View Item \(pdf 195KB\)](#)

Community Development Department

2. SUBJECT: Fifth Amended Owner Participation Agreement (OPA) and Related Documents for the Relocation of the Hotel to Accommodate a Target Store at that Site Located in the RiverPark Development which is Adjacent to and North of the Highway 101 Freeway, East of the Santa Clara River, and West of Vineyard Avenue. (007) RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Assignment and Assumption Agreements (A-7303, A-7305, A-7307) for the Development Agreement (A-6128).

That Community Development Commission (CDC): (1) Approve and authorize the Chairman to execute a Fifth Amendment to OPA between the CDC, RIVERPARK LANDING, LLC, and RIVERPARK HOTEL, LLC (A-7296); (2) Approve and authorize the Chairman to sign related documents (A-7297, A-7299, A-7300, A-7301, A-7302) attached as exhibits to the Fifth Amendment to the OPA; and (3) Approve and authorize the Chairman to execute the Assignment and Assumption Agreements (A-7304, A-7306, A-7308) for the OPA (A-5965). Legislative Body: CC/CDC Contact: Richard Bryan Phone: 385-7407

Document: [View Item \(pdf 111KB\)](#)

Document: [View Attachments 1-6 \(pdf 3919KB\)](#)

Document: [View Attachments 7-12 \(pdf 2364KB\)](#)

Development Services Department

3. SUBJECT: Vacation of a Portion of Danvers River Street Right-of-Way Westerly of Moonlight Park Avenue within the Riverpark Specific Plan. (011)
RECOMMENDATION: Adopt a resolution vacating a portion of Danvers River Street Right-of-Way westerly of Moonlight Park Avenue (formerly Moss Landing Boulevard) Right-of-Way within the Riverpark Specific Plan and authorize the Mayor to sign a quitclaim deed for the vacated right-of-way to Riverpark Collection, LLC. Legislative Body: CC Contact: Paul Wendt Phone: 385-7894

Document: [View Item \(pdf 239KB\)](#)

ACTION: Approved, Resolution No. 13,808.

Finance Department

4. SUBJECT: City of Oxnard Financing Authority Bond Anticipation Notes, Series 2010. (021) RECOMMENDATION: That City Council adopt a resolution authorizing the sale, issuance, and delivery of not more than \$21.5 million in principal amount of Bond Anticipation Notes, Series 2010, and approving certain documents and authorizing certain actions in connection therewith.~That the City of Oxnard Financing Authority adopt a resolution authorizing the sale, issuance, and delivery of not more than \$21.5 million in

principal amount of Bond Anticipation Notes, Series 2010, and approving certain documents and authorizing certain actions in connection therewith. Legislative Body: CC/FA Contact: James Cameron Phone: 385-7461

Document: [View Item \(pdf 482KB\)](#)

Document: [View Attachment 3 \(pdf 1879KB\)](#)

Document: [View Attachment 4 \(pdf 864KB\)](#)

Document: [View Attachment 5 \(pdf 2916KB\)](#)

ACTION: Approved, Resolution No. 13,809 and FA Resolution No. 38.

Housing Department

5. **SUBJECT:** Request for Qualifications (RFQ) for The Courts 31-1 Project. (35)
RECOMMENDATION: Authorize the Las Cortes nonprofit corporation to issue a RFQ for a developer for The Courts 31-1 Project and provide the Board of Commissioners with a recommendation for a developer to negotiate a Disposition Development Agreement.
Legislative Body: HA Contact: Larry White Phone: 385-8235

Document: [View Item \(pdf 46KB\)](#)

Document: [View Attachment 1 \(pdf 965KB\)](#)

Public Works Department

6. **SUBJECT:** Application for the United States Bureau of Reclamation's (BOR) 2010 WaterSMART: Water and Energy Efficiency Grant Program to Demonstrate Water Savings with Smart Irrigation Controllers. (37) **RECOMMENDATION:** (1) Adopt a resolution approving an application for and execution of a cooperative agreement with the United States BOR for the United States Bureau of Reclamation's 2010 WaterSMART: Water and Energy Efficiency Grant application; and (2) Authorize the City Manager or his

designee to appropriate grant and matching funds to Water Fund 601 upon award of the grant. Legislative Body: CC Contact: Anthony Emmert Phone: 385-8111

Document: [View Item \(pdf 143KB\)](#)

ACTION: Approved, Resolution No. 13,810.

Recreation and Community Services Department

7. SUBJECT: Agreement with the Oxnard School District to Receive Grant Funds for the City's Participation in the After School Education and Safety (ASES) Program in Fiscal Year (FY) 2010/11. (041) RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with the Oxnard School District (A-7292) for the City to receive an amount not to exceed \$330,000 for providing the recreation component in the Educational and Enrichment Element of the State funded ASES Program at 19 schools in FY 2010/11, containing an option to renew the agreement annually. Legislative Body: CC Contact: Sofia Balderrama Phone: 385-7995

Document: [View Item \(pdf 505KB\)](#)

ACTION: INFORMATION/CONSENT Approve as recommended.

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. (057) RECOMMENDATION: Deny a request to change the street name of a portion of Laurel Street (between Saviers Road and C Street) to Coach C Lane. Legislative Body: CC Contact: Linda Windsor Phone: 385-7849

Document: View Item (pdf 154KB)

ACTION: Continue to June 8.

2. SUBJECT: Appeal of Planning and Zoning Permit No. 09-550-13 (Major Modification to Special Use Permit No. 479), Chevron Carwash, 2251 North Oxnard Boulevard. Filed by Mark Di Cecco, AIA. (061) RECOMMENDATION: Adopt a resolution denying the appeal and upholding the Planning Commission's denial of Planning and Zoning Permit No. 09-550-13. Legislative Body: CC Contact: Douglas Spondello Phone: 385-3919

Document: View Item (pdf 1305KB)

ACTION: Upheld the appeal of building the car wash facilities with conditions.

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

O. REPORTS

City Manager Department

1. SUBJECT: Gold Coast Transit (GCT) Fiscal Year (FY) 2010/11 Capital and Operating Budget. (089) RECOMMENDATION: Support the GCT FY 2010/11 proposed capital and operating budget in an amount not to exceed \$4,303,073 for fixed route service, senior and disabled paratransit service, and the capital program. Legislative Body: CC Contact: Martin R. Erickson Phone: 385-7870

Document: View Item (pdf 78KB)

ACTION: Continue to June 8.

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 - EXISTING LITIGATION.

Oxnard School District v. D.R. Horton Los Angeles Holding Co., et al.
Ventura County Superior Case No. 56-2008-00320518-CU-MC-VT

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. Legislative Body: CC

O'Leary v. Oxnard
Workers' Compensation Appeals Board Case No.: ADJ 1266340WCAB

The Human Resources Director and 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. Legislative Body: CC

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR.

Instructions to negotiator, Curtis Cannon, regarding the price and terms of payment for the potential sale of property located at 319 West 6th Street in Oxnard, owned by Oxnard Plaza Associates LLC to the Community Development Commission. Legislative Body:
CDC

T. ADJOURNMENT