Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the Library, 251 South "A" Street and the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Any materials to be presented at this meeting will be made available electronically 24 hours prior to the meeting, at the end of this agenda. The agenda reports are on the City of Oxnard web site at www.oxnard.org.

CITY OF OXNARD CALIFORNIA

# AGENDA
## OXNARD CITY COUNCIL
## OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
## OXNARD FINANCING AUTHORITY
## OXNARD HOUSING AUTHORITY

Council Chambers, 305 West Third Street
June 5, 2018
**Regular Meeting - 5:00 PM**
**Appointment Item - 4:30 PM**

A. ROLL CALL/POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council.

B. OPENING CEREMONIES

Pledge of allegiance to the flag of the United States.

C. APPOINTMENT ITEMS

Finance Department

1. SUBJECT: Review of Management Financial Policies. (10/10/5)
RECOMMENDATION: That the City Council receive an update on the current financial management policies, which include recommendations from staff on potential changes, updates, and deletions to the policies; and to give direction to staff on proposed recommendations for insertion into the FY2018-19 budget document.
Legislative Body: CC    Contact: Jim Throop    Phone: (805) 385-7475

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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. Speaker cards will not be accepted after the beginning of the general public comment period. Based on the number of speaker cards submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to three minutes, but shorter time may be established as deemed necessary. 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 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.

E. 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.

F. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

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: Adoption of Anti Price Gouging Ordinance.
   RECOMMENDATION: That City Council adopt Ordinance No. 2942 (read by title only, waiving further reading) amending Chapter 6 of the Oxnard City Code to impose a prohibition on unfair pricing following the declaration of a state of emergency, local emergency or state of war emergency; adding various definitions relating to the prohibition and making various clerical changes.
   Legislative Body: CC Contact: Stephen M. Fischer Phone: (805) 385-7483

City Clerk Department

2. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the City Council approve the minutes of the March 6, 2018 Regular Meeting, March 12, 2018 Special Meeting, March 20, 2018 Regular Meeting, and March 27, 2018 Regular Meeting, as presented.
   Legislative Body: CC Contact: Michelle Ascencion Phone: (805) 385-7805

3. SUBJECT: Certificates of Sufficiency of Signatures for the Initiative Petitions Entitled: "Reducing Special Tax in Community Facilities District No. 3 (Seabridge at Mandalay Bay) Overhead," and "Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay) Harbor Patrol."
   RECOMMENDATION: No City Council action is required at this time; however a resolution to consolidate the measure with the November 6, 2018 General Election will be brought to the Council for adoption at the June 19, 2018 regular meeting.
   Legislative Body: CC Contact: Michelle Ascencion Phone: (805) 385-7805

City Manager Department

4. SUBJECT: Agreements for City Council Review.
   RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:
   A. Selma Nissan (Purchase Order No. 6857) for purchase of three (3) 2018 Nissan Frontier pickups for Development Services Building and Engineering staff ($72,050).
   B. Selma Nissan (Purchase Order No. 6858) for the purchase of one (1) 2018 Nissan Frontier for Development Services Code Compliance ($27,171).
   C. Hach Company (Purchase Order No. 6859) for the purchase of controllers and analyzers for the Advanced Water Purification Facility ($26,551).
   Legislative Body: CC Contact: Scott Whitney Phone: (805) 385-7624

Development Services Department

5. SUBJECT: Authorization to Appropriate General Plan Maintenance Fee Revenue.
   RECOMMENDATION: That City Council recognize and approve the appropriation of $65,000 collected from General Plan Maintenance Fee revenue for tasks related to the preparation, maintenance and/or revision of the 2030 General Plan and the Oxnard Local Coastal Program (LCP).
   Legislative Body: CC Contact: Ashley Golden Phone: (805) 385-7882

6. SUBJECT: Ormond Beach Wetlands Area Caretaker Agreement.
   RECOMMENDATION: That the City Council approve and authorize the Mayor to execute an agreement with Walter Fuller (A-8066) for occupancy of a City-owned mobile home at the end of Arnold Road, in South Ormond in support of the Ormond Beach project area and caretaker services at Ormond Beach.
   Legislative Body: CC Contact: Ashley Golden Phone: (805) 385-7882

Finance Department

7. SUBJECT: FY 2018-19 Landscape Maintenance Districts Initiation of Proceedings, Declaration of Intention to Levy and Collect Assessments, and Scheduling of Public Hearing
   RECOMMENDATION: That City Council:
   1. Adopt a resolution initiating proceedings for the annual levy and collection of assessments for Fiscal Year 2018-19 within the City's Landscape Maintenance Districts; and

2. Adopt a resolution declaring intention to levy and collect assessments for Fiscal Year 2018-2019 within the city's Landscape Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.
Legislative Body: CC Contact: Jim Throop Phone: (805) 385-7475

8. SUBJECT: Declaration of Intent to Dissolve Two Landscape Maintenance Districts
RECOMMENDATION: That City Council adopt a resolution declaring the intention to dissolve (Attachment A) two (2) of the City's Landscape Maintenance Districts (LMD 9 – Strawberry Fields and LMD 15 – Pelican Pointe) for Fiscal Year 2018-2019 pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500).
Legislative Body: CC Contact: Jim Throop Phone: (805) 385-7475

9. SUBJECT: Adopt the Resolutions Authorizing the Special Tax Levy for Community Facility District Nos. 1 and 2 (Westport at Mandalay Bay)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) Nos. 1 and 2:
1. Adopt a resolution setting a special tax rate within CFD No. 1 for FY 2018-19 (Westport at Mandalay Bay); and
2. Adopt a resolution setting a special tax rate within CFD No. 2 for FY 2018-19 (Westport at Mandalay Bay).
Legislative Body: CC Contact: Jim Throop Phone: (805) 385-7475

10. SUBJECT: Adopt the Resolutions Authorizing the Special Tax Levy for Community Facility Districts No. 3 and No. 4 (Seabridge at Mandalay Bay)
RECOMMENDATION: That City Council acting as the legislative body of Community Facilities District (CFD) Nos. 3 and 4:
1. Adopt a resolution setting a special tax rate within CFD No. 3 for FY 2018-19 (Seabridge at Mandalay Bay).
2. Adopt a resolution setting a special tax rate within CFD No. 4 for FY 2018-19 (Seabridge at Mandalay Bay).
Legislative Body: CC Contact: Jim Throop Phone: (805) 385-7475

11. SUBJECT: Special Tax Levy for Community Facilities District No. 2000-3 for Fiscal Year 2018-19
RECOMMENDATION: That City Council, acting as the legislative body of Community Facilities District No. 2000-3 (CFD No. 2000-3) adopt a resolution setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2018-19.
Legislative Body: CC Contact: Jim Throop Phone: (805) 385-7475

Police Department

12. SUBJECT: Opposition to Concealed Carry Reciprocity Resolution.
RECOMMENDATION: That City Council adopt a resolution opposing Senate Bill 446 and H.R. Bill 38, titled *Constitutional Concealed Carry Reciprocity Act of 2017* and *Concealed Carry Reciprocity Act of 2017*, respectively.
Legislative Body: CC Contact: Scott Whitney Phone: (805) 385-7624

Public Works Department

13. SUBJECT: Public Safety Vehicle Replacement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute three (3) purchase orders for a total amount of $757,172.31 for public safety vehicle purchases as follows:
1. Purchase Order 6829 is for thirteen (13) Ford Police Interceptor Utility vehicles and up-fitting costs for $563,509.31 from Folsom Lake Ford.
2. Purchase Order 6830 is for three (3) Nissan Frontier King Cab light duty pickup trucks and up-fitting costs for $81,511.80 from Selma Nissan.
3. Purchase Order 6833 is for four (4) BMW police motorcycles and up-fitting costs for $112,151.20 from BMW Motorcycles of Ventura County.
Legislative Body: CC Contact: Rosemarie Gaglione Phone: (805) 385-8055

J. REPORTS

City Manager Department

1. SUBJECT: Fiscal Year 2018-19 Budget Workshop. (90/20/30)
RECOMMENDATION: That the City Council:
1. Approve the recommended budget calendar and process leading to adoption of the Fiscal Year (FY) 2018-2019 Budget on June 26, 2018; and
2. Conduct a budget workshop with the primary intent of:
   a. Understanding the City's financial position, and
   b. Understanding departmental accomplishments, needs, and other pertinent information.
Legislative Body: CC Contact: Scott Whitney Phone: (805) 385-7624

2. SUBJECT: Cannabis Tax and Transient Occupancy Tax Ballot Measures. (10/10/5)
RECOMMENDATION: That City Council:
1. Adopt a resolution entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE IMPOSING A CANNABIS BUSINESS TAX; REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS, and
2. Adopt a resolution entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE TO MODIFY THE CITY'S EXISTING TRANSIENT OCCUPANCY TAX SO THAT IT APPLIES TO SHORT-TERM RENTALS WITHIN THE CITY, REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS
Legislative Body: CC Contact: Ashley Golden Phone: (805) 385-7882

K. ADJOURNMENT

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| CITY OF OXNARD CALIFORNIA | CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Appointment Item<br>AGENDA ITEM NO.: 1 |
|---|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Jim Throop
Chief Financial Officer

Jim Throop

**SUBJECT:** Review of Management Financial Policies. (10/10/5)

**CONTACT:** Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, (805) 385-7475

**RECOMMENDATION:**

That the City Council receive an update on the current financial management policies, which include recommendations from staff on potential changes, updates, and deletions to the policies; and to give direction to staff on proposed recommendations for insertion into the FY2018-19 budget document.

**BACKGROUND**

The City of Oxnard, as with all other California cities, has an adopted set of financial management policies. These policies are intended to cover all of the basic financing principals related to proper financial guidelines.

In order to move the City forward with a 'best practice' approach on all of its financial oversight, it is recommended to review these policies every two years. This ensures any changes in Council policy and direction are incorporated, or should there possibly be a statutory change in any area of the policies, the policies will be current.

The last update to the policies took place Feb. 20, 2016, with a presentation to Fiscal Policy Task Force. On a go-forward basis, this exercise will be scheduled on a two-year review process.

Staff has recommended the following changes, by section, to the current financial management policies:

**It is recommended that items 2, 3, and 4 of the Budget Policies be modified as follows:**

1) The budget process ***should*** ~~will~~ include the development of a balanced two-year budget. The two-year budget ~~will~~ ***would*** include an approach that City Council approves appropriations for a one-year operating budget and capital improvement plan.

2) The budget will be organized in a department/division (***program)*** ~~service~~ level format.

3) The budget development process should include the identification and evaluation of policy options for all ~~services~~ ***programs***. However, the adopted budget will include only those policy options approved by City Council.

**It is recommended that item 3 of the Capital Improvement Programs be modified, and the addition of item 6:**

A. Capital Planning Period

3. The Five-Year Capital Improvement Project Plan will be reviewed and approved by City Council ~~every other year~~ ***during each budget cycle***, ***or*** as needed based on economic and funding outlooks. City Council will approve appropriations annually. Appropriation changes will be in accordance with Section I.D.

***6. To the extent funds are available, any unused appropriations at the end of the fiscal year in active Capital Improvement Projects(CIP) will carry-forward into the next fiscal(s) until the project has been completed.***

**It is recommended that item D.2 of Interest Earnings be modified:**

2. Investment policies will be reviewed annually by the ***Treasurer's*** Investment Review Committee and the City Council.

**It is recommended that item VI. Debt Policies be modified to include the recently adopted policy as follows:**

**VI. DEBT POLICIES**

A. Use of Debt

1. Any tax and revenue anticipation borrowing will be consistent with State and federal laws and regulations. ***See Attachment A for Debt Management Policy, as required by Government Code Section 8855(i), effective January 1, 2017.***

~~2. The City Council will review the issuance of long term debt only for:~~

~~a. Construction and acquisition of land, capital improvements, or equipment when the useful life of the asset is equal to or greater than the term of the debt.~~

~~b. The creation of contractually required reserves.~~

~~c. The payment of judicial awards or settlements or the establishment of actuarial reserves to pay such awards.~~

~~3. Debt financing will not be appropriate for current operating or maintenance expenses or for any recurring purposes.~~

**It is recommended that item E.3 of Risk Management Policies be modified:**

E. Staff will maintain separate self-insurance funds to identify and segregate the financial resources necessary to cover insurance premiums and self-insured retentions.

3. ***The Confidence Interval for all risk management reserve funds will be maintained at a minimum of 70%.***

**FINANCIAL IMPACT**

There is currently no financial impact with these proposed changes. Revisions are reflected in Financial Policy attached.

**ATTACHMENTS:**

Attachment A: Oxnard Debt Policy 031518

Attachment B: Current Financial Management Policies 2018 (Resolution #14,952)

**Attachment A**

**CITY OF OXNARD**
**DEBT MANAGEMENT POLICY**

I. INTRODUCTION

The policies set forth in this Debt Management Policy ("Policy") have been developed to provide clear and comprehensive guidelines for the issuance and financial management of the debt portfolio of the City of Oxnard and its related entities (such as the City of Oxnard Financing Authority and the Successor Agency to the Former Redevelopment Agency). This policy confirms the commitment of the City Council, management, staff, and other decision makers to adhere to sound financial management practices, including full and timely repayment of borrowings, achieving the lowest possible cost of capital within prudent risk parameters. This Policy is not intended to be so restrictive that it interferes with the City of Oxnard's legitimate efforts to prudently provide public services and facilities. The Policy is also intended to comply with Government Code Section 8855(i), effective January 1, 2017.

The guidelines established by this Policy will govern the issuance and management of all debt funded for long-term capital financing and cash flow needs. The City recognizes that changes in the capital markets and other unforeseen circumstances may require exception to this Policy, upon approval by the City Council. The Policy may be amended by the City Council as it deems appropriate from time to time in the prudent management of the debt of the City. Any approval of debt by the City Council that is not consistent with this Policy shall constitute a waiver of this Policy.

As used in this Policy, "City" shall mean the City of Oxnard and/or its related entities. As used in this Policy, "debt" shall be interpreted broadly to mean bonds, notes, certificates of participation, financing leases, or other financing obligations. The use of such term in this Policy shall be solely for convenience and shall not be interpreted to characterize any such obligation as an indebtedness or debt within the meaning of any constitutional debt limitation where the substance and terms of the obligation falls within exceptions to the constitutional debt limitations. This Policy shall apply to all debt issued or sold to third party lenders or investors as well as pertaining to City internal borrowing. The Policy does not pertain to any unfunded accrued liabilities relating to employee benefit obligations including but not limited to the Public Employee's Retirement System (PERS), Other Post-Employment Benefits (OPEB) and compensated absences nor does it pertain to certain obligations related to the City's landfill closure, post-closure or corrective actions.

II. OBJECTIVES OF DEBT ISSUANCE

The purpose of the Policy is to provide a functional tool for debt management and capital planning, as well as to enhance the City's ability to manage its debt obligations in a conservative and prudent manner. In following this policy, the City shall pursue the following objectives:

1. The City shall issue debt only for capital improvements or special non-recurring expenditure projects that cannot be financed from current revenues. The City will not use debt for current operations.
2. The City shall issue debt only if it is the most cost-effective funding means available, taking into consideration cash flow needs, fund reserves, risk, and other funding alternatives.

3. The City shall, when issuing debt, assess financial alternatives to include new and innovative financing approaches such as categorical grants, revolving loans, and/or other State and Federal aid, in order to minimize the contribution from the City.
4. The City shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues.
5. The City shall endeavor to attain the best possible credit rating for each debt issuance in order to reduce interest costs while preserving financial flexibility and meeting capital funding requirements.
6. The City shall obtain the shortest debt period feasible taking into consideration the debt structure, debt type, and amount. Debt period shall not exceed the expected useful life of the asset.
7. The City shall be mindful of its statutory debt limit in relation to assessed value growth and the tax burden needed to meet long-term capital requirements. The City shall consider the impact of new debt on overlapping debt of local, state and other governments that overlap with the City.

Prior to the issuance of debt to finance a project, the City will carefully consider the overall long-term affordability of the proposed debt issuance. The City shall not assume more debt without conducting an objective analysis of the City's ability to assume and support additional debt service payments. The City will consider its long-term revenue and expenditure trends, the impact on operational flexibility, and the overall debt burden on taxpayers. The evaluation process shall include a review of generally accepted measures of affordability and will strive to achieve and/or maintain debt levels consistent with the City's current and future operating and capital needs. The City will limit the debt ratio (debt guaranteed by the General Fund) to 10%. The debt ratio is calculated by dividing the total debt, interest, and principal, by the total operating, recurring revenues.

III. ACCEPTABLE USE OF DEBT PROCEEDS

The City will consider long-term financing for the acquisition, substantial refurbishment, replacement, or expansion of capital assets. Specifically, acceptable uses of debt include:

1. Acquisition and/or improvement of land, right-of-way, or long-term easements.
2. Acquisition of a capital asset with a useful life of three years or more.
3. Construction, reconstruction or expansion of a facility.
4. Preconstruction costs including but not limited to project planning design, engineering, and other preconstruction efforts.
5. Project-associated furniture fixtures and equipment.
6. Capitalized interest, when applicable.
7. Original issue discount, underwriters' discount, and other costs of issuance, when applicable.

IV. TYPES OF DEBT

There are numerous types of financing structures and funding sources available, each with specific benefits, risks, and costs. The City shall review all potential funding sources within the context of this Policy and the overall portfolio, to ensure that any financial product or structure is consistent with the City's objectives. Regardless of which financing structure is utilized, due diligence review shall be performed for each transaction.

**Attachment A**

The following are types of debt the City can issue:

1. New Money Debt: New money debt is debt issued to finance the cost of capital improvement project or other large and extraordinary costs.
2. Refunding Debt: Refunding debt is debt issued to refinance (refund) previously issued outstanding debt. The City may issue refunding debt to refinance the principal and interest on outstanding bonds or other debt to achieve debt service savings, restructure schedule debt service or convert from variable to fixed interest rate, change or modify the source(s) of payment and security for the refunded debt, or modify covenants otherwise binding upon the City. Refunding may be issued on either a current or advance basis under federal tax law. See section VII for further detail.
3. Revenue Debt: Revenue debt is generally issued for enterprise funds that are financially self-sustaining without the use of general fund revenue sources and therefore rely on the revenues collected by the enterprise fund to repay the debt.
4. Land-Secured Debt: Examples of land-secured debt include special tax revenue bonds issued under the Mello-Roos Community Facilities Act of 1982, as amended, and limited obligation bonds issued under applicable assessment statutes. Land-secured debt is payable from special taxes or assessments that the City will levy on the secured property tax roll.
5. General Obligation Bonds: General obligation (GO) bonds require a supermajority voter approval. Most GO bonds are backed by the issuer's ability to level ad valorem tax in amounts sufficient to meet debt service.
6. Lease Financing: Lease revenue bonds, certificates of participation (COPS), and lease-purchase transactions are examples of lease financings.
7. Bond and Grant Anticipation Notes: This type of debt is issued to finance a project in anticipation of other funding sources becoming available at a later time.
8. Tax Increment Financing: Tax increment financing may be used to the extent available under California law.
9. Conduit Financing: The City may agree to provide conduit financing for specific public purposes, such as financings for affordable rental housing, qualified 501(c)(3) organization, other governmental agencies and/or joint power authorities. In a conduit financing, the debt is typically repaid with non-City revenues.
10. Inter-fund loans: The City may use available fund from another City fund to finance the cost of a capital project. A formal promissory note shall be established and shall include a specific interest rate. The interest rate can be market average, weighted average of the City's investment portfolio, or other logical and justifiable rate as determined by the Chief Financial Officer. Regardless, the interest rate shall be no less than the current interest yield percentage paid by the Local Agency Investment Fund (LAIF).

Debt is typically issued under either a competitive or a negotiated sale, but also may be sold in a private placement. The City shall have the flexibility to determine which method of sale is appropriate for each debt issuance. Determination of the appropriate method of sale will rest collectively with the City Manager, Assistant City Manager, Chief Financial Officer and City Attorney. There are a number of market factors that will affect the success of a debt offering and each should be carefully considered before selecting a method of sale. These factors include, but are not limited to:

1. Market perception of the City's credit quality,
2. Interest rate volatility,
3. Size of the proposed issue,

**Attachment A**

4. Complexity of the proposed issue, and
5. Competition with other issuers for investor interest (bond supply).

V. DEBT TERM

The City Council recognizes that new debt obligations may impact the long-term affordability of all outstanding debt and any future planned debt, as well as budgetary impacts associated with the maintenance and operating costs of debt-financed facilities.

The debt will be structured for the shortest period possible, consistent with a fair allocation of costs to current and future beneficiaries or users. As already discussed, debt shall not be issued for a term that exceeds the useful life of the debt-financed asset.

The City generally prefers level debt service payments over the term of the debt. However, the cost of capital, financial risk, current economic conditions, future financial flexibility, credit rating, and available cash flow will be evaluated to determine the most appropriate method of debt amortization for each debt issue. Back loading of debt service (debt service payments are lower in the initial years of a debt term and higher toward the later years of a debt term) is not authorized in this Policy and can occur only by City Council waiver from this policy.

VI. DEBT MANAGEMENT

The Chief Financial Officer shall employ appropriate internal controls, including but not limited to:

1. Perform redundant review to ensure all approved contracts and expenditures are consistent with the terms of the bond sale and ballot language by following the City's established workflow procedures.
2. Monitor the use of debt proceeds and the use of debt-financed assets (e.g., facilities, furnishings or equipment) throughout the term of the debt (and in some cases beyond the term of the debt) to ensure compliance with covenants and restrictions set forth in applicable City resolutions and Tax Certificates. The Chief Financial Officer, or their designee, shall report apparent deviations from the intended use in debt proceeds to the City Manager for further discussion, and if the City Manager determines appropriate in consultation with legal counsel (which may be bond counsel or the City Attorney or both), to the City Council.
3. Maintain records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of debt.
4. Consult with Bond Counsel, Municipal Advisor and other professional expert advisers in the review of any contracts or arrangements involving use of debt-financed facilities to ensure compliance with all covenants and restrictions set forth in applicable City resolutions and Tax Certificates.
5. Maintain proper accounting records for any contracts or arrangements involving the use of debt-financed facilities as might be necessary or appropriate to document compliance with all covenants and restrictions set forth in applicable City resolutions and Tax Certificates.
6. Meet at least annually with personnel responsible for debt-financed assets to identify and discuss any existing or planned use of debt-financed assets to ensure that those uses are consistent with all covenants and restrictions set forth in applicable City resolutions and Tax Certificates.

**Attachment A**

7. Report feedback from rating agencies to City Council, when and if available, regarding the City's financial strengths and weaknesses, and areas of concern relating to the City's existing credit ratings.

VII. REFUNDING GUIDELINES

The Chief Financial Officer shall monitor all outstanding debt obligations for potential refinancing opportunities, particularly in declining interest rate environment. The City will consider refinancing of outstanding debt to achieve annual savings, to shorten the period of the debt amortization, or to remove an undesirable covenant, condition, or restriction.

The City will generally seek to achieve debt service savings that, on a net present value basis, are at least 3% of the debt being refinanced. The net present value assessment shall factor in all costs, including issuance, escrow, and foregone interest earnings on any contributed funds on hand. Any potential refinancing shall additionally consider whether an alternative refinancing opportunity with higher savings is reasonably expected in the future. Refunding that will produce a net present value of less than 3% will be considered on a case-by-case basis.

Notwithstanding the foregoing, a refunding by the Successor Agency to the former Redevelopment Agency of Oxnard shall be based on the requirements stated in California Health and Safety Code Section 34177.5.

VIII. ARBITRAGE REBATE

The use and investment of tax-exempt debt proceeds shall be monitored to ensure compliance with arbitrage restrictions. Existing regulation require that issuers calculate rebate liabilities related to tax-exempt debt issues, with rebates paid to the Federal Government every five years and otherwise required by applicable provisions of the Internal Revenue Code and regulations. The Chief Financial Officer shall contract with a specialist to ensure that proceeds and investments are tracked in a manner that facilitates accurate, complete calculations and, if necessary, timely rebate payments.

IX. RELATIONSHIP OF DEBT WITH OTHER CITY POLICIES

The City is committed to long-term capital planning. The City intends to issue debt for the purposes stated in this Policy and to implement policy decisions incorporated in the City's capital budget and the capital improvement plan.

The City will integrate its debt issuances with the goals of its capital improvement program by timing the issuance of debt to ensure that projects are available when needed in furtherance of the City's public purposes.

The City is committed to long-term financial planning, maintaining appropriate reserves levels, and employing prudent practices in governance, management and budget administration.

X. DEBT MANAGEMENT AND DISCLOSURE POLICY

The Chief Financial Officer shall review this Debt Management Policy at a minimum of every five years or as required by law and recommend any changes to the City Manager and City Council.

# CITY COUNCIL OF THE CITY OF OXNARD

## RESOLUTION NO. 14,952

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ESTABLISHING FINANCIAL MANAGEMENT POLICIES

WHEREAS, the City Council wishes to establish financial management policies to be followed in the development and implementation of the City budget.

NOW, THEREFORE, the City Council of the City of Oxnard hereby resolves that the following policies will guide the development and implementation of the City's Operating and Capital Improvement Project Budgets.

I. BUDGET POLICIES

A. Budget Guidelines

1) The City Council will approve a multi-year revenue and expenditure forecast, which will provide parameters for the budget development process.

2) The budget process will include the development of a balanced two-year budget. The two-year budget will include an approach that City Council approves appropriations for a one-year operating budget and capital improvement plan.

3) The budget will be organized in a department/service level format.

4) The budget development process will include the identification and evaluation of policy options for service levels. However, the adopted budget will include only those policy options approved by City Council.

B. Appropriation Priorities

1. In evaluating the level of appropriations for department enhancements, or expense reductions, staff will apply the following principles in the priority order given:

a. Essential services that provide for the health, safety and welfare of residents.

b. Adequate ongoing maintenance of facilities and equipment.

c. All other services.

2. When reductions in personnel are necessary to reduce expenditures, to the greatest extent possible this will be accomplished through normal attrition.

C. Supplemental Services

The City Council may budget for certain services that may also be provided by other governmental agencies or the private sector. The provision of these services will be based on a demonstrated community need or benefit over time. When appropriate, these services will be supported in whole or in part by user fees.

D. Appropriation Changes

1. Changes to the City Council adopted budget for the fiscal year shall occur as follows:

2. By City Council action for all changes that either increase or decrease fund appropriations adopted in the annual budget appropriation resolution.

3. By the City Manager for appropriation transfers between departments within a fund.

4. By the Department Director for appropriation transfers between programs, as long as funding is available in the department as a whole.

II. CAPITAL IMPROVEMENT PROGRAM POLICIES

A. Capital Planning Period

1. Staff will budget all capital improvements in accordance with an adopted Capital Improvement Project (CIP) Plan.

2. The City's long-range capital planning period will be a minimum of five years, or longer where appropriate.

3. The Five-Year Capital Improvement Project Plan will be reviewed and approved by City Council every other year or as needed based on economic and funding outlooks. City Council will approve appropriations annually. Appropriation changes will be in accordance with Section I.D.

4. The CIP Plan will be in conformance with and support the City's major planning documents: the most current General Plan, project specific plans, and Citywide master plans for related infrastructure improvements.

5. Staff will prepare strategic plans and master plans for major infrastructure and utility improvements with a 10- or 20-year planning horizon when appropriate.

B. Capital Project Priorities

1. Staff will evaluate and prioritize each proposed capital project against the following criteria:

a. Linkage with community needs as identified in the City's major planning documents.

b. Cost/benefit analysis identifying all financial and community impacts of the project.

c. Identification of available funding resources.

2. Staff will develop the CIP Plan with funding priorities in the following order:

   a. Projects that maintain and preserve existing facilities.

   b. Projects that replace existing facilities which no longer meet the needs of the community or that can no longer be maintained cost effectively.

c. Projects that provide new and expanded services to the community.

C. Capital Project Management

1. Capital projects will be managed in a phased approach. The project phases will become a framework for appropriate decision points and reporting. The phasing will consist of:

   a. Conceptual/schematic proposal
   b. Preliminary design and cost estimate
   c. Engineering and final design
   d. Bid administration
   e. Acquisition/construction
   f. Project closeout

2. Each capital improvement project will have a project manager who will prepare the project proposal, ensure that required phases are completed on schedule, authorize payment of expenditures approved as required by the City's Purchasing Manual, ensure that all regulations and laws are observed, periodically report project status, track project expenditures and perform the project closeout according to current procedures.

III. REVENUE POLICIES

A. Maintenance of Revenues

1. The City Council will attempt to maintain a diversified and stable revenue base to shelter the City from short term fluctuations in any one revenue source.

2. The City Council will promote an increase in the City's revenue base through economic development programs that maintain and enhance a vigorous local economy.

3. The City Council will seek to supplement the City's revenue base through the identification of and application for State and federal grant funds, which will support identified needs.

B. User Fees and Rates

1. The City Council will attempt to recover the costs of services providing a private benefit to users through the imposition of user fees and charges.

2. The City Council will establish all user fees and charges at a level related to the direct and indirect costs of providing services and the degree of public versus private benefit.

3. Staff will recalculate annually the full costs of activities supported by user fees and rates to identify the impact of inflation and other cost increases.

4. The City Council will set fees and user rates for each enterprise fund (e.g., water, wastewater, solid waste) at a level that fully supports the total direct and indirect costs of the activity.

C. Revenue Collection

1. Staff will take all cost effective actions available to collect revenues.

2. Staff will grant use fee waivers and debt forgiveness under the following conditions:

a. All requests will be approved or disapproved by the City Council on a case by case basis.

b. Each request will be considered and City Council action will be by resolution.

c. All categorical fee waivers will be subject to a sunset provision as determined by the City Council.

3. Staff will not grant development and permit fee waivers.

D. Interest Earnings

1. Staff will assign interest earnings to the appropriate fund based on available cash balances.

2. Investment policies will be reviewed annually by the Investment Review Committee and the City Council.

IV. FUND BALANCE POLICY

This Fund Balance Policy establishes the procedures for reporting unrestricted fund balance in the General Fund financial statements. Certain commitments and assignments of fund balance will help ensure that there will be adequate financial resources to protect the City against unforeseen circumstances and events such as revenue shortfalls and unanticipated expenditures. The policy also authorizes and directs the Chief Financial Officer to prepare financial reports which categorize fund balance in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.

A. Procedures

Fund balance is essentially the difference between the assets and liabilities reported in a governmental fund. There are five separate components of fund balance, each of which identifies the extent to which the City is bound to honor constraints on the specific purposes for which amounts can be spent.

- Nonspendable fund balance
- Restricted fund balance
- Committed fund balance
- Assigned fund balance
- Unassigned fund balance

The first two components listed above are not addressed in this policy due to the nature of their restrictions. An example of nonspendable fund balance is a prepaid item. Restricted fund balance is either imposed by law or constrained by grantors, contributors, or laws or regulations of other governments. This policy is focused on financial reporting of unrestricted fund balance, or the last three components listed above. These three components are further defined below.

B. Committed Fund Balance

The City Council, as the City's highest level of decision-making authority, may commit fund balance for specific purposes pursuant to constraints imposed by formal actions taken, such as ordinance or resolution. These committed amounts cannot be used for any other purposes unless the City Council removes or changes the specified use by taking the same type of action it employed to commit those amounts. City Council action to commit fund balance should occur within the fiscal reporting period; however the amount can be determined in the subsequent period.

C. Assigned Fund Balance

1. Amounts that are constrained by the City's intent to be used for specific purposes, but are neither restricted nor committed, should be reported as assigned fund balance.

2. This policy hereby designates the authority to assign amounts to be used for specific purposes to the Chief Financial Officer for the purpose of reporting these amounts in the annual financial statements.

D. Unassigned Fund Balance

These are residual positive net resources of the general fund in excess of what can be properly classified in one of the other four categories.

V. RESERVE POLICIES

A. Adequate reserves will be maintained for all known liabilities, including payable employee leave balances, workers' compensation, and self insured retention limits.

B. The City Council will endeavor to maintain an operating reserve equal to 18 percent of the General Fund operating budget. The operating reserve shall be available to: cover cash flow requirements; meet unanticipated revenue shortfalls; take advantage of unexpected opportunities; invest in projects with a rapid payback; ensure against physical or natural disasters; and provide interest earnings.

C. The City Council will endeavor to maintain operating reserves in the Water and Wastewater Utility Enterprise Funds equal to 25 percent of the operating budgets, and reserves in the Solid Waste Enterprise Fund equal to 9 percent of the operating budget.

VI. DEBT POLICIES

A. Use of Debt

1. Any tax and revenue anticipation borrowing will be consistent with State and federal laws and regulations.

2. The City Council will review the issuance of long term debt only for:

a. Construction and acquisition of land, capital improvements, or equipment when the useful life of the asset is equal to or greater than the term of the debt.

b. The creation of contractually required reserves.

c. The payment of judicial awards or settlements or the establishment of actuarial reserves to pay such awards.

3. Debt financing will not be appropriate for current operating or maintenance expenses or for any recurring purposes.

B. Conditions of Use

1. The City Council will use long term debt to finance a major equipment acquisition, a capital project, or reserve only if a cost/benefit analysis establishes that the financial and community benefits of the financing exceed the costs.

2. Benefits can include, but are not limited to, the following:

a. Present value benefit: The current cost plus the financing cost is less than the future cost of the project or acquisition.

b. Maintenance value benefit: The financing cost is less than the maintenance cost of deferring the project or acquisition.

c. Equity benefit: Financing provides a method of spreading the cost of a project or acquisition back to the users of the project or acquisition over time.

d. Community benefit: Debt financing of the project or acquisition enables the City Council to meet an immediate community need.

3. Debt financing will be used only when project revenues or other identified revenue sources are sufficient to service the debt.

4. The City Council by resolution will periodically establish industry standard bond debt ratios to assess maximum debt carrying capacity and will apply these ratios to each proposed debt.

5. When the City obtains debt financing on behalf of or benefiting a third party (as with assessment districts) such debt will be issued in conformance with existing City Council priorities and policies without contingent liability of the City and with all costs of issuance and administration fully reimbursed by the third party.

C. Methods

1. Staff will retain the following contract advisors for the issuance of debt:

a. Bond Counsel To be selected by RFP periodically.

b. Special Counsel To be selected by RFP periodically to protect the City's interest in complex negotiations and document review.

c. Financial Advisor - To be selected by RFP periodically to assist the City in assessing financing opportunities and options, selection of underwriters, preparation of all required financing documents, and other financial advisory assistance as required.

d. Underwriters To be selected periodically by RFP for negotiated financings. For bond issues that are competitively bid, underwriter will be selected on the basis of lowest true interest cost (TIC).

2. The City Council's preference is to issue fixed rate long term debt with level debt service, but variable rate debt or other debt service structure may be considered if an economic advantage is identified for a particular project.

3. Bond proceeds will be held by an independent bank acting as trustee or fiscal agent.

4. The City Council's bond rating objective for the City for all debt issues is a Standard & Poor's rating of AA. Credit enhancements will be used to achieve higher ratings when there is an economic benefit.

VII. ACCOUNTING POLICIES

A. Accounting Standards

1. The City's accounting systems and procedures will comply with the Generally Accepted Accounting Principles (GAAP) and standards promulgated by the Financial Accounting Standards Board (FASB) and the Governmental Accounting Standards Board (GASB) to the extent necessary to achieve a modified audit opinion and adequate internal controls.

2. The City will adopt the Historical Cost method of fixed asset reporting to comply with GASB and the capitalization policy will be $5,000 or more.

3. Staff will prepare regular monthly, quarterly, and annual financial reports to present a summary of financial performance and position.

4. Staff will provide full disclosure in the annual financial statements and bond representations.

5. The City's budgetary system will be integrated and compatible with the accounting system.

B. Independent Auditor

1. The City will retain an independent certified auditing firm to annually conduct an audit of the financial records in accordance with all State and federal requirements.

2. The selection of the City's audit firm will be by an RFP submitted to a limited number of qualified audit firms with recognized credentials in municipal auditing.

3. In order to promote continuity in the audit process, the engagement of the audit firm will be for a minimum period of three years. Such three-year engagement may be extended on an annual basis at the option of the City Manager.

VIII. RISK MANAGEMENT POLICIES

A. The City will maintain a risk management program for public liability, workers' compensation, and loss of property exposures. This program will emphasize avoidance of risk, whenever possible, funding for losses which cannot be avoided, and transfer of risk to third parties whenever appropriate.

B. The risk management process will include the systematic and continuous identification of loss perils and exposures, the analysis of these perils and exposures in terms of frequency and severity probabilities, the application of sound risk control procedures and the financing of risk consistent with the City's financial resources.

C. If the loss potential in dollars for a particular risk is substantial and cannot be absorbed within the City's annual operating budget, the staff will develop and maintain a program of purchased insurance, funded self insurance, or debt.

D. Staff will endeavor to promptly settle justified claims but will vigorously defend claims which are doubtful, frivolous, or unsupported.

E. Staff will maintain separate self insurance funds to identify and segregate the financial resources necessary to cover insurance premiums and self insured retentions.

1. Revenues into the insurance funds will be generated by charges to operating programs allocated to reflect loss experience.

2. Resources will be established at the end of each year to fund liability for open claims, incurred but not reported claims, and a catastrophic loss reserve as periodically recommended by an independent actuarial consultant, or as authorized for GAAP.

F. To assist in the overall administration of the risk management program, the City Council will utilize the following consultants:

1. Claims adjuster for workers' compensation and public liability/property damage.

2. Claims auditor, actuarial consultant, and risk management program auditor.

3. Insurance broker of record.

PASSED AND ADOPTED on this 28th day of June, 2016, by the following vote:

AYES: Councilmembers Flynn, Ramirez and Padilla.

NOES: Councilmembers MacDonald and Perello.

ABSENT: None.

Tim Flynn

Tim Flynn, Mayor

Resolution No. 14,952
Page 10

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

Tim Flynn
4/28/16

# MEMO

June 23, 2016

TO: City Council

FROM: David Millican, Chief Financial Officer

SUBJECT: **Explanation of revisions to City of Oxnard FY 2016-17 Proposed Budget**

Necessary revisions to the FY2016-2017 Proposed Budget have been summarized in the following attachment, referencing pages from the Budget Document revised 6/14/16. Revisions to the FY2016-2017 Proposed Budget are necessary in areas regarding the appropriation of grant funding, line items reflecting the budgeting of augmentation requests, and the correction of typographical errors.

These corrections require adjustments to subtotals and grand totals throughout the document and each change has been noted in the attachment. Some of these revisions include the appropriation of funds between line items and therefore do not have any effect to the net total of the Proposed Budget. Some of the revisions to department budgets have an effect on the Expenditure Detail by Fund document located with the Budget Schedules. Revisions to this document are also listed in the attachment.

The FY 2016-17 Proposed Budget total is revised from $354,185,214 to $354,155,538 to reflect revisions with a net decrease of *$29,676*. When including City of Oxnard Financing Authority (COFA) Fund 801 to the Expenditure Detail By Fund the total is $361,188,882. A separate resolution for the Housing Authority for $24,927,373 provides a grand total for FY 2016-17 Proposed Budget for $386,116,255. Please do not hesitate to contact us with any questions. Thank you.

David Millican, Chief Financial Officer

Attachment:

- Explanation of revisions to FY2016-2017 Proposed Budget

# Explanation of revisions to the City of Oxnard FY 2016-17 Proposed Budget

## Revisions to Department Budgets

### Development Services

**Page(s): #90 & #91**

| Line Item: | Revised From: | Revised To: | Change: | Overall Department Budget Effect: |
|---|---|---|---|---|
| 101-4305-CODE COMPLIANCE | $ 969,264 | $ 987,478 | $ 18,214 | - |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 285-4305-CODE COMPLIANCE | $ 218,214 | $ 200,000 | $ (18,214) | |

**Description:** The revision of 101-4305-CODE COMPLIANCE from $969,264 reflects inclusion in the General Fund of the amount from 285-CDBG that is in excess of the $200,000 available in grant funding in FY16-17. This increase in appropriation in the amount of $18,214 to 101-4305 results in a revised Development Services Total and General Fund Total of $7,451,983 in the FY16-17 Proposed Budget on Page 90. In addition, the reduction in appropriation in the amount of $18,214 to 285-4305 results in a revised Development Services Total and Fund 285 Total of $200,000 in the FY16-17 Proposed Budget on Page 91.

**Page(s): #92**

| Line Item: | Revised From: | Revised To: | Change: | Overall Department Budget Effect: |
|---|---|---|---|---|
| 101-General Fund 1-PERSONNEL | $ 5,383,551 | $ 5,401,765 | $ 18,214 | - |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 285-CDBG ENTITLEMENT 1-PERSONNEL | $ 210,814 | $ 192,600 | $ (18,214) | |

**Description:** The FY16-17 Proposed Budget in Fund 101-General Fund 1-PERSONNEL is revised to $5,401,765 and the Fund 101-General Fund Total is revised to $7,451,983 due to the revision explained in reference to Page 90. The FY16-17 Proposed Budget in Fund 285-CDBG ENTITLEMENT 1-PERSONNEL is revised to $192,600 and Fund 285-CDBG ENTITLEMENT Total is revised to $200,000 due to the explanation provided in reference to Page 91.

### Housing Department

**Page(s): #132, #134 & #136**

| Line Item: | Revised From: | Revised To: | Change: | Overall Department Budget Effect: |
|---|---|---|---|---|
| 101-5105-HOMELESS ASSISTANCE | $ 141,491 | $ 108,901 | $ (32,590) | $ (32,590) |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 101 1-PERSONNEL | $ 449,884 | $ 417,294 | $ (32,590) | |

**Description:** The revision from $141,491 in line item 101-5105-HOMELESS ASSISTANCE is a correction in the appropriation amount to reflect the final City Manager approved augmentation request. This reduction in appropriation in the amount of $32,590 results in a revised Housing and 101-General Fund Total of $505,820 on Page 132. On Page 134, the FY16-17 Proposed Budget in 101 1-PERSONNEL is revised to $417,294 and the 101-General Fund Total is revised to $505,820 due to the change in the HOMELESS ASSISTANCE line item. In addition, the FY16-17 Proposed Budget HOUSING Total is revised to $3,681,145 on Page 136. This revision from $3,713,735 is due to the explanation provided in reference to Pages 132 and 134.

# Explanation of revisions to the City of Oxnard FY 2016-17 Proposed Budget

**Public Works Department**

**Page(s): #199 & #201**

| Line Item: | Revised From: | Revised To: | Change: | Overall Department Budget Effect: |
|---|---|---|---|---|
| 101-5704-STREET MAINTENANCE & REPAIR | $ 362,935 | $ 598,135 | $ 235,200 | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 101-General Fund 2-OTHER O&M EXPENSE | $ 4,689,425 | $ 4,924,625 | $ 235,200 | $ 235,200 |

**Description:** The increase in 101-5704-STREET MAINTENANCE & REPAIR from $362,935 is to correct a typo caused by the omission of a line item in the subtotal by department/division. This correction results in a revised General Services Total of $9,744,030 from $9,508,830 in the FY16-17 Proposed Budget on Page 199. This increase causes the FY16-17 Proposed Budget in 101-General Fund 2-OTHER O&M EXPENSE to be revised to $4,924,625 from $4,689,425. In addition, the 101-General Fund Total is revised to $9,744,030 on Page 201. This revision does not change the appropriation, but is noted as a change to the department's FY2016-2017 Proposed Budget grand total.

## Revisions to the Expenditure Detail by Fund

**Fund 101- General Fund**

**Page(s): #235 & #236**

| Line Item: | Revised From: | Revised To: | Change: | Overall Budget Effect: |
|---|---|---|---|---|
| 8001-DIRECT LABOR-REGULAR | $ 52,250,991 | $ 52,239,225 | $ (11,766) | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8040-PARS | $ 2,063,856 | $ 2,065,738 | $ 1,882 | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8041-EMPLOYEE BENEFITS | $ 9,465,940 | $ 9,462,541 | $ (3,399) | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8043-PERS | $ 12,251,366 | $ 12,250,274 | $ (1,092) | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8522-DEBT SERV&FIXED CHARGES/DATA PROCESSING CHGS/OPER | $ 9,900 | $ 8,600 | $ (1,300) | $ (15,676) |

**Description:** The FY16-17 Proposed Budget in: 8001-DIRECT LABOR-REGULAR is revised from $52,250,991 to $52,239,225, 8040-PARS is revised from $2,063,856 to $2,065,738, 8041-EMPLOYEE BENEFITS is revised from $9,465,940 to $9,462,541, and 8043-PERS is revised from $12,251,366 to $12,250,274 due to explanations provided in reference to Pages 90 and 132. The FY16-17 Proposed Budget in 8522-DEBT SERV&FIXED CHARGES/DATA PROCESSING CHGS/OPER is revised from $9,900 to $8,600 due to a correction in the object code total. These revisions result in a revised FY16-17 Fund 101-General Fund Total of $122,348,006 from $122,363,682 (a net decrease of $15,676).

# Explanation of revisions to the City of Oxnard FY 2016-17 Proposed Budget

**Fund 285- CDBG Entitlement**
**Page(s): #251**

| Line Item: | Revised From: | Revised To: | Change: | Overall Budget Effect: |
|---|---|---|---|---|
| 8001-DIRECT LABOR-REGULAR | $ 512,271 | $ 500,821 | $ (11,450) | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8040-PARS | $ 76,479 | $ 74,597 | $ (1,882) | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8041-EMPLOYEE BENEFITS | $ 96,987 | $ 94,838 | $ (2,149) | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | $ (18,214) |
| 8043-PERS | $ 119,428 | $ 116,695 | $ (2,733) | |

**Description:** The FY16-17 Proposed Budget in: 8001-DIRECT LABOR-REGULAR is revised from $512,271 to $500,821, 8040-PARS is revised from $76,479 to $74,597, 8041-EMPLOYEE BENEFITS is revised from $96,987 to $94,838 and 8043-PERS is revised from $119,428 to $116,695 due to explanations provided in reference to Page 91. These revisions result in a revised FY16-17 Fund 285-CDBG Entitlement Total of $2,267,677 from $2,285,891 (a decrease of $18,214).

**Fund 621-Wastewater Treatment Operations**
**Page(s): #259 & #260**

| Line Item: | Revised From: | Revised To: | Change: | Overall Budget Effect: |
|---|---|---|---|---|
| 8099-VACANCY SAVINGS | $ (349,734) | $ (348,379) | $ 1,355 | $ 1,355 |

**Description:** The FY16-17 Proposed Budget in 8099-VACANCY SAVINGS is revised from $(349,734) to $(348,379). This correction to the object code total results in a revised FY16-17 Proposed Budget in Fund 621-W/W TREATMENT OPRNS Total from $23,070,855 to $23,072,210 (increase of $1,355).

**Fund 731-INFORMATION TECHNOLOGY**
**Page(s): #265**

| Line Item: | Revised From: | Revised To: | Change: | Overall Budget Effect: |
|---|---|---|---|---|
| 8132-MINOR EQUIPMENT OFFICE | $ 28,667 | $ 31,064 | $ 2,397 | |
| **Line Item:** | **Revised From:** | **Revised To:** | **Change:** | |
| 8209-SVCS-OTHER PROF/CONTRACT | $ 163,198 | $ 163,662 | $ 464 | $ 2,861 |

**Description:** The FY16-17 Proposed Budget in 8132-MINOR EQUIPMENT OFFICE is revised from $28,667 to $31,064. The FY16-17 Proposed Budget in 8209-SVCS-OTHER PROF/CONTRACT is revised from $163,198 to $163,662. These corrections to the object code totals results in a revised FY16-17 Proposed Budget in Fund 731-INFORMATION TECHNOLOGY Total of $4,451,619 from $4,448,758 (increase of $2,861).

The Budget Document will now report the COFA Debt Service Fund- 801, in order to be consistent with presentations of Internal Service Funds, with a budget of $7,033,344.

**The FY16-17 Proposed Budget Total is revised from $354,185,214 to $354,155,538 to reflect revisions referenced in pages 235, 236, 251, 259, 260 and 265 (a net decrease of $29,676). When including the COFA Debt Service Fund-801, the Grand Total is $361,188,882.**

| CITY COUNCIL AGENDA REPORT | TYPE OF ITEM: Info/Consent AGENDA ITEM NO.: 1 |
|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**FROM:** Stephen Fischer
City Attorney

**SUBJECT:** Adoption of Anti Price Gouging Ordinance.

**CONTACT:** Stephen Fischer, City Attorney
Stephen.Fischer@oxnard.org, (805) 385-7483

**RECOMMENDATION:**

That City Council adopt Ordinance No. 2942 (read by title only, waiving further reading) amending Chapter 6 of the Oxnard City Code to impose a prohibition on unfair pricing following the declaration of a state of emergency, local emergency or state of war emergency; adding various definitions relating to the prohibition and making various clerical changes.

**BACKGROUND**

This agenda item is for the adoption of Ordinance No. 2942, amending Chapter 6 of the Oxnard City Code to impose a prohibition on unfair pricing following the declaration of a state of emergency, local emergency or state of war emergency; adding various definitions relating to the prohibition and making various clerical changes. This ordinance was introduced by the City Council at its meeting on May 22, 2018. At that meeting the City Council approved the first reading of the ordinance by title only and waived further reading.

**STRATEGIC PRIORITIES**

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 1. Improve community safety and quality of life through a combination of prevention, intervention, and suppression efforts that address crime and underlying issues.

Goal 3. Strengthen neighborhood development, and connect City, community and culture.
Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

**FINANCIAL IMPACT**

No financial impact at this time.

**ATTACHMENTS:**

Attachmen A: Anti Price Gouging Ordinance 2942

CITY COUNCIL OF THE CITY OF OXNARD
ORDINANCE NO. 2942

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, AMENDING CHAPTER 6 OF THE OXNARD CITY CODE TO IMPOSE A PROHIBITION ON UNFAIR PRICING FOLLOWING THE DECLARATION OF A STATE OF EMERGENCY, LOCAL EMERGENCY OR STATE OF WAR EMERGENCY

WHEREAS, it is the intent of the City Council to ensure that citizens are protected from excessive and unjustified increases in the prices charged during or shortly after a declared state of emergency, local emergency, or state of war emergency for goods and services that are vital and necessary for the health, safety, and welfare of consumers; and

WHEREAS, California Penal Code Section 396 prohibits raising the price of many consumer goods and services by more than 10% after an emergency has been declared; and

WHEREAS, violations of Penal Code Section 396 are subject to criminal prosecution that can result in one-year imprisonment in county jail and/or a fine of up to $10,000, and civil enforcement actions including civil penalties of up to $5,000 per violation, injunctive relief and mandatory restitution; and

WHEREAS, Penal Code Section 396 permits municipalities to prohibit unfair pricing on their own terms, including imposing more severe penalties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES ORDAIN AS FOLLOWS:

Part 1. City Code Amendment. Chapter 6 of the Oxnard City Code is amended to read as follows:

"**Chapter 6: EMERGENCY ORGANIZATION AND FUNCTIONS, AND UNFAIR PRICING**

**SEC. 6-1. PURPOSES**

The purposes of this chapter are to provide for the protection of individuals and property within the city in the event of an emergency; the direction of the emergency organization; the coordination of the emergency functions of the city with other public agencies, corporations, organizations, and private individuals; and to ensure that citizens are protected from excessive and unjustified increases in the prices charged during or shortly after a declared state of emergency, local emergency, or state of war emergency for goods and services that are vital and necessary for the health, safety, and welfare of consumers.

**SEC. 6-2. DEFINITIONS**

For the purposes of this chapter, the following words shall have the following meanings:

(A) BUILDING MATERIALS - lumber, construction tools, windows, and anything else used in the building or rebuilding of property.

(B) CONSUMER FOOD ITEM - any article that is used or intended for use for food, drink, confection, or condiment by an individual or animal.

(C) DISASTER SERVICE WORKER - An individual defined as a disaster service worker in Cal. Gov. Code Section 3101 and Cal. Lab. Code Section 3211.92.

(D) EMERGENCY - Local emergency, state of emergency or state of war emergency, depending of the context.

(E) EMERGENCY SUPPLIES - includes, but is not limited to, water, flashlights, radios, batteries, candles, blankets, soaps, diapers, temporary shelters, tape, toiletries, plywood, nails and hammers.

(F) GASOLINE - any fuel used to power any motor vehicle or power tool.

(G) GOODS - tangible chattels bought for use primarily for personal, family, or household purposes, including certificates or coupons exchangeable for these goods, and including goods that, at the time of the sale or subsequently, are to be so affixed to real property as to become a part of the real property whether or not severable therefrom, but does not include any vehicle required to be registered under the Vehicle Code, nor any goods sold with this vehicle if sold under a contract governed by Section 2982, and does not include any mobilehome, as defined in Section 18008 of the Health and Safety Code, nor any goods sold with this mobilehome if either are sold under a contract subject to Section 18036.5 of the Health and Safety Code.

(H) HOUSING – any rental housing with an initial lease term no longer than one year.

(I) LOCAL EMERGENCY - The actual or threatened existence of conditions of disaster or of extreme peril to the safely of individuals and property within the city caused by such conditions as air pollution, fire, flood, tsunami, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the warning by the governor of the State of an earthquake or volcanic eruption, an earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but not including conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the city, requiring the combined forces of other public agencies to combat.

(J) MEDICAL SUPPLIES - includes, but is not limited to, prescription and nonprescription medications, bandages, gauze, isopropyl alcohol, and antibacterial products.

(K) PERSON - person, contractor, business, or other entity.

(L) REPAIR AND CONSTRUCTION SERVICES - services performed by any person who is required to be licensed under the Contractors' State License Law (Chapter 9 (commencing with section 7000) of Division 3 of the Business and Professions Code), for repairs to residential or commercial property of any type that is damaged as a result of a disaster.

(M) STATE OF EMERGENCY - An emergency proclaimed by the governor of the State, as provided in Cal. Gov. Code Section 8558(b).

(N) STATE OF WAR EMERGENCY - The condition described in Cal. Gov. Code Section 8558(a).

(O) TRANSPORTATION, FREIGHT AND STORAGE SERVICES - any service that is performed by any company that contracts to move, store, or transport personal or business property or rents equipment for those purposes.

**SEC. 6-3. OFFICE OF EMERGENCY SERVICES; DIRECTOR DUTIES.**

(A) There is hereby created the Office of Emergency Services (OES). The director of the OES shall be the city manager. The assistant director shall be the designated assistant city manager. The deputy director shall be the fire chief. An emergency services manager shall be appointed by the deputy director.

(B) The director shall:

(1) Develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. Such plans, agreements, ordinances and resolutions shall provide, to the extent possible, for the effective mobilization of the resources of the city, both public and private, to meet any condition constituting a local emergency, a state of emergency or a state of war emergency;

(2) If the city council is in session, request the city council to proclaim the existence or threatened existence of a local emergency;

(3) If the city council is not in session, proclaim the existence or threatened existence of a local emergency. A local emergency proclaimed by the director shall not remain in effect for more than seven days unless ratified by the city council;

(4) If the city council is not in session, request the governor to proclaim a state of emergency when, in the opinion of the director, locally available resources are inadequate to cope with an emergency; and

(5) Control and direct the emergency services of the city and resolve questions of authority and responsibility arising therefrom.

(C) In the event of the proclamation of a local emergency, a state of emergency or the proclamation or existence of a state of war emergency, the director shall:

(1) Promulgate orders and regulations necessary to provide for the protection of life and property and, at the earliest practicable time, request the city council to ratify such orders and regulations;

(2) Obtain supplies, equipment and other property needed for the protection of life and property and bind the city for the fair value thereof and, if required immediately, commandeer the same for public use;

(3) Require emergency services of any city officer or employee;

(4) Requisition necessary personnel or material of any city program or agency; and

(5) Exercise his/her ordinary powers as city manager, the special powers conferred on him/her by this chapter or by resolution or emergency plan adopted by the city council, and powers conferred on him/her by statute, by any agreement approved by the city council, and by any other lawful authority.

(D) In the event of an emergency, the director may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. If the director orders any such action, the director shall report to the city council, at its next meeting, the reasons justifying why the emergency did not or will not permit a delay resulting from a competitive solicitation for bids and why the action was or is necessary to respond to the emergency.

(E) The assistant director shall have such other powers and duties as may be assigned by the director and shall be acting director if the director is unavailable during an emergency.

(F) The deputy director shall have such other powers and duties as may be assigned by the director and will oversee the emergency management program and shall be acting director if the director and assistant director are unavailable during an emergency.

(G) The emergency services manager shall, under the supervision of the deputy director, develop emergency plans and manage the emergency management programs of the city.

**SEC. 6-5. DISASTER COUNCIL**

(A) There is hereby established a disaster council, consisting of the following:

(1) The director of the OES, who shall be the chair;

(2) The assistant director of the OES, who shall be vice chair;

(3) The deputy director of the OES;

(4) The emergency services manager;

(5) The section coordinators designated in the city's emergency plan;

(6) The mayor; and

(7) The chair of the Inter Neighborhood Council Organization.

(B) The Disaster Council shall meet no less than once per year and will be responsible for reviewing and recommending plans, policies and ordinances that will aid in the preparedness, response and recovery from disasters including, but not limited to, earthquakes, tsunamis, floods and other natural or manmade disasters. In the event of the proclamation of a state of emergency in the county or the proclamation or existence of a state of war emergency, the disaster council may command the aid of disaster service workers to assist the director and the emergency organization. The emergency services manager, under the authority of the disaster council, shall register and direct the activities of disaster service workers. The disaster council shall apply for certification by the California Emergency Council, as provided in Cal. Gov. Code Section 8612, and become an accredited disaster council.

**SEC. 6-6. EMERGENCY ORGANIZATION**

All officers and employees of the city, together with volunteers and all groups, organizations and persons, including disaster service workers, who may by agreement or operation of law be charged with duties incidental to the protection of life and property in the city during an emergency, shall constitute the emergency organization of the city.

**SEC. 6-7. EXPENDITURES**

Any expenditures made by the emergency organization in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city.

**SEC. 6-8. VIOLATIONS AND UNFAIR PRICING**

(A) During a local emergency, state of emergency or state of war emergency, no individual shall:

(1) Willfully obstruct, hinder or delay any member of the emergency organization in the enforcement of any rule, regulation, order or directive issued pursuant to this chapter or in the performance of any duty imposed on him/her by virtue of this chapter.

(2) Do any act forbidden by any rule, regulation, order or directive issued pursuant to this chapter, including violation of any curfew so established. However, an affirmative defense to violation of such a curfew shall be that the individual charged was traveling to or from work or school, was homeless, or was seeking medical treatment.

(3) Wear, carry or display any emblem, insignia or other means of identification as a member of the emergency organization of the city, the county, or the State unless authority to do so has been granted to such individual by the proper official.

(B) Goods and Services. Upon the declaration of an emergency, and for a period of 30 days following that declaration, it is unlawful for a person to sell or offer to sell any consumer food items or goods, goods or services used for emergency cleanup, emergency supplies, medical supplies, home heating oil, building materials, housing, transportation, freight, and storage services, or gasoline or other motor fuels for a price of more than 10 percent above the price charged by that person for those goods or services immediately prior to the declaration, unless that person can prove that the increase in price is directly attributable to additional costs imposed upon it by the supplier of the goods, or directly attributable to additional costs for labor or materials used to provide the services.

(C) Hotels, Motels and other Short Term Rentals. Upon the declaration of an emergency, and for a period of 30 days following that declaration, it is unlawful for any person to rent or lease a hotel or motel room, or other short term rental unit, including a vacation rental unit, in the City for more than 10 percent above the hotel, motel or other short term rental's regular rates, as advertised immediately prior to declaration of emergency, unless that person can prove that the increase in price is directly attributable to additional costs imposed on it for goods or labor used in the businesses, to seasonal adjustments that are regularly scheduled, or to previously contracted rates.

(D) Construction Goods and Services. Upon the declaration of an emergency, and for a period of 180 days following that declaration, it is unlawful for a contractor to sell or offer to sell any repair or reconstruction services or any services used in emergency cleanup for a price of more than 10 percent above the price charged by that person for those services immediately prior to the proclamation or declaration of emergency, unless that person can prove that the increase in price was directly attributable to additional costs imposed on it by the supplier of the goods, or directly attributable to additional costs for labor or materials used to provide the services.

(E) The provisions of this section may be extended for additional 30-day period by the City Council if deemed necessary to protect the lives, property, or welfare of the citizens.

**SEC. 6-9. PENALTY**

Any violation of this chapter shall be a misdemeanor, punishable by a fine of not to exceed $1,000, or by imprisonment for not to exceed six months, or both."

Part 2. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one of more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

Part 3. The City Council determines and finds that this ordinance is exempt from the California Environmental Quality Act under section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Part 4. Pursuant to Cal. Gov. Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Part 5. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. 2942 was first read on May 22, 2018, and finally adopted on June 5, 2018, to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

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| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br><br>**AGENDA REPORT** | **TYPE OF ITEM: Info/Consent**<br><br>**AGENDA ITEM NO.: 2** |

**DATE:** June 5, 2018

**TO:** City Council

**FROM:** Michelle Ascencion
City Clerk

**SUBJECT:** Approval of Minutes.

**CONTACT:** Michelle Ascencion, City Clerk
Michelle.Ascencion@oxnard.org, (805) 385-7805

**RECOMMENDATION:**

That the City Council approve the minutes of the March 6, 2018 Regular Meeting, March 12, 2018 Special Meeting, March 20, 2018 Regular Meeting, and March 27, 2018 Regular Meeting, as presented.

**STRATEGIC PRIORITIES**:

This agenda item is a routine operational item that does not directly relate to the four strategic plans adopted by City Council on May 17, 2016. This agenda items does provide transparency of Council meetings to the public.

**FINANCIAL IMPACT**:

There is no financial impact.

**ATTACHMENTS:**

Attachment A: Minutes 03.06.2018 CC regular meeting

Attachment B: Minutes 03.12.2018 CC special meeting

Attachment C: Minutes 03.20.2018 CC,HA regular meeting

Attachment D: Minutes 03.27.2018 CC,FA regular meeting

# M I N U T E S
OXNARD CITY COUNCIL
Regular Meeting
March 6, 2018

## A. ROLL CALL/POSTING OF AGENDA

At 5:35 p.m., Mayor Pro Tem Ramirez called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, and Mayor Pro Tem Carmen Ramirez were present; Mayor Tim Flynn was absent (arrived at 5:40 p.m.).

Staff members present were Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Shiri Klima, Assistant City Attorney; and Michelle Ascencion, City Clerk.

## B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None.)

## C. CLOSED SESSION

Mayor Pro Tem Ramirez read the following closed session statement:

"The City Council will recess to a closed session pursuant to Government Code section 54956.9(d)(1) to confer with its attorneys. The Workers' Compensation proceeding being discussed is Aaron Zavala v. City of Oxnard. [Case Nos. ADJ10088458 (OXN) and ADJ10519898 (OXN)]"

At 5:35 p.m., the City Council recessed to a closed session. (Mayor Flynn arrived during this time.) At 6:02 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

## D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Eric Hummel, Public Works Sustainability Coordinator; Kathleen Mallory, Planning Division Manager; Thien Ng, Assistant Public Works Director; Todd Vasquez-Housley, Environmental Resources Division Manager; and Karen Moore, Assistant City Clerk.

## E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Woodrow Thomas Sr. (public records requests and status of claim against the city), Jackie Tedeschi (upcoming Inter Neighborhood Council Organization meeting with the City Manager recruiter), Steve Nash (gun control), George Miller and Manuel Arriola (upcoming recall debate event), Miguel Espinosa (2012 Alfonso Limon shooting), Abel Magana (Downtown Vision Plan), Martin Jones (District Attorney's investigation of 2012 Alfonso Limon shooting), and Jeffrey Burum (candidate for U.S. Congress).

## F. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and special events, and provided program updates. He highlighted the upcoming spring session of the Oxnard Police Department's Citizen Academy and the Council's priority-based budgeting initiative.

The City Clerk gave an update on the upcoming May 1st Special Election.

## G. CITY COUNCIL REPORTS

Councilmember Madrigal commented on the Lemonwood Elementary School soft opening, a recent Oxnard Downtown Improvement District meeting, a recent Teatro de las Americas performance at Oxnard College, and the championship Hueneme High School girls basketball team.

Mayor Pro Tem Ramirez spoke on the upcoming National League of Cities conference, gun control and illegal guns, a recent Los Angeles Times series of articles on homelessness, and the city's winter warming shelter.

Councilmember Perello commented on the Santa Clara River levees, the Police Department's Citizens Academy, the El Rio Little League's opening weekend, and the new train route to Santa Barbara.

Councilman MacDonald commented on the upcoming Northside Little League opening weekend.

Mayor Flynn requested joint meetings with neighboring public agencies including the Port of Hueneme, City of Port Hueneme, and school districts, after the new fiscal year.

## H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1, J-2(A), and J-2(C) were discussed among the Council and staff.

## I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jackie Tedeschi, Pat Brown, and Woodrow Thomas Sr.

## J. INFORMATION/CONSENT AGENDA

### City Attorney Department

1. SUBJECT: Adoption of **Ordinance No. 2934** Regarding the Election of Members of the City Council by Districts, Establishing the Boundaries and Identification Number of Each District, and Establishing the Election Order in Each District.
   RECOMMENDATION: That the City Council adopt Ordinance No. 2934 (by title only, with further reading waived) adding Sections 2-2 to 2-3.5 to the Oxnard City Code regarding the election of members of the City Council by six districts, establishing the boundaries and identification number of each district, and establishing the election order in each district.

City Manager Department

2. SUBJECT: Agreements for City Council Review.
RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:
A. Shute Mihaly & Weinberger, LLP (7002-15-CA) for legal representation before the California Public Utilities Commission and the California Energy Commission in relation to the proposed NRG electrical generating facility at Mandalay Beach ($25,000).
B. McCain Traffic (Purchase Order No. 6714) for the purchase of traffic signal equipment ($100,000).
C. Wondries Toyota (Purchase Order No. 6729) for the purchase of a pickup truck to support City Corps' beverage container recycling and litter abatement efforts ($32,956).

Cultural and Community Services Department

3. SUBJECT: Cultural Arts Commission Bylaw Amendment.
RECOMMENDATION: That City Council adopt **Resolution No. 15,095** approving amended bylaws for the Cultural Arts Commission, changing the regular meeting day and time from the second Wednesday of each month at 5:00 p.m. to the first Wednesday of each month at 4:30 p.m. in the City Council Chambers.

*It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez,* to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against item J-1, stating that although he supports Council districts, he cannot support it without voter approval. The motion carried 4-1 on item J-1, and 5-0 on the remaining items.

K. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Appeal of Planning Commission Approval of Planning & Zoning Permit No. 17-500-04, Special Use Permit for the Construction of a 5,648 Sq. Ft. Automated Car Wash (Waterdrops Express) with 21 Canopy-Covered Vacuum Stations on a 1.42 Acre Vacant Parcel Located at 3600-3700 W. Fifth Street, Commonly Known as Rancho Victoria Plaza.
RECOMMENDATION: Adopt **Resolution No. 15,096** upholding the Planning Commission's approval of Planning & Zoning Permit No. 17-500-04 for the Waterdrops Express car wash subject to certain findings and conditions of approval in Resolution No. 2018-04.

The City Clerk announced the affidavit of publication and stated that no written communications had been received.

The Planning Division Manager gave a report. Appellant Julie Miller Kalbacher gave a presentation. Sandy Smith of Sespe Consulting presented on behalf of the applicant.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Jaime Smith, Scott Schell, Deborah DeAngelis, Diane Tindall, John Battle, Parviz Riazi, Shane O'Neill, Mylin Villareal, Gloria Ambriz, Pat Brown, Kenneth Slaught, Troy White, Randy Latimer, Daniel Kalbacher, Woodrow Thomas Sr., Al Velasquez, and Noreen Ednanl.

Mr. Smith and Ms. Kalbacher provided rebuttals to the public comments. Without objection, the Council approved closing the public testimony portion of the public hearing.

Discussion ensued among the Council, staff, and speakers for the appellant and the applicant.

*It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

(The meeting took a brief break at 9:05 p.m. and resumed at 9:14 p.m. Mayor Flynn announced that item L-5 would be removed from the agenda due to time.)

L. REPORTS

Development Services Department

1. SUBJECT: Adoption of **Ordinance No. 2935**.
   RECOMMENDATION: That the City Council:
   1. Adopt Ordinance No. 2935 (read by title only, waiving further reading) approving the Joint Powers Agreement for the Los Angeles Community Choice Energy program/Clean Power Alliance; and Authorize the Implementation of the Community Choice Aggregation Program.
   2. Designate one Director to the Clean Power Alliance; and designate two alternates to the Clean Power Alliance Board.

The Planning Division Manager gave a report. Discussion ensued among the Council and staff.

Councilman MacDonald, seconded by Mayor Flynn, nominated Mayor Pro Tem Ramirez to serve as Director and Councilmember Perello to serve as Alternate; and Mayor Flynn nominated the Planning and Environmental Services Manager (or designee) to serve as the staff alternate. No further nominations were made. The Council approved the nominations unanimously.

*It was moved by Councilman MacDonald, seconded by Councilmember Madrigal,* to approve adoption of the ordinance as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Public Works Department

2. SUBJECT: La Colonia Green Alleys Grant Budget Appropriation.
   RECOMMENDATION: That City Council:
   1. Appropriate funds in the total amount of $1,380,065 (grant and match) to implement the La Colonia Green Alleys project.

2. Approve a match of $180,065, consisting of $80,065 of in-kind contributions and a $100,000 appropriation to project number 183104 – La Colonia Green Alleys project.

The Public Works Sustainability Coordinator gave a report. Public comments were received from Ramon Lopez. Discussion ensued among the Council and staff.

*It was moved by Councilmember Madrigal, seconded by Councilmember Perello*, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

3. SUBJECT: City-Wide Street Sweeping - Second Amendment to Agreement No. A-7659.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Second Amendment to the Agreement with Venco Power Sweeping, Incorporated (Agreement No. A-7659) for City-wide street sweeping services, extending the original agreement from a four-year term expiring on March 31, 2018, to a six-year term expiring March 31, 2020, and increase the original contract total by $1,186,000 for a new contract not to exceed of $3,150,000.

The Environmental Resources Division Manager gave a report. Discussion ensued among the Council and staff.

*It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez*, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

4. SUBJECT: Agreement with Solenis LLC for Polymer Supply to the Wastewater Treatment Plant.
RECOMMENDATION: That City Council:
1. Award and authorize the Mayor to execute an Agreement with Solenis LLC in the amount of $1,012,000 for a three (3) year term for the supply of Praestol K144L-371220 Polymer to the Wastewater Treatment Plant (Agreement No. 8172-17-PW).
2. Approve an appropriation of $130,000 for the purchase of polymer in Account No. 621-6202-843.81-06.

The Assistant Public Works Director gave a report.

*It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez*, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

5. SUBJECT: Intelligent Transportation Systems Update.

(This item was postponed due to time.)

## M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:40 p.m.

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| MICHELLE ASCENCION, CMC | TIM FLYNN |
| City Clerk | Mayor |

# M I N U T E S
OXNARD CITY COUNCIL
Special Meeting
March 12, 2018

## A. ROLL CALL/POSTING OF AGENDA

At 5:37 p.m., Mayor Flynn called to order the special meeting of the Oxnard City Council in the Human Resources Activity Room, 300 W. Third Street, Oxnard, California, with a teleconference location at 11818 Smoketree Road, Potomac, Maryland. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Bryan A. MacDonald, Bert Perello, Mayor Pro Tem Carmen Ramirez (by telephone), and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 6:00 p.m.)

Staff members present were Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Rosemarie Gaglione, Public Works Director; Shiri Klima, Assistant City Attorney; Thien Ng, Assistant Public Works Director; and Michelle Ascencion, City Clerk.

## B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

## C. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None received.)

## D. CLOSED SESSION

Mayor Flynn read the following closed session statement:

“Conference with Legal Counsel – Potential Litigation: On the advice of the City Attorney, pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case. The City Attorney requested that this item be discussed in closed session under the Brown Act authorization for the City Council to confer with its legal counsel regarding potential litigation.”

At 5:39 p.m., the City Council recessed to a closed session. At 8:03 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

## E. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 8:03 p.m.

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| MICHELLE ASCENCION, CMC<br>City Clerk | TIM FLYNN<br>Mayor |

# M I N U T E S
# OXNARD CITY COUNCIL
## Regular Meeting
## March 20, 2018

## A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Housing Authority) in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present. Housing Commissioner Jose Andrade arrived at 5:33 p.m. Housing Commissioner Francisco Vega arrived at 6:17 p.m.

Staff members present were Jesús Nava, Assistant City Manager (serving as Acting City Manager); Stephen Fischer, City Attorney; Ashley Golden, Interim Assistant City Manager; and Michelle Ascencion, City Clerk.

## B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None received.)

## C. CLOSED SESSION

Mayor Flynn read the following closed session statement:

"The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The Workers' Compensation proceedings being discussed are Edward Romero v. City of Oxnard and Alberto Rivera v. City of Oxnard."

At 4:36 p.m., the City Council recessed to a closed session. At 5:30 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

Additional staff members present at this time were Arturo Casillas, Housing Director; Kymberly Horner, Economic Development Director; Steve Navaeu, Human Resources Director; Jim Throop, Chief Financial Officer; Jeri Cooper, Special Districts Project Manager; John Hanes, City Safety Officer; Justin Link, Transportation Services Manager; Kathleen Mallory, Planning Division Manager; and Eric Sonstegard, Assistant Police Chief.

## E. APPOINTMENT ITEM

### Economic Development Department

1. SUBJECT: Oxnard Convention & Visitors Bureau Annual Update.
   RECOMMENDATION: That City Council receive a report on the Oxnard Convention and Visitors Bureau.

The Economic Development Director introduced Oxnard Convention & Visitors Bureau (OCVB) President Julie Mino, who gave a report. Public comments were received from Abel Magana. Discussion ensued among the Council and OCVB board members. No action was taken.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Dale Dean (City Manager recruitment), Woodrow Thomas Sr. (status of his claim against the city), Tiffany Lopez (announced upcoming community events), Steve Nash (gun control), Michael Feinstein (candidate for Secretary of State), Edward Castillo (City Manager recruitment), Daniel Chavez Jr. (public safety), Louise Vien (Laubach literacy program), Pat Brown (upcoming recall election), David Trude (code enforcement at Whalers Village), Richard Wooley (security concerns at Whalers Village), Jesus Nava (acknowledged Rose Park Neighborhood Council members), and Abel Magana (county actions to address homelessness).

G. REPORT OF CITY MANAGER

The Acting City Manager announced various upcoming meetings and special events, and provided program updates. He also mentioned recent television filming at various locations in the city and an upcoming Downtown Vision Plan meeting.

The City Clerk gave an update on the upcoming May 1$^{st}$ Special Election.

H. CITY COUNCIL REPORTS

Councilmember Madrigal commented on recent neighborhood cleanup events, Rose Park Neighborhood chair Rogelio Quezada, recent acts of violence in the news, the championship Hueneme High School girls basketball team, and the City Manager recruitment.

Mayor Pro Tem Ramirez commented on Mr. Quezada, the City Manager recruitment process, the upcoming Downtown Visioning event, the recent National League of Cities conference, the failed NRG power plant proposal, funding for homeless shelters, and her upcoming wedding anniversary.

Councilmember Perello commented on the recent special election debate, literacy tutoring, an upcoming Ventura Regional Sanitation District meeting on solid and liquid waste fees, recent violence in the news, Mr. Quezada, and his public memo on the “Red Team’s” efforts to seek grant funding.

Mayor Flynn commented on the impending rain storm and urged people to assist those affected by the potential natural disasters.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-3, K-4(A), K-4(D), K-5, K-6, K-7, and K-9 were discussed among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Robert Chatenever. Discussion ensued among Council and staff.

K. INFORMATION/CONSENT AGENDA

City Attorney Department

1. SUBJECT: First Amendment to Attorney Services Agreement with Aleshire & Wynder, LLP
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to the Attorney Services Agreement ("Agreement") with Aleshire & Wynder, LLP ("Aleshire & Wynder") (Agreement No. 7598-16-CA) for legal services relating to litigation involving condemnation issues and general legal advice for an increase of $200,000 for a total contract amount not to exceed $400,000.

City Clerk Department

2. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the January 30, 2018 Regular Meeting, February 6, 2018 Regular Meeting, and February 7, 2018 Special Meeting as presented.

3. SUBJECT: Certificate of Sufficiency of Signatures for the Initiative Petition Entitled: "Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay)."
RECOMMENDATION: No City Council action is required at this time; however a resolution to consolidate the measure with the November 6, 2018 General Election will be brought to the Council for adoption at the April 3, 2018 regular meeting.

City Manager Department

4. SUBJECT: Agreements for City Council Review.
RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:
A. Magellan Advisors (A-8053) to develop a Fiber Master Plan ($98,450).
B. E. P. Consulting (8083-17-CM) to serve as the City's liaison for communicating and coordinating legislative actions with the City's state and federal legislative consultants ($20,000).
C. Liebert Cassidy Whitmore (Purchase Order No. 6745) for employee relations legal services ($175,000).
D. GlaxoSmithKline, Inc. (Purchase Order No. 6734) for Hepatitis A and B vaccine ($140,000).

Cultural and Community Services Department

5. SUBJECT: Recognize Revenue and Appropriate Matching Funds for the Retired and Senior Volunteer Program (RSVP).
RECOMMENDATION: That City Council:
1. Recognize revenue in the amount of $67,777 and appropriate matching funds of $29,047, for the Retired and Senior Volunteer Program grant, and
2. Authorize the City Manager or designee to execute grant agreements; the Finance

Director or designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds.

Finance Department

6. SUBJECT: Budget Appropriation for the Reimbursement of Surplus Funds for AD 96-1 Close Out.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of $723,545.43 for the reimbursement of surplus funds remaining as a result of the cancellation of the special tax lien and dissolution of Assessment District 96-1.

7. SUBJECT: Budget Appropriation for Various Landscape Maintenance Districts and a Community Facilities District.
RECOMMENDATION: That City Council approve a budget appropriation in the amount of $90,415 for the current Fiscal Year 2017-18 from fund balance of the various Landscape Maintenance Districts and a Community Facilities District for water usage overages and special projects not included in the current budget.

Human Resources Department

8. SUBJECT: Adoption of Successor Memorandum of Understanding with the Oxnard Public Safety Managers' Association Fire Unit.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,097** approving a successor memorandum of understanding (MOU) with the Oxnard Public Safety Managers' Association Fire Unit.

Police Department

9. SUBJECT: Second Amendment to Taser Agreement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Second Amendment to Agreement A-7858 with Axon Enterprises, Inc., formerly known as TASER International, Inc., to increase the amount by $268,973.55 to a total of $1,374.390.47 over five years for the purpose of adding fifty (50) body-worn cameras.

*It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal,* to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor, the motion carried 5-0.

L. PUBLIC HEARINGS

(Mayor Flynn announced that item L-3 will be postponed.)

Housing Department

1. SUBJECT: Five-Year & Annual Agency Plan and Five-Year Capital Fund for Low Rent Public Housing.
RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard:
1. Hold a public hearing to receive comments concerning the fourth year of the Five-

Year Agency Plan and the 2018 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and

2. Adopt **Housing Resolution No. 1302**:

a. Approving the Five-Year and Annual Agency Plan for the Housing Authority;

b. Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures;

c. Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with HUD's policies and procedures regarding the Five-Year Agency Plan;

d. Approving the 2018 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and

e. Authorizing the Housing Director to accept and expend the funds as indicated in the revised 2018 Capital Fund Annual Statement and Five-Year Capital Fund Plan.

The City Clerk announced the affidavit of publication and stated that no written communications had been received.

The Housing Director gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Woodrow Thomas Sr. and Dan Pinedo.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

*It was moved by Councilmember Perello, seconded by Mayor Pro Tem Ramirez,* to approve staff's recommendation as presented. VOTE: Andrade, Flynn, MacDonald, Madrigal, Perello, Ramirez, and Vega voted in favor; the motion carried 7-0.

Development Services Department

2. SUBJECT: Appeal of Planning Commission Approval of Planning & Zoning Permit No. 17-540-01 (Special Use Permit) and Approval of Planning & Zoning Permit No. 17-300-01 (Tentative Parcel Map).

RECOMMENDATION: That City Council:

1. Adopt **Resolution No. 15,098** upholding the Planning Commission's approval of Planning and Zoning Permit No. 17-540-01 (Special Use Permit for a Planned Development Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-05.

2. Adopt **Resolution No. 15,099** approving Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-06.

The City Clerk announced the affidavit of publication and stated that no written communications had been received.

The Planning Division Manager gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from applicant Tom Davies.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

*It was moved by Councilman MacDonald, seconded by Councilmember Perello,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

3. SUBJECT: Planning and Zoning Permit Nos. 16-500-06 (Special Use Permit); 16-535-01 (Density Bonus); and 16-300-06 (Tentative Subdivision Map No. 5995) to Construct 20 Townhome Units Inclusive of 4 Affordable Units (Low Income), and a Tentative Subdivision Map to Create 20 Condominium Units on the 0.91-Acre Parcel Located Within the Southwinds Neighborhood. Property Located at 5489 Saviers Road (APN: 222-0-011-29). Filed by Designated Agent Henry Casillas, 451 West Fifth Street, Oxnard, California, 93030, on Behalf of the Property Owner (The "Applicant").

(This item was removed from the agenda.)

M. REPORTS

Public Works Department

1. SUBJECT: Intelligent Transportation Systems Update.
RECOMMENDATION: That City Council receive an update on the City's Intelligent Transportation System.

The Transportation Services Manager gave a report. Public comments were received from Pat Brown. Discussion ensued among the Council and staff. No action was taken.

2. SUBJECT: Traffic Signal Project - Rose and Gary Drive.
RECOMMENDATION: That City Council:
1. Authorize the City Manager or designee to recognize State grant revenue and appropriate funds in the total amount of $17,000 (grant and match) to implement the Rose Avenue and Gary Drive New Traffic Signal project.
2. Recognize grant award of design phase in amount of $15,000 and approve a match of $2,000 to the Rose Avenue and Gary Drive New Traffic Signal Project No. 183104.

The Transportation Services Manager gave a report. Public comments were received from Michelle Ascencion. Discussion ensued among the Council and staff.

*It was moved by Councilman MacDonald, seconded by Councilmember Perello,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

## N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 8:52 p.m.

| | |
|---|---|
| MICHELLE ASCENCION, CMC<br>City Clerk | TIM FLYNN<br>Mayor |

# M I N U T E S
# OXNARD CITY COUNCIL
## Regular Meeting
## March 27, 2018

## A. ROLL CALL/POSTING OF AGENDA

At 5:08 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Financing Authority) in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present. Councilmember Bryan A. MacDonald was absent.

Staff members present were Scott Whitney, Interim City Manager/Police Chief; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Jim Throop, Chief Financial Officer; Terrel Harrison, Community Services Manager; Karen Moore, Assistant City Clerk; and Michelle Ascencion, City Clerk.

## B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

## C. APPOINTMENT ITEMS

### Finance Department

1. SUBJECT: Public Employees Retirement System Cost Overview and City Debt Overview.
   RECOMMENDATION: That City Council receive a presentation on the current status and projections for the CalPERS pension program.

The Chief Financial Officer introduced Mike Meyer and Craig Hill of NHA Advisors, who gave a report. Discussion ensued among the Council and staff. No action was taken.

### Cultural and Community Services Department

1. SUBJECT: Naming of College Park and Windrow Dog Parks After K9 Officers.
   RECOMMENDATION: That City Council: 1) adopt **Resolution No. 15,101** renaming Windrow Dog Park, "Jax's Windrow Dog Park"; and 2) adopt **Resolution No. 15,102** renaming College Dog Park, "College Park, Rudy's Dog Park."

The Community Services Manager introduced Daniella Cortez of the Oxnard PAL's Youth Director's Council, who gave a report. Public comments were received from Roger Poirier and Renee Ostrove. Discussion ensued among the Council and staff.

*It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello,* to approve staff's recommendation as presented. VOTE: Flynn, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (MacDonald absent).

(The meeting took a brief break at 6:21 p.m. and resumed at 6:33 p.m.)

D. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Rogelio Quezada for 18 Years of Dedicated Service as Chair of the Rose Park Neighborhood Council.

Mayor Flynn announced that Mr. Quezada was unable to attend the meeting.

Additional staff members present at this time were Kymberly Horner, Economic Development Director; and Douglas Spondello, Principal Planner;

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jackie Tedeschi (recent Southbank Neighborhood Council meeting), Edward Castillo (City Manager recruitment), Steve Nash (gun control), Pat Brown (upcoming recall election), Abel Magana (recent Downtown Vision Plan meeting), Woodrow Thomas Sr. (City Manager recruitment), Julio Alcala (upcoming Cesar Chavez documentary screening), and Lawrence Stein (security cameras in Downtown, public safety, budget process).

F. REPORT OF CITY MANAGER

The Interim City Manager announced various upcoming meetings and special events and provided program updates. He highlighted the Oxnard Fire Department's new internship program, the DRAGG program's comedy fundraiser, and the Oxnard Police Department's James Q. Wilson community policing award.

The City Clerk gave an update on the upcoming May 1st Special Election.

Public comments were received from Jackie Tedeschi and Woodrow Thomas Sr.

G. CITY COUNCIL REPORTS

Councilmember Madrigal reported on the recent Carnegie Board meeting, Rose Park Neighborhood Council meeting, the Young Life banquet, the Downtown visioning meeting, Eastside Little League opening day, an upcoming Downtown District meeting, his former student who has been diagnosed with cancer, and announced that he will be absent from next week's meeting due to a mission trip.

Mayor Pro Tem Ramirez commented on Downtown visioning, a recent Commission on State Mandates meeting and Water Education for Latino Leaders event in Sacramento, the Ventura "March for our Lives" event, gun control and gun shows, and the City Manager recruitment.

Councilmember Perello reported on the Eastside Little League opening day, recent Southbank and Kamala neighborhood council meetings, Performing Arts Center board meeting, League of Women Voters forum, security cameras, the Ventura Regional Sanitation District meeting, and the City Manager recruitment.

Mayor Flynn commented on public pensions and the City Manager recruitment.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Item J-2 was discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Peggy Rivera. Discussion ensued among Council and staff.

J. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review.
RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:
A. Kosmont Companies (6897-14-CD) for assistance with the disposition process of Successor Agency assets ($60,000).
B. Aztec Data Supply, Inc. (Purchase Order No. 6762) for the purchase of Cisco wireless hardware, network switches and wireless controllers ($77,058).

Cultural and Community Services Department

2. SUBJECT: California Strawberry Festival - Agreement 8194-18-CS.
RECOMMENDATION: That City Council:
1. Authorize the Interim City Manager to enter into agreement 8194-18-CS with the California Strawberry Festival.
2. Approve attached budget appropriation recognizing $40,000 of revenue and appropriating $40,000 in expenditures for City Corps to provide litter cleanup and recycling services for the 2018 California Strawberry Festival.

Finance Department

3. SUBJECT: Month-End Financial Summary Report.
RECOMMENDATION: That the City Council receive and file the January 2018 monthly financial summary report.

Police Department

4. SUBJECT: State of California Office of Traffic Safety S.T.E.P. Grant Application.
RECOMMENDATION: That City Council adopts **Resolution No. 15,103**:
1. Authorizing the City Manager to execute and submit an application for $418,593.00 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2018/19 Selective Traffic Enforcement Program (S.T.E.P.);
2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award;
3. Authorizing the Chief Financial Officer or designee to submit financial reports and

grant claims and approve budget appropriations for the use of OTS funds upon award; and
4. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

*It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal,* to approve the Information/Consent items as presented. VOTE: Flynn, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (MacDonald absent).

K. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Consider Creation of a Two-Year Downtown Parklet Pilot Program Within the Public Right-Of-Way in the Central Business District and Authorize Measures to Implement the Pilot Program.
RECOMMENDATION: That the City Council:
1. Approve for first reading (by title only, waiving further reading) an uncodified ordinance (PZ No. 18-04) implementing a two-year pilot program for the installation of parklets within the public right-of-way in the Central Business District zone;
2. Authorize the Development Services Director the authority to approve licensing agreements associated with the installation of parklets within the public right-of-way; and
3. Waive the collection of traffic impact fees associated with the installation of parklets within the public right-of-way.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. The Principal Planner gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Steve Nash, Daniel Chavez Jr., Jackie Tedeschi, Abel Magana, Pat Brown, and Woodrow Thomas Sr.

Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

*It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal,* to approve staff's recommendation as presented. VOTE: Flynn, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (MacDonald absent).

L. REPORTS

Development Services Department

1. SUBJECT: Refinancing of Lease/Revenue Bonds for General Fund.
RECOMMENDATION: 1. That the City Council adopt **Resolution No. 15,100** of the City Council of the City of Oxnard authorizing the sale, issuance, and delivery of not more than $38,000,000 in principal amount of the City of Oxnard Financing Authority Lease-Revenue Bonds, Series 2018, and approving certain documents and authorizing certain actions in connection therewith.
2. That the City of Oxnard Financing Authority adopt **Resolution No. 50** of the

Governing Board of the City of Oxnard Financing Authority authorizing the sale, issuance, and delivery of not more than $38,000,000 in principal amount of its Lease-Revenue Refunding Bonds, Series 2018, and approving certain documents and authorizing certain actions in connection therewith.

The Chief Financial Officer re-introduced Mr. Hill of NHA Advisors, who gave a report. Public comments were received from Lawrence Stein. Discussion ensued among the Council and staff.

*It was moved by Mayor Pro Tem Ramirez, seconded by Mayor Flynn,* to approve staff's recommendation as presented. VOTE: Flynn, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (MacDonald absent).

(Mayor Flynn announced at this time that items L-3 and L-5 are removed from the agenda.)

2. SUBJECT: Use of Line of Credit for Large Capital Projects.
RECOMMENDATION: That the City Council:
1. Award and authorize the Mayor to execute an escrow agreement in the amount of $10,000,000 relating to the master equipment lease/purchase agreement for the acquisition, financing, and leasing of certain equipment;
2. Authorize the City Manager and City Attorney to execute all other documents required in connection therewith; and
3. Authorize the City Manager to take all other actions necessary to the consummation of the transactions, including but not limited to providing a schedule of projects.

The Chief Financial Officer re-introduced Mr. Hill of NHA Advisors, who gave a report. Public comments were received from Lawrence Stein and Daniel Chavez Jr. Discussion ensued among the Council and staff.

*It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Madrigal,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against. The motion carried 3-1 (MacDonald absent).

City Attorney Department

3. SUBJECT: Fireworks Social Host Liability Ordinance Introduction.

(This item was postponed due to time.)

Development Services Department

4. SUBJECT: Payment of Future Utility Bills from the Channel Islands Beach Community Services District for Services Within the Channel Islands Harbor Relating to Parks and Street Medians.
RECOMMENDATION: That the City Council:
1. Authorize payment of utility services provided by the Channel Islands Beach Community Services District within the Channel Islands Harbor for park and median landscaping and bathrooms through June 8, 2018; and
2. Authorize continued landscape maintenance of parks and medians within the Channel Islands Harbor, and maintenance of bathrooms within the Harbor through June 8, 2018.

The Interim Assistant City Manager gave a report. Public comments were received from Robert Bravo, Martin Jones, and Lawrence Stein. Discussion ensued among the Council and staff.

*It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Perello,* to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (MacDonald absent).

Finance Department

5. SUBJECT: Remodel of Third Floor - City Hall.

(This item was postponed due to time.)

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:54 p.m.

| | |
|---|---|
| MICHELLE ASCENCION, CMC<br>City Clerk | TIM FLYNN<br>Mayor |

| | | |
|---|---|---|
| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br><br>**AGENDA REPORT** | **TYPE OF ITEM: Info/Consent**<br><br>**AGENDA ITEM NO.: 3** |

**DATE:** June 5, 2018

**TO:** City Council

**FROM:** Michelle Ascencion
City Clerk

**SUBJECT:** Certificates of Sufficiency of Signatures for the Initiative Petitions Entitled: "Reducing Special Tax in Community Facilities District No. 3 (Seabridge at Mandalay Bay) Overhead," and "Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay) Harbor Patrol."

**CONTACT:** Michelle Ascencion, City Clerk
Michelle.Ascencion@oxnard.org, (805) 385-7805

**RECOMMENDATION:**

No City Council action is required at this time; however a resolution to consolidate the measure with the November 6, 2018 General Election will be brought to the Council for adoption at the June 19, 2018 regular meeting.

**BACKGROUND**

On April 24, 2018, the City Clerk received notification letters (Attachment C) that a Notice of Intention to Circulate Petition for Community Facilities District No. 3, and a Notice of Intention to Circulate Petition for Community Facilities District No. 4 had been posted and published as required by Election Code §9302 and 9303.

The initiatives' proponent delivered the completed petitions to the City Clerk's office on April 30, 2018, which were forwarded to the Ventura County Elections Division for signature verification.

On May 22, 2018, the Elections Division finalized its count of the signatures and provided signature verification certificates (Attachment B). As the required number of valid signatures has been submitted in favor of the proposed measures, the City Clerk has provided Certificates of Sufficiency for the measures (Attachment A) for the City Council's information (EC §9308).

Per EC §9310, if an initiative petition meets the signature requirements, the governing body has multiple options, including:

1. Adopt the ordinance, without alteration, within 10 days after it is presented, or
2. Submit the ordinance, without alteration, to the voters pursuant to EC §1405.

Per EC §1405, a district has two options if it chooses to submit the ordinance to the voters:

1. Hold the election on the initiative at the next statewide election that is not less than 88 days after the date of the order of the election, or
2. Alternatively, call a special election between 88 and 103 days after the order of the election.

Since CFD-3 and CFD-4, as special districts, have the option of holding an election at the next statewide election or holding a special election, the staff recommendation to the Council (acting as the governing bodies for the districts) will be to consolidate the measure with the next statewide election on November 6, 2018.

**FINANCIAL IMPACT**

The cost for conducting this election is unknown at this time. Information should be available when staff returns to Council on June 19th to call the election.

**ATTACHMENTS:**

Attachment A: Certificates of Sufficiency

Attachment B: County Sig. Count Cert. & Letter Seabridge CFD-3

Attachment C: County Sig. Count Cert. & Letter Seabridge CFD-4

Attachment D: Notice of Intent to Circulate Petition- CFD3

Attachment E: Notice of Intent to Circulate Petition- CFD4

CITY OF
OXNARD
CALIFORNIA

# CERTIFICATE OF SUFFICIENCY OF INITIATIVE PETITION SIGNATURES FOR COMMUNITY FACILITIES DISTRICT NO. 3 (SEABRIDGE AT MANDALAY BAY) OVERHEAD

I, Michelle Ascencion, City Clerk of the City of Oxnard, County of Ventura, State of California, hereby certify:

The initiative petition entitled "Reducing Special Tax in Community Facilities District No. 3 (Seabridge at Mandalay Bay) Overhead" was filed with the City Clerk's office on April 30, 2018.

That the petition has been examined by the County of Ventura Registrar of Voters, and as a result of such examination, it has been confirmed that the petition has been signed by the requisite number of voters and the following facts have been determined:

| | |
|---|---|
| Total number of signatures on petition (raw count): | 100 |
| Total number of signatures verified: | 100 |
| Number of signatures found sufficient: | 79 |
| Number of signatures found insufficient: | 21 |
| Number of signatures insufficient because of duplication: | 1 |

Based on the information above, the petition is deemed to be sufficient.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Oxnard, California this 23rd day of May, 2018.

CITY OF OXNARD
INCORPORATED
JUNE 30, 1903
STATE OF CALIFORNIA

Michelle Ascencion, CMC
City Clerk

CITY OF
OXNARD
CALIFORNIA

# CERTIFICATE OF SUFFICIENCY
# OF INITIATIVE PETITION SIGNATURES
# FOR COMMUNITY FACILITIES DISTRICT NO. 4
# (SEABRIDGE AT MANDALAY BAY) HARBOR PATROL

I, Michelle Ascencion, City Clerk of the City of Oxnard, County of Ventura, State of California, hereby certify:

The initiative petition entitled "Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay) Harbor Patrol" was filed with the City Clerk's office on April 30, 2018.

That the petition has been examined by the County of Ventura Registrar of Voters, and as a result of such examination, it has been confirmed that the petition has been signed by the requisite number of voters and the following facts have been determined:

| | |
|---|---|
| Total number of signatures on petition (raw count): | 104 |
| Total number of signatures verified: | 104 |
| Number of signatures found sufficient: | 92 |
| Number of signatures found insufficient: | 12 |
| Number of signatures insufficient because of duplication: | 1 |

Based on the information above, the petition is deemed to be sufficient.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Oxnard, California this 23rd day of May, 2018.

CITY OF OXNARD
INCORPORATED
JUNE 30, 1903
STATE OF CALIFORNIA

Michelle Ascencion, CMC
City Clerk

County of Ventura
COUNTY CLERK-RECORDER,
REGISTRAR OF VOTERS

**MARK A. LUNN**
County Clerk-Recorder,
Registrar of Voters

**JAMES B. BECKER**
Assistant County Clerk and Recorder

**TRACY D. SAUCEDO**
Assistant Registrar of Voters

**MARTIN E. COBOS**
Operations Manager

**MIRANDA L. NOBRIGA**
Public Information Officer

May 22, 2018

Ms. Michelle Ascencion, City Clerk
City of Oxnard
300 West Third Street, 4th Floor
Oxnard, CA 93030

**Re: 2018-3 City of Oxnard Seabridge CFD-3**

Dear Ms. Ascencion:

Enclosed is our Signature Verification Certificate for the Petition entitled: Reducing Special Tax in Community Facilities District No. 3 (Seabridge at Mandalay Bay) Overhead.

If you have any questions, please call me at (805) 654-2700.

Sincerely,

Tracy Saucedo

**TRACY D. SAUCEDO**, CERA, REO
Assistant Registrar of Voters

*Preserving History • Protecting Democracy*

# SIGNATURE VERIFICATION CERTIFICATE

I, **MARK A. LUNN**, Clerk-Recorder, Registrar of Voters of the **County of Ventura**, State of California,

Hereby certify that: Reducing Special Tax in Community Facilities District No. 3 (Seabridge at Mandalay Bay) Overhead
Initiative Title

has been filed with this office on May 15, 2018
Month and day Year

That the said petition consists of 10 sections;

That each section contains signatures purporting to be signatures of qualified electors of this county;

That attached to this petition at the time it was filed, was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that Section, that all of the signatures were made in his or her presence, and that to the best of his or her own knowledge and belief, each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition, I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of unverified signatures filed by proponent (raw count) 100
2. Number of signatures verified 100

   Number of signatures found SUFFICIENT 79

   Number of signatures found INSUFFICIENT 21

   Number of signatures NOT CHECKED 0

   INSUFFICIENT because of DUPLICATE 1

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this day of

May 22, 2018
Month and day Year

**MARK A. LUNN**
Clerk-Recorder, Registrar of Voters

By: Tracy Saucedo
**TRACY D. SAUCEDO**, CERA, REO
Assistant Registrar of Voters

**County of Ventura**
**COUNTY CLERK-RECORDER,**
**REGISTRAR OF VOTERS**

**MARK A. LUNN**
County Clerk-Recorder,
Registrar of Voters

**JAMES B. BECKER**
Assistant County Clerk and Recorder

**TRACY D. SAUCEDO**
Assistant Registrar of Voters

**MARTIN E. COBOS**
Operations Manager

**MIRANDA L. NOBRIGA**
Public Information Officer

May 22, 2018

Ms. Michelle Ascencion, City Clerk
City of Oxnard
300 West Third Street, 4th Floor
Oxnard, CA 93030

**Re: 2018-4 City of Oxnard Seabridge CFD-4**

Dear Ms. Ascencion:

Enclosed is our Signature Verification Certificate for the Petition entitled: Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay) Harbor Patrol.

If you have any questions, please call me at (805) 654-2700.

Sincerely,

Tracy Saucedo

**TRACY D. SAUCEDO**, CERA, REO
Assistant Registrar of Voters

***Preserving History • Protecting Democracy***

Elections Division • 800 South Victoria Avenue Ventura, CA 93009-1200 • (805) 654-2664 • Fax: (805) 648-9200 • www.VenturaV

# SIGNATURE VERIFICATION CERTIFICATE

I, **MARK A. LUNN**, Clerk-Recorder, Registrar of Voters of the **County of Ventura**, State of California,

Hereby certify that: Reducing Special Tax in Community Facilities District No. 4 (Seabridge at Mandalay Bay) Harbor Patrol
Initiative Title

has been filed with this office on May 15, 2018
Month and day Year

That the said petition consists of 10 sections;

That each section contains signatures purporting to be signatures of qualified electors of this county;

That attached to this petition at the time it was filed, was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that Section, that all of the signatures were made in his or her presence, and that to the best of his or her own knowledge and belief, each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition, I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of unverified signatures filed by proponent (raw count) 104
2. Number of signatures verified 104

Number of signatures found SUFFICIENT 92

Number of signatures found INSUFFICIENT 12

Number of signatures NOT CHECKED 0

INSUFFICIENT because of DUPLICATE 1

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this day of

May 22, 2018
Month and day Year

**MARK A. LUNN**
Clerk-Recorder, Registrar of Voters

By: Tracy Saucedo
**TRACY D. SAUCEDO**, CERA, REO
Assistant Registrar of Voters

April 23, 2018

Received
Oxnard City Clerk

2018 APR 24 AM 10: 34

Michelle Ascencion, City Clerk
City of Oxnard
300 West Third Street, Fourth Floor
Oxnard, CA 93030

Re: Initiative Measure to be Submitted to Voters CFD-3

Please find enclosed with this letter a proposed initiative measure and Notice of Intention to Circulate Petition for Community Facilities District No. 3 (Seabridge at Mandalay Bay). Pursuant to Sections 9302 and 9303 of the Elections Code, the Notice of Intention was both posted in at least three public places in the District and published in the Tri County Sentry on April 20, 2018. In accordance with Section 9304 of the Elections Code, Affidavits of Posting and Publication, the original Notice of Intention, and the full text of the proposed initiative are enclosed with this letter.

I am the proponent of this measure, am the owner of record of land, and am a registered voter within Community Facilities District No. 3 (Seabridge at Mandalay Bay). Attached please find a signed proponent affidavit as required by section 9608 of the California Elections Code. If you have any questions, please contact the undersigned at 805 236 4798 or chatenever@yahoo.com.

Very Truly Yours,

Robert Chatenever

Robert Chatenever, Proponent

COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY)
OF THE CITY OF OXNARD

| | |
|---|---|
| INITIATIVE TO REDUCE SPECIAL TAX CFD-3 | AFFIDAVIT OF POSTING OF NOTICE OF INTENT TO CIRCULATE INITIATIVE PETITION<br><br>(ELECTIONS CODE SEC. 9303) |

I, Robert Chatenever, do hereby declare as follows:

1. I am a registered voter in Community Facilities District No.3 (Seabridge at Mandalay Bay) of the city of Oxnard ("District")

2. On April 23, 2018 I posted the attached "Notice of Intention to Circulate Petition" in the following public places within the District:

| |
|---|
| Gate house on Seabridge Lane |
| Clubhouse at 1420 Seabridge Lane |
| Entry gate at Aleution Way |

3. A true and correct copy of the "Notice of Intention to Circulate Petition" is attached hereto as Exhibit A.

The foregoing is true and correct and of my personal knowledge. If called as a witness, I could and would testify competently thereto.

Executed under penalty of perjury under the laws of the State of California this April 23, 2018.

Robert Chatenever

# Notice of Intention to Circulate Petition

Notice is hereby given by the person whose name appears hereon of his intention to circulate the petition within the Community Facilities District No. 3 in the City of Oxnard for the purpose of reducing the special tax for city of Oxnard overhead levied by Community Facilities District No. 3. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

1. Community Facilities District No. 3 (CFD-3) was established by the City of Oxnard in 2004 when the city of Oxnard made a deal with the landowner who was seeking approval to develop the Seabridge community. The landowner agreed to the establishment of a special tax on future residents in return for gaining approval to build the Seabridge project.
2. Most of the necessary administrative functions required for CFD-3 are carried out by an outside consulting firm (NBS).
3. The city of Oxnard has made annual overhead charges to CFD-3 of $50,000 through an account that pays for indirect overhead.
4. The city of Oxnard has failed to comply with all requests to justify or even explain why it is proper for them to make these charges.

For the above reasons, the residents of Seabridge desire to reduce the the existing CFD-3 special tax to include only the obligations to repay the bond and necessary fees for outside consultants, but no city overhead charges in excess of $5000 annually. The petition will contain a request that the ordinance be submitted to a vote of the people pursuant to Elections Code sec. 9310.

Robert Chatenever, Proponent
4124 Caribbean St.
Oxnard, CA 93035

/s/ ______________________
Robert Chatenever

EXHIBIT A

Cust Id: 764 Ad Id: 23593 Sch Id: 70751
Your Control #: Notice of Intention to Circulate Petition--Community Facilities District 3

**TRI-COUNTY SENTRY**
**1000 Town Center Drive, Suite 300**
**Oxnard, CA 93036**
**805-983-0015**

Proponent
Robert Chatenever
4124 Caribbean St.

Oxnard, CA 93035

# Proof of Publication

2015.5 C.C.P.

**State of CA, County of Ventura**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the agent of the printer of the Tri-County Sentry, a newspaper of general circulation, printed and published weekly and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Ventura, State of California, that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

04/20/18

I certify (or declare) under the penalty of perjury that the following is true and correct. Dated at Oxnard, CA on

Signature 04/22/2018

Notice of Intention to Circulate Petition

Notice is hereby given by the person whose name appears hereon of his intention to circulate the petition within the Community Facilities District No. 3 in the City of Oxnard for the purpose of reducing the special tax for city of Oxnard overhead levied by Community Facilities District No. 3. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

1. Community Facilities District No. 3 (CFD-3) was established by the City of Oxnard in 2004 when the city of Oxnard made a deal with the landowner who was seeking approval to develop the Seabridge community. The landowner agreed to the establishment of a special tax on future residents in return for gaining approval to build the Seabridge project.
2. Most of the necessary administrative functions required for CFD-3 are carried out by an outside consulting firm (NBS).
3. The city of Oxnard has made annual overhead charges to CFD-3 of $50,000 through an account that pays for indirect overhead.
4. The city of Oxnard has failed to comply with all requests to justify or even explain why it is proper for them to make these charges.

For the above reasons, the residents of Seabridge desire to reduce the the existing CFD-3 special tax to include only the obligations to repay the bond and necessary fees for outside consultants, but no city overhead charges in excess of $5000 annually. The petition will contain a request that the ordinance be submitted to a vote of the people pursuant to Elections Code sec. 9310.

Robert Chatenever, Proponent

/s/
4124 Caribbean St.
Robert Chatenever
Oxnard, CA 93035

SchId:70751 AdId:23593 CustId:764

04/22/2018 08:36:57 PM

# PROPONENT STATEMENT OF ACKNOWLEDGEMENT

I, Robert Chatenever, acknowledge that it is a misdemeanor under State Law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Dated April 23, 2018

Robert Chatenever
4124 Caribbean St.
Oxnard, CA 93035

# ORDINANCE REDUCING SPECIAL TAX FOR OVERHEAD CHARGES IN COMMUNITY FACILITIES DISTRICT NO. 3 (SEABRIDGE AT MANDALAY BAY)

The people of Community Facilities District No. 3 (Seabridge at Mandalay Bay) do ordain as follows:

SECTION 1. LIMITATION OF OVERHEAD CHARGES

Attachment B, "Description of Public Improvements and Incidental Expenses to be financed by Community Facilities District No.3 (Seabridge at Mandalay Bay)" to Resolution No. 12715, adopted as Ordinance No. 2676 by the City Council of the City of Oxnard acting as the governing body of Community Facilities District No. 3 (Seabridge at Mandalay Bay), is hereby amended to read as follows:

(Text to be inserted into the Table is indicated in ***bold italics*** type. Text to be deleted is indicated in ~~strikethrough~~ type. Text in standard, bold or underlined type, which currently appears in that fashion in Resolution No. 12715, remains unchanged by this Initiative)

The incidental expenses to be paid from bond proceeds and/or special taxes (collectively, the "Incidental Expenses") include:

(a) all costs associated with the creation of Community Facilities District No. 3 (Seabridge at Mandalay Bay), the issuance of bonds, the determination of the amount of annual special taxes to be levied, the cost of levying and collecting the annual special taxes, costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District No.3 (Seabridge at Mandalay Bay), including legal, consultants, engineering, planning and designing costs and the cost of annual administration of Community Facilities District No.3 (Seabridge at Mandalay Bay)***, except that the special taxes levied and used to pay overhead costs of employees of the City of Oxnard shall be limited to $5000 annually***; and

SECTION 2. GENERAL PROVISIONS

1. Section 3 of Article XIII C of the California Constitution provides that "the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge." Further, such power "to affect local taxes, assessments, fees and charges shall be applicable to all local governments," including special districts. (Id., see also Cal. Const. Art. XIII C, § 1(b) and (c).)
2. The purpose of this initiative is to exercise the power reserved to voters by Section 3 of Article XIII C of the California Constitution to limit the special tax currently imposed on the landowners in Community Facilities District No. 3 (Seabridge at Mandalay Bay).
3. This initiative is intended only to reduce the amount of special tax collected to pay for overhead costs of employees of the City of Oxnard, as set forth in Attachment B of Resolution 12715, which special taxes were originally levied by the City Council of the City of Oxnard, acting as the legislative body of Community Facilities District No. 3 (Seabridge at Mandalay Bay), by its adoption of Ordinance 2676, following approval by the then-landowner of the proposition proposing the special tax.

April 23, 2018

Received
Oxnard City Clerk
2018 APR 24 AM 10: 34

Michelle Ascencion, City Clerk
City of Oxnard
300 West Third Street, Fourth Floor
Oxnard, CA 93030

Re: Initiative Measure to be Submitted to Voters

Please find enclosed with this letter a proposed initiative measure and Notice of Intention to Circulate Petition for Community Facilities District No. 4 (Seabridge at Mandalay Bay). Pursuant to Sections 9302 and 9303 of the Elections Code, the Notice of Intention was both posted in at least three public places in the District and published in the Tri County Sentry on April 20, 2018. In accordance with Section 9304 of the Elections Code, Affidavits of Posting and Publication, the original Notice of Intention, and the full text of the proposed initiative are enclosed with this letter.

I am the proponent of this measure, am the owner of record of land, and am a registered voter within Community Facilities District No. 4 (Seabridge at Mandalay Bay). Attached please find a signed proponent affidavit as required by section 9608 of the California Elections Code. If you have any questions, please contact the undersigned at 805 236 4798 or chatenever@yahoo.com.

Very Truly Yours,

Robert Chatenever

Robert Chatenever, Proponent

Cust Id: 764 Ad Id: 23592 Sch Id: 70750
Your Control #: Notice of Intention to Circulate Petition--Community Facilities District No. 4

**TRI-COUNTY SENTRY**
**1000 Town Center Drive, Suite 300**
**Oxnard, CA 93036**
**805-983-0015**

Proponent
Robert Chatenever
4124 Caribbean St.

Oxnard, CA 93035

# Proof of Publication

2015.5 C.C.P.

**State of CA, County of Ventura**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the agent of the printer of the Tri-County Sentry, a newspaper of general circulation, printed and published weekly and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Ventura, State of California, that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

04/20/18

I certify (or declare) under the penalty of perjury that the following is true and correct. Dated at Oxnard, CA on

Signature 04/22/2018

---

Notice of Intention to Circulate Petition

Notice is hereby given by the person whose name appears hereon of his intention to circulate the petition within the Community Facilities District No. 4 in the City of Oxnard for the purpose of reducing the special tax for harbor patrol levied by Community Facilities District No. 4. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

1. Community Facilities District No. 4 (CFD-4) was established by the City of Oxnard in 2004 when the city of Oxnard made a deal with the landowner who was seeking approval to develop the Seabridge community. The landowner agreed to the establishment of a special tax on future residents in return for gaining approval to build the Seabridge project.
2. Most of the CFD-4 funds are being used to pay for county services (harbor patrol) that are excessive, unnecessary and unwanted by Seabridge residents.
3. There is already an initiative scheduled to appear on the ballot in the next general election which will reduce the CFD-4 special tax to the level that it was prior to the 27% increase that was imposed for 2017/18.
4. The city of Oxnard has indicated that if the tax reduction initiative is passed, they will reduce the city services that the residents DO want (landscaping) in order to fund the county services that they DON'T want.

For the above reasons, the residents of Seabridge desire to further reduce the the existing CFD-4 special tax to a level that will pay for only a reduced level of harbor patrol. The petition will contain a request that the ordinance be submitted to a vote of the people pursuant to Elections Code sec. 9310.

Robert Chatenever, Proponent
/s/
4124 Caribbean St.
Robert Chatenever
Oxnard, CA 93035

SchId:70750 AdId:23592 CustId:764

COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY)
OF THE CITY OF OXNARD

| | |
|---|---|
| INITIATIVE TO REDUCE SPECIAL TAX FOR HARBOR PATROL | AFFIDAVIT OF POSTING OF NOTICE OF INTENT TO CIRCULATE INITIATIVE PETITION<br><br>(ELECTIONS CODE SEC. 9303) |

I, Robert Chatenever, do hereby declare as follows:

1. I am a registered voter in Community Facilities District No.4 (Seabridge at Mandalay Bay) of the city of Oxnard ("District")

2. On April 23, 2018 I posted the attached "Notice of Intention to Circulate Petition" in the following public places within the District:

| |
|---|
| Gate house on Seabridge Lane |
| Clubhouse at 1420 Seabridge Lane |
| Entry gate at Aleution Way |

3. A true and correct copy of the "Notice of Intention to Circulate Petition" is attached hereto as Exhibit A.

The foregoing is true and correct and of my personal knowledge. If called as a witness, I could and would testify competently thereto.

Executed under penalty of perjury under the laws of the State of California this April 23, 2018.

Robert Chatenever

Robert Chatenever

# Notice of Intention to Circulate Petition

Notice is hereby given by the person whose name appears hereon of his intention to circulate the petition within the Community Facilities District No. 4 in the City of Oxnard for the purpose of reducing the special tax for harbor patrol levied by Community Facilities District No. 4. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

1. Community Facilities District No. 4 (CFD-4) was established by the City of Oxnard in 2004 when the city of Oxnard made a deal with the landowner who was seeking approval to develop the Seabridge community. The landowner agreed to the establishment of a special tax on future residents in return for gaining approval to build the Seabridge project.
2. Most of the CFD-4 funds are being used to pay for county services (harbor patrol) that are excessive, unnecessary and unwanted by Seabridge residents.
3. There is already an initiative scheduled to appear on the ballot in the next general election which will reduce the CFD-4 special tax to the level that it was prior to the 27% increase that was imposed for 2017/18.
4. The city of Oxnard has indicated that if the tax reduction initiative is passed, they will reduce the city services that the residents DO want (landscaping) in order to fund the county services that they DON'T want.

For the above reasons, the residents of Seabridge desire to further reduce the the existing CFD-4 special tax to a level that will pay for only a reduced level of harbor patrol. The petition will contain a request that the ordinance be submitted to a vote of the people pursuant to Elections Code sec. 9310.

Robert Chatenever, Proponent
4124 Caribbean St.
Oxnard, CA 93035

/s/ Robert Chatenever
Robert Chatenever

EXHIBIT A

# PROPONENT STATEMENT OF ACKNOWLEDGEMENT

I, Robert Chatenever, acknowledge that it is a misdemeanor under State Law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Dated April 23, 2018

Robert Chatenever

Robert Chatenever
4124 Caribbean St.
Oxnard, CA 93035

# ORDINANCE REDUCING HARBOR PATROL SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY)

The people of Community Facilities District No. 4 (Seabridge at Mandalay Bay) do ordain as follows:

SECTION 1. LIMITATION OF CHARGES FOR HARBOR PATROL

The Types of Services and Incidental Expenses to be Financed by Community Facilities District No. 4 (Seabridge at Mandalay Bay) in Resolution No. 12716, Attachment B adopted as Ordinance No. 2677 by the City Council of the City of Oxnard acting as the governing body of Community Facilities District No. 4 (Seabridge at Mandalay Bay) is hereby amended to read as follows:

(Text to be inserted is indicated in ***bold italics*** type. Text to be deleted is indicated in ~~strikethrough~~ type. Text in standard, bold or underlined type, which currently appears in that fashion in the Ordinance, remains unchanged by this Initiative)

The proposed services, all or some of which will be financed include:

(a) Police protection services, including but not limited to, enforcement of codes relating to the waterways within and adjoining the Community Facilities District No. 4 (Seabridge at Mandalay Bay) and the harbor which is essential to the use and enjoyment of the waterways ***except that charges to Community Facilities District No. 4 for harbor patrol services plus the consideration of the added value to the Seabridge Project that the Channel Islands Harbor and related facilities provide shall be no greater than the amount that is charged for harbor patrol services to the Westport Community Facilities District No. 2***.

SECTION 2. GENERAL PROVISIONS

1. Section 3 of Article XIII C of the California Constitution provides that "the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge." Further, such power "to affect local taxes, assessments, fees and charges shall be applicable to all local governments," including special districts. (Id., see also Cal. Const. Art. XIII C, § 1(b) and (c).)
2. The purpose of this initiative is to exercise the power reserved to voters by Section 3 of Article XIII C of the California Constitution to limit the special tax currently imposed on the landowners in Community Facilities District No. 4 (Seabridge at Mandalay Bay).
3. This initiative is intended only to reduce the tax for Services and Incidental Expenses to be Financed by Community Facilities District No. 4 (Seabridge at Mandalay Bay) in Resolution No. 12716, Attachment B adopted as Ordinance No. 2677, which special taxes were originally levied by the City Council of the City of Oxnard, acting as the legislative body of Community Facilities District No. 4 (Seabridge at Mandalay Bay), by its adoption of Ordinance 2677, following approval by the then-landowner of the proposition proposing the special tax.
4. This initiative recognizes that the reduction in tax will necessitate a reduction in the level of service provided by harbor patrol to the Seabridge community.
5. This initiative does not amend or repeal any other provision of Ordinance 2677. All such provisions not amended by this initiative shall remain in effect.

| | | |
|---|---|---|
| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br>**AGENDA REPORT** | **TYPE OF ITEM: Info/Consent**<br>**AGENDA ITEM NO.: 4** |

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Scott Whitney
Interim City Manager/Police Chief

**SUBJECT:** Agreements for City Council Review.

**CONTACT:** Scott Whitney, Interim City Manager/Police Chief
Scott.Whitney@OxnardPD.org, (805) 385-7624

**RECOMMENDATION:**

That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than $25,000 but no more than $250,000:

A. Selma Nissan (Purchase Order No. 6857) for purchase of three (3) 2018 Nissan Frontier pickups for Development Services Building and Engineering staff ($72,050).
B. Selma Nissan (Purchase Order No. 6858) for the purchase of one (1) 2018 Nissan Frontier for Development Services Code Compliance ($27,171).
C. Hach Company (Purchase Order No. 6859) for the purchase of controllers and analyzers for the Advanced Water Purification Facility ($26,551).

**BACKGROUND**

On November 16, 2010, the City Council approved changes to the City's Purchasing Procedures reducing the threshold for City agreements/contracts and change orders/amendments requiring City Council approval to $25,000. The agreements/contract and change orders/amendments described on the attached list involve amounts above $25,000 and up to $250,000.

**FINANCIAL IMPACT**

A complete explanation of the agreement and funding sources are attached.

NOTE: Copies of the agreement/contracts and change orders/amendments on the list are available in the City Clerk's Office prior to the Council meeting.

**ATTACHMENTS:**

Attachment A: City Manager Contract List for June 5, 2018

# City Manager Contract List for 06/05/2018

**Contracts from $25,000 to $250,000**

## A Purchase three (3) 2018 Nissan Frontier Pickups

| | | | |
|---|---|---|---|
| **Vendor:** | Selma Nissan | **Amount to be Approved:** | $72,050 |
| **Type:** | Purchase Order | **Current FY Amount:** | $72,050 |
| **Agreement No.:** | | **Total Contract Amount:** | $72,050 |
| **Amendment No.:** | N/A | **Funding Source:** | 101-4301-804-86-06 |
| **Purchase Order No.:** | 6857 | **Vendor Selection Process:** | Joint Purchase |
| **Begin Date:** | 05/09/2018 | **# of Bids/Proposals/Quotes:** | N/A |
| **End Date:** | 06/30/2018 | **Project Manager:** | Bill Birch |
| **Term:** | | **Department:** | Public Works - Fleet Services |
| | | **Telephone:** | 805-385-8080 |
| | | **Email:** | bill.birch@oxnard.org |

**Purpose:**

Staff is requesting authorization to purchase three (3) 2018 Nissan Frontier 4X2 King Cab vehicles for Development Services Building & Engineering Division from Selma Nissan (Purchase Order No. 6857) in the amount of $72,050. The majority of vehicles being utilized by the Development Services building inspection staff were purchased between 2000-2006 and have over 100,000 miles. Daily building inspections are an essential function of the Building & Engineering Division and it is critical that vehicles are available to all building inspectors to keep up with constant demands in the field. The new vehicles will replace existing vehicles that have reached there useful life.

Pursuant to the City's Purchasing Policies, purchases will be made by piggy-backing on the State of California Contract #1-16-23-23G Line #1 for these purchase. Funds were appropriated as part of the Mid-Year Budget Approval process on February 20, 2018 and are available under Project M04301.

## B Purchase one (1) 2018 Nissan Frontier Pickup

| | | | |
|---|---|---|---|
| **Vendor:** | Selma Nissan | **Amount to be Approved:** | $27,171 |
| **Type:** | Purchase Order | **Current FY Amount:** | $27,171 |
| **Agreement No.:** | | **Total Contract Amount:** | $27,171 |
| **Amendment No.:** | N/A | **Funding Source:** | 104-4305-804-8606 (Measure O Funds) |
| **Purchase Order No.:** | 6858 | **Vendor Selection Process:** | Joint Purchase |
| **Begin Date:** | 05/15/2018 | **# of Bids/Proposals/Quotes:** | N/A |
| **End Date:** | 06/30/2018 | **Project Manager:** | Bill Birch |
| **Term:** | | **Department:** | Public Works - Fleet Services |
| | | **Telephone:** | 805-385-8080 |
| | | **Email:** | bill.birch@oxnard.org |

**Purpose:**

Staff is requesting authorization to purchase one (1) 2018 Nissan Frontier pickup for the Code Compliance Division from Selma Nissan (Purchase Order No. 6858) in the amount of $27,171. To be able to implement the Safe Homes, Safe Families program, City Council has approved a total of four positions, including equipment and supplies for such. This vehicle is for field inspections and will be equipped with light package.

Pursuant to the City's Purchasing Policies, purchases will be made by piggy-backing on the State of California Contract #1-16-23-23G Line #1 for these purchase. Funds from Measure O were appropriated as part of the Mid-Year Budget Approval process on February 20, 2018 and are available under Project M04301.

# City Manager Contract List for 06/05/2018

**Contracts from $25,000 to $250,000**

## C Controllers and Analyzers for the Advanced Water Purification Facility

| | | | |
|---|---|---|---|
| **Vendor:** | Hach Company | **Amount to be Approved:** | $26,551 |
| **Type:** | Purchase Order | **Current FY Amount:** | $26,551 |
| **Agreement No.:** | | **Total Contract Amount:** | $84,131 |
| **Amendment No.:** | N/A | **Funding Source:** | Water Operating Funds Recycled Water (601-6012-843-8121 & 601-6012-843-8606) |
| **Purchase Order No.:** | 6859 | **Vendor Selection Process:** | Negotiated Contract |
| **Begin Date:** | 05/22/2018 | **# of Bids/Proposals/Quotes:** | N/A |
| **End Date:** | 06/30/2018 | **Project Manager:** | Thien Ng |
| **Term:** | 6 weeks | **Department:** | Public Works/Recycled Water |
| | | **Telephone:** | 805-432-3575 |
| | | **Email:** | thien.ng@oxnard.org |

**Purpose:** Staff is requesting approval of Purchase Order No. 6859 with Hach Company in the amount of $26,551 for the purchase of two (2) Turbidity Meters and six (6) Controllers for the Advanced Water Purification Facility (AWPF).

Hach is the sole authorized manufacturer and direct distributor for the controllers and analyzers at the AWPF. Funding is available in the Water operating fund to cover this purchase.

| | | |
|---|---|---|
| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br><br>**AGENDA REPORT** | **TYPE OF ITEM: Info/Consent**<br><br>**AGENDA ITEM NO.: 5** |

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Ashley Golden
Development Services Director

**SUBJECT:** Authorization to Appropriate General Plan Maintenance Fee Revenue.

**CONTACT:** Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, (805) 385-7882

**RECOMMENDATION:**

That City Council recognize and approve the appropriation of $65,000 collected from General Plan Maintenance Fee revenue for tasks related to the preparation, maintenance and/or revision of the 2030 General Plan and the Oxnard Local Coastal Program (LCP).

**BACKGROUND**

In 2002, AB 2936 amended Section 66014(b) of the Government Code to allow local governments to charge permit fees for "…costs reasonably necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make any necessary findings and determinations." The fee is currently $24.00 per $1,000.00 building permit valuation (0.24%), collected when a building permit is issued, and was set at that rate to raise approximately $250,000 per year to fund Planning Division staff and/or to retain expert consultant services working on the preparation, maintenance, and/or revision of the 2030 General Plan, LCP, and other related projects. This fee is known as the City's General Plan Maintenance Fee (GPMF).

In FY 2018, total collected revenue as of May 14, 2018 is $307,000; this is expected to increase to at least $350, 000 by the end of the fiscal year. Since FY 2014, total GPMF revenue collected is approximately $1,582,071. To date, appropriations of these funds to General Plan related projects total $640,624. Available GPMF revenue to appropriate to General Plan related projects is approximately $941,447.

This request allocates $65,000 as follows:

- Local Coastal Plan (LCP): $45,000 for continued work on the Local Coastal Plan Update. The appropriation increases the City's LCP total to $435,624 which, coupled with the Coastal Commission/Ocean Protection Council grant of $150,000, totals $585,624 which should fund the LCP update to completion. This work includes updating the City's Coastal Zoning Ordinance, followed by submission to the Coastal Commission for certification. Though administrative drafts of various sections and chapters have been being submitted to the Coastal Commission, the City's comprehensively updated LCP will be submitted to the Coastal Commission in approximately April 2019.

- General Plan Housing Element: $20,000 for work preparing reporting and verification documents as a result of 2017 Housing Element reporting mandates; and review, analysis, and verification of affordable housing ordinance compliance and site selection, respectively as mandated in the City's August 2017 Housing Element.

**STRATEGIC PRIORITIES**

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.
Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goals and objectives:

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.
Objective 3a. Implement an economic development plan for attracting and retaining business.

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals and objectives:

Goal 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.
Objective 5b. Protect ocean and waterways.

**FINANCIAL IMPACT**

Approximately $1,582,071 in GPMF revenue has been collected since FY 2014. Of this total, $640,624 has been appropriated to date to General Plan related projects. GPMF revenue in the amount of $307,000 has been received in FY 2018 as of May 14, 2018, and is expected to increase to at least $350,000 by June 30th.

This action will recognize an additional $65,000 of GPMF revenue of which $45,000 will be appropriated to Local Coastal Plan Update(Project 14IN01 / account No. 101-4101-804-8209) and $20,000 will be appropriated to Housing Element Update (Project 14IN03 / account No. 101-4101-804-8209).

**ATTACHMENTS:**

Attachment A: BA GPMF 06.05.18

Attachment B: SBA GPM FEE REVISED

Attachment C: BA GPMF CC mtg 06.05.18

# REQUEST FOR SPECIAL BUDGET APPROPRIATION

**Department:** Development Services **Date:** June 5, 2018

**Project/Program Manager:** Kathleen Mallory **Phone:** 385-8370

**Reason for Appropriation:**

Appropriate General Plan Maintenance fee revenue collected to date to Local Coastal Plan, Housing Element Update, and General Plan Update & Program EIR projects.

| **Accounts and Descriptions** | | **AMOUNT** |
|---|---|---|
| **Fund: GENERAL FUND (101)** | | |
| **Revenues/Transfers In** | | |
| 101-4101-555.7380 | COMM DEV/GENERAL PLAN MAINTENANCE | 65,000 |
| | Sub-total Revenues | 65,000 |
| **Expenditures/Transfers Out** | | |
| **LOCAL COASTAL PLAN UPDATE (14IN01)** | | |
| 101-4101-804.8209 | SERVICES - OTHER PROF/CONTRACT | 45,000 |
| **HOUSING ELEMENT UPDATE (14IN03)** | | |
| 101-4101-804.8209 | SERVICES - OTHER PROF/CONTRACT | 20,000 |
| | Sub-total Expenditures | 65,000 |
| | **Net Change to Fund Balance** | **0** |
| | **Net Appropriation Change** | **65,000** |

**Approvals**

Department Director ______________________________

Chief Financial Officer ______________________________

City Manager ______________________________

SBA# (Finance Use Only)______________

BA Doc# (Finance Use Only)

**REQUIRES CITY COUNCIL AUTHORIZATION**

Revi

# REQUEST FOR SPECIAL BUDGET APPROPRIATION

**Department:** Development Services **Date:** June 5, 2018

**Project/Program Manager:** Kathleen Mallory **Phone:** 385-8370

**Reason for Appropriation:**

Appropriate General Plan Maintenance fee revenue collected to date to Local Coastal Plan and Housing Element Update projects.

| **Accounts and Descriptions** | | **AMOUNT** |
|---|---|---|
| **Fund: GENERAL FUND (101)** | | |
| **Revenues/Transfers In** | | |
| **GENERAL PLAN MAINTENANCE FEE (I41141)** | | |
| 101-4101-555.7380 | COMM DEV/GENERAL PLAN MAINTENANCE | 65,000 |
| | Sub-total Revenues | 65,000 |
| **Expenditures/Transfers Out** | | |
| **LOCAL COASTAL PLAN UPDATE (14IN01)** | | |
| 101-4101-804.8209 | SERVICES - OTHER PROF/CONTRACT | 45,000 |
| **HOUSING ELEMENT UPDATE (14IN03)** | | |
| 101-4101-804.8209 | SERVICES - OTHER PROF/CONTRACT | 20,000 |
| | Sub-total Expenditures | 65,000 |
| | **Net Change to Fund Balance** | **0** |
| | **Net Appropriation Change** | **65,000** |

**Approvals**

Department Director ______________________________

Chief Financial Officer ______________________________

City Manager ______________________________

SBA# (Finance Use Only)______________

BA Doc# (Finance Use Only)

**REQUIRES CITY COUNCIL AUTHORIZATION**

Revi

# REQUEST FOR SPECIAL BUDGET APPROPRIATION

**Department:** Development Services **Date:** June 5, 2018

**Project/Program Manager:** Kathleen Mallory **Phone:** 385-8370

**Reason for Appropriation:**

Appropriate General Plan Maintenance fee revenue collected to date to Local Coastal Plan and Housing Element Update projects.

| **Accounts and Descriptions** | | **AMOUNT** |
|---|---|---|
| **Fund: GENERAL FUND (101)** | | |
| **Revenues/Transfers In** | | |
| **GENERAL PLAN MAINTENANCE FEE (I41141)** | | |
| 101-4101-555.7380 | COMM DEV/GENERAL PLAN MAINTENANCE | 65,000 |
| | Sub-total Revenues | 65,000 |
| **Expenditures/Transfers Out** | | |
| **LOCAL COASTAL PLAN UPDATE (14IN01)** | | |
| 101-4101-804.8209 | SERVICES - OTHER PROF/CONTRACT | 45,000 |
| **HOUSING ELEMENT UPDATE (14IN03)** | | |
| 101-4101-804.8209 | SERVICES - OTHER PROF/CONTRACT | 20,000 |
| | Sub-total Expenditures | 65,000 |
| | **Net Change to Fund Balance** | **0** |
| | **Net Appropriation Change** | **65,000** |

**Approvals**

Department Director Ashley Golden

Chief Financial Officer ____________________

City Manager ____________________

SBA# (Finance Use Only)__________

BA Doc# (Finance Use Only)__________

REQUIRES CITY COUNCIL AUTHORIZATION

Revised :

| | CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Info/Consent<br>AGENDA ITEM NO.: 6 |
|---|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Ashley Golden
Development Services Director

**SUBJECT:** Ormond Beach Wetlands Area Caretaker Agreement.

**CONTACT:** Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, (805) 385-7882

**RECOMMENDATION:**

That the City Council approve and authorize the Mayor to execute an agreement with Walter Fuller (A-8066) for occupancy of a City-owned mobile home at the end of Arnold Road, in South Ormond in support of the Ormond Beach project area and caretaker services at Ormond Beach.

**BACKGROUND**

On February 11, 2014 the City Council approved several Measure O funded projects, which included appropriating $50,000 toward enhancement activities within the Ormond Beach wetlands area (see Attachment B for a location map). Measure O funds appropriated towards the enhancement activities of the Ormond Beach wetlands area have been used for maintenance of a City installed swing-arm gate at Arnold Road and the Navy Base perimeter road to prevent illegal activities in the parking spaces, fabrication and installation of directional signage for the area, the purchase and maintenance of a mobile home located on the property, electricity, restrooms for visitors, and plant restoration.

A component of the February 2014 meeting was the direction to establish an agreement for caretaker services of the Ormond Beach area to ensure on-going stewardship and viability of the these resources. On June 17, 2014 the City Council approved and authorized the Mayor to execute an agreement (A-7685-) with Walter Fuller for caretaker services and occupancy of the City-owned mobile home from July 1, 2014 until June 30, 2017. The agreement provided the option for an additional one year extension. On April 13, 2017, Walter Fuller exercised the one year term extension stipulated under agreement A-7685, and on May 11, 2017 the Mayor executed an amendment to agreement A-7685 authorizing the one year extension conditioned to expire on June 30, 2018.

On February 22, 2018, Walter Fuller notified the City of his desire to continue to carry out his role as caretaker for the Ormond Beach wetlands area. However, Mr. Fuller indicated that he intends to conclude his caretaking role at the end of 2019. For maximum flexibility, Staff has prepared a new caretaker agreement (A-8066) which would expire on June 30, 2020. The agreement contains an option for a one year term extension of the caretaker agreement (June 30, 2021).

To facilitate the caretaking services, a mobile home was purchased and installed for Mr. Fuller to occupy. The existing trailer is located near the City installed swing gate and the Navy Base perimeter road off Arnold Road. The area of interest in securing caretaker services is generally within the parking lot area at the terminus of Arnold Road, in South Oxnard and through the Ormond Beach area. Mr. Fuller's responsibilities include checking the property on a schedule that he deems appropriate and immediately reporting to the City's and, if appropriate, to the appropriate law enforcement agency, any and all unusual activities occurring within the property.

**STRATEGIC PRIORITIES**

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals and objectives:

Goal 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.

Objective 5b. Protect ocean and waterways.

**FINANCIAL IMPACT**

With approval of this agreement, there is no impact to the General Fund. Measure O funds are used to pay for the maintenance of the mobile home occupied by Mr. Fuller and electricity costs. Pursuant to the agreement, Mr. Fuller receives no financial compensation from the City. In exchange for his right to occupy the premises, he agrees to perform these caretaking services for the City.

**ATTACHMENTS:**

Attachment A: Walter Fuller's Letter Dated February 20, 2018

Attachment B: Caretaker Agreement (A-8066)_Final

February 20, 2018

Dear Isidro Figueroa,

This is to inform you that I plan to stay this entire year and 2019. I do plan to depart at the end of 2019.

I understand you can only do one year at a time.

I won't have any place to go until the beginning of 2020.

I will continue to open and shut the gate and police the parking lot.

It has been a rewarding time out here.

My girlfriend loves Ormond Beach. Both Debbie and I take walks on the beach. My years being here is worth it all. I love Ormond - it is my way of helping the city I love.

I'm a lucky guy to have 2 things in my life to love and take care of. Ormond beach being one and the 2nd one my girlfriend Debbie.

Thank you,

Walter Fuller

RECEIVED
FEB 22 2018
PLANNING DIVISION
CITY OF OXNARD

**Agreement No. A-8066**

# CARETAKER AGREEMENT

THIS CARETAKER AGREEMENT (**"Agreement"**) is made as of June ____ , 2018, by and between the CITY OF OXNARD, a municipal corporation (**"City"**) and Walter Fuller, an independent contractor (**"Caretaker"**). City and Caretaker are sometimes hereinafter referred to as a "**Party**" and collectively as the "**Parties**."

A. City is the owner of certain real property located adjacent to Ormond Beach in the City of Oxnard, County of Ventura, State of California, and is more specifically described and depicted in **Exhibit A**, which is attached hereto and incorporated herein by this reference (the "**Property**").

B. City is also owner of a mobile home, which is located on the Property and is more specifically described as an EVO by Forest River, Model CSJT2250 and depicted in **Exhibit A** ("the **Premises**").

C. The Property is devoted to and held for ultimate use for park and recreational purposes.

D. City desires to enhance the Property for recreational purposes for the benefit of the public.

E. Caretaker wishes to reside in the Premises to further the purpose of enhancing the Property for recreational purposes for the benefit of the public.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES, COVENANTS AND AGREEMENTS CONTAINED HEREIN, AND FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS:

1. **Lease of the Premises**. City hereby leases to Caretaker and Caretaker hereby leases from City the Premises pursuant to the covenants, provisions and conditions set forth herein.

2. **Use.** The Premises shall be used and occupied by Caretaker to be used exclusively as a single-family residence and to conduct the caretaker services contemplated herein; provided, however, no part of the Premises shall be used at any time during the period of occupancy for the purpose of carrying on any other business, profession or trade of any kind. Sole occupancy by any person other than the Caretaker named above for a period of more than ten (10) days in any six-month period is prohibited and shall be considered a breach of this Agreement.

3. **Term.** This Agreement shall commence on July 1, 2018 and shall continue in effect until June 30, 2020, unless earlier terminated pursuant to this Agreement. City grants to Caretaker an option to extend the term of this Agreement for one additional one-year term, provided that Caretaker is fully in compliance with the terms of this Agreement. In the event Caretaker wishes to exercise the option herein granted, Caretaker shall notify the City, in writing at least sixty (60) days prior to the expiration of the term.

4. **Caretaker Services.** Caretaker shall receive no financial compensation from City as a result of this Agreement. In exchange for the right to occupy the Premises, Caretaker shall perform the following services for City:

i. Provide security during the term of this Agreement on a schedule that he deems appropriate.

ii. Immediately report to the City's General Services Division (805-385-7951) and, if appropriate, to the appropriate law enforcement agency, any and all unusual activities occurring within the Property.

Caretaker shall commence performance of the foregoing services immediately after both parties have executed this Agreement.

5. **No Agency, Employee, or Representative Relationship**. For all purposes arising under this Agreement, Caretaker and each and every employee, agent, servant, partner, shareholder, contractor, and subcontractor of Caretaker shall not be for any purpose of this Agreement, an employee, agent or representative of City. The following shall apply under this Agreement:

**a.** Caretaker shall determine the method, details and means of performing the services to be provided by Caretaker as described in this Agreement.

**b.** Caretaker shall be responsible to City for the requirements and results specified in this Agreement and shall not be subject to City's control with respect to the means, methods, physical actions or activities of Caretaker in fulfillment of the services to be provided by Caretaker.

**c.** Caretaker is not, and shall not be entitled to receive from, or through the City and City shall not provide, or be obligated to provide, the Caretaker with worker's compensation coverage, unemployment insurance coverage or any other type of employee or workers insurance or benefit coverage required or provided by any federal, state or local law or regulation for, or normally afforded to, any employee of City.

**d.** Caretaker shall not be entitled to have City withhold or pay and City shall not withhold or pay, on behalf of Caretaker, any tax or money relating to the Social Security Old Age Pension Program, Social Security Disability Program, or any other type of pension, annuity or disability program required or provided by any federal, state or local law or regulation for, or normally afforded to, any employee of City.

**e.** Caretaker shall not be entitled to participate in, or receive any benefit from, or make any claim against, any fringe benefit program, including, but not limited to, City's pension plan, medical and health care plan, dental plan, life insurance plan, vacation and leave program or other type of benefit program, plan or coverage designated for, provided to, or offered to any employee of City.

**f.** City shall not withhold or pay, on behalf of Caretaker, any federal, state or local tax, including, but not limited to, any personal income tax, owed by Caretaker.

**g.** Caretaker shall not have the authority, express or implied, to act on behalf of, bind or obligate City or any City's departments, agents, or employees in any way.

6. **Compliance with Laws**. Caretaker shall comply with all federal, state and local statutes, ordinances, laws, rules and regulations relating to the condition or use of the Premises or Property.

7. **Assumption of Risk.** Caretaker represents that Caretaker has inspected the Premises. Caretaker accepts the condition of the Premises and fully assumes all risks incidental to the use and occupancy of the Premises. To the extent permitted by law, City shall not be liable to Caretaker for any damages or injuries to the property or person of Caretaker or guests of Caretaker, which may result from hidden, latent or other dangerous conditions upon the Premises or Property, or which may result from the negligence of the City, its agents, officers, employees or volunteers, or which may result from any condition of fire, earthquake, flood, rainfall, or escape of water from any channel, regardless of the cause thereof.

8. **Insurance.** Caretaker shall maintain in full force and effect during the term of this Agreement a renters insurance policy (HO-4) covering personal liability and property damage in an amount acceptable to City. A certificate of insurance evidencing such coverage shall be delivered to City prior to Caretaker's initial occupancy of the Premises and Caretaker shall provide evidence of renewals of each policy no less than thirty (30) days prior to the expiration of the applicable policy.

9. **Indemnification.**

**a.** To the fullest extent permitted by law, Caretaker shall (1) immediately defend; (2) indemnify; and (3) hold harmless City of Oxnard, its City Council, each member thereof, and its directors, officers, and employees (the **"Indemnified Party"**) from and against all liabilities regardless of nature, type, or cause, arising out of or resulting from or in connection with: (i) Caretaker's occupancy, maintenance, enjoyment or use of the Premises or Property; (ii) state of repair of the Premises; (iii) Caretaker's performance of this Agreement or Caretaker's failure to comply with any of its obligations contained in this Agreement. Liabilities subject to the duties to defend and indemnify include, without limitation, all claims, losses, damages, penalties, fines, and judgements; associated investigation and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. Caretaker's obligation to indemnify applies unless it is adjudicated that any of the liabilities covered by this Section are the result of the active negligence or willful misconduct of the Indemnified Party. If it is finally adjudicated that liability is caused by the comparative active negligence or willful misconduct of the Indemnified Party, then Caretaker's indemnification obligation shall be reduced in proportion to the established comparative liability.

**b.** This Section shall survive the termination of this Caretaker. The provisions of this Section shall not be restricted by and do not affect the provisions of this Agreement relating to insurance.

10. **Utilities.** City will pay for all electric services required for use of the Premises. Caretaker shall be responsible for arranging and paying for all other utility services required on the Premises. Caretaker shall either maintain phone services at the Premises or "cell phone contract" to ensure that City has an adequate means of contacting Caretaker about the status of the Property and Premises.

11. **Maintenance of Premises.** Caretaker shall, at Caretaker's sole cost and expense, maintain the Premises and the grounds appurtenant to the Premises in a neat and clean appearance including all shrubs and ground covers. Caretaker shall not plant any trees or shrubs without the prior written consent of City. The Premises grounds shall be maintained in compliance with the City fire code and any orders or directions of the City Fire Marshall.

12. **Alterations and Improvements**

**a.** Caretaker shall make no structural alterations, additions or improvements upon the Premises without the prior written consent of City.

**b.** Any alterations, additions or improvements shall be at the sole cost and expense of Caretaker. City will not grant any allowance of Caretaker's costs of improvement except by specific written agreement approved in advance. Any such agreement shall become a part of this Agreement. Caretaker shall submit, prior to the commencement of construction of any alteration, addition or improvement, a development plan, showing the location, type of construction and external appearance of said facility or facilities and obtain the necessary approvals. All alterations, additions or improvements made to the Premises by Caretaker shall become the sole and exclusive property of City on termination of this Agreement.

13. **Destruction of Premises.** In the event the Premises are destroyed or rendered wholly uninhabitable by fire, storm, earthquake, or other casualty not caused by the negligence of Caretaker, this Agreement shall terminate upon such occurrence, except for the purpose of enforcing rights that may have then accrued hereunder. Should a portion of the Premises thereby be rendered uninhabitable, City shall have the option of either repairing such injured or damaged portion or terminating this Agreement. In the event City exercises its right to repair such uninhabitable portion, such part so damaged shall be restored by City as speedily as practicable, and the Agreement shall continue according to its terms. In the event of damage by fire or other casualty such that the Premises are uninhabitable, Caretaker's responsibility to perform the service under Section 4 above shall abate until the Premises is rebuilt and repaired, if the City so desires.

14. **[Reserved**]

15. **Hazardous Materials.** Caretaker shall not keep on the Premises any item of a dangerous, flammable or explosive character that might unreasonably increase the danger of fire or explosion on the Premises or that might be considered hazardous or extra hazardous by any responsible insurance company, and shall comply with all laws, ordinances, rules and orders of boards or other authorities relating to hazardous or extra hazardous materials as those terms are defined by federal, state and local laws.

16. **Storage of Vehicles and Personal Property.** Caretakers shall park no more than two (2) personal vehicles on the Property at or near the Premises. Caretaker shall not repair any vehicle on the Property. Caretaker shall clean any spilled or dripped grease, oil and any other fluids from Caretaker's vehicles at Caretaker's expense. Caretaker shall not wash vehicles on the Property. Except for the two (2) vehicles described above, Caretaker's personal property shall be stored within the Premises, out of sight of the public and park users.

17. **Possessory Interest.** Caretaker acknowledges that the leasehold or possessory interest in the Premises created by this Agreement may be subject to taxation pursuant to Section 107.6 of the California Revenue and Taxation Code. Caretaker agrees to pay, before delinquency, all lawful taxes, which, during the term hereof, may be or become a lien or may be levied upon the real property, improvements or personal property situated on the Premises, or upon the subject matter of this Agreement.

18. **Tax Liability**. Caretaker agrees to pay all federal and state employment, income, or other taxes which may arise as a result of this Agreement, and to indemnify City in the event City is found liable for payment of any such tax on behalf of Caretaker.

19. **Animals.** Caretaker shall not permit domestic or other animals on or about the Premises without the prior written consent of City. Caretaker shall indemnify City pursuant to the indemnification provisions contained herein for any damage or injury caused by any animal kept on the Premises.

20. **Parties and Social Gatherings.** Caretaker shall not host parties or large social gatherings so as to cause an unreasonable disturbance to adjacent property owners and park users.

21. **Inspection of Premises.** City and its agents shall have the right to enter into the Premises at any time, in the case of an emergency, and otherwise during normal business hours or with the consent of Caretaker, for the purpose of inspecting the condition of the Premises, verifying compliance with this Agreement and conducting any repairs to the Premises required of City.

22. **Assignment and Subletting.** The Parties may not assign, hypothecate or transfer, either directly or by operation of law, this Agreement, any interest herein or any portion of the Premises without the prior written consent of the other Party.

23. **Holding Over.** If Caretaker, with City's express written consent, remains in possession of the Premises after expiration of this Agreement, such possession by Caretaker shall be deemed to be a tenancy from month-to-month and all provisions of this Agreement shall be applicable to such a month-to-month tenancy. If Caretaker remains in possession of the Premises after expiration or earlier termination of this Agreement without the express written consent of City, such possession by Caretaker shall be deemed a tenant at sufferance at a rental rate of three hundred percent (300%) of the then fair market rental rate for a comparable and like mobile home in effect at the time of such expiration or earlier termination.

24. **Surrender of Premises.** Upon the expiration of the term, Caretaker shall surrender the Premises in as good a state and condition as they were at the commencement of this Agreement, reasonable use and wear and tear thereof and damages by elements excepted.

25. **Nondiscrimination.** Throughout the duration of this Agreement, Caretaker shall not unlawfully discriminate against any employee or applicant of Caretaker or City, unlawfully discriminate in the provision of services to any individual or unlawfully discriminate against any member of the public because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age or sexual orientation or military and veteran status. Caretaker shall ensure that in the provision of services under this Agreement, its employees and applicants for employment and any member of the public are free from such discrimination. Caretaker shall comply with the provisions of the Fair Employment and Housing Act (Government Code section 12900, et seq.). The applicable regulations of the Fair Employment Housing Commission implementing Government Code Section 12900, set forth in Chapter 5, Division 4 of Title 2 of the California Code of Regulations are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Caretaker shall also abide by the Federal Civil Rights Acts of 1964 and all amendments thereto, and all administrative rules and regulations issued pursuant to said Act. Caretaker shall give written notice of its obligations under this clause in any labor agreement with its employees. Caretaker shall include the non-discrimination clause in any labor agreement with its employees. Caretaker shall include the non-discrimination and compliance provision of this Section in all subcontracts to perform work under this Agreement.

26. **Rehabilitation Act of 1973/Americans with Disabilities Act of 1990.** In addition to application of the non-discrimination provision of this Agreement, above, Caretaker agrees to comply with all provisions of section 504 et seq, of Rehabilitation Act of 1973, and with all provisions of the Americans with Disabilities Act of 1990, and all amendments thereto, and all administrative rules and regulations issued pursuant to said Acts, pertaining to the prohibition of discrimination against qualified handicapped and disabled persons, in all programs or activities, as to employees, members of the public, or recipients of services.

27. **Default, Termination.** If Caretaker fails to comply with any material provision of this Agreement or fails to comply with any duty imposed on Caretaker by law and such failure continues for a period of ten (10) days following written notice to Caretaker, City may terminate this Agreement.

28. **Delivery of Notices.** All notices permitted or required under this Agreement shall be given to the respective Parties in writing at the following addresses, or at such other address as the respective Parties may provide in writing for this purpose:

**City:**

City of Oxnard
214 S. "C" Street
Oxnard, California 93030
Attention: Isidro Figueroa, Principal Planner

With a copy to:

City of Oxnard
305 W. Third Street, Suite 100E
Oxnard, California 93030
Attention: City Attorney

**Caretaker:**

Walter Fuller
P.O. Box 2495
Ventura, California 93002

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

29. **Governing Law.** This Agreement shall be governed by the laws of the State of California without regard to the conflicts of laws principles. This Agreement shall be deemed to have been made in the County of Ventura, regardless of the order of signatures of the Parties affixed hereto. Any litigation or other legal proceedings which arise under or in connection with this Agreement shall be conducted in a federal or state court located within or for the County of Ventura, California. The Parties consent to the personal jurisdiction and venue of a federal or state court located within or for the County of Ventura, California and hereby waive any defenses or objections thereto including defenses based on the doctrine of forum non conveniens.

30. **Construction; References; Captions.** Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days or period of performance shall be deemed calendar days and not work days unless otherwise specified. All references to City include all officials, officers, employees, personnel, agents, volunteers, contractors and subcontractors of City, except as otherwise specified in this Agreement. All references to Caretaker include all officials, officers, employees, personnel, agents, volunteers, contractors and subcontractors of Caretaker, unless

otherwise specified in this Agreement. The captions of the various paragraphs and sections are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

31. **Amendment; Modification.** No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

32. **Waiver.** No waiver or any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel or otherwise.

33. **No Third Party Beneficiaries.** This Agreement and the performance of the obligations hereunder are for the sole and exclusive benefit of City and Caretaker. No person or entity who or which is not a signatory to this Agreement shall be deemed to be benefited or intended to be benefited by any provision hereof, and no such person or entity shall acquire any rights or causes of action against either City or Caretaker hereunder as a result of the Parties performance or nonperformance of their respective obligations under this Agreement.

34. **Invalidity; Severability.** If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

35. **Cooperation; Further Acts.** The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

36. **Authority to Enter Agreement.** Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

37. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one and the same agreement. A signed copy of this Agreement transmitted by email or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.

38. **Entire Agreement.** This Agreement contains the entire Agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements.

39. **Emergency Contact.** In the event of a medical emergency involving Caretaker, City shall notify Debbie Shaver at (805) 312-5755.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first written above.

**[SIGNATURES ON FOLLOWING PAGE]**

IN WITNESS WHEREOF, the parties hereto have executed the Agreement on the date first written above.

**CITY OF OXNARD**

Tim Flynn, Mayor — Date

ATTEST:

Michelle Ascencion, City Clerk — Date

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney — Date

APPROVED AS TO CONTENT:

Isidro Figueroa, Project Manager — Date

Ashley Golden, Interim Assistant City Manager — Date

APPROVED AS TO INSURANCE:

Mike More, Risk Manager — Date

**CARETAKER**

Walter Fuller, Caretaker — Date

The City requires the following for any contract:

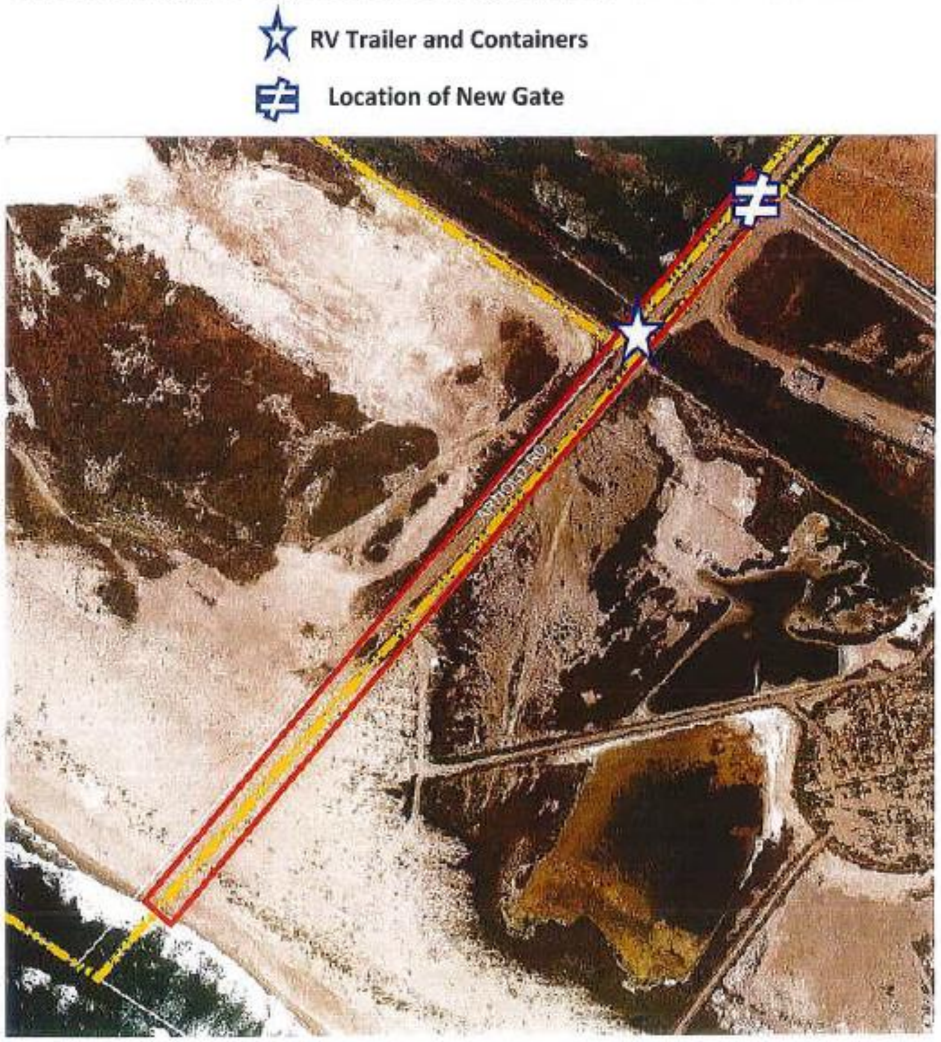
- For a corporation, the signatures of the Board President, CEO or Vice President and of the Board Secretary, Assistant Secretary, CFO or Assistant Treasurer;
- For an LLC, the signatures of at least two managers of the LLC; or
- For a partnership, the signature of a partner. If the partnership is a limited partnership, the signer must be a general partner.

If the company has a different structure, or if the above-listed persons are not the appropriate signers, please submit to the City Attorney legally-binding documentation stating who can sign and bind your company.

# EXHIBIT A

## DESCRIPTION AND DEPICTION OF PROPERTY AND PREMISES

Arnold Road Right-of-Way Between US Navy Perimeter Road and Pacific Ocean



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| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br><br>**AGENDA REPORT** | **TYPE OF ITEM: Info/Consent**<br><br>**AGENDA ITEM NO.:** 7 |

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

S Whitney

**FROM:** Jim Throop
Chief Financial Officer

Jim Throop

**SUBJECT:** FY 2018-19 Landscape Maintenance Districts Initiation of Proceedings, Declaration of Intention to Levy and Collect Assessments, and Scheduling of Public Hearing

**CONTACT:** Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, (805) 385-7475

**RECOMMENDATION:**

That City Council:
1. Adopt a resolution initiating proceedings for the annual levy and collection of assessments for Fiscal Year 2018-19 within the City's Landscape Maintenance Districts; and
2. Adopt a resolution declaring intention to levy and collect assessments for Fiscal Year 2018-2019 within the city's Landscape Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.

**BACKGROUND**

The City Council by previous resolutions formed fifty-six (56) landscape maintenance districts (LMDs). Effective June 30, 2017, City Council approved the dissolution of eighteen (18) LMDs, leaving a total of thirty eight (38) remaining LMDs, of which two (2) are in the process of being dissolved. Therefore, thirty six (36) LMDs are being proposed to be levied in Fiscal Year 2018-19. The Landscaping and Lighting Act of 1972, pursuant to which these districts were formed, requires annual City Council action to update the assessments which appear on the Ventura County tax roll. The purpose of the report is for Council to adopt a resolution initiating proceedings (Attachment A), adopt a resolution of intention (Attachment B) to levy assessments for Fiscal Year 2018-19 and to set a public hearing to receive public testimony to be held on June 19, 2018.

With the assistance of NBS, and as a result of NBS' audits, staff has calculated assessment rates and expenditures for maintenance of public landscaping in the thirty-six landscape maintenance districts. Approval of the attached resolutions accomplishes the following:

- Orders the preparation and filing of the 2018/19 Consolidated Engineer's Report (Attachment B Exhibit B).
- Preliminarily approves the Landscaping and Lighting Assessment Districts Fiscal Year 2018/19 Consolidated Engineer's Report.
- Declares intent to levy and collect assessments in the landscape maintenance districts for Fiscal Year 2018-19
- Identifies certain improvements and services to be provided for Fiscal Year 2018-19 within a total of thirty-six (36) of the Districts as reflected in Exhibit B of the resolution.
- Sets a public hearing for June 19, 2018 at 6:00 p.m. in the City Council Chambers concerning the levy of the proposed assessments.
- Requires the City Clerk to give notice at least 10 days prior to the date of the hearing by causing this resolution to be published once in a newspaper of general circulation within the City.

Following the City Council's action at the public hearing on June 19, 2018, the assessment data will be delivered to the County Auditor-Controller's Office and processed for the collection of assessments in FY 2018-2019. That action must take place prior to July 1, 2018.

**STRATEGIC PRIORITIES**

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

**FINANCIAL IMPACT**

The general benefit contribution based on the budgeted expenses for the districts totals $93,103 and an additional $169,565 is being proposed to offset the estimated utility overage. The total Fiscal Year 2018-19 General Fund contribution is estimated to be approximately $262,668, which includes $12,037 for Mandalay Beach/Main (MAD #4).

**ATTACHMENTS:**

Attachment A: Resolution to Initiate Proceedings

Attachment B: Resolution of Intent to Levy

Exhibit B: 2018-2019 Consolidated Engineer's Report

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-2019 WITHIN THE CITY'S LANDSCAPE MAINTENANCE DISTRICTS

WHEREAS, the City Council of the City of Oxnard (the "City Council") has by previous Resolutions formed the City's Landscape Maintenance Districts (the "Districts"), the listing of which are included in this Resolution as Exhibit A, pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (the "Act"); and

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the Districts and the preparation and filing of an Annual Engineer's Report (the "Engineer's Report"); and

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The City Council hereby order NBS to prepare and file with the City Clerk the Engineer's Report concerning the levy and collection of assessments for the Districts for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019 in accordance with *Chapter 3 Section 22622 of the Act.*

2. The City improvements within the Districts are described more fully in the Engineer's Report. The improvements authorized to be maintained are District-specific and vary between the Districts, the improvements provided may include, but are not limited to: ground cover, turf, trees, shrubs, the landscaped areas of detention basins, screen walls/fencing, park benches, trash containers, overhead structures, theme light poles, ornamental lighting, and sprinkler, irrigation and drainage systems, and may also include sidewalk and hardscape improvements along the landscaping, medians, entry monuments, mailboxes and associated appurtenant facilities. Park improvements, if applicable, vary by park and may include landscape and open space, playground structures, exercise stations, restrooms, benches, picnic tables, and litter receptacles.

   Maintenance provided includes all necessary services, operations, administration and maintenance required to keep the above mentioned improvements in a healthy, vigorous and satisfactory condition which may include, but is not limited to: repair, removal or replacement of all or any part of the landscaping, sidewalks, medians, theme light poles or screen walls/fencing. Provision for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, mowing, spraying, fertilizing and treating for disease or injury. The tree trimming may not occur on an annual basis; therefore, the assessed amount is for the average annual cost. Removal of trimmings, rubbish, graffiti, debris and other solid waste from the landscaped areas, detention basins and screen walls/fencing.

3. Improvements and services to be provided for Fiscal Year 2018-2019 will be removed within the following two (2) Districts: LMD No. 9 (Strawberry Fields) and LMD No. 15 (Pelican Pointe), and transferred back to the responsibility of the City. Additionally, LMD No. 12 (Standard Pacific) improvements will include the traffic circles located at Volcano Court and Topaz Court. These improvements are anticipated to be included in future years, and the inclusion will not result in an increase of the maximum assessment allowed for LMD No 12. There will be no substantial changes in existing improvements to the remaining thirty-five (35) Districts for Fiscal Year 2018-2019.

PASSED AND ADOPTED THIS 5th day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________________
Tim Flynn, Mayor

ATTEST:

__________________________________
Michelle Ascension, City Clerk

APPROVED AS TO FORM:

__________________________________
Stephen M. Fischer, City Attorney

EXHIBIT A

CITY OF OXNARD
LANDSCAPE MAINTENANCE DISTRICT LISTING

| District Name | Formation Date[(1)] | Formation Resolution No.[(1)] |
|---|---|---|
| Landscape Maintenance District No. 3 (River Ridge) | March 18,1986 | 8983 |
| Landscape Maintenance District No. 10 (Country Club Estates) | December 13, 1988 | 9587 |
| Landscape Maintenance District No. 11 (St. Tropez) | January 3, 1989 | 9603 |
| Landscape Maintenance District No. 12 (Standard Pacific) | March 28, 1989 | 9665 |
| Landscape Maintenance District No. 13 (Le Village) | March 20, 1990 | 9894 |
| Landscape Maintenance District No. 14 (California Cove) | June 5, 1990 | 9972 |
| Landscape Maintenance District No. 16 (California Lighthouse) | July 9, 1991 | 10206 |
| Landscape Maintenance District No. 23 (Greystone) | June 18, 1996 | 11071 |
| Landscape Maintenance District No. 24 (Vineyards) | June 18, 1996 | 11072 |
| Landscape Maintenance District No. 25 (The Pointe) | June 18, 1996 | 11073 |
| Landscape Maintenance District No. 27 (Rose Island) | June 24, 1997 | 11259 |
| Landscape Maintenance District No. 28 (Harborside) | June 24, 1997 | 11260 |
| Landscape Maintenance District No. 30 (Haas Automation) | June 24, 1997 | 11261 |
| Landscape Maintenance District No. 31 (Rancho De La Rosa) | June 23, 1998 | 11415 |
| Landscape Maintenance District No. 32 (Oak Park) | February 23, 1999 | 11505 |
| Landscape Maintenance District No. 33 (El Paseo) | October 19, 1999 | 11653 |
| Landscape Maintenance District No. 34 (Sunrise Pointe & Sunset Cove) | October 19, 1999 | 11654 |
| Landscape Maintenance District No. 36 (Villa Santa Cruz & Villa Carmel) | January 25, 2000 | 11684 |
| Landscape Maintenance District No. 37 (Pacific Breeze) | January 25, 2000 | 11685 |
| Landscape Maintenance District No. 38 (Aldea Del Mar) | November 28, 2000 | 11863 |
| Landscape Maintenance District No. 39 (Promesa/Sueno & DR Horton/Seawinds) | March 6, 2001 | 11905 |
| Landscape Maintenance District No. 40 (Cantada) | January 8, 2002 | 12078 |
| Landscape Maintenance District No. 41 (Pacific Cove) | January 8, 2002 | 12079 |
| Landscape Maintenance District No. 42 (Cantabria & Coronado) | May 14, 2002 | 12144 |
| Landscape Maintenance District No. 43 (Greenbelt) | January 7, 2003 | 12295 |
| Landscape Maintenance District No. 46 (Daily Ranch) | June 24, 2003 | 12440 |
| Landscape Maintenance District No. 47 (Sycamore Place) | April 22, 2003 | 12355 |
| Landscape Maintenance District No. 49 (Cameron Ranch) | June 3, 2003 | 12394 |
| Landscape Maintenance District No. 50 (Pleasant Valley Senior | June 10, 2003 | 12404 |

| District Name | Formation Date[1] | Formation Resolution No.[1] |
|---|---|---|
| Housing) | | |
| Landscape Maintenance District No. 51 (Pfeiler) | April 19, 2005 | 12799 |
| Landscape Maintenance District No. 52 (Wingfield) | February 1, 2005 | 12768 |
| Landscape Maintenance District No. 53 (Huff Court) | June 7, 2005 | 12879 |
| Landscape Maintenance District No. 54 (Meadowcrest) | March 28, 2006 | 13024 |
| Landscape Maintenance District No. 55 (Wingfield West) | March 28, 2006 | 13025 |
| Landscape Maintenance District No. 58 (Westwind) | June 6, 2006 | 13069 |
| Landscape Maintenance District No. 60 (Artisan) | March 3, 2009 | 13604 |

(1) Source: City of Oxnard Resolution Initiating Proceedings for Fiscal Year 2017-18.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2018-2019 WITHIN THE CITY'S LANDSCAPE MAINTENANCE DISTRICTS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972.

WHEREAS, the City Council of the City of Oxnard (the "City Council") has by previous Resolutions formed the City's Landscape Maintenance Districts (the "Districts"), the listing of which are included in this Resolution as Exhibit A, pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (the "Act"); and

WHEREAS, the City Council has by previous Resolution initiated proceedings for the annual levy and collection of assessments for Fiscal Year 2018-2019; and

WHEREAS, NBS has filed with the City Clerk the Consolidated Engineer's Report (the "Report") (Exhibit B) concerning the cost of maintaining the landscaping in such Districts as shown in Exhibit A for the 2018-2019 Fiscal Year and the amount of the special benefit received therefrom by each parcel within such Districts; and

WHEREAS, the method of assessment formula for the Districts listed in Exhibit B, Section 7.1 call for annual increases to the assessment rates based upon changes in the Los Angeles County CPI; and,

WHEREAS, in January 2018 the Bureau of Labor Statistics ("BLS") split the Los Angeles-Riverside-Orange County index ("Prior CPI") into two regions called Los Angeles-Long Beach-Anaheim and Riverside-San Bernardino-Ontario; and,

WHEREAS, based upon the proximity, it is appropriate to use the Los-Angeles-Long Beach-Anaheim CPI for the purposes of computing annual changes in the assessment rates for the applicable Districts.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The City Council preliminarily approves the Engineer's Report.

2. The City Council declares its intention to levy and collect assessments within the Districts for Fiscal Year 2018-2019 in accordance with the Act.

3. A full and detailed description of the landscaping improvements, the boundaries of the Districts and any zones therein, and the proposed assessments upon

assessable lots and parcels of land within the Districts are contained in the Engineer's Report on file with the City Clerk which is made a part by reference.

4. Improvements and services to be provided for Fiscal Year 2018-2019 within all Districts as reflected in Exhibit B to this resolution.

5. Notice is hereby given that on June 19, 2018 at 6:00 p.m. in City Council Chambers, at 305 West Third Street, Oxnard, California, the City Council will hold a hearing on the levy of the proposed assessment, at which time all interested persons shall be afforded an opportunity to hear and be heard. Any interested person may, prior to the conclusion of the hearing, file a written protest with the City Clerk or, having previously filed a protest, file a written withdrawal of the protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by that person.

6. At least 10 days prior to the date of the hearing, the City Clerk shall give notice of the hearing by causing this resolution to be published once in a newspaper of general circulation within the City.

PASSED AND ADOPTED THIS 5th day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________________
Tim Flynn, Mayor

ATTEST:

__________________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

__________________________________
Stephen M. Fischer, City Attorney

EXHIBIT A

CITY OF OXNARD
LANDSCAPE MAINTENANCE DISTRICT LISTING

| District Name | Formation Date[1] | Formation Resolution No.[1] |
|---|---|---|
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| Landscape Maintenance District No. 36 (Villa Santa Cruz & Villa Carmel) | January 25, 2000 | 11684 |
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| Landscape Maintenance District No. 38 (Aldea Del Mar) | November 28, 2000 | 11863 |
| Landscape Maintenance District No. 39 (Promesa/Sueno & DR Horton/Seawinds) | March 6, 2001 | 11905 |
| Landscape Maintenance District No. 40 (Cantada) | January 8, 2002 | 12078 |
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| Landscape Maintenance District No. 50 (Pleasant Valley Senior | June 10, 2003 | 12404 |

| District Name | Formation Date[1] | Formation Resolution No.[1] |
|---|---|---|
| Housing) | | |
| Landscape Maintenance District No. 51 (Pfeiler) | April 19, 2005 | 12799 |
| Landscape Maintenance District No. 52 (Wingfield) | February 1, 2005 | 12768 |
| Landscape Maintenance District No. 53 (Huff Court) | June 7, 2005 | 12879 |
| Landscape Maintenance District No. 54 (Meadowcrest) | March 28, 2006 | 13024 |
| Landscape Maintenance District No. 55 (Wingfield West) | March 28, 2006 | 13025 |
| Landscape Maintenance District No. 58 (Westwind) | June 6, 2006 | 13069 |
| Landscape Maintenance District No. 60 (Artisan) | March 3, 2009 | 13604 |

(1) Source: City of Oxnard Resolution Initiating Proceedings for Fiscal Year 2017-18.

EXHIBIT B

CITY OF OXNARD
CONSOLIDATED ENGINEER'S REPORT

DUE TO FILE SIZE, THE ENGINEER'S REPORT IS NOT BEING REPRODUCED FOR THE AGENDA PACKET, BUT IT IS AVAILABLE ONLINE AT WWW.OXNARD.ORG/CITY-MEETING AS WELL AS THE CITY CLERK'S OFFICE.

**EXHIBIT B**

CITY OF OXNARD
CONSOLIDATED ENGINEER'S REPORT

DUE TO FILE SIZE, THE ENGINEER'S REPORT IS NOT BEING REPRODUCED FOR THE AGENDA PACKET, BUT IT IS AVAILABLE ONLINE AT WWW.OXNARD.ORG/CITY-MEETING AS WELL AS THE CITY CLERK'S OFFICE.

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| CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Info/Consent<br>AGENDA ITEM NO.: 8 |
|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Jim Throop
Chief Financial Officer

Jim Throop

**SUBJECT:** Declaration of Intent to Dissolve Two Landscape Maintenance Districts

**CONTACT:** Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, (805) 385-7475

**RECOMMENDATION:**

That City Council adopt a resolution declaring the intention to dissolve (Attachment A) two (2) of the City's Landscape Maintenance Districts (LMD 9 – Strawberry Fields and LMD 15 – Pelican Pointe) for Fiscal Year 2018-2019 pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500).

**BACKGROUND**

On May 20, 2015, the City contracted with NBS Government Finance Group, a firm specializing in the administration of California special financing districts to conduct an in-depth review and analysis of the City's Landscape Maintenance Districts ("Districts"). The NBS review found that improvements within eighteen (18) of the Districts were located entirely along major traffic corridors. Additionally, another thirty (30) of the Districts had a portion of their improvements located along major traffic corridors. In order to reduce the burden on the Districts, on March 7, 2017, the City Council voted to remove the improvements along these major traffic corridors from the responsibility of the Districts and return them to the responsibility of the City, effective July 1, 2017.

As a result of the removal of the exterior improvements, two (2) Districts were identified as having only traffic circles requiring ongoing maintenance services. LMD 9 – Strawberry Fields and LMD 15 – Pelican Pointe were formed prior to 1996/1997 and does not provide an inflator to increase the assessment over time as costs increase. Therefore these districts are maxed on the amount that can be collected in annual assessments to pay for ongoing maintenance services. The City has subsidized both Districts in prior years due to the inability to collect enough funds to cover ongoing maintenance costs.

In consultation with NBS, it was determined both Districts have maintenance areas that can be eliminated and thus, the Districts can be dissolved. On May 29, 2018, City staff hosted a town hall meeting with affected property owners in both districts to discuss options relating to the final disposition of the traffic circles. Multiple options were discussed and residents unanimously agreed to the installation of a dry water beds utilizing decorative rocks.

Approval of the attached resolution accomplishes the following:

- Proposes to cease the levy and collection of assessments in the two (2) Districts.
- Sets a public hearing for June 19, 2018 at 6:00 p.m. in the City Council Chambers concerning the dissolution of the two (2) districts.

**STRATEGIC PRIORITIES**

This agenda item supports the Organizational Effectiveness strategy. The purpose of the Organizational Effectiveness strategy is to strengthen and stabilize the organizational foundation of the City in the areas of Finance, Information Technology, and Human Resources, and to improve workforce quality while increasing transparency to the public. This item supports the following goals and objectives:

Goal 2. Increase transparency with Council, community and staff related to the City's budget and financial management processes.

**FINANCIAL IMPACT**

With the dissolution of the districts, there is no financial impact.

**ATTACHMENTS:**

Attachment A: Resolution of Intent to Dissolve

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. ___________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING THE INTENTION TO ORDER THE DISSOLUTION OF TWO (2) OF THE CITY'S LANDSCAPE MAINTENANCE DISTRICTS (LMD NOS. 9 & 15)

WHEREAS, the City Council of the City of Oxnard (the "City Council") has by previous Resolutions formed landscape maintenance districts pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (the "Act"); and

WHEREAS, the City Council has, by previous Resolutions approved or amended Final Engineer's Formation and/or Annual Levy Reports (hereafter referred to as the "Reports"); and,

WHEREAS, the City Council declares its intent to dissolve the Districts listed in Exhibit A attached to this resolution (the "Districts") pursuant to Section 22610 of the Act, and cease the levy and collection of assessments against parcels of land within the Districts.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF OXNARD RESOLVES:

1. **Intention:** Public interest and convenience requires, and it is the intention of this legislative body to dissolve the Districts, pursuant to the Act, as of July 1, 2018, for the following designated works of improvement and maintenance:

2. **Improvements:** The improvements authorized to be maintained are District-specific and vary between the Districts. The improvements being maintained may include, but are not limited to: ground cover, turf, trees, shrubs, and sprinkler, irrigation and drainage systems, and associated appurtenant facilities.

   Maintenance provided includes all necessary services, operations, administration and maintenance required to keep the above mentioned improvements in a healthy, vigorous and satisfactory condition which may include, but is not limited to: repair, removal or replacement of all or any part of the landscaping. Provision for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, mowing, spraying, fertilizing and treating for disease or injury. The tree trimming may not occur on an annual basis; therefore, the assessed amount is for the average annual cost. Removal of trimmings, rubbish, graffiti, debris and other solid waste from the landscaped areas, detention basins and screen walls/fencing.

3. **Boundaries:** The boundaries of the Districts to be dissolved are the boundaries which the legislative body previously declared to benefit by said improvements, found in the assessment diagram previously approved by this legislative body, a copy of which is on file in the Office of the City Clerk and designated by the name of these Districts.

4. **Reports:** For a full and detailed description of the improvements, the boundaries of the Districts and any zones therein, and the prior assessments upon lots and parcels of land within the Districts, please refer to the Fiscal Year 2017/18 Consolidated Engineer's Report adopted by the City Council on June 20, 2017 by Resolution No. 15,032, on file in the Office of the City Clerk.

5. **Levy of Assessment:** The annual levy of assessments for the maintenance of the above work of improvements as set forth and described in the Reports shall cease, beginning in Fiscal Year 2018/19.

6. **Notice of Public Hearing:** Notice is hereby given that Tuesday, June 19, 2018 at 6:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers at 305 West Third Street, Oxnard, California, the City Council will hold a hearing on the proposed dissolution of the Districts. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. At the Public Hearing, all interested persons shall be afforded the opportunity to hear and be heard. The City Clerk is hereby authorized and directed to give notice of such hearing as provided by law.

PASSED AND ADOPTED THIS 5th day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________________________
Tim Flynn, Mayor

ATTEST:

____________________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

____________________________________
Stephen M. Fischer, City Attorney

Exhibit A

LANDSCAPE MAINTENANCE DISTRICT LIST – DISSOLUTION

*Note: The following is the list of Districts proposed to be dissolved, and is not inclusive of all City landscape maintenance districts.*

| District Name | Formation Date[(1)] | Formation Resolution No.[(1)] |
|---|---|---|
| Landscape Maintenance District No. 9 (Strawberry Fields) | June 2, 1987 | 9227 |
| Landscape Maintenance District No. 15 (Pelican Pointe) | June 21, 1994 | 10752 |

(1) Source: City of Oxnard Resolution Initiating Proceedings for Fiscal Year 2017-18.

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| CITY OF OXNARD CALIFORNIA | CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Info/Consent<br>AGENDA ITEM NO.: 9 |
|---|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Jim Throop
Chief Financial Officer

Jim Throop

**SUBJECT:** Adopt the Resolutions Authorizing the Special Tax Levy for Community Facility District Nos. 1 and 2 (Westport at Mandalay Bay)

**CONTACT:** Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, (805) 385-7475

**RECOMMENDATION:**

That City Council acting as the legislative body of Community Facilities District (CFD) Nos. 1 and 2:
1. Adopt a resolution setting a special tax rate within CFD No. 1 for FY 2018-19 (Westport at Mandalay Bay); and
2. Adopt a resolution setting a special tax rate within CFD No. 2 for FY 2018-19 (Westport at Mandalay Bay).

**BACKGROUND**

***CFD No. 1 Special Tax***

On October 3, 2000, City Council adopted Resolution No. 11,823 (the "CFD No. 1 Resolution of Formation") establishing CFD No. 1. On October 24, 2000, City Council adopted Ordinance No. 2541 which was amended by Ordinance No. 2591 adopted on February 5, 2002, to levy a special tax sufficient to pay principal, interest, other periodic costs and administrative expenses with respect to the bonds of CFD No. 1. In each fiscal year thereafter, the Government Code requires the City Council to adopt a resolution levying the special tax rate for that fiscal year. Resolution No. 12,082 established a Revised Rate and Method for CFD No. 1. While the maximum special tax rate in FY 2018-2019 for CFD No. 1 is $892,705.82, the actual amount to be levied is $646,236.26.

The reserve fund will be credited to property owners in the final year of the bonds, to the extent available. The remaining balance of the bonds is $7,720,000 with the final payment due on September 1, 2033.

***CFD No. 2 Special Tax***

On October 3, 2000, City Council adopted Resolution No. 11,825 (the "CFD No. 2 Resolution of Formation") establishing CFD No. 2. On October 24, 2000, City Council adopted Ordinance No. 2542, which was amended by Ordinance No. 2592 adopted on February 5, 2002, to levy a special tax sufficient to pay costs of the services and incidental expenses relating to the maintenance of CFD No. 2. In each fiscal year thereafter, the Government Code requires the City Council to adopt a resolution levying the special tax rate for that fiscal year. Resolution No. 12,082 established a Revised Rate and Method for CFD No. 2. The total amount of special taxes for CFD No. 2 for FY 2018-2019 is $603,384.32.

The following represents a breakdown of the tax levy for the upcoming and most recent fiscal years:

| **Description** | **Projected Levy FY 18-19** | **Actual Levy FY 17-18** |
|---|---|---|
| Administration | $92,747 | $101,337 |
| Liability, Worker's Comp, fees, etc. | 2,159 | 2,271 |
| Indirect Costs | 20,975 | 20,803 |
| Channel Maintenance/Repairs | 25,000 | 142,250 |
| Landscape Maintenance | 300,992 | 228,523 |
| Contingency | 50,000 | 100,000 |
| Harbor Patrol | 192,814 | 189,033 |
| Storm Drain Maintenance | 60,000 | 56,980 |
| Less: Tax Levy Credit | (141,302) | (236,294) |
| **Total** | **$603,385** | **$604,903** |

The major increase in budget is due to the increase in landscape maintenance costs as a result of a new bid and contract award which took effect on January 1, 2018. Channel maintenance costs have decreased and the storm drain maintenance was not completed in FY 2017-2018, therefore it is being carried over to FY 2018-2019.

The maximum allowable tax for CFD No. 2 for FY 2018-2019 is $775,650.40. The Projected Levy for FY 2018-2019 is $603,384.32. The total expenditures for FY 2018-2019 are higher than FY 2017-2018 because of increased costs of landscape maintenance. A levy credit of $141,302 for FY 2018-19 reduces the estimated fund balance of CFD No. 2 to the required level of $1.35 million (adjusted for inflation in FY 2018-2019) according to a reserve fund study prepared by Stantec in June 2015.

**STRATEGIC PRIORITIES**

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

**FINANCIAL IMPACT**

There will be no cost to the City's General Fund from approval of the resolutions levying the special taxes for CFD No. 1 Fund 538 and CFD No. 2 Fund 175 for FY 2018-2019. Debt service costs and all administrative costs are included in the amount to be collected by the special taxes, which are levied against properties located in CFD No. 1 and CFD No. 2.

**ATTACHMENTS:**

Attachment A: Resolution Authorizing Levy of Special Tax for CFD No. 1

Attachment B: Exhibit A to CFD 1 Resolution

Attachment C: Resolution Authorizing Levy of Special Tax for CFD No. 2

Attachment D: Exhibit A to CFD 2 Resolution

RESOLUTION NO. ________

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1 (WESTPORT AT MANDALAY BAY) OF THE CITY OF OXNARD AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 1 (WESTPORT AT MANDALAY BAY) FOR THE FISCAL YEAR 2018-2019

WHEREAS, the City Council of the City of Oxnard (the "City") previously established Community Facilities District No. 1 (Westport at Mandalay Bay) of the City of Oxnard ("CFD No. 1") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311 (the "Act"); and

WHEREAS, the City Council of the City, acting as the legislative body of CFD No. 1, is authorized pursuant to Resolution No. 11,823 (the "Resolution of Formation") and Resolution No. 12,082, establishing a Revised Rate and Method as described in Resolution No. 12,082, and Ordinance No. 2541 adopted by the City Council on October 24, 2000, as amended by Ordinance No. 2591 adopted on February 5, 2002 (the "Ordinance"), to levy a special tax sufficient to pay certain costs of the Services and Incidental Expenses (as defined in the Resolution of Formation); and

WHEREAS, it is now necessary and appropriate that this City Council levy and collect the special taxes for the Fiscal Year 2018-2019 for the purpose specified in the Resolution of Formation and the Ordinance, by the adoption of a resolution as specified by the Act and the Ordinance; and

WHEREAS, the assessments are in conformance with Proposition 218; and

WHEREAS, the special taxes being levied hereunder are at the same rate or at a lower rate than provided by the Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1 (WESTPORT AT MANDALAY BAY), DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The special tax is imposed without regard to property valuation and is levied in compliance with the Act and the Ordinance.

SECTION 3. In accordance with the Act and the Ordinance, there is hereby levied upon the parcels within the District which are not otherwise exempt from taxation under the Act or the Ordinance special taxes for the Fiscal Year 2018-2019 at the special tax rates set forth in the report prepared by NBS Government Finance Group for CFD No. 1 entitled "City of Oxnard Community Facilities District No. 1 (Westport at Mandalay Bay) Fiscal Year 2018-2019 Levy" (the "Report"), attached hereto as Exhibit A and made a part hereof, which special tax rates do not exceed the maximum special tax rates set forth in the Ordinance. After adoption of this Resolution, the Chief Financial Officer of the City, or his or her designee, may make any necessary modifications to these special taxes to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxed or in the amount to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the special tax applicable to any category of parcels and is made prior to the submission of the tax rolls to the Ventura County Auditor.

SECTION 4. All of the collections of the special tax shall be used only as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in the Resolution of Formation.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes except as such procedure may be modified by law and by this City Council.

SECTION 6. The Chief Financial Officer is hereby authorized and directed to transmit a certified copy of this Resolution and the Report to the Ventura County Auditor, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for the Fiscal Year 2018-2019, and to perform all other acts which are required by the Act, the Ordinance, or by law in order to accomplish the purpose of this Resolution.

APPROVED AND ADOPTED on this ____ day of ______, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________________
Tim Flynn, Mayor of the City Council of the City of Oxnard, acting on behalf of Community Facilities District No. 1 (Westport at Mandalay Bay) of the City of Oxnard

ATTEST:

______________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

______________________________
Stephen M. Fischer, City Attorney

STATE OF CALIFORNIA )
) ss.
COUNTY OF VENTURA )

I, MICHELLE ASCENCION, City Clerk of the City Council of the City of Oxnard, do hereby certify that the above and foregoing is a full, true and correct copy of RESOLUTION NO. __________ of said City Council, and that the same has not been amended or repealed.

DATED: ___________, 2018

______________________________________________
City Clerk of the City Council of the City of Oxnard

(SEAL)

# EXHIBIT A

## CITY OF OXNARD
## COMMUNITY FACILITIES DISTRICT NO. 1
## (WESTPORT AT MANDALAY BAY)
## FISCAL YEAR 2018-2019 LEVY

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-170-015 | 1201 CHESAPEAKE DR | $4,165.28 |
| 188-0-170-025 | 1211 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-035 | 1221 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-045 | 1231 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-055 | 1241 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-065 | 1251 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-075 | 1261 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-085 | 1301 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-095 | 1311 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-105 | 1321 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-115 | 1331 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-125 | 1341 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-135 | 1351 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-145 | 1361 CHESAPEAKE DR | 4,165.28 |
| 188-0-170-225 | 4420 CHESAPEAKE DR | 3,950.42 |
| 188-0-170-235 | 4410 CHESAPEAKE DR | 3,950.42 |
| 188-0-170-245 | 4400 CHESAPEAKE DR | 3,950.42 |
| 188-0-170-295 | 4425 AHOY LN | 1,933.70 |
| 188-0-170-305 | 4423 AHOY LN | 1,933.70 |
| 188-0-170-315 | 4417 AHOY LN | 1,933.70 |
| 188-0-170-325 | 4415 AHOY LN | 1,933.70 |
| 188-0-170-335 | 4409 AHOY LN | 1,933.70 |
| 188-0-170-345 | 4407 AHOY LN | 1,933.70 |
| 188-0-170-355 | 4401 CHESAPEAKE DR | 1,933.70 |
| 188-0-170-365 | 4403 CHESAPEAKE DR | 1,933.70 |
| 188-0-170-375 | 4405 CHESAPEAKE DR | 1,933.70 |
| 188-0-170-385 | 4411 CHESAPEAKE DR | 1,933.70 |
| 188-0-170-395 | 4413 CHESAPEAKE DR | 1,933.70 |
| 188-0-170-405 | 4419 CHESAPEAKE DR | 1,933.70 |
| 188-0-170-415 | 4421 CHESAPEAKE DR | 1,933.70 |
| 188-0-180-015 | 4361 WATERSIDE LN | 3,950.42 |
| 188-0-180-025 | 4353 WATERSIDE LN | 3,105.64 |
| 188-0-180-035 | 4351 WATERSIDE LN | 3,105.64 |
| 188-0-180-045 | 4343 WATERSIDE LN | 3,105.64 |
| 188-0-180-055 | 4341 WATERSIDE LN | 3,105.64 |
| 188-0-180-065 | 4333 WATERSIDE LN | 3,105.64 |
| 188-0-180-075 | 4331 WATERSIDE LN | 3,105.64 |
| 188-0-180-085 | 4323 WATERSIDE LN | 3,105.64 |
| 188-0-180-095 | 4321 WATERSIDE LN | 3,105.64 |
| 188-0-180-105 | 4313 WATERSIDE LN | 3,105.64 |
| 188-0-180-115 | 4311 WATERSIDE LN | 3,105.64 |
| 188-0-180-125 | 4303 WATERSIDE LN | 4,165.28 |
| 188-0-180-135 | 4301 WATERSIDE LN | 4,165.28 |
| 188-0-180-145 | 1304 TWIN TIDES PL | 4,165.28 |
| 188-0-180-155 | 1314 TWIN TIDES PL | 3,950.42 |
| 188-0-180-165 | 1324 TWIN TIDES PL | 3,105.64 |
| 188-0-180-175 | 1334 TWIN TIDES PL | 3,105.64 |
| 188-0-180-185 | 1344 TWIN TIDES PL | 3,105.64 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 1**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-180-195 | 1354 TWIN TIDES PL | 3,105.64 |
| 188-0-180-315 | 4354 WATERSIDE LN | 1,933.70 |
| 188-0-180-325 | 4352 WATERSIDE LN | 1,933.70 |
| 188-0-180-335 | 4350 WATERSIDE LN | 1,933.70 |
| 188-0-180-345 | 4342 WATERSIDE LN | 1,933.70 |
| 188-0-180-355 | 4340 WATERSIDE LN | 1,933.70 |
| 188-0-180-365 | 4332 WATERSIDE LN | 1,933.70 |
| 188-0-180-375 | 4330 WATERSIDE LN | 1,933.70 |
| 188-0-180-385 | 4322 WATERSIDE LN | 1,933.70 |
| 188-0-180-395 | 4320 WATERSIDE LN | 1,933.70 |
| 188-0-180-405 | 4312 WATERSIDE LN | 1,933.70 |
| 188-0-180-415 | 4310 WATERSIDE LN | 1,933.70 |
| 188-0-180-425 | 4305 ADMIRAL WAY | 1,933.70 |
| 188-0-180-435 | 4307 ADMIRAL WAY | 1,933.70 |
| 188-0-180-445 | 4315 ADMIRAL WAY | 1,933.70 |
| 188-0-180-455 | 4317 ADMIRAL WAY | 1,933.70 |
| 188-0-180-465 | 4325 ADMIRAL WAY | 1,933.70 |
| 188-0-180-475 | 4327 ADMIRAL WAY | 1,933.70 |
| 188-0-180-485 | 4335 ADMIRAL WAY | 1,933.70 |
| 188-0-180-495 | 4337 ADMIRAL WAY | 1,933.70 |
| 188-0-180-505 | 4345 ADMIRAL WAY | 1,933.70 |
| 188-0-180-515 | 4347 ADMIRAL WAY | 1,933.70 |
| 188-0-191-015 | 1404 TWIN TIDES PL | 4,165.28 |
| 188-0-191-025 | 1414 TWIN TIDES PL | 3,950.42 |
| 188-0-191-035 | 1424 TWIN TIDES PL | 3,950.42 |
| 188-0-191-045 | 1434 TWIN TIDES PL | 3,950.42 |
| 188-0-191-065 | 1454 TWIN TIDES PL | 3,950.42 |
| 188-0-191-085 | 1474 TWIN TIDES PL | 3,950.42 |
| 188-0-191-095 | 1504 TWIN TIDES PL | 3,950.42 |
| 188-0-191-105 | 1514 TWIN TIDES PL | 3,950.42 |
| 188-0-191-115 | 1524 TWIN TIDES PL | 3,950.42 |
| 188-0-191-125 | 1534 TWIN TIDES PL | 3,950.42 |
| 188-0-191-135 | 1544 TWIN TIDES PL | 3,950.42 |
| 188-0-191-145 | 1554 TWIN TIDES PL | 4,165.28 |
| 188-0-191-155 | 1560 TWIN TIDES PL | 4,165.28 |
| 188-0-191-165 | 1562 TWIN TIDES PL | 3,950.42 |
| 188-0-191-175 | 1564 TWIN TIDES PL | 3,950.42 |
| 188-0-191-185 | 1566 TWIN TIDES PL | 3,950.42 |
| 188-0-191-195 | 1568 TWIN TIDES PL | 4,165.28 |
| 188-0-191-205 | 1553 TWIN TIDES PL | 4,165.28 |
| 188-0-191-215 | 1543 TWIN TIDES PL | 3,950.42 |
| 188-0-191-225 | 1533 TWIN TIDES PL | 3,950.42 |
| 188-0-191-235 | 1523 TWIN TIDES PL | 3,950.42 |
| 188-0-191-245 | 1513 TWIN TIDES PL | 3,950.42 |
| 188-0-191-255 | 1503 TWIN TIDES PL | 3,950.42 |
| 188-0-191-265 | 1473 TWIN TIDES PL | 3,950.42 |
| 188-0-191-275 | 1463 TWIN TIDES PL | 3,950.42 |
| 188-0-191-295 | 1443 TWIN TIDES PL | 3,950.42 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 1**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-191-305 | 1433 TWIN TIDES PL | 3,950.42 |
| 188-0-191-325 | 1413 TWIN TIDES PL | 4,165.28 |
| 188-0-192-015 | 1410 VIEWPOINT DR | 4,165.28 |
| 188-0-192-025 | 1420 VIEWPOINT DR | 3,105.64 |
| 188-0-192-035 | 1430 VIEWPOINT DR | 3,105.64 |
| 188-0-192-045 | 1440 VIEWPOINT DR | 3,105.64 |
| 188-0-192-055 | 1450 VIEWPOINT DR | 3,105.64 |
| 188-0-192-065 | 1460 VIEWPOINT DR | 3,105.64 |
| 188-0-192-075 | 1470 VIEWPOINT DR | 3,105.64 |
| 188-0-192-085 | 1480 VIEWPOINT DR | 3,105.64 |
| 188-0-192-095 | 1500 VIEWPOINT DR | 3,105.64 |
| 188-0-192-105 | 1510 VIEWPOINT DR | 3,105.64 |
| 188-0-192-115 | 1520 VIEWPOINT DR | 3,105.64 |
| 188-0-192-125 | 1530 VIEWPOINT DR | 3,105.64 |
| 188-0-192-135 | 1540 VIEWPOINT DR | 3,105.64 |
| 188-0-192-145 | 1550 VIEWPOINT DR | 3,105.64 |
| 188-0-192-155 | 1560 VIEWPOINT DR | 3,105.64 |
| 188-0-192-165 | 1570 VIEWPOINT DR | 3,950.42 |
| 188-0-192-175 | 1580 VIEWPOINT DR | 3,950.42 |
| 188-0-192-185 | 1582 VIEWPOINT DR | 3,105.64 |
| 188-0-192-195 | 1584 VIEWPOINT DR | 3,105.64 |
| 188-0-192-205 | 1586 VIEWPOINT DR | 4,165.28 |
| 188-0-192-215 | 1561 VIEWPOINT DR | 3,950.42 |
| 188-0-192-225 | 1551 VIEWPOINT DR | 3,950.42 |
| 188-0-192-235 | 1541 VIEWPOINT DR | 3,950.42 |
| 188-0-192-245 | 1531 VIEWPOINT DR | 3,950.42 |
| 188-0-192-255 | 1521 VIEWPOINT DR | 3,950.42 |
| 188-0-192-265 | 1511 VIEWPOINT DR | 3,950.42 |
| 188-0-200-025 | 1227 BAYSIDE CIR | 1,406.32 |
| 188-0-200-035 | 1225 BAYSIDE CIR | 1,406.32 |
| 188-0-200-045 | 1223 BAYSIDE CIR | 1,406.32 |
| 188-0-200-055 | 1221 BAYSIDE CIR | 1,406.32 |
| 188-0-200-065 | 1216 BAYSIDE CIR | 1,406.32 |
| 188-0-200-075 | 1214 BAYSIDE CIR | 1,406.32 |
| 188-0-200-085 | 1212 BAYSIDE CIR | 1,406.32 |
| 188-0-200-095 | 1210 BAYSIDE CIR | 1,406.32 |
| 188-0-200-105 | 1206 BAYSIDE CIR | 1,406.32 |
| 188-0-200-115 | 1204 BAYSIDE CIR | 1,406.32 |
| 188-0-200-125 | 1202 BAYSIDE CIR | 1,406.32 |
| 188-0-200-135 | 1200 BAYSIDE CIR | 1,406.32 |
| 188-0-200-145 | 1217 BAYSIDE CIR | 1,406.32 |
| 188-0-200-155 | 1215 BAYSIDE CIR | 1,406.32 |
| 188-0-200-165 | 1213 BAYSIDE CIR | 1,406.32 |
| 188-0-200-175 | 1211 BAYSIDE CIR | 1,406.32 |
| 188-0-200-185 | 1247 BAYSIDE CIR | 1,406.32 |
| 188-0-200-195 | 1245 BAYSIDE CIR | 1,406.32 |
| 188-0-200-205 | 1243 BAYSIDE CIR | 1,406.32 |
| 188-0-200-215 | 1241 BAYSIDE CIR | 1,406.32 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 1**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-200-225 | 1237 BAYSIDE CIR | 1,406.32 |
| 188-0-200-235 | 1235 BAYSIDE CIR | 1,406.32 |
| 188-0-200-245 | 1233 BAYSIDE CIR | 1,406.32 |
| 188-0-200-255 | 1231 BAYSIDE CIR | 1,406.32 |
| 188-0-200-265 | 1232 BAYSIDE CIR | 1,406.32 |
| 188-0-200-275 | 1234 BAYSIDE CIR | 1,406.32 |
| 188-0-200-285 | 1236 BAYSIDE CIR | 1,406.32 |
| 188-0-200-295 | 1238 BAYSIDE CIR | 1,406.32 |
| 188-0-200-305 | 1251 BAYSIDE CIR | 1,406.32 |
| 188-0-200-315 | 1253 BAYSIDE CIR | 1,406.32 |
| 188-0-200-325 | 1255 BAYSIDE CIR | 1,406.32 |
| 188-0-200-335 | 1257 BAYSIDE CIR | 1,406.32 |
| 188-0-200-345 | 1269 BAYSIDE LN | 1,406.32 |
| 188-0-200-355 | 1259 BAYSIDE LN | 1,406.32 |
| 188-0-200-365 | 1249 BAYSIDE LN | 1,406.32 |
| 188-0-200-375 | 1239 BAYSIDE LN | 1,406.32 |
| 188-0-200-385 | 1261 BAYSIDE CIR | 1,406.32 |
| 188-0-200-395 | 1263 BAYSIDE CIR | 1,406.32 |
| 188-0-200-405 | 1265 BAYSIDE CIR | 1,406.32 |
| 188-0-200-415 | 1267 BAYSIDE CIR | 1,406.32 |
| 188-0-200-425 | 1271 BAYSIDE CIR | 1,406.32 |
| 188-0-200-435 | 1273 BAYSIDE CIR | 1,406.32 |
| 188-0-200-445 | 1275 BAYSIDE CIR | 1,406.32 |
| 188-0-200-455 | 1281 BAYSIDE CIR | 1,406.32 |
| 188-0-200-465 | 1283 BAYSIDE CIR | 1,406.32 |
| 188-0-200-475 | 1285 BAYSIDE CIR | 1,406.32 |
| 188-0-200-485 | 1287 BAYSIDE CIR | 1,406.32 |
| 188-0-200-495 | 1270 BAYSIDE CIR | 1,406.32 |
| 188-0-200-505 | 1272 BAYSIDE CIR | 1,406.32 |
| 188-0-200-515 | 1274 BAYSIDE CIR | 1,406.32 |
| 188-0-200-525 | 1276 BAYSIDE CIR | 1,406.32 |
| 188-0-200-535 | 1282 BAYSIDE CIR | 1,406.32 |
| 188-0-200-545 | 1284 BAYSIDE CIR | 1,406.32 |
| 188-0-200-555 | 1286 BAYSIDE CIR | 1,406.32 |
| 188-0-200-565 | 1288 BAYSIDE CIR | 1,406.32 |
| 188-0-200-575 | 1240 BAYSIDE CIR | 1,406.32 |
| 188-0-200-585 | 1230 BAYSIDE CIR | 1,406.32 |
| 188-0-200-595 | 1220 BAYSIDE CIR | 1,406.32 |
| 188-0-210-015 | 1302 BAYSIDE CIR | 1,406.32 |
| 188-0-210-025 | 1304 BAYSIDE CIR | 1,406.32 |
| 188-0-210-035 | 1306 BAYSIDE CIR | 1,406.32 |
| 188-0-210-045 | 1308 BAYSIDE CIR | 1,406.32 |
| 188-0-210-055 | 1301 BAYSIDE CIR | 1,406.32 |
| 188-0-210-065 | 1303 BAYSIDE CIR | 1,406.32 |
| 188-0-210-075 | 1305 BAYSIDE CIR | 1,406.32 |
| 188-0-210-085 | 1311 BAYSIDE CIR | 1,406.32 |
| 188-0-210-095 | 1313 BAYSIDE CIR | 1,406.32 |
| 188-0-210-105 | 1315 BAYSIDE CIR | 1,406.32 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 1**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-210-115 | 1321 BAYSIDE CIR | 1,406.32 |
| 188-0-210-125 | 1323 BAYSIDE CIR | 1,406.32 |
| 188-0-210-135 | 1325 BAYSIDE CIR | 1,406.32 |
| 188-0-210-145 | 1327 BAYSIDE CIR | 1,406.32 |
| 188-0-210-155 | 1366 BAYSIDE CIR | 1,406.32 |
| 188-0-210-165 | 1364 BAYSIDE CIR | 1,406.32 |
| 188-0-210-175 | 1362 BAYSIDE CIR | 1,406.32 |
| 188-0-210-185 | 1360 BAYSIDE CIR | 1,406.32 |
| 188-0-210-195 | 1356 BAYSIDE CIR | 1,406.32 |
| 188-0-210-205 | 1354 BAYSIDE CIR | 1,406.32 |
| 188-0-210-215 | 1352 BAYSIDE CIR | 1,406.32 |
| 188-0-210-225 | 1350 BAYSIDE CIR | 1,406.32 |
| 188-0-210-235 | 1346 BAYSIDE CIR | 1,406.32 |
| 188-0-210-245 | 1344 BAYSIDE CIR | 1,406.32 |
| 188-0-210-255 | 1342 BAYSIDE CIR | 1,406.32 |
| 188-0-210-265 | 1340 BAYSIDE CIR | 1,406.32 |
| 188-0-210-275 | 1337 BAYSIDE CIR | 1,406.32 |
| 188-0-210-285 | 1335 BAYSIDE CIR | 1,406.32 |
| 188-0-210-295 | 1333 BAYSIDE CIR | 1,406.32 |
| 188-0-210-305 | 1331 BAYSIDE CIR | 1,406.32 |
| 188-0-220-015 | 4308 TRADEWINDS DR | 2,171.94 |
| 188-0-220-035 | 4312 TRADEWINDS DR | 1,196.36 |
| 188-0-220-045 | 4342 TRADEWINDS DR | 1,196.36 |
| 188-0-220-055 | 4372 TRADEWINDS DR | 1,196.36 |
| 188-0-220-065 | 4314 TRADEWINDS DR | 1,196.36 |
| 188-0-220-075 | 4344 TRADEWINDS DR | 1,196.36 |
| 188-0-220-085 | 4374 TRADEWINDS DR | 1,196.36 |
| 188-0-220-095 | 4316 TRADEWINDS DR | 1,196.36 |
| 188-0-220-105 | 4346 TRADEWINDS DR | 1,196.36 |
| 188-0-220-115 | 4376 TRADEWINDS DR | 1,196.36 |
| 188-0-220-125 | 4318 TRADEWINDS DR | 1,196.36 |
| 188-0-220-135 | 4348 TRADEWINDS DR | 1,196.36 |
| 188-0-220-145 | 4378 TRADEWINDS DR | 1,196.36 |
| 188-0-220-155 | 4320 TRADEWINDS DR | 1,196.36 |
| 188-0-220-165 | 4350 TRADEWINDS DR | 1,196.36 |
| 188-0-220-175 | 4380 TRADEWINDS DR | 1,196.36 |
| 188-0-220-185 | 4322 TRADEWINDS DR | 1,196.36 |
| 188-0-220-195 | 4352 TRADEWINDS DR | 1,196.36 |
| 188-0-220-205 | 4382 TRADEWINDS DR | 1,196.36 |
| 188-0-220-215 | 4324 TRADEWINDS DR | 1,196.36 |
| 188-0-220-225 | 4354 TRADEWINDS DR | 1,196.36 |
| 188-0-220-235 | 4384 TRADEWINDS DR | 1,196.36 |
| 188-0-220-245 | 4326 TRADEWINDS DR | 1,196.36 |
| 188-0-220-255 | 4356 TRADEWINDS DR | 1,196.36 |
| 188-0-220-265 | 4386 TRADEWINDS DR | 1,196.36 |
| 188-0-220-275 | 4328 TRADEWINDS DR | 1,196.36 |
| 188-0-220-285 | 4358 TRADEWINDS DR | 1,196.36 |
| 188-0-220-295 | 4330 TRADEWINDS DR | 1,196.36 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 1**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-220-305 | 4360 TRADEWINDS DR | 1,196.36 |
| 188-0-220-315 | 4340 TRADEWINDS DR | 1,196.36 |
| 188-0-220-325 | 4370 TRADEWINDS DR | 1,196.36 |
| 188-0-220-335 | 4396 TRADEWINDS DR | 1,196.36 |
| 188-0-220-345 | 4338 TRADEWINDS DR | 1,196.36 |
| 188-0-220-355 | 4368 TRADEWINDS DR | 1,196.36 |
| 188-0-220-365 | 4394 TRADEWINDS DR | 1,196.36 |
| 188-0-220-375 | 4336 TRADEWINDS DR | 1,196.36 |
| 188-0-220-385 | 4366 TRADEWINDS DR | 1,196.36 |
| 188-0-220-395 | 4392 TRADEWINDS DR | 1,196.36 |
| 188-0-220-405 | 4332 TRADEWINDS DR | 1,196.36 |
| 188-0-220-415 | 4362 TRADEWINDS DR | 1,196.36 |
| 188-0-220-425 | 4388 TRADEWINDS DR | 1,196.36 |
| 188-0-220-435 | 4334 TRADEWINDS DR | 1,196.36 |
| 188-0-220-445 | 4364 TRADEWINDS DR | 1,196.36 |
| 188-0-220-455 | 4390 TRADEWINDS DR | 1,196.36 |
| 188-0-220-465 | 4310 TRADEWINDS DR | 1,460.74 |
| 188-0-220-475 | 4310 TRADEWINDS DR | 1,540.34 |
| 188-0-220-485 | 4310 TRADEWINDS DR | 1,601.10 |
| 188-0-220-495 | 4310 TRADEWINDS DR | 769.80 |
| 188-0-220-505 | 4310 TRADEWINDS DR | 796.56 |
| 188-0-220-515 | 4310 TRADEWINDS DR | 769.80 |
| 188-0-220-525 | 4310 TRADEWINDS DR | 769.80 |
| 188-0-220-535 | 4310 TRADEWINDS DR | 571.56 |
| 188-0-230-015 | 4228 TRADEWINDS DR | 1,196.36 |
| 188-0-230-025 | 4258 TRADEWINDS DR | 1,196.36 |
| 188-0-230-035 | 4288 TRADEWINDS DR | 1,196.36 |
| 188-0-230-045 | 4226 TRADEWINDS DR | 1,196.36 |
| 188-0-230-055 | 4256 TRADEWINDS DR | 1,196.36 |
| 188-0-230-065 | 4286 TRADEWINDS DR | 1,196.36 |
| 188-0-230-075 | 4224 TRADEWINDS DR | 1,196.36 |
| 188-0-230-085 | 4254 TRADEWINDS DR | 1,196.36 |
| 188-0-230-095 | 4284 TRADEWINDS DR | 1,196.36 |
| 188-0-230-105 | 4222 TRADEWINDS DR | 1,196.36 |
| 188-0-230-115 | 4252 TRADEWINDS DR | 1,196.36 |
| 188-0-230-125 | 4282 TRADEWINDS DR | 1,196.36 |
| 188-0-230-135 | 4220 TRADEWINDS DR | 1,196.36 |
| 188-0-230-145 | 4250 TRADEWINDS DR | 1,196.36 |
| 188-0-230-155 | 4280 TRADEWINDS DR | 1,196.36 |
| 188-0-230-165 | 4218 TRADEWINDS DR | 1,196.36 |
| 188-0-230-175 | 4248 TRADEWINDS DR | 1,196.36 |
| 188-0-230-185 | 4278 TRADEWINDS DR | 1,196.36 |
| 188-0-230-195 | 4216 TRADEWINDS DR | 1,196.36 |
| 188-0-230-205 | 4246 TRADEWINDS DR | 1,196.36 |
| 188-0-230-215 | 4276 TRADEWINDS DR | 1,196.36 |
| 188-0-230-225 | 4214 TRADEWINDS DR | 1,196.36 |
| 188-0-230-235 | 4244 TRADEWINDS DR | 1,196.36 |
| 188-0-230-245 | 4274 TRADEWINDS DR | 1,196.36 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 1**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-230-255 | 4212 TRADEWINDS DR | 1,196.36 |
| 188-0-230-265 | 4242 TRADEWINDS DR | 1,196.36 |
| 188-0-230-275 | 4272 TRADEWINDS DR | 1,196.36 |
| 188-0-230-285 | 4210 TRADEWINDS DR | 1,196.36 |
| 188-0-230-295 | 4240 TRADEWINDS DR | 1,196.36 |
| 188-0-230-305 | 4270 TRADEWINDS DR | 1,196.36 |
| 188-0-230-315 | 4230 TRADEWINDS DR | 1,196.36 |
| 188-0-230-325 | 4260 TRADEWINDS DR | 1,196.36 |
| 188-0-230-335 | 4290 TRADEWINDS DR | 1,196.36 |
| 188-0-230-345 | 4232 TRADEWINDS DR | 1,196.36 |
| 188-0-230-355 | 4262 TRADEWINDS DR | 1,196.36 |
| 188-0-230-365 | 4292 TRADEWINDS DR | 1,196.36 |
| 188-0-230-375 | 4234 TRADEWINDS DR | 1,196.36 |
| 188-0-230-385 | 4264 TRADEWINDS DR | 1,196.36 |
| 188-0-230-395 | 4294 TRADEWINDS DR | 1,196.36 |
| 188-0-230-405 | 4236 TRADEWINDS DR | 1,196.36 |
| 188-0-230-415 | 4266 TRADEWINDS DR | 1,196.36 |
| 188-0-230-425 | 4296 TRADEWINDS DR | 1,196.36 |
| 188-0-230-435 | 4238 TRADEWINDS DR | 1,196.36 |
| 188-0-230-445 | 4268 TRADEWINDS DR | 1,196.36 |
| 188-0-230-455 | 4298 TRADEWINDS DR | 1,196.36 |
| 188-0-230-475 | 4300 TRADEWINDS DR | 1,616.30 |
| 188-0-230-485 | 4300 TRADEWINDS DR | 787.90 |
| 188-0-230-495 | 4300 TRADEWINDS DR | 811.76 |
| 188-0-230-505 | 4300 TRADEWINDS DR | 758.22 |
| 188-0-230-515 | 4300 TRADEWINDS DR | 907.26 |
| 188-0-230-525 | 4300 TRADEWINDS DR | 555.64 |
| **Total** | **315 Parcels** | **$646,236.26** |

RESOLUTION NO. ________

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2 (WESTPORT AT MANDALAY BAY) OF THE CITY OF OXNARD AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2 (WESTPORT AT MANDALAY BAY) FOR THE FISCAL YEAR 2018-2019

WHEREAS, the City Council of the City of Oxnard (the "City") previously established Community Facilities District No. 2 (Westport at Mandalay Bay) of the City of Oxnard ("CFD No. 2") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311 (the "Act"); and

WHEREAS, the City Council of the City, acting as the legislative body of CFD No. 2, is authorized pursuant to Resolution No. 11,825 (the "Resolution of Formation") and Resolution No. 12,082, establishing a Revised Rate and Method as described in Resolution No. 12,082, and Ordinance No. 2542 adopted by the City Council on October 24, 2000, as amended by Ordinance No. 2592 adopted on February 5, 2002 (the "Ordinance"), to levy a special tax sufficient to pay certain costs of the Services and Incidental Expenses (as defined in the Resolution of Formation); and

WHEREAS, it is now necessary and appropriate that this City Council levy and collect the special taxes for the Fiscal Year 2018-2019 for the purpose specified in the Resolution of Formation and the Ordinance, by the adoption of a resolution as specified by the Act and the Ordinance; and

WHEREAS, the assessments are in conformance with Proposition 218; and

WHEREAS, the special taxes being levied hereunder are at the same rate or at a lower rate than provided by the Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2 (WESTPORT AT MANDALAY BAY), DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The special tax is imposed without regard to property valuation and is levied in compliance with the Act and the Ordinance.

SECTION 3. In accordance with the Act and the Ordinance, there is hereby levied upon the parcels within CFD No. 2 which are not otherwise exempt from taxation under the Act or the Ordinance special taxes for the Fiscal Year 2018-2019 at the special tax rates set forth in the report prepared by NBS Government Finance Group for CFD No. 2 entitled "City of Oxnard Community Facilities District No. 2 (Westport at Mandalay Bay) Fiscal Year 2018-2019 Levy" (the "Report"), attached hereto as Exhibit A and made a part hereof, which special tax rates do not exceed the maximum special tax rates set forth in the Ordinance. After adoption of this Resolution, the Chief Financial Officer of the City, or designee, may make any necessary modifications to these special taxes to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxed or in the amount to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the special tax applicable to any category of parcels and is made prior to the submission of the tax rolls to the Ventura County Auditor.

SECTION 4. All of the collections of the special tax shall be used only as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in the Resolution of Formation.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes except as such procedure may be modified by law and by this City Council.

SECTION 6. The Chief Financial Officer is hereby authorized and directed to transmit a certified copy of this Resolution and the Report to the Ventura County Auditor, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for the Fiscal Year 2018-2019, and to perform all other acts which are required by the Act, the Ordinance, or by law in order to accomplish the purpose of this Resolution.

APPROVED AND ADOPTED on this ____ day of ______, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_______________________________

Tim Flynn, Mayor of the City Council of the City of Oxnard, acting on behalf of Community Facilities District No. 2 (Westport at Mandalay Bay) of the City of Oxnard

ATTEST:

_______________________________

Michelle Ascencion
City Clerk of the City of Oxnard

APPROVED AS TO FORM:

_______________________________

Stephen Fischer, City Attorney

STATE OF CALIFORNIA )
) ss.
COUNTY OF VENTURA )

I, MICHELLE ASCENCION, City Clerk of the City Council of the City of Oxnard, do hereby certify that the above and foregoing is a full, true and correct copy of RESOLUTION NO. __________ of said City Council, and that the same has not been amended or repealed.

DATED: ___________, 2018

_______________________________________
City Clerk of the City Council of the City of Oxnard

(SEAL)

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-170-015 | 1201 CHESAPEAKE DR | $3,788.00 |
| 188-0-170-025 | 1211 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-035 | 1221 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-045 | 1231 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-055 | 1241 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-065 | 1251 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-075 | 1261 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-085 | 1301 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-095 | 1311 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-105 | 1321 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-115 | 1331 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-125 | 1341 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-135 | 1351 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-145 | 1361 CHESAPEAKE DR | 3,788.00 |
| 188-0-170-215 | 4430 CHESAPEAKE DR | 3,588.60 |
| 188-0-170-225 | 4420 CHESAPEAKE DR | 3,588.60 |
| 188-0-170-235 | 4410 CHESAPEAKE DR | 3,588.60 |
| 188-0-170-245 | 4400 CHESAPEAKE DR | 3,588.60 |
| 188-0-170-295 | 4425 AHOY LN | 1,749.96 |
| 188-0-170-305 | 4423 AHOY LN | 1,749.96 |
| 188-0-170-315 | 4417 AHOY LN | 1,749.96 |
| 188-0-170-325 | 4415 AHOY LN | 1,749.96 |
| 188-0-170-335 | 4409 AHOY LN | 1,749.96 |
| 188-0-170-345 | 4407 AHOY LN | 1,749.96 |
| 188-0-170-355 | 4401 CHESAPEAKE DR | 1,749.96 |
| 188-0-170-365 | 4403 CHESAPEAKE DR | 1,749.96 |
| 188-0-170-375 | 4405 CHESAPEAKE DR | 1,749.96 |
| 188-0-170-385 | 4411 CHESAPEAKE DR | 1,749.96 |
| 188-0-170-395 | 4413 CHESAPEAKE DR | 1,749.96 |
| 188-0-170-405 | 4419 CHESAPEAKE DR | 1,749.96 |
| 188-0-170-415 | 4421 CHESAPEAKE DR | 1,749.96 |
| 188-0-180-015 | 4361 WATERSIDE LN | 3,588.60 |
| 188-0-180-025 | 4353 WATERSIDE LN | 2,804.60 |
| 188-0-180-035 | 4351 WATERSIDE LN | 2,804.60 |
| 188-0-180-045 | 4343 WATERSIDE LN | 2,804.60 |
| 188-0-180-055 | 4341 WATERSIDE LN | 2,804.60 |
| 188-0-180-065 | 4333 WATERSIDE LN | 2,804.60 |
| 188-0-180-075 | 4331 WATERSIDE LN | 2,804.60 |
| 188-0-180-085 | 4323 WATERSIDE LN | 2,804.60 |
| 188-0-180-095 | 4321 WATERSIDE LN | 2,804.60 |
| 188-0-180-105 | 4313 WATERSIDE LN | 2,804.60 |
| 188-0-180-115 | 4311 WATERSIDE LN | 2,804.60 |
| 188-0-180-125 | 4303 WATERSIDE LN | 3,788.00 |
| 188-0-180-135 | 4301 WATERSIDE LN | 3,788.00 |
| 188-0-180-145 | 1304 TWIN TIDES PL | 3,788.00 |
| 188-0-180-155 | 1314 TWIN TIDES PL | 3,588.60 |
| 188-0-180-165 | 1324 TWIN TIDES PL | 2,804.60 |
| 188-0-180-175 | 1334 TWIN TIDES PL | 2,804.60 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-180-185 | 1344 TWIN TIDES PL | 2,804.60 |
| 188-0-180-195 | 1354 TWIN TIDES PL | 2,804.60 |
| 188-0-180-315 | 4354 WATERSIDE LN | 1,749.96 |
| 188-0-180-325 | 4352 WATERSIDE LN | 1,749.96 |
| 188-0-180-335 | 4350 WATERSIDE LN | 1,749.96 |
| 188-0-180-345 | 4342 WATERSIDE LN | 1,749.96 |
| 188-0-180-355 | 4340 WATERSIDE LN | 1,749.96 |
| 188-0-180-365 | 4332 WATERSIDE LN | 1,749.96 |
| 188-0-180-375 | 4330 WATERSIDE LN | 1,749.96 |
| 188-0-180-385 | 4322 WATERSIDE LN | 1,749.96 |
| 188-0-180-395 | 4320 WATERSIDE LN | 1,749.96 |
| 188-0-180-405 | 4312 WATERSIDE LN | 1,749.96 |
| 188-0-180-415 | 4310 WATERSIDE LN | 1,749.96 |
| 188-0-180-425 | 4305 ADMIRAL WAY | 1,749.96 |
| 188-0-180-435 | 4307 ADMIRAL WAY | 1,749.96 |
| 188-0-180-445 | 4315 ADMIRAL WAY | 1,749.96 |
| 188-0-180-455 | 4317 ADMIRAL WAY | 1,749.96 |
| 188-0-180-465 | 4325 ADMIRAL WAY | 1,749.96 |
| 188-0-180-475 | 4327 ADMIRAL WAY | 1,749.96 |
| 188-0-180-485 | 4335 ADMIRAL WAY | 1,749.96 |
| 188-0-180-495 | 4337 ADMIRAL WAY | 1,749.96 |
| 188-0-180-505 | 4345 ADMIRAL WAY | 1,749.96 |
| 188-0-180-515 | 4347 ADMIRAL WAY | 1,749.96 |
| 188-0-191-015 | 1404 TWIN TIDES PL | 3,788.00 |
| 188-0-191-025 | 1414 TWIN TIDES PL | 3,588.60 |
| 188-0-191-035 | 1424 TWIN TIDES PL | 3,588.60 |
| 188-0-191-045 | 1434 TWIN TIDES PL | 3,588.60 |
| 188-0-191-055 | 1444 TWIN TIDES PL | 3,588.60 |
| 188-0-191-065 | 1454 TWIN TIDES PL | 3,588.60 |
| 188-0-191-075 | 1464 TWIN TIDES PL | 3,588.60 |
| 188-0-191-085 | 1474 TWIN TIDES PL | 3,588.60 |
| 188-0-191-095 | 1504 TWIN TIDES PL | 3,588.60 |
| 188-0-191-105 | 1514 TWIN TIDES PL | 3,588.60 |
| 188-0-191-115 | 1524 TWIN TIDES PL | 3,588.60 |
| 188-0-191-125 | 1534 TWIN TIDES PL | 3,588.60 |
| 188-0-191-135 | 1544 TWIN TIDES PL | 3,588.60 |
| 188-0-191-145 | 1554 TWIN TIDES PL | 3,788.00 |
| 188-0-191-155 | 1560 TWIN TIDES PL | 3,788.00 |
| 188-0-191-165 | 1562 TWIN TIDES PL | 3,588.60 |
| 188-0-191-175 | 1564 TWIN TIDES PL | 3,588.60 |
| 188-0-191-185 | 1566 TWIN TIDES PL | 3,588.60 |
| 188-0-191-195 | 1568 TWIN TIDES PL | 3,788.00 |
| 188-0-191-205 | 1553 TWIN TIDES PL | 3,788.00 |
| 188-0-191-215 | 1543 TWIN TIDES PL | 3,588.60 |
| 188-0-191-225 | 1533 TWIN TIDES PL | 3,588.60 |
| 188-0-191-235 | 1523 TWIN TIDES PL | 3,588.60 |
| 188-0-191-245 | 1513 TWIN TIDES PL | 3,588.60 |
| 188-0-191-255 | 1503 TWIN TIDES PL | 3,588.60 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-191-265 | 1473 TWIN TIDES PL | 3,588.60 |
| 188-0-191-275 | 1463 TWIN TIDES PL | 3,588.60 |
| 188-0-191-285 | 1453 TWIN TIDES PL | 3,588.60 |
| 188-0-191-295 | 1443 TWIN TIDES PL | 3,588.60 |
| 188-0-191-305 | 1433 TWIN TIDES PL | 3,588.60 |
| 188-0-191-315 | 1423 TWIN TIDES PL | 3,588.60 |
| 188-0-191-325 | 1413 TWIN TIDES PL | 3,788.00 |
| 188-0-192-015 | 1410 VIEWPOINT DR | 3,788.00 |
| 188-0-192-025 | 1420 VIEWPOINT DR | 2,804.60 |
| 188-0-192-035 | 1430 VIEWPOINT DR | 2,804.60 |
| 188-0-192-045 | 1440 VIEWPOINT DR | 2,804.60 |
| 188-0-192-055 | 1450 VIEWPOINT DR | 2,804.60 |
| 188-0-192-065 | 1460 VIEWPOINT DR | 2,804.60 |
| 188-0-192-075 | 1470 VIEWPOINT DR | 2,804.60 |
| 188-0-192-085 | 1480 VIEWPOINT DR | 2,804.60 |
| 188-0-192-095 | 1500 VIEWPOINT DR | 2,804.60 |
| 188-0-192-105 | 1510 VIEWPOINT DR | 2,804.60 |
| 188-0-192-115 | 1520 VIEWPOINT DR | 2,804.60 |
| 188-0-192-125 | 1530 VIEWPOINT DR | 2,804.60 |
| 188-0-192-135 | 1540 VIEWPOINT DR | 2,804.60 |
| 188-0-192-145 | 1550 VIEWPOINT DR | 2,804.60 |
| 188-0-192-155 | 1560 VIEWPOINT DR | 2,804.60 |
| 188-0-192-165 | 1570 VIEWPOINT DR | 3,588.60 |
| 188-0-192-175 | 1580 VIEWPOINT DR | 3,588.60 |
| 188-0-192-185 | 1582 VIEWPOINT DR | 2,804.60 |
| 188-0-192-195 | 1584 VIEWPOINT DR | 2,804.60 |
| 188-0-192-205 | 1586 VIEWPOINT DR | 3,788.00 |
| 188-0-192-215 | 1561 VIEWPOINT DR | 3,588.60 |
| 188-0-192-225 | 1551 VIEWPOINT DR | 3,588.60 |
| 188-0-192-235 | 1541 VIEWPOINT DR | 3,588.60 |
| 188-0-192-245 | 1531 VIEWPOINT DR | 3,588.60 |
| 188-0-192-255 | 1521 VIEWPOINT DR | 3,588.60 |
| 188-0-192-265 | 1511 VIEWPOINT DR | 3,588.60 |
| 188-0-192-275 | 1501 VIEWPOINT DR | 3,588.60 |
| 188-0-200-025 | 1227 BAYSIDE CIR | 1,254.06 |
| 188-0-200-035 | 1225 BAYSIDE CIR | 1,254.06 |
| 188-0-200-045 | 1223 BAYSIDE CIR | 1,254.06 |
| 188-0-200-055 | 1221 BAYSIDE CIR | 1,254.06 |
| 188-0-200-065 | 1216 BAYSIDE CIR | 1,254.06 |
| 188-0-200-075 | 1214 BAYSIDE CIR | 1,254.06 |
| 188-0-200-085 | 1212 BAYSIDE CIR | 1,254.06 |
| 188-0-200-095 | 1210 BAYSIDE CIR | 1,254.06 |
| 188-0-200-105 | 1206 BAYSIDE CIR | 1,254.06 |
| 188-0-200-115 | 1204 BAYSIDE CIR | 1,254.06 |
| 188-0-200-125 | 1202 BAYSIDE CIR | 1,254.06 |
| 188-0-200-135 | 1200 BAYSIDE CIR | 1,254.06 |
| 188-0-200-145 | 1217 BAYSIDE CIR | 1,254.06 |
| 188-0-200-155 | 1215 BAYSIDE CIR | 1,254.06 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-200-165 | 1213 BAYSIDE CIR | 1,254.06 |
| 188-0-200-175 | 1211 BAYSIDE CIR | 1,254.06 |
| 188-0-200-185 | 1247 BAYSIDE CIR | 1,254.06 |
| 188-0-200-195 | 1245 BAYSIDE CIR | 1,254.06 |
| 188-0-200-205 | 1243 BAYSIDE CIR | 1,254.06 |
| 188-0-200-215 | 1241 BAYSIDE CIR | 1,254.06 |
| 188-0-200-225 | 1237 BAYSIDE CIR | 1,254.06 |
| 188-0-200-235 | 1235 BAYSIDE CIR | 1,254.06 |
| 188-0-200-245 | 1233 BAYSIDE CIR | 1,254.06 |
| 188-0-200-255 | 1231 BAYSIDE CIR | 1,254.06 |
| 188-0-200-265 | 1232 BAYSIDE CIR | 1,254.06 |
| 188-0-200-275 | 1234 BAYSIDE CIR | 1,254.06 |
| 188-0-200-285 | 1236 BAYSIDE CIR | 1,254.06 |
| 188-0-200-295 | 1238 BAYSIDE CIR | 1,254.06 |
| 188-0-200-305 | 1251 BAYSIDE CIR | 1,254.06 |
| 188-0-200-315 | 1253 BAYSIDE CIR | 1,254.06 |
| 188-0-200-325 | 1255 BAYSIDE CIR | 1,254.06 |
| 188-0-200-335 | 1257 BAYSIDE CIR | 1,254.06 |
| 188-0-200-345 | 1269 BAYSIDE LN | 1,254.06 |
| 188-0-200-355 | 1259 BAYSIDE LN | 1,254.06 |
| 188-0-200-365 | 1249 BAYSIDE LN | 1,254.06 |
| 188-0-200-375 | 1239 BAYSIDE LN | 1,254.06 |
| 188-0-200-385 | 1261 BAYSIDE CIR | 1,254.06 |
| 188-0-200-395 | 1263 BAYSIDE CIR | 1,254.06 |
| 188-0-200-405 | 1265 BAYSIDE CIR | 1,254.06 |
| 188-0-200-415 | 1267 BAYSIDE CIR | 1,254.06 |
| 188-0-200-425 | 1271 BAYSIDE CIR | 1,254.06 |
| 188-0-200-435 | 1273 BAYSIDE CIR | 1,254.06 |
| 188-0-200-445 | 1275 BAYSIDE CIR | 1,254.06 |
| 188-0-200-455 | 1281 BAYSIDE CIR | 1,254.06 |
| 188-0-200-465 | 1283 BAYSIDE CIR | 1,254.06 |
| 188-0-200-475 | 1285 BAYSIDE CIR | 1,254.06 |
| 188-0-200-485 | 1287 BAYSIDE CIR | 1,254.06 |
| 188-0-200-495 | 1270 BAYSIDE CIR | 1,254.06 |
| 188-0-200-505 | 1272 BAYSIDE CIR | 1,254.06 |
| 188-0-200-515 | 1274 BAYSIDE CIR | 1,254.06 |
| 188-0-200-525 | 1276 BAYSIDE CIR | 1,254.06 |
| 188-0-200-535 | 1282 BAYSIDE CIR | 1,254.06 |
| 188-0-200-545 | 1284 BAYSIDE CIR | 1,254.06 |
| 188-0-200-555 | 1286 BAYSIDE CIR | 1,254.06 |
| 188-0-200-565 | 1288 BAYSIDE CIR | 1,254.06 |
| 188-0-200-575 | 1240 BAYSIDE CIR | 1,254.06 |
| 188-0-200-585 | 1230 BAYSIDE CIR | 1,254.06 |
| 188-0-200-595 | 1220 BAYSIDE CIR | 1,254.06 |
| 188-0-210-015 | 1302 BAYSIDE CIR | 1,254.06 |
| 188-0-210-025 | 1304 BAYSIDE CIR | 1,254.06 |
| 188-0-210-035 | 1306 BAYSIDE CIR | 1,254.06 |
| 188-0-210-045 | 1308 BAYSIDE CIR | 1,254.06 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-210-055 | 1301 BAYSIDE CIR | 1,254.06 |
| 188-0-210-065 | 1303 BAYSIDE CIR | 1,254.06 |
| 188-0-210-075 | 1305 BAYSIDE CIR | 1,254.06 |
| 188-0-210-085 | 1311 BAYSIDE CIR | 1,254.06 |
| 188-0-210-095 | 1313 BAYSIDE CIR | 1,254.06 |
| 188-0-210-105 | 1315 BAYSIDE CIR | 1,254.06 |
| 188-0-210-115 | 1321 BAYSIDE CIR | 1,254.06 |
| 188-0-210-125 | 1323 BAYSIDE CIR | 1,254.06 |
| 188-0-210-135 | 1325 BAYSIDE CIR | 1,254.06 |
| 188-0-210-145 | 1327 BAYSIDE CIR | 1,254.06 |
| 188-0-210-155 | 1366 BAYSIDE CIR | 1,254.06 |
| 188-0-210-165 | 1364 BAYSIDE CIR | 1,254.06 |
| 188-0-210-175 | 1362 BAYSIDE CIR | 1,254.06 |
| 188-0-210-185 | 1360 BAYSIDE CIR | 1,254.06 |
| 188-0-210-195 | 1356 BAYSIDE CIR | 1,254.06 |
| 188-0-210-205 | 1354 BAYSIDE CIR | 1,254.06 |
| 188-0-210-215 | 1352 BAYSIDE CIR | 1,254.06 |
| 188-0-210-225 | 1350 BAYSIDE CIR | 1,254.06 |
| 188-0-210-235 | 1346 BAYSIDE CIR | 1,254.06 |
| 188-0-210-245 | 1344 BAYSIDE CIR | 1,254.06 |
| 188-0-210-255 | 1342 BAYSIDE CIR | 1,254.06 |
| 188-0-210-265 | 1340 BAYSIDE CIR | 1,254.06 |
| 188-0-210-275 | 1337 BAYSIDE CIR | 1,254.06 |
| 188-0-210-285 | 1335 BAYSIDE CIR | 1,254.06 |
| 188-0-210-295 | 1333 BAYSIDE CIR | 1,254.06 |
| 188-0-210-305 | 1331 BAYSIDE CIR | 1,254.06 |
| 188-0-220-015 | 4308 TRADEWINDS DR | 1,961.36 |
| 188-0-220-035 | 4312 TRADEWINDS DR | 1,059.20 |
| 188-0-220-045 | 4342 TRADEWINDS DR | 1,059.20 |
| 188-0-220-055 | 4372 TRADEWINDS DR | 1,059.20 |
| 188-0-220-065 | 4314 TRADEWINDS DR | 1,059.20 |
| 188-0-220-075 | 4344 TRADEWINDS DR | 1,059.20 |
| 188-0-220-085 | 4374 TRADEWINDS DR | 1,059.20 |
| 188-0-220-095 | 4316 TRADEWINDS DR | 1,059.20 |
| 188-0-220-105 | 4346 TRADEWINDS DR | 1,059.20 |
| 188-0-220-115 | 4376 TRADEWINDS DR | 1,059.20 |
| 188-0-220-125 | 4318 TRADEWINDS DR | 1,059.20 |
| 188-0-220-135 | 4348 TRADEWINDS DR | 1,059.20 |
| 188-0-220-145 | 4378 TRADEWINDS DR | 1,059.20 |
| 188-0-220-155 | 4320 TRADEWINDS DR | 1,059.20 |
| 188-0-220-165 | 4350 TRADEWINDS DR | 1,059.20 |
| 188-0-220-175 | 4380 TRADEWINDS DR | 1,059.20 |
| 188-0-220-185 | 4322 TRADEWINDS DR | 1,059.20 |
| 188-0-220-195 | 4352 TRADEWINDS DR | 1,059.20 |
| 188-0-220-205 | 4382 TRADEWINDS DR | 1,059.20 |
| 188-0-220-215 | 4324 TRADEWINDS DR | 1,059.20 |
| 188-0-220-225 | 4354 TRADEWINDS DR | 1,059.20 |
| 188-0-220-235 | 4384 TRADEWINDS DR | 1,059.20 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-220-245 | 4326 TRADEWINDS DR | 1,059.20 |
| 188-0-220-255 | 4356 TRADEWINDS DR | 1,059.20 |
| 188-0-220-265 | 4386 TRADEWINDS DR | 1,059.20 |
| 188-0-220-275 | 4328 TRADEWINDS DR | 1,059.20 |
| 188-0-220-285 | 4358 TRADEWINDS DR | 1,059.20 |
| 188-0-220-295 | 4330 TRADEWINDS DR | 1,059.20 |
| 188-0-220-305 | 4360 TRADEWINDS DR | 1,059.20 |
| 188-0-220-315 | 4340 TRADEWINDS DR | 1,059.20 |
| 188-0-220-325 | 4370 TRADEWINDS DR | 1,059.20 |
| 188-0-220-335 | 4396 TRADEWINDS DR | 1,059.20 |
| 188-0-220-345 | 4338 TRADEWINDS DR | 1,059.20 |
| 188-0-220-355 | 4368 TRADEWINDS DR | 1,059.20 |
| 188-0-220-365 | 4394 TRADEWINDS DR | 1,059.20 |
| 188-0-220-375 | 4336 TRADEWINDS DR | 1,059.20 |
| 188-0-220-385 | 4366 TRADEWINDS DR | 1,059.20 |
| 188-0-220-395 | 4392 TRADEWINDS DR | 1,059.20 |
| 188-0-220-405 | 4332 TRADEWINDS DR | 1,059.20 |
| 188-0-220-415 | 4362 TRADEWINDS DR | 1,059.20 |
| 188-0-220-425 | 4388 TRADEWINDS DR | 1,059.20 |
| 188-0-220-435 | 4334 TRADEWINDS DR | 1,059.20 |
| 188-0-220-445 | 4364 TRADEWINDS DR | 1,059.20 |
| 188-0-220-455 | 4390 TRADEWINDS DR | 1,059.20 |
| 188-0-220-465 | 4310 TRADEWINDS DR | 1,319.12 |
| 188-0-220-475 | 4310 TRADEWINDS DR | 1,390.98 |
| 188-0-220-485 | 4310 TRADEWINDS DR | 1,445.86 |
| 188-0-220-495 | 4310 TRADEWINDS DR | 695.16 |
| 188-0-220-505 | 4310 TRADEWINDS DR | 719.34 |
| 188-0-220-515 | 4310 TRADEWINDS DR | 695.16 |
| 188-0-220-525 | 4310 TRADEWINDS DR | 695.16 |
| 188-0-220-535 | 4310 TRADEWINDS DR | 516.14 |
| 188-0-230-015 | 4228 TRADEWINDS DR | 1,059.20 |
| 188-0-230-025 | 4258 TRADEWINDS DR | 1,059.20 |
| 188-0-230-035 | 4288 TRADEWINDS DR | 1,059.20 |
| 188-0-230-045 | 4226 TRADEWINDS DR | 1,059.20 |
| 188-0-230-055 | 4256 TRADEWINDS DR | 1,059.20 |
| 188-0-230-065 | 4286 TRADEWINDS DR | 1,059.20 |
| 188-0-230-075 | 4224 TRADEWINDS DR | 1,059.20 |
| 188-0-230-085 | 4254 TRADEWINDS DR | 1,059.20 |
| 188-0-230-095 | 4284 TRADEWINDS DR | 1,059.20 |
| 188-0-230-105 | 4222 TRADEWINDS DR | 1,059.20 |
| 188-0-230-115 | 4252 TRADEWINDS DR | 1,059.20 |
| 188-0-230-125 | 4282 TRADEWINDS DR | 1,059.20 |
| 188-0-230-135 | 4220 TRADEWINDS DR | 1,059.20 |
| 188-0-230-145 | 4250 TRADEWINDS DR | 1,059.20 |
| 188-0-230-155 | 4280 TRADEWINDS DR | 1,059.20 |
| 188-0-230-165 | 4218 TRADEWINDS DR | 1,059.20 |
| 188-0-230-175 | 4248 TRADEWINDS DR | 1,059.20 |
| 188-0-230-185 | 4278 TRADEWINDS DR | 1,059.20 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2**
**(WESTPORT AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-230-195 | 4216 TRADEWINDS DR | 1,059.20 |
| 188-0-230-205 | 4246 TRADEWINDS DR | 1,059.20 |
| 188-0-230-215 | 4276 TRADEWINDS DR | 1,059.20 |
| 188-0-230-225 | 4214 TRADEWINDS DR | 1,059.20 |
| 188-0-230-235 | 4244 TRADEWINDS DR | 1,059.20 |
| 188-0-230-245 | 4274 TRADEWINDS DR | 1,059.20 |
| 188-0-230-255 | 4212 TRADEWINDS DR | 1,059.20 |
| 188-0-230-265 | 4242 TRADEWINDS DR | 1,059.20 |
| 188-0-230-275 | 4272 TRADEWINDS DR | 1,059.20 |
| 188-0-230-285 | 4210 TRADEWINDS DR | 1,059.20 |
| 188-0-230-295 | 4240 TRADEWINDS DR | 1,059.20 |
| 188-0-230-305 | 4270 TRADEWINDS DR | 1,059.20 |
| 188-0-230-315 | 4230 TRADEWINDS DR | 1,059.20 |
| 188-0-230-325 | 4260 TRADEWINDS DR | 1,059.20 |
| 188-0-230-335 | 4290 TRADEWINDS DR | 1,059.20 |
| 188-0-230-345 | 4232 TRADEWINDS DR | 1,059.20 |
| 188-0-230-355 | 4262 TRADEWINDS DR | 1,059.20 |
| 188-0-230-365 | 4292 TRADEWINDS DR | 1,059.20 |
| 188-0-230-375 | 4234 TRADEWINDS DR | 1,059.20 |
| 188-0-230-385 | 4264 TRADEWINDS DR | 1,059.20 |
| 188-0-230-395 | 4294 TRADEWINDS DR | 1,059.20 |
| 188-0-230-405 | 4236 TRADEWINDS DR | 1,059.20 |
| 188-0-230-415 | 4266 TRADEWINDS DR | 1,059.20 |
| 188-0-230-425 | 4296 TRADEWINDS DR | 1,059.20 |
| 188-0-230-435 | 4238 TRADEWINDS DR | 1,059.20 |
| 188-0-230-445 | 4268 TRADEWINDS DR | 1,059.20 |
| 188-0-230-455 | 4298 TRADEWINDS DR | 1,059.20 |
| 188-0-230-475 | 4300 TRADEWINDS DR | 1,459.58 |
| 188-0-230-485 | 4300 TRADEWINDS DR | 711.50 |
| 188-0-230-495 | 4300 TRADEWINDS DR | 733.06 |
| 188-0-230-505 | 4300 TRADEWINDS DR | 684.70 |
| 188-0-230-515 | 4300 TRADEWINDS DR | 819.30 |
| 188-0-230-525 | 4300 TRADEWINDS DR | 501.78 |
| **Total** | **321 Parcels** | **$603,384.32** |

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| CITY OF OXNARD CALIFORNIA | CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Info/Consent<br>AGENDA ITEM NO.: 10 |
|---|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Jim Throop
Chief Financial Officer

Jim Throop

**SUBJECT:** Adopt the Resolutions Authorizing the Special Tax Levy for Community Facility Districts No. 3 and No. 4 (Seabridge at Mandalay Bay)

**CONTACT:** Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, (805) 385-7475

**RECOMMENDATION:**

That City Council acting as the legislative body of Community Facilities District (CFD) Nos. 3 and 4:
1. Adopt a resolution setting a special tax rate within CFD No. 3 for FY 2018-19 (Seabridge at Mandalay Bay).
2. Adopt a resolution setting a special tax rate within CFD No. 4 for FY 2018-19 (Seabridge at Mandalay Bay).

**BACKGROUND**

CFD No. 3 Special Tax

**On December 14, 2004, City Council adopted Resolution No. 12,737 (the "Resolution of Formation") establishing CFD No. 3 and Ordinance No. 2676 to levy a special tax sufficient to pay principal, interest, and other periodic costs and administrative expenses with respect to the bonds of CFD No. 3. In each fiscal year thereafter, the Government Code requires the City Council to adopt a resolution levying the special tax rate for that fiscal year. While the maximum special tax rate in FY 2018-2019 for CFD No. 3 is $2,872,774.02, the actual amount to be levied is $1,818,795.04.**

There is no formal reserve fund for CFD No. 3 as the bonds were refinanced as a private placement in 2013, with no requirement to fund a reserve. The fund balance consists only of funds necessary to pay principal, interest, and administrative costs. The remaining balance of the bonds is $25,605,000 with the final payment due on September 1, 2035.

CFD No. 4 Special Tax

**On December 14, 2004, City Council adopted Resolution No. 12,739 (the “Resolution of Formation”) establishing CFD No. 4 and Ordinance No. 2677 to levy a special tax sufficient to pay certain costs of Services and Incidental Expenses relating to the maintenance of CFD No. 4. In each fiscal year thereafter, the Government Code requires the City Council to adopt a resolution levying the special tax rate for that fiscal year. The total amount of special taxes for CFD No. 4 for FY 2018-2019 is $1,508,342.84.**

The following represents a breakdown of the tax levy for the upcoming and most recent fiscal years:

| **Description** | **Projected Levy FY 18-19** | **Actual Levy FY 17-18** |
|---|---|---|
| Administration | $105,157 | $111,137 |
| Liability, Worker’s Comp, fees, etc. | 5,746 | 5,410 |
| Election Costs/Publications | 7,300 | |
| Indirect Costs | 43,170 | 42,816 |
| Channel Maintenance/Repairs | 50,000 | 187,250 |
| Landscape Maintenance | 366,150 | 294,782 |
| Contingency | 69,500 | 100,000 |
| Harbor Patrol | 986,928 | 800,000 |
| Storm Drain Maintenance | 124,960 | 124,960 |
| Police Protection Services | 26,873 | 25,000 |
| Less: Tax Levy Credit | (277,442) | (180,000) |
| **Total** | **$1,508,342** | **$1,511,355** |

Per the County of Ventura, additional capital costs of $205,000 are required for the replacement of two boats and one vehicle, raising the Harbor Patrol costs in FY 2018-2019. This is a non-normal expense and is covered under the reserve study; therefore funds are being utilized from the reserve fund balance to cover the additional expense. Landscape maintenance costs have also gone up as a result of a new bid and contract award taking effect July 1, 2018, however channel maintenance costs have decreased. The storm drain maintenance was not completed in FY 2017-2018, therefore it is being carried over to FY 2018-2019.

The maximum allowable tax for CFD No. 4 for FY 2018-2019 is $1,975,663. The Projected Levy for FY 2018-2019 is $1,508,342.84. The total expenditures for FY 2018-2019 are higher than FY 2017-2018 because of increased costs of landscape maintenance and Harbor Patrol. A levy credit of $72,442 for FY 2018-19 reduces the estimated fund balance of CFD No. 4 to the required level of $2.8 million (adjusted for inflation in FY 2018-2019) according to a reserve fund study prepared by Penfield & Smith in October 2014. An additional credit of $205,000 is being applied to offset the extraordinary increase in Harbor Patrol costs as authorized by the reserve study. As a result, the amount levied against parcel owners will not increase as compared to FY 2017-2018.

**STRATEGIC PRIORITIES**

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

**FINANCIAL IMPACT**

There will be no cost to the City’s General Fund from approval of the resolutions levying the special taxes for CFD No. 3 Fund 520 and CFD No. 4 Fund 173 for FY 2018-2019. Debt service costs and all administrative costs are included in the amount to be collected by the special taxes, which are levied against properties located in CFD No. 3 and CFD No. 4.

**ATTACHMENTS:**

Attachment A: Resolution Authorizing Levy of Special Tax for CFD No. 3

Attachment B: Exhibit A to CFD 3 Resolution

Attachment C: Resolution Authorizing Levy of Special Tax for CFD No. 4

Attachment D: Exhibit A to CFD 4 Resolution

RESOLUTION NO. ________

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3 (SEABRIDGE AT MANDALAY BAY) OF THE CITY OF OXNARD AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 3 (SEABRIDGE AT MANDALAY BAY) FOR THE FISCAL YEAR 2018-2019

WHEREAS, the City Council of the City of Oxnard (the "City") previously established Community Facilities District No. 3 (Seabridge at Mandalay Bay) of the City of Oxnard ("CFD No. 3") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311 (the "Act"); and

WHEREAS, the City Council of the City, acting as the legislative body of CFD No. 3, is authorized pursuant to Resolution No. 12,737 (the "Resolution of Formation") and Ordinance No. 2676 adopted by the City Council on December 14, 2004, (the "Ordinance") to levy a special tax sufficient to pay principal, interest, other periodic costs and administrative expenses with respect to bonds of CFD No. 3 (the "Bonds") and to pay certain costs of the Public Improvements and Incidental Expenses (as defined in the Resolution of Formation); and

WHEREAS, it is now necessary and appropriate that this City Council provide for the levy and collection of the special taxes for the Fiscal Year 2018-2019 for the purpose specified in the Resolution of Formation and the Ordinance, by the adoption of a resolution as specified by the Act and the Ordinance; and

WHEREAS, the assessments are in conformance with Proposition 218; and

WHEREAS, the special taxes being levied hereunder are at the same rate or at a lower rate than provided by the Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3 (SEABRIDGE AT MANDALAY BAY), DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The special tax is imposed without regard to property valuation and is levied in compliance with the Act and the Ordinance.

SECTION 3. In accordance with the Act and the Ordinance, there is hereby levied upon the parcels within the District which are not otherwise exempt from taxation under the Act or the Ordinance special taxes for the Fiscal Year 2018-2019 at the special tax rates set forth in the report prepared by NBS Government Finance Group for CFD No. 3 entitled "City of Oxnard Community Facilities District No. 3 (Seabridge at Mandalay Bay) Fiscal Year 2018-2019 Levy" (the "Report") attached hereto as Exhibit A and made a part hereof, which special tax rates do not exceed the maximum special tax rates set forth in the Ordinance. After adoption of this Resolution, the Chief Financial Officer of the City, or designee, may make any necessary modifications to these special taxes to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxes or in the amount to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the special tax applicable to any category of parcels and is made prior to the submission of the tax rolls to the Ventura County Auditor.

SECTION 4. All of the collections of the special tax shall be used only as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in the Resolution of Formation.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes except as such procedure has been modified by law and this City Council as set forth in the Indenture Between CFD No. 3 and Wells Fargo Bank, National Association, as Fiscal Agent dated as of October 1, 2005.

SECTION 6. As a cumulative remedy, if any amount levied as a special tax for payment of bond interest or principal, together with any penalties and other charges accruing under this Resolution, are not paid when due, the City Council may, not later than four years after the due date of the last installment of principal on the Bonds, order that the same be collected by an action brought in the superior court to foreclose the lien of such special tax.

SECTION 7. The Chief Financial Officer is hereby authorized and directed to transmit a certified copy of this Resolution and the Report to the Ventura County Auditor, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for the Fiscal Year 2018-2019, and to perform all other acts which are required by the Act, the Ordinance, or by law in order to accomplish the purpose of this Resolution.

APPROVED AND ADOPTED this __ day of ____, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
Tim Flynn, Mayor of the City Council of the City of Oxnard, acting on behalf of Community Facilities District No. 3 (Seabridge at Mandalay Bay) of the City of Oxnard

ATTEST:

______________________________
Michelle Ascencion
City Clerk of the City of Oxnard

APPROVED AS TO FORM:

______________________________
Stephen Fischer, City Attorney

STATE OF CALIFORNIA )
) ss.
COUNTY OF VENTURA )

I, MICHELLE ASCENCION, City Clerk of the City Council of the City of Oxnard, do hereby certify that the above and foregoing is a full, true and correct copy of RESOLUTION NO. _____________ of said City Council, and that the same has not been amended or repealed.

DATED: _________________, 2018

_____________________________________________
City Clerk of the City Council of the City of Oxnard

(SEAL)

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 3**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-241-015 | 1301 SEABRIDGE LN | $3,481.04 |
| 188-0-241-025 | 1311 SEABRIDGE LN | 3,481.04 |
| 188-0-241-035 | 1321 SEABRIDGE LN | 3,175.86 |
| 188-0-241-055 | 1341 SEABRIDGE LN | 3,481.04 |
| 188-0-241-065 | 1351 SEABRIDGE LN | 3,481.04 |
| 188-0-241-075 | 1361 SEABRIDGE LN | 3,481.04 |
| 188-0-241-085 | 1401 SEABRIDGE LN | 3,481.04 |
| 188-0-241-095 | 1411 SEABRIDGE LN | 3,481.04 |
| 188-0-241-105 | 1421 SEABRIDGE LN | 3,481.04 |
| 188-0-241-115 | 1431 SEABRIDGE LN | 3,481.04 |
| 188-0-241-125 | 1441 SEABRIDGE LN | 3,175.86 |
| 188-0-241-135 | 1451 SEABRIDGE LN | 3,481.04 |
| 188-0-241-145 | 1461 SEABRIDGE LN | 3,175.86 |
| 188-0-241-155 | 1462 CASPIAN WAY | 3,481.04 |
| 188-0-241-165 | 1452 CASPIAN WAY | 3,481.04 |
| 188-0-241-175 | 1442 CASPIAN WAY | 3,481.04 |
| 188-0-241-185 | 1432 CASPIAN WAY | 3,175.86 |
| 188-0-241-195 | 1422 CASPIAN WAY | 3,481.04 |
| 188-0-241-205 | 1412 CASPIAN WAY | 3,175.86 |
| 188-0-241-215 | 1402 CASPIAN WAY | 3,481.04 |
| 188-0-241-225 | 1362 CASPIAN WAY | 3,481.04 |
| 188-0-241-235 | 1352 CASPIAN WAY | 3,481.04 |
| 188-0-241-245 | 1342 CASPIAN WAY | 3,175.86 |
| 188-0-241-255 | 1332 CASPIAN WAY | 3,481.04 |
| 188-0-241-265 | 1322 CASPIAN WAY | 3,175.86 |
| 188-0-241-275 | 1312 CASPIAN WAY | 3,175.86 |
| 188-0-241-285 | 1302 CASPIAN WAY | 3,481.04 |
| 188-0-242-015 | 1303 CASPIAN WAY | 3,175.86 |
| 188-0-242-025 | 1313 CASPIAN WAY | 3,481.04 |
| 188-0-242-035 | 1323 CASPIAN WAY | 3,175.86 |
| 188-0-242-045 | 1333 CASPIAN WAY | 3,481.04 |
| 188-0-242-055 | 1343 CASPIAN WAY | 3,481.04 |
| 188-0-242-065 | 1353 CASPIAN WAY | 3,481.04 |
| 188-0-242-075 | 1363 CASPIAN WAY | 3,175.86 |
| 188-0-242-085 | 1403 CASPIAN WAY | 3,481.04 |
| 188-0-242-095 | 1413 CASPIAN WAY | 3,481.04 |
| 188-0-242-105 | 1423 CASPIAN WAY | 3,481.04 |
| 188-0-242-115 | 1433 CASPIAN WAY | 3,481.04 |
| 188-0-242-125 | 1443 CASPIAN WAY | 3,175.86 |
| 188-0-242-135 | 1453 CASPIAN WAY | 3,481.04 |
| 188-0-242-145 | 1463 CASPIAN WAY | 3,481.04 |
| 188-0-242-155 | 1464 DONEGAL WAY | 3,481.04 |
| 188-0-242-165 | 1454 DONEGAL WAY | 3,175.86 |
| 188-0-242-175 | 1444 DONEGAL WAY | 3,481.04 |
| 188-0-242-185 | 1434 DONEGAL WAY | 3,175.86 |
| 188-0-242-195 | 1424 DONEGAL WAY | 3,481.04 |
| 188-0-242-205 | 1414 DONEGAL WAY | 3,175.86 |
| 188-0-242-215 | 1404 DONEGAL WAY | 3,481.04 |
| 188-0-242-225 | 1364 DONEGAL WAY | 3,481.04 |
| 188-0-242-235 | 1354 DONEGAL WAY | 3,175.86 |
| 188-0-242-245 | 1344 DONEGAL WAY | 3,175.86 |
| 188-0-242-255 | 1334 DONEGAL WAY | 3,481.04 |
| 188-0-242-265 | 1324 DONEGAL WAY | 3,481.04 |
| 188-0-242-275 | 1314 DONEGAL WAY | 3,175.86 |
| 188-0-242-285 | 1304 DONEGAL WAY | 3,481.04 |
| 188-0-243-015 | 1305 DONEGAL WAY | 3,175.86 |
| 188-0-243-025 | 1315 DONEGAL WAY | 3,481.04 |
| 188-0-243-035 | 1325 DONEGAL WAY | 3,175.86 |

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-293-085 | 4054 GALAPAGOS WAY | $3,175.86 |
| 188-0-293-095 | 4044 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-105 | 4030 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-115 | 4020 GALAPAGOS WAY | 3,175.86 |
| 188-0-293-125 | 4014 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-135 | 4004 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-145 | 4005 HARBOUR ISLAND LN | 3,175.86 |
| 188-0-293-155 | 4015 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-165 | 4025 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-175 | 4035 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-185 | 4045 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-195 | 4055 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-205 | 4065 HARBOUR ISLAND LN | 3,175.86 |
| 188-0-293-215 | 4075 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-225 | 4085 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-235 | 4105 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-245 | 4115 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-255 | 4125 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-293-265 | 4135 HARBOUR ISLAND LN | 3,175.86 |
| 188-0-293-275 | 4145 HARBOUR ISLAND LN | 3,481.04 |
| 188-0-300-015 | 4146 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-025 | 4136 HARBOUR ISLAND LN | 4,277.70 |
| 188-0-300-035 | 4126 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-045 | 4116 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-055 | 4106 HARBOUR ISLAND LN | 4,277.70 |
| 188-0-300-065 | 4076 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-075 | 4066 HARBOUR ISLAND LN | 4,277.70 |
| 188-0-300-085 | 4056 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-095 | 4046 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-105 | 4036 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-115 | 4026 HARBOUR ISLAND LN | 4,277.70 |
| 188-0-300-125 | 4016 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-135 | 4006 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-145 | 3976 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-155 | 3966 HARBOUR ISLAND LN | 4,277.70 |
| 188-0-300-165 | 3956 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-175 | 3946 HARBOUR ISLAND LN | 4,658.96 |
| 188-0-300-185 | 1911 NAPOLI DR | 4,658.96 |
| 188-0-300-195 | 1921 NAPOLI DR | 4,658.96 |
| 188-0-300-205 | 3907 W HEMLOCK ST | 4,658.96 |
| 188-0-300-215 | 3917 W HEMLOCK ST | 4,277.70 |
| 188-0-300-225 | 3927 W HEMLOCK ST | 4,658.96 |
| 188-0-300-235 | 3937 W HEMLOCK ST | 4,658.96 |
| 188-0-300-245 | 3947 W HEMLOCK ST | 4,658.96 |
| 188-0-300-255 | 3957 W HEMLOCK ST | 4,658.96 |
| 188-0-300-265 | 3967 W HEMLOCK ST | 4,658.96 |
| 188-0-300-275 | 3977 W HEMLOCK ST | 4,658.96 |
| 188-0-300-285 | 4007 W HEMLOCK ST | 4,277.70 |
| 188-0-300-295 | 4017 W HEMLOCK ST | 4,658.96 |
| 188-0-300-305 | 4027 W HEMLOCK ST | 4,658.96 |
| 188-0-300-315 | 4037 W HEMLOCK ST | 4,277.70 |
| 188-0-300-325 | 4047 W HEMLOCK ST | 4,658.96 |
| 188-0-300-335 | 4057 W HEMLOCK ST | 4,658.96 |
| 188-0-300-345 | 4067 W HEMLOCK ST | 4,277.70 |
| 188-0-300-355 | 4077 W HEMLOCK ST | 4,658.96 |
| 188-0-300-365 | 4107 W HEMLOCK ST | 4,658.96 |
| 188-0-300-375 | 4117 W HEMLOCK ST | 4,658.96 |
| 188-0-300-385 | 4127 W HEMLOCK ST | 4,658.96 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 3**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-243-045 | 1335 DONEGAL WAY | 3,481.04 |
| 188-0-243-055 | 1345 DONEGAL WAY | 3,481.04 |
| 188-0-243-065 | 1355 DONEGAL WAY | 3,481.04 |
| 188-0-243-075 | 1365 DONEGAL WAY | 3,175.86 |
| 188-0-243-095 | 1415 DONEGAL WAY | 3,481.04 |
| 188-0-243-105 | 1425 DONEGAL WAY | 3,481.04 |
| 188-0-243-115 | 1435 DONEGAL WAY | 3,481.04 |
| 188-0-243-125 | 1445 DONEGAL WAY | 3,175.86 |
| 188-0-243-135 | 1455 DONEGAL WAY | 3,481.04 |
| 188-0-243-145 | 1465 DONEGAL WAY | 3,175.86 |
| 188-0-243-155 | 1475 DONEGAL WAY | 3,481.04 |
| 188-0-243-165 | 1486 ESTUARY WAY | 3,175.86 |
| 188-0-243-175 | 1476 ESTUARY WAY | 3,481.04 |
| 188-0-243-185 | 1466 ESTUARY WAY | 3,175.86 |
| 188-0-243-195 | 1456 ESTUARY WAY | 3,481.04 |
| 188-0-243-205 | 1446 ESTUARY WAY | 3,175.86 |
| 188-0-243-215 | 1436 ESTUARY WAY | 3,481.04 |
| 188-0-243-225 | 1426 ESTUARY WAY | 3,175.86 |
| 188-0-243-235 | 1416 ESTUARY WAY | 3,481.04 |
| 188-0-243-245 | 1406 ESTUARY WAY | 3,481.04 |
| 188-0-243-255 | 1366 ESTUARY WAY | 3,481.04 |
| 188-0-243-265 | 1356 ESTUARY WAY | 3,175.86 |
| 188-0-243-275 | 1346 ESTUARY WAY | 3,481.04 |
| 188-0-243-285 | 1336 ESTUARY WAY | 3,481.04 |
| 188-0-243-295 | 1326 ESTUARY WAY | 3,175.86 |
| 188-0-243-305 | 1316 ESTUARY WAY | 3,481.04 |
| 188-0-244-015 | 1477 ESTUARY WAY | 4,015.40 |
| 188-0-244-025 | 1467 ESTUARY WAY | 4,277.70 |
| 188-0-244-035 | 1457 ESTUARY WAY | 4,277.70 |
| 188-0-244-045 | 1447 ESTUARY WAY | 4,277.70 |
| 188-0-244-055 | 1437 ESTUARY WAY | 4,015.40 |
| 188-0-244-065 | 1427 ESTUARY WAY | 4,015.40 |
| 188-0-244-075 | 1417 ESTUARY WAY | 4,277.70 |
| 188-0-244-085 | 1407 ESTUARY WAY | 4,277.70 |
| 188-0-244-095 | 1367 ESTUARY WAY | 4,015.40 |
| 188-0-244-105 | 1357 ESTUARY WAY | 4,277.70 |
| 188-0-244-115 | 1347 ESTUARY WAY | 4,015.40 |
| 188-0-244-125 | 1337 ESTUARY WAY | 4,277.70 |
| 188-0-244-135 | 1327 ESTUARY WAY | 4,277.70 |
| 188-0-244-145 | 1317 ESTUARY WAY | 4,015.40 |
| 188-0-244-155 | 1301 ESTUARY WAY | 4,277.70 |
| 188-0-244-165 | 4181 ADRIATIC ST | 4,277.70 |
| 188-0-244-175 | 4171 ADRIATIC ST | 4,277.70 |
| 188-0-244-185 | 4161 ADRIATIC ST | 4,015.40 |
| 188-0-244-195 | 4151 ADRIATIC ST | 4,277.70 |
| 188-0-244-205 | 4141 ADRIATIC ST | 4,277.70 |
| 188-0-244-215 | 4131 ADRIATIC ST | 4,277.70 |
| 188-0-245-015 | 4111 ADRIATIC ST | 4,015.40 |
| 188-0-245-025 | 4101 ADRIATIC ST | 4,277.70 |
| 188-0-245-035 | 4061 ADRIATIC ST | 4,277.70 |
| 188-0-245-045 | 4051 ADRIATIC ST | 4,015.40 |
| 188-0-245-055 | 4041 ADRIATIC ST | 4,277.70 |
| 188-0-245-065 | 4031 ADRIATIC ST | 4,015.40 |
| 188-0-245-075 | 4021 ADRIATIC ST | 4,277.70 |
| 188-0-245-085 | 4011 ADRIATIC ST | 4,015.40 |
| 188-0-245-095 | 4001 ADRIATIC ST | 4,277.70 |
| 188-0-250-075 | 3900 TRADEWINDS DR | 15,210.26 |
| 188-0-250-205 | 1299 S VICTORIA AVE | 651.26 |

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-300-395 | 4137 W HEMLOCK ST | 4,658.96 |
| 188-0-300-405 | 4147 W HEMLOCK ST | 4,658.96 |
| 188-0-300-415 | 4157 W HEMLOCK ST | 4,658.96 |
| 188-0-300-425 | 4167 W HEMLOCK ST | 4,277.70 |
| 188-0-300-435 | 4177 W HEMLOCK ST | 4,277.70 |
| 188-0-300-445 | 4181 W HEMLOCK ST | 4,658.96 |
| 188-0-310-045 | 1651 S VICTORIA AVE | 22,006.64 |
| 188-0-310-055 | NOT AVAILABLE | 134,863.96 |
| 188-0-320-015 | 1409 WINDSHORE WAY | 2,007.70 |
| 188-0-320-025 | 1407 WINDSHORE WAY | 2,488.40 |
| 188-0-320-035 | 1405 WINDSHORE WAY | 2,007.70 |
| 188-0-320-045 | 1403 WINDSHORE WAY | 2,007.70 |
| 188-0-320-055 | 1401 WINDSHORE WAY | 2,488.40 |
| 188-0-320-065 | 1411 WINDSHORE WAY | 2,007.70 |
| 188-0-320-075 | 1413 WINDSHORE WAY | 2,007.70 |
| 188-0-320-085 | 1415 WINDSHORE WAY | 2,007.70 |
| 188-0-320-095 | 1417 WINDSHORE WAY | 2,007.70 |
| 188-0-320-105 | 1427 WINDSHORE WAY | 2,488.40 |
| 188-0-320-115 | 1425 WINDSHORE WAY | 2,007.70 |
| 188-0-320-125 | 1423 WINDSHORE WAY | 2,007.70 |
| 188-0-320-135 | 1421 WINDSHORE WAY | 2,488.40 |
| 188-0-320-145 | 1419 WINDSHORE WAY | 2,007.70 |
| 188-0-320-155 | 1439 WINDSHORE WAY | 2,007.70 |
| 188-0-320-165 | 1437 WINDSHORE WAY | 2,488.40 |
| 188-0-320-175 | 1435 WINDSHORE WAY | 2,007.70 |
| 188-0-320-185 | 1433 WINDSHORE WAY | 2,007.70 |
| 188-0-320-195 | 1431 WINDSHORE WAY | 2,488.40 |
| 188-0-320-205 | 1441 WINDSHORE WAY | 2,007.70 |
| 188-0-320-215 | 1443 WINDSHORE WAY | 2,007.70 |
| 188-0-320-225 | 1445 WINDSHORE WAY | 2,007.70 |
| 188-0-320-235 | 1447 WINDSHORE WAY | 2,007.70 |
| 188-0-320-245 | 1457 WINDSHORE WAY | 2,488.40 |
| 188-0-320-255 | 1455 WINDSHORE WAY | 2,007.70 |
| 188-0-320-265 | 1453 WINDSHORE WAY | 2,007.70 |
| 188-0-320-275 | 1451 WINDSHORE WAY | 2,488.40 |
| 188-0-320-285 | 1449 WINDSHORE WAY | 2,007.70 |
| 188-0-320-295 | 1469 WINDSHORE WAY | 2,007.70 |
| 188-0-320-305 | 1467 WINDSHORE WAY | 2,488.40 |
| 188-0-320-315 | 1465 WINDSHORE WAY | 2,007.70 |
| 188-0-320-325 | 1463 WINDSHORE WAY | 2,007.70 |
| 188-0-320-335 | 1461 WINDSHORE WAY | 2,488.40 |
| 188-0-320-345 | 1471 WINDSHORE WAY | 2,007.70 |
| 188-0-320-355 | 1473 WINDSHORE WAY | 2,007.70 |
| 188-0-320-365 | 1475 WINDSHORE WAY | 2,007.70 |
| 188-0-320-375 | 1477 WINDSHORE WAY | 2,007.70 |
| 188-0-320-385 | 1487 WINDSHORE WAY | 2,488.40 |
| 188-0-320-395 | 1485 WINDSHORE WAY | 2,007.70 |
| 188-0-320-405 | 1483 WINDSHORE WAY | 2,007.70 |
| 188-0-320-415 | 1481 WINDSHORE WAY | 2,488.40 |
| 188-0-320-425 | 1479 WINDSHORE WAY | 2,007.70 |
| 188-0-330-015 | 1509 WINDSHORE WAY | 2,007.70 |
| 188-0-330-025 | 1507 WINDSHORE WAY | 2,488.40 |
| 188-0-330-035 | 1505 WINDSHORE WAY | 2,007.70 |
| 188-0-330-045 | 1503 WINDSHORE WAY | 2,007.70 |
| 188-0-330-055 | 1501 WINDSHORE WAY | 2,488.40 |
| 188-0-330-065 | 1511 WINDSHORE WAY | 2,007.70 |
| 188-0-330-075 | 1513 WINDSHORE WAY | 2,007.70 |
| 188-0-330-085 | 1515 WINDSHORE WAY | 2,007.70 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 3**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-250-225 | 1201 S VICTORIA AVE | 11,367.96 |
| 188-0-250-285 | 1291 S VICTORIA AVE | 35,295.06 |
| 188-0-260-035 | 4154 CARIBBEAN ST | 4,658.96 |
| 188-0-260-045 | 4164 CARIBBEAN ST | 4,277.70 |
| 188-0-260-055 | 4174 CARIBBEAN ST | 4,658.96 |
| 188-0-260-065 | 4184 CARIBBEAN ST | 4,277.70 |
| 188-0-260-075 | 4194 CARIBBEAN ST | 4,658.96 |
| 188-0-260-085 | 4204 CARIBBEAN ST | 4,658.96 |
| 188-0-260-095 | 4214 CARIBBEAN ST | 4,277.70 |
| 188-0-260-105 | 1537 ESTUARY WAY | 4,277.70 |
| 188-0-260-115 | 1527 ESTUARY WAY | 4,658.96 |
| 188-0-260-125 | 1517 ESTUARY WAY | 4,658.96 |
| 188-0-260-135 | 1507 ESTUARY WAY | 4,658.96 |
| 188-0-260-145 | 1501 ESTUARY WAY | 4,277.70 |
| 188-0-271-025 | 4164 BALTIC ST | 3,481.04 |
| 188-0-271-035 | 4154 BALTIC ST | 3,988.10 |
| 188-0-271-045 | 4144 BALTIC ST | 3,988.10 |
| 188-0-271-065 | 4124 BALTIC ST | 3,481.04 |
| 188-0-271-075 | 4114 BALTIC ST | 3,988.10 |
| 188-0-271-085 | 4104 BALTIC ST | 3,988.10 |
| 188-0-271-095 | 4072 BALTIC ST | 3,481.04 |
| 188-0-271-105 | 4062 BALTIC ST | 3,988.10 |
| 188-0-271-115 | 4052 BALTIC ST | 3,988.10 |
| 188-0-271-125 | 4042 BALTIC ST | 3,988.10 |
| 188-0-271-135 | 4032 BALTIC ST | 3,481.04 |
| 188-0-271-145 | 1501 SEABRIDGE LN | 3,481.04 |
| 188-0-271-155 | 1507 SEABRIDGE LN | 3,988.10 |
| 188-0-271-165 | 1517 SEABRIDGE LN | 3,481.04 |
| 188-0-271-175 | 1527 SEABRIDGE LN | 3,481.04 |
| 188-0-271-185 | 4033 CARIBBEAN ST | 3,988.10 |
| 188-0-271-195 | 4043 CARIBBEAN ST | 3,481.04 |
| 188-0-271-205 | 4053 CARIBBEAN ST | 3,988.10 |
| 188-0-271-215 | 4103 CARIBBEAN ST | 3,988.10 |
| 188-0-271-225 | 4113 CARIBBEAN ST | 3,481.04 |
| 188-0-271-235 | 4123 CARIBBEAN ST | 3,988.10 |
| 188-0-271-245 | 4133 CARIBBEAN ST | 3,988.10 |
| 188-0-271-255 | 4143 CARIBBEAN ST | 3,481.04 |
| 188-0-271-265 | 4153 CARIBBEAN ST | 3,988.10 |
| 188-0-271-275 | 4163 CARIBBEAN ST | 3,481.04 |
| 188-0-271-285 | 4173 CARIBBEAN ST | 3,988.10 |
| 188-0-271-295 | 4183 CARIBBEAN ST | 3,988.10 |
| 188-0-272-015 | 4144 CARIBBEAN ST | 4,658.96 |
| 188-0-272-025 | 4134 CARIBBEAN WAY | 4,658.96 |
| 188-0-272-035 | 4124 CARIBBEAN ST | 4,277.70 |
| 188-0-272-045 | 4114 CARIBBEAN ST | 4,658.96 |
| 188-0-272-055 | 4104 CARIBBEAN ST | 4,277.70 |
| 188-0-272-065 | 4054 CARIBBEAN ST | 4,658.96 |
| 188-0-272-075 | 4044 CARIBBEAN ST | 4,277.70 |
| 188-0-272-085 | 4034 CARIBBEAN ST | 4,658.96 |
| 188-0-272-095 | 4024 CARIBBEAN ST | 4,658.96 |
| 188-0-272-105 | 4014 CARIBBEAN ST | 4,658.96 |
| 188-0-272-115 | 4004 CARIBBEAN ST | 4,277.70 |
| 188-0-272-205 | 1601 S VICTORIA AVE | 24,765.62 |
| 188-0-280-015 | 1414 WINDSHORE WAY | 1,715.18 |
| 188-0-280-025 | 1416 WINDSHORE WAY | 1,715.18 |
| 188-0-280-035 | 1418 WINDSHORE WAY | 2,007.70 |
| 188-0-280-045 | 1400 WINDSHORE WAY | 1,715.18 |
| 188-0-280-055 | 3818 ALEE LN | 1,715.18 |
| 188-0-330-095 | 1517 WINDSHORE WAY | 2,007.70 |
| 188-0-330-105 | 1527 WINDSHORE WAY | 2,488.40 |
| 188-0-330-115 | 1525 WINDSHORE WAY | 2,007.70 |
| 188-0-330-125 | 1523 WINDSHORE WAY | 2,007.70 |
| 188-0-330-135 | 1521 WINDSHORE WAY | 2,488.40 |
| 188-0-330-145 | 1519 WINDSHORE WAY | 2,007.70 |
| 188-0-330-155 | 1539 WINDSHORE WAY | 2,007.70 |
| 188-0-330-165 | 1537 WINDSHORE WAY | 2,488.40 |
| 188-0-330-175 | 1535 WINDSHORE WAY | 2,007.70 |
| 188-0-330-185 | 1533 WINDSHORE WAY | 2,007.70 |
| 188-0-330-195 | 1531 WINDSHORE WAY | 2,488.40 |
| 188-0-330-205 | 1541 WINDSHORE WAY | 2,007.70 |
| 188-0-330-215 | 1543 WINDSHORE WAY | 2,007.70 |
| 188-0-330-225 | 1545 WINDSHORE WAY | 2,007.70 |
| 188-0-330-235 | 1547 WINDSHORE WAY | 2,007.70 |
| 188-0-330-245 | 1557 WINDSHORE WAY | 2,488.40 |
| 188-0-330-255 | 1555 WINDSHORE WAY | 2,007.70 |
| 188-0-330-265 | 1553 WINDSHORE WAY | 2,007.70 |
| 188-0-330-275 | 1551 WINDSHORE WAY | 2,488.40 |
| 188-0-330-285 | 1549 WINDSHORE WAY | 2,007.70 |
| 188-0-330-295 | 1569 WINDSHORE WAY | 2,007.70 |
| 188-0-330-305 | 1567 WINDSHORE WAY | 2,488.40 |
| 188-0-330-315 | 1565 WINDSHORE WAY | 2,007.70 |
| 188-0-330-325 | 1563 WINDSHORE WAY | 2,007.70 |
| 188-0-330-335 | 1561 WINDSHORE WAY | 2,488.40 |
| 188-0-330-345 | 1571 WINDSHORE WAY | 2,007.70 |
| 188-0-330-355 | 1573 WINDSHORE WAY | 2,007.70 |
| 188-0-330-365 | 1575 WINDSHORE WAY | 2,007.70 |
| 188-0-330-375 | 1577 WINDSHORE WAY | 2,007.70 |
| 188-0-330-385 | 1587 WINDSHORE WAY | 2,488.40 |
| 188-0-330-395 | 1585 WINDSHORE WAY | 2,007.70 |
| 188-0-330-405 | 1583 WINDSHORE WAY | 2,007.70 |
| 188-0-330-415 | 1581 WINDSHORE WAY | 2,488.40 |
| 188-0-330-425 | 1579 WINDSHORE WAY | 2,007.70 |
| 188-0-340-015 | 1500 SEABRIDGE LN | 2,488.40 |
| 188-0-340-025 | 1502 SEABRIDGE LN | 2,007.70 |
| 188-0-340-035 | 1504 SEABRIDGE LN | 2,007.70 |
| 188-0-340-055 | 1508 SEABRIDGE LN | 2,007.70 |
| 188-0-340-065 | 1518 SEABRIDGE LN | 2,007.70 |
| 188-0-340-075 | 1520 SEABRIDGE LN | 2,488.40 |
| 188-0-340-085 | 1522 SEABRIDGE LN | 2,007.70 |
| 188-0-340-095 | 1524 SEABRIDGE LN | 2,007.70 |
| 188-0-340-105 | 1526 SEABRIDGE LN | 2,488.40 |
| 188-0-340-115 | 1516 SEABRIDGE LN | 2,007.70 |
| 188-0-340-125 | 1514 SEABRIDGE LN | 2,007.70 |
| 188-0-340-135 | 1512 SEABRIDGE LN | 2,007.70 |
| 188-0-340-145 | 1510 SEABRIDGE LN | 2,007.70 |
| 188-0-340-155 | 1530 SEABRIDGE LN | 2,488.40 |
| 188-0-340-165 | 1532 SEABRIDGE LN | 2,007.70 |
| 188-0-340-175 | 1534 SEABRIDGE LN | 2,007.70 |
| 188-0-340-185 | 1536 SEABRIDGE LN | 2,488.40 |
| 188-0-340-195 | 1538 SEABRIDGE LN | 2,007.70 |
| 188-0-340-205 | 1548 SEABRIDGE LN | 2,007.70 |
| 188-0-340-215 | 1550 SEABRIDGE LN | 2,488.40 |
| 188-0-340-225 | 1552 SEABRIDGE LN | 2,007.70 |
| 188-0-340-235 | 1554 SEABRIDGE LN | 2,007.70 |
| 188-0-340-245 | 1556 SEABRIDGE LN | 2,488.40 |
| 188-0-340-255 | 1546 SEABRIDGE LN | 2,007.70 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 3**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 188-0-280-065 | 3816 ALEE LN | 2,007.70 | 188-0-340-265 | 1544 SEABRIDGE LN | 2,007.70 |
| 188-0-280-075 | 3814 ALEE LN | 2,007.70 | 188-0-340-275 | 1542 SEABRIDGE LN | 2,007.70 |
| 188-0-280-085 | 3812 ALEE LN | 2,007.70 | 188-0-340-285 | 1540 SEABRIDGE LN | 2,007.70 |
| 188-0-280-095 | 3810 ALEE LN | 2,007.70 | 188-0-340-295 | 1560 SEABRIDGE LN | 2,488.40 |
| 188-0-280-105 | 3800 ALEE LN | 1,715.18 | 188-0-340-305 | 1562 SEABRIDGE LN | 2,007.70 |
| 188-0-280-115 | 1402 WINDSHORE WAY | 1,715.18 | 188-0-340-315 | 1564 SEABRIDGE LN | 2,007.70 |
| 188-0-280-125 | 1406 WINDSHORE WAY | 2,007.70 | 188-0-340-325 | 1566 SEABRIDGE LN | 2,488.40 |
| 188-0-280-135 | 1408 WINDSHORE WAY | 1,715.18 | 188-0-340-335 | 1568 SEABRIDGE LN | 2,007.70 |
| 188-0-280-145 | 1410 WINDSHORE WAY | 1,715.18 | 188-0-340-345 | 1578 SEABRIDGE LN | 2,007.70 |
| 188-0-280-155 | 1428 WINDSHORE WAY | 1,715.18 | 188-0-340-355 | 1580 SEABRIDGE LN | 2,488.40 |
| 188-0-280-165 | 1430 WINDSHORE WAY | 1,715.18 | 188-0-340-365 | 1582 SEABRIDGE LN | 2,007.70 |
| 188-0-280-175 | 1432 WINDSHORE WAY | 2,007.70 | 188-0-340-375 | 1584 SEABRIDGE LN | 2,007.70 |
| 188-0-280-185 | 1434 WINDSHORE WAY | 1,715.18 | 188-0-340-385 | 1586 SEABRIDGE LN | 2,488.40 |
| 188-0-280-195 | 1436 WINDSHORE WAY | 1,715.18 | 188-0-340-395 | 1576 SEABRIDGE LN | 2,007.70 |
| 188-0-280-205 | 1438 WINDSHORE WAY | 2,007.70 | 188-0-340-405 | 1574 SEABRIDGE LN | 2,007.70 |
| 188-0-280-215 | 1440 WINDSHORE WAY | 2,007.70 | 188-0-340-415 | 1572 SEABRIDGE LN | 2,007.70 |
| 188-0-280-225 | 1442 WINDSHORE WAY | 2,007.70 | 188-0-340-425 | 1570 SEABRIDGE LN | 2,007.70 |
| 188-0-280-235 | 1444 WINDSHORE WAY | 2,007.70 | 188-0-350-065 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-245 | 1446 WINDSHORE WAY | 1,715.18 | 188-0-350-075 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-255 | 1448 WINDSHORE WAY | 1,715.18 | 188-0-350-085 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-265 | 1420 WINDSHORE WAY | 2,007.70 | 188-0-350-095 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-275 | 1422 WINDSHORE WAY | 1,715.18 | 188-0-350-105 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-285 | 1424 WINDSHORE WAY | 1,715.18 | 188-0-350-115 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-295 | 1524 WINDSHORE WAY | 1,715.18 | 188-0-350-125 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-305 | 1526 WINDSHORE WAY | 1,715.18 | 188-0-350-135 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-315 | 1528 WINDSHORE WAY | 2,007.70 | 188-0-350-145 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-325 | 1500 WINDSHORE WAY | 1,715.18 | 188-0-350-155 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-335 | 1502 WINDSHORE WAY | 1,715.18 | 188-0-350-165 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-345 | 1504 WINDSHORE WAY | 2,007.70 | 188-0-350-175 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-355 | 1506 WINDSHORE WAY | 2,007.70 | 188-0-350-235 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-365 | 1508 WINDSHORE WAY | 2,007.70 | 188-0-350-245 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-375 | 1510 WINDSHORE WAY | 2,007.70 | 188-0-350-255 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-385 | 1512 WINDSHORE WAY | 1,715.18 | 188-0-350-265 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-395 | 1514 WINDSHORE WAY | 1,715.18 | 188-0-350-275 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-405 | 1516 WINDSHORE WAY | 2,007.70 | 188-0-350-285 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-415 | 1518 WINDSHORE WAY | 1,715.18 | 188-0-350-295 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-425 | 1520 WINDSHORE WAY | 1,715.18 | 188-0-350-305 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-435 | 1538 WINDSHORE WAY | 1,715.18 | 188-0-350-315 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-445 | 1540 WINDSHORE WAY | 1,715.18 | 188-0-350-325 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-455 | 1542 WINDSHORE WAY | 2,007.70 | 188-0-350-335 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-465 | 1544 WINDSHORE WAY | 1,715.18 | 188-0-350-345 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-475 | 1546 WINDSHORE WAY | 1,715.18 | 188-0-350-355 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-485 | 1548 WINDSHORE WAY | 2,007.70 | 188-0-350-365 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-495 | 1550 WINDSHORE WAY | 2,007.70 | 188-0-350-375 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-505 | 1552 WINDSHORE WAY | 2,007.70 | 188-0-350-385 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-515 | 1554 WINDSHORE WAY | 2,007.70 | 188-0-350-395 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-525 | 1556 WINDSHORE WAY | 1,715.18 | 188-0-350-405 | 1901 S VICTORIA AVE | 1,446.04 |
| 188-0-280-535 | 1558 WINDSHORE WAY | 1,715.18 | 188-0-350-415 | 1901 S VICTORIA AVE | 1,715.18 |
| 188-0-280-545 | 1530 WINDSHORE WAY | 2,007.70 | 188-0-350-425 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-555 | 1532 WINDSHORE WAY | 1,715.18 | 188-0-350-435 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-280-565 | 1534 WINDSHORE WAY | 1,715.18 | 188-0-350-445 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-291-025 | 4071 FARRALON WAY | 4,658.96 | 188-0-350-455 | 1901 S VICTORIA AVE | 2,007.70 |
| 188-0-291-035 | 4061 FARRALON WAY | 4,658.96 | 188-0-361-015 | NOT AVAILABLE | 2,007.70 |
| 188-0-291-045 | 4051 FARRALON WAY | 4,658.96 | 188-0-361-025 | NOT AVAILABLE | 2,488.40 |
| 188-0-291-055 | 4041 FARRALON WAY | 4,658.96 | 188-0-361-035 | NOT AVAILABLE | 2,007.70 |
| 188-0-291-065 | 4031 FARRALON WAY | 4,658.96 | 188-0-361-045 | NOT AVAILABLE | 2,007.70 |
| 188-0-291-075 | 4021 FARRALON WAY | 4,277.70 | 188-0-361-055 | NOT AVAILABLE | 2,488.40 |
| 188-0-291-085 | 4011 FARRALON WAY | 4,658.96 | 188-0-361-065 | NOT AVAILABLE | 2,007.70 |

## EXHIBIT A

## CITY OF OXNARD
## COMMUNITY FACILITIES DISTRICT NO. 3
## (SEABRIDGE AT MANDALAY BAY)
## FISCAL YEAR 2018-2019 LEVY

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-291-095 | 4001 FARRALON WAY | 4,658.96 |
| 188-0-291-105 | 1702 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-115 | 1712 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-125 | 1724 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-135 | 1734 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-145 | 1744 ALEUTIAN WAY | 4,277.70 |
| 188-0-291-155 | 1800 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-165 | 1804 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-175 | 1814 ALEUTIAN WAY | 4,658.96 |
| 188-0-291-185 | 1824 ALEUTIAN WAY | 4,277.70 |
| 188-0-292-015 | 4082 FARRALON WAY | 3,481.04 |
| 188-0-292-025 | 4072 FARRALON WAY | 3,175.86 |
| 188-0-292-035 | 4062 FARRALON WAY | 3,481.04 |
| 188-0-292-045 | 4052 FARRALON WAY | 3,481.04 |
| 188-0-292-055 | 4042 FARRALON WAY | 3,481.04 |
| 188-0-292-065 | 4032 FARRALON WAY | 3,175.86 |
| 188-0-292-075 | 4022 FARRALON WAY | 3,481.04 |
| 188-0-292-085 | 4012 FARRALON WAY | 3,481.04 |
| 188-0-292-095 | 4002 FARRALON WAY | 3,175.86 |
| 188-0-292-105 | 4003 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-115 | 4013 GALAPAGOS WAY | 3,175.86 |
| 188-0-292-125 | 4023 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-135 | 4033 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-145 | 4043 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-155 | 4053 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-165 | 4063 GALAPAGOS WAY | 3,175.86 |
| 188-0-292-175 | 4073 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-185 | 4103 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-195 | 4113 GALAPAGOS WAY | 3,481.04 |
| 188-0-292-205 | 4123 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-015 | 4134 GALAPAGOS WAY | 3,175.86 |
| 188-0-293-025 | 4124 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-035 | 4114 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-045 | 4104 GALAPAGOS WAY | 3,175.86 |
| 188-0-293-055 | 4084 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-065 | 4074 GALAPAGOS WAY | 3,481.04 |
| 188-0-293-075 | 4064 GALAPAGOS WAY | 3,481.04 |
| 188-0-361-075 | NOT AVAILABLE | 2,007.70 |
| 188-0-361-085 | NOT AVAILABLE | 2,007.70 |
| 188-0-361-095 | NOT AVAILABLE | 2,007.70 |
| 188-0-361-105 | NOT AVAILABLE | 2,007.70 |
| 188-0-361-115 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-015 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-025 | NOT AVAILABLE | 2,488.40 |
| 188-0-362-035 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-045 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-055 | NOT AVAILABLE | 2,488.40 |
| 188-0-362-065 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-075 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-085 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-095 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-105 | NOT AVAILABLE | 2,007.70 |
| 188-0-362-115 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-015 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-025 | NOT AVAILABLE | 2,488.40 |
| 188-0-363-035 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-045 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-055 | NOT AVAILABLE | 2,488.40 |
| 188-0-363-065 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-075 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-085 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-095 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-105 | NOT AVAILABLE | 2,007.70 |
| 188-0-363-115 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-015 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-025 | NOT AVAILABLE | 2,488.40 |
| 188-0-364-035 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-045 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-055 | NOT AVAILABLE | 2,488.40 |
| 188-0-364-065 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-075 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-085 | NOT AVAILABLE | 2,007.70 |
| 188-0-364-095 | NOT AVAILABLE | 2,007.70 |
| **Total** | **537 Parcels** | **$1,818,795.04** |

RESOLUTION NO. ________

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY) OF THE CITY OF OXNARD AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY) FOR THE FISCAL YEAR 2018-2019

WHEREAS, the City Council of the City of Oxnard (the "City") previously established Community Facilities District No. 4 (Seabridge at Mandalay Bay) of the City of Oxnard ("CFD No. 4") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311 (the "Act"); and

WHEREAS, the City Council of the City, acting as the legislative body of CFD No. 4, is authorized pursuant to Resolution No. 12,739 (the "Resolution of Formation") and Ordinance No. 2677 adopted by the City Council on December 14, 2004, (the "Ordinance") to levy a special tax sufficient to pay certain costs of the Services and Incidental Expenses (as defined in the Resolution of Formation); and

WHEREAS, it is now necessary and appropriate that this City Council provide for the levy and collection of the special taxes for the Fiscal Year 2018-2019 for the purpose specified in the Resolution of Formation and the Ordinance, by the adoption of a resolution as specified by the Act and the Ordinance; and

WHEREAS, the assessments are in conformance with Proposition 218; and

WHEREAS, the special taxes being levied hereunder are at the same rate or at a lower rate than provided by the Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 4 (SEABRIDGE AT MANDALAY BAY), DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The special tax is imposed without regard to property valuation and is levied in compliance with the Act and the Ordinance.

SECTION 3. In accordance with the Act and the Ordinance, there is hereby levied upon the parcels within the District which are not otherwise exempt from taxation under the Act or the Ordinance special taxes for the Fiscal Year 2018-2019 at the special tax rates set forth in the report prepared by NBS Government Finance Group for CFD No. 4 entitled "City of Oxnard Community Facilities District No. 4 (Seabridge at Mandalay Bay) Fiscal Year 2018-2019 Levy" (the "Report") attached hereto as Exhibit A and made a part hereof, which special tax rates do not exceed the maximum special tax rates set forth in the Ordinance. After adoption of this Resolution, the Chief Financial Officer of the City, or designee, may make any necessary modifications to these special taxes to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxes or in the amount to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the special tax applicable to any category of parcels and is made prior to the submission of the tax rolls to the Ventura County Auditor.

SECTION 4. All of the collections of the special tax shall be used only as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in the Resolution of Formation.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes except as such procedure may be modified by law and by this City Council.

SECTION 6. The Chief Financial Officer is hereby authorized and directed to transmit a certified copy of this Resolution and the Report to the Ventura County Auditor, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for the Fiscal Year 2018-2019, and to perform all other acts which are required by the Act, the Ordinance, or by law in order to accomplish the purpose of this Resolution.

APPROVED AND ADOPTED this __ day of ____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Tim Flynn, Mayor of the City Council of the City of Oxnard, acting on behalf of Community Facilities District No. 4 (Seabridge at Mandalay Bay) of the City of Oxnard

ATTEST:

______________________________
Michelle Ascencion
City Clerk of the City of Oxnard

APPROVED AS TO FORM:

______________________________
Stephen Fischer, City Attorney

STATE OF CALIFORNIA )
) ss.
COUNTY OF VENTURA )

I, MICHELLE ASCENCION, City Clerk of the City Council of the City of Oxnard, do hereby certify that the above and foregoing is a full, true and correct copy of RESOLUTION NO. _ ______________ of said City Council, and that the same has not been amended or repealed.

DATED: __________________, 2018

______________________________________________
City Clerk of the City Council of the City of Oxnard

(SEAL)

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 4**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 188-0-241-015 | 1301 SEABRIDGE LN | $2,848.00 | 188-0-293-065 | 4074 GALAPAGOS WAY | $2,848.00 |
| 188-0-241-025 | 1311 SEABRIDGE LN | 2,848.00 | 188-0-293-075 | 4064 GALAPAGOS WAY | 2,848.00 |
| 188-0-241-035 | 1321 SEABRIDGE LN | 2,602.76 | 188-0-293-085 | 4054 GALAPAGOS WAY | 2,602.76 |
| 188-0-241-045 | 1331 SEABRIDGE LN | 2,848.00 | 188-0-293-095 | 4044 GALAPAGOS WAY | 2,848.00 |
| 188-0-241-055 | 1341 SEABRIDGE LN | 2,848.00 | 188-0-293-105 | 4030 GALAPAGOS WAY | 2,848.00 |
| 188-0-241-065 | 1351 SEABRIDGE LN | 2,848.00 | 188-0-293-115 | 4020 GALAPAGOS WAY | 2,602.76 |
| 188-0-241-075 | 1361 SEABRIDGE LN | 2,848.00 | 188-0-293-125 | 4014 GALAPAGOS WAY | 2,848.00 |
| 188-0-241-085 | 1401 SEABRIDGE LN | 2,848.00 | 188-0-293-135 | 4004 GALAPAGOS WAY | 2,848.00 |
| 188-0-241-095 | 1411 SEABRIDGE LN | 2,848.00 | 188-0-293-145 | 4005 HARBOUR ISLAND LN | 2,602.76 |
| 188-0-241-105 | 1421 SEABRIDGE LN | 2,848.00 | 188-0-293-155 | 4015 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-115 | 1431 SEABRIDGE LN | 2,848.00 | 188-0-293-165 | 4025 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-125 | 1441 SEABRIDGE LN | 2,602.76 | 188-0-293-175 | 4035 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-135 | 1451 SEABRIDGE LN | 2,848.00 | 188-0-293-185 | 4045 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-145 | 1461 SEABRIDGE LN | 2,602.76 | 188-0-293-195 | 4055 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-155 | 1462 CASPIAN WAY | 2,848.00 | 188-0-293-205 | 4065 HARBOUR ISLAND LN | 2,602.76 |
| 188-0-241-165 | 1452 CASPIAN WAY | 2,848.00 | 188-0-293-215 | 4075 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-175 | 1442 CASPIAN WAY | 2,848.00 | 188-0-293-225 | 4085 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-185 | 1432 CASPIAN WAY | 2,602.76 | 188-0-293-235 | 4105 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-195 | 1422 CASPIAN WAY | 2,848.00 | 188-0-293-245 | 4115 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-205 | 1412 CASPIAN WAY | 2,602.76 | 188-0-293-255 | 4125 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-215 | 1402 CASPIAN WAY | 2,848.00 | 188-0-293-265 | 4135 HARBOUR ISLAND LN | 2,602.76 |
| 188-0-241-225 | 1362 CASPIAN WAY | 2,848.00 | 188-0-293-275 | 4145 HARBOUR ISLAND LN | 2,848.00 |
| 188-0-241-235 | 1352 CASPIAN WAY | 2,848.00 | 188-0-300-015 | 4146 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-241-245 | 1342 CASPIAN WAY | 2,602.76 | 188-0-300-025 | 4136 HARBOUR ISLAND LN | 3,490.02 |
| 188-0-241-255 | 1332 CASPIAN WAY | 2,848.00 | 188-0-300-035 | 4126 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-241-265 | 1322 CASPIAN WAY | 2,602.76 | 188-0-300-045 | 4116 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-241-275 | 1312 CASPIAN WAY | 2,602.76 | 188-0-300-055 | 4106 HARBOUR ISLAND LN | 3,490.02 |
| 188-0-241-285 | 1302 CASPIAN WAY | 2,848.00 | 188-0-300-065 | 4076 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-015 | 1303 CASPIAN WAY | 2,602.76 | 188-0-300-075 | 4066 HARBOUR ISLAND LN | 3,490.02 |
| 188-0-242-025 | 1313 CASPIAN WAY | 2,848.00 | 188-0-300-085 | 4056 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-035 | 1323 CASPIAN WAY | 2,602.76 | 188-0-300-095 | 4046 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-045 | 1333 CASPIAN WAY | 2,848.00 | 188-0-300-105 | 4036 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-055 | 1343 CASPIAN WAY | 2,848.00 | 188-0-300-115 | 4026 HARBOUR ISLAND LN | 3,490.02 |
| 188-0-242-065 | 1353 CASPIAN WAY | 2,848.00 | 188-0-300-125 | 4016 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-075 | 1363 CASPIAN WAY | 2,602.76 | 188-0-300-135 | 4006 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-085 | 1403 CASPIAN WAY | 2,848.00 | 188-0-300-145 | 3976 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-095 | 1413 CASPIAN WAY | 2,848.00 | 188-0-300-155 | 3966 HARBOUR ISLAND LN | 3,490.02 |
| 188-0-242-105 | 1423 CASPIAN WAY | 2,848.00 | 188-0-300-165 | 3956 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-115 | 1433 CASPIAN WAY | 2,848.00 | 188-0-300-175 | 3946 HARBOUR ISLAND LN | 3,796.56 |
| 188-0-242-125 | 1443 CASPIAN WAY | 2,602.76 | 188-0-300-185 | 1911 NAPOLI DR | 3,796.56 |
| 188-0-242-135 | 1453 CASPIAN WAY | 2,848.00 | 188-0-300-195 | 1921 NAPOLI DR | 3,796.56 |
| 188-0-242-145 | 1463 CASPIAN WAY | 2,848.00 | 188-0-300-205 | 3907 W HEMLOCK ST | 3,796.56 |
| 188-0-242-155 | 1464 DONEGAL WAY | 2,848.00 | 188-0-300-215 | 3917 W HEMLOCK ST | 3,490.02 |
| 188-0-242-165 | 1454 DONEGAL WAY | 2,602.76 | 188-0-300-225 | 3927 W HEMLOCK ST | 3,796.56 |
| 188-0-242-175 | 1444 DONEGAL WAY | 2,848.00 | 188-0-300-235 | 3937 W HEMLOCK ST | 3,796.56 |
| 188-0-242-185 | 1434 DONEGAL WAY | 2,602.76 | 188-0-300-245 | 3947 W HEMLOCK ST | 3,796.56 |
| 188-0-242-195 | 1424 DONEGAL WAY | 2,848.00 | 188-0-300-255 | 3957 W HEMLOCK ST | 3,796.56 |
| 188-0-242-205 | 1414 DONEGAL WAY | 2,602.76 | 188-0-300-265 | 3967 W HEMLOCK ST | 3,796.56 |
| 188-0-242-215 | 1404 DONEGAL WAY | 2,848.00 | 188-0-300-275 | 3977 W HEMLOCK ST | 3,796.56 |
| 188-0-242-225 | 1364 DONEGAL WAY | 2,848.00 | 188-0-300-285 | 4007 W HEMLOCK ST | 3,490.02 |
| 188-0-242-235 | 1354 DONEGAL WAY | 2,602.76 | 188-0-300-295 | 4017 W HEMLOCK ST | 3,796.56 |
| 188-0-242-245 | 1344 DONEGAL WAY | 2,602.76 | 188-0-300-305 | 4027 W HEMLOCK ST | 3,796.56 |
| 188-0-242-255 | 1334 DONEGAL WAY | 2,848.00 | 188-0-300-315 | 4037 W HEMLOCK ST | 3,490.02 |
| 188-0-242-265 | 1324 DONEGAL WAY | 2,848.00 | 188-0-300-325 | 4047 W HEMLOCK ST | 3,796.56 |
| 188-0-242-275 | 1314 DONEGAL WAY | 2,602.76 | 188-0-300-335 | 4057 W HEMLOCK ST | 3,796.56 |
| 188-0-242-285 | 1304 DONEGAL WAY | 2,848.00 | 188-0-300-345 | 4067 W HEMLOCK ST | 3,490.02 |
| 188-0-243-015 | 1305 DONEGAL WAY | 2,602.76 | 188-0-300-355 | 4077 W HEMLOCK ST | 3,796.56 |
| 188-0-243-025 | 1315 DONEGAL WAY | 2,848.00 | 188-0-300-365 | 4107 W HEMLOCK ST | 3,796.56 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 4**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 188-0-243-035 | 1325 DONEGAL WAY | 2,602.76 | 188-0-300-375 | 4117 W HEMLOCK ST | 3,796.56 |
| 188-0-243-045 | 1335 DONEGAL WAY | 2,848.00 | 188-0-300-385 | 4127 W HEMLOCK ST | 3,796.56 |
| 188-0-243-055 | 1345 DONEGAL WAY | 2,848.00 | 188-0-300-395 | 4137 W HEMLOCK ST | 3,796.56 |
| 188-0-243-065 | 1355 DONEGAL WAY | 2,848.00 | 188-0-300-405 | 4147 W HEMLOCK ST | 3,796.56 |
| 188-0-243-075 | 1365 DONEGAL WAY | 2,602.76 | 188-0-300-415 | 4157 W HEMLOCK ST | 3,796.56 |
| 188-0-243-085 | 1405 DONEGAL WAY | 2,848.00 | 188-0-300-425 | 4167 W HEMLOCK ST | 3,490.02 |
| 188-0-243-095 | 1415 DONEGAL WAY | 2,848.00 | 188-0-300-435 | 4177 W HEMLOCK ST | 3,490.02 |
| 188-0-243-105 | 1425 DONEGAL WAY | 2,848.00 | 188-0-300-445 | 4181 W HEMLOCK ST | 3,796.56 |
| 188-0-243-115 | 1435 DONEGAL WAY | 2,848.00 | 188-0-310-045 | 1651 S VICTORIA AVE | 18,169.12 |
| 188-0-243-125 | 1445 DONEGAL WAY | 2,602.76 | 188-0-310-055 | NOT AVAILABLE | 111,954.60 |
| 188-0-243-135 | 1455 DONEGAL WAY | 2,848.00 | 188-0-320-015 | 1409 WINDSHORE WAY | 1,662.30 |
| 188-0-243-145 | 1465 DONEGAL WAY | 2,602.76 | 188-0-320-025 | 1407 WINDSHORE WAY | 2,048.66 |
| 188-0-243-155 | 1475 DONEGAL WAY | 2,848.00 | 188-0-320-035 | 1405 WINDSHORE WAY | 1,662.30 |
| 188-0-243-165 | 1486 ESTUARY WAY | 2,602.76 | 188-0-320-045 | 1403 WINDSHORE WAY | 1,662.30 |
| 188-0-243-175 | 1476 ESTUARY WAY | 2,848.00 | 188-0-320-055 | 1401 WINDSHORE WAY | 2,048.66 |
| 188-0-243-185 | 1466 ESTUARY WAY | 2,602.76 | 188-0-320-065 | 1411 WINDSHORE WAY | 1,662.30 |
| 188-0-243-195 | 1456 ESTUARY WAY | 2,848.00 | 188-0-320-075 | 1413 WINDSHORE WAY | 1,662.30 |
| 188-0-243-205 | 1446 ESTUARY WAY | 2,602.76 | 188-0-320-085 | 1415 WINDSHORE WAY | 1,662.30 |
| 188-0-243-215 | 1436 ESTUARY WAY | 2,848.00 | 188-0-320-095 | 1417 WINDSHORE WAY | 1,662.30 |
| 188-0-243-225 | 1426 ESTUARY WAY | 2,602.76 | 188-0-320-105 | 1427 WINDSHORE WAY | 2,048.66 |
| 188-0-243-235 | 1416 ESTUARY WAY | 2,848.00 | 188-0-320-115 | 1425 WINDSHORE WAY | 1,662.30 |
| 188-0-243-245 | 1406 ESTUARY WAY | 2,848.00 | 188-0-320-125 | 1423 WINDSHORE WAY | 1,662.30 |
| 188-0-243-255 | 1366 ESTUARY WAY | 2,848.00 | 188-0-320-135 | 1421 WINDSHORE WAY | 2,048.66 |
| 188-0-243-265 | 1356 ESTUARY WAY | 2,602.76 | 188-0-320-145 | 1419 WINDSHORE WAY | 1,662.30 |
| 188-0-243-275 | 1346 ESTUARY WAY | 2,848.00 | 188-0-320-155 | 1439 WINDSHORE WAY | 1,662.30 |
| 188-0-243-285 | 1336 ESTUARY WAY | 2,848.00 | 188-0-320-165 | 1437 WINDSHORE WAY | 2,048.66 |
| 188-0-243-295 | 1326 ESTUARY WAY | 2,602.76 | 188-0-320-175 | 1435 WINDSHORE WAY | 1,662.30 |
| 188-0-243-305 | 1316 ESTUARY WAY | 2,848.00 | 188-0-320-185 | 1433 WINDSHORE WAY | 1,662.30 |
| 188-0-244-015 | 1477 ESTUARY WAY | 3,278.32 | 188-0-320-195 | 1431 WINDSHORE WAY | 2,048.66 |
| 188-0-244-025 | 1467 ESTUARY WAY | 3,490.02 | 188-0-320-205 | 1441 WINDSHORE WAY | 1,662.30 |
| 188-0-244-035 | 1457 ESTUARY WAY | 3,490.02 | 188-0-320-215 | 1443 WINDSHORE WAY | 1,662.30 |
| 188-0-244-045 | 1447 ESTUARY WAY | 3,490.02 | 188-0-320-225 | 1445 WINDSHORE WAY | 1,662.30 |
| 188-0-244-055 | 1437 ESTUARY WAY | 3,278.32 | 188-0-320-235 | 1447 WINDSHORE WAY | 1,662.30 |
| 188-0-244-065 | 1427 ESTUARY WAY | 3,278.32 | 188-0-320-245 | 1457 WINDSHORE WAY | 2,048.66 |
| 188-0-244-075 | 1417 ESTUARY WAY | 3,490.02 | 188-0-320-255 | 1455 WINDSHORE WAY | 1,662.30 |
| 188-0-244-085 | 1407 ESTUARY WAY | 3,490.02 | 188-0-320-265 | 1453 WINDSHORE WAY | 1,662.30 |
| 188-0-244-095 | 1367 ESTUARY WAY | 3,278.32 | 188-0-320-275 | 1451 WINDSHORE WAY | 2,048.66 |
| 188-0-244-105 | 1357 ESTUARY WAY | 3,490.02 | 188-0-320-285 | 1449 WINDSHORE WAY | 1,662.30 |
| 188-0-244-115 | 1347 ESTUARY WAY | 3,278.32 | 188-0-320-295 | 1469 WINDSHORE WAY | 1,662.30 |
| 188-0-244-125 | 1337 ESTUARY WAY | 3,490.02 | 188-0-320-305 | 1467 WINDSHORE WAY | 2,048.66 |
| 188-0-244-135 | 1327 ESTUARY WAY | 3,490.02 | 188-0-320-315 | 1465 WINDSHORE WAY | 1,662.30 |
| 188-0-244-145 | 1317 ESTUARY WAY | 3,278.32 | 188-0-320-325 | 1463 WINDSHORE WAY | 1,662.30 |
| 188-0-244-155 | 1301 ESTUARY WAY | 3,490.02 | 188-0-320-335 | 1461 WINDSHORE WAY | 2,048.66 |
| 188-0-244-165 | 4181 ADRIATIC ST | 3,490.02 | 188-0-320-345 | 1471 WINDSHORE WAY | 1,662.30 |
| 188-0-244-175 | 4171 ADRIATIC ST | 3,490.02 | 188-0-320-355 | 1473 WINDSHORE WAY | 1,662.30 |
| 188-0-244-185 | 4161 ADRIATIC ST | 3,278.32 | 188-0-320-365 | 1475 WINDSHORE WAY | 1,662.30 |
| 188-0-244-195 | 4151 ADRIATIC ST | 3,490.02 | 188-0-320-375 | 1477 WINDSHORE WAY | 1,662.30 |
| 188-0-244-205 | 4141 ADRIATIC ST | 3,490.02 | 188-0-320-385 | 1487 WINDSHORE WAY | 2,048.66 |
| 188-0-244-215 | 4131 ADRIATIC ST | 3,490.02 | 188-0-320-395 | 1485 WINDSHORE WAY | 1,662.30 |
| 188-0-245-015 | 4111 ADRIATIC ST | 3,278.32 | 188-0-320-405 | 1483 WINDSHORE WAY | 1,662.30 |
| 188-0-245-025 | 4101 ADRIATIC ST | 3,490.02 | 188-0-320-415 | 1481 WINDSHORE WAY | 2,048.66 |
| 188-0-245-035 | 4061 ADRIATIC ST | 3,490.02 | 188-0-320-425 | 1479 WINDSHORE WAY | 1,662.30 |
| 188-0-245-045 | 4051 ADRIATIC ST | 3,278.32 | 188-0-330-015 | 1509 WINDSHORE WAY | 1,662.30 |
| 188-0-245-055 | 4041 ADRIATIC ST | 3,490.02 | 188-0-330-025 | 1507 WINDSHORE WAY | 2,048.66 |
| 188-0-245-065 | 4031 ADRIATIC ST | 3,278.32 | 188-0-330-035 | 1505 WINDSHORE WAY | 1,662.30 |
| 188-0-245-075 | 4021 ADRIATIC ST | 3,490.02 | 188-0-330-045 | 1503 WINDSHORE WAY | 1,662.30 |
| 188-0-245-085 | 4011 ADRIATIC ST | 3,278.32 | 188-0-330-055 | 1501 WINDSHORE WAY | 2,048.66 |
| 188-0-245-095 | 4001 ADRIATIC ST | 3,490.02 | 188-0-330-065 | 1511 WINDSHORE WAY | 1,662.30 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 4**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-250-075 | 3900 TRADEWINDS DR | 12,557.90 |
| 188-0-250-205 | 1299 S VICTORIA AVE | 537.68 |
| 188-0-250-225 | 1201 S VICTORIA AVE | 9,385.62 |
| 188-0-250-285 | 1291 S VICTORIA AVE | 29,140.30 |
| 188-0-260-035 | 4154 CARIBBEAN ST | 3,796.56 |
| 188-0-260-045 | 4164 CARIBBEAN ST | 3,490.02 |
| 188-0-260-055 | 4174 CARIBBEAN ST | 3,796.56 |
| 188-0-260-065 | 4184 CARIBBEAN ST | 3,490.02 |
| 188-0-260-075 | 4194 CARIBBEAN ST | 3,796.56 |
| 188-0-260-085 | 4204 CARIBBEAN ST | 3,796.56 |
| 188-0-260-095 | 4214 CARIBBEAN ST | 3,490.02 |
| 188-0-260-105 | 1537 ESTUARY WAY | 3,490.02 |
| 188-0-260-115 | 1527 ESTUARY WAY | 3,796.56 |
| 188-0-260-125 | 1517 ESTUARY WAY | 3,796.56 |
| 188-0-260-135 | 1507 ESTUARY WAY | 3,796.56 |
| 188-0-260-145 | 1501 ESTUARY WAY | 3,490.02 |
| 188-0-271-015 | 4174 BALTIC ST | 3,256.34 |
| 188-0-271-025 | 4164 BALTIC ST | 2,848.00 |
| 188-0-271-035 | 4154 BALTIC ST | 3,256.34 |
| 188-0-271-045 | 4144 BALTIC ST | 3,256.34 |
| 188-0-271-055 | 4134 BALTIC ST | 3,256.34 |
| 188-0-271-065 | 4124 BALTIC ST | 2,848.00 |
| 188-0-271-075 | 4114 BALTIC ST | 3,256.34 |
| 188-0-271-085 | 4104 BALTIC ST | 3,256.34 |
| 188-0-271-095 | 4072 BALTIC ST | 2,848.00 |
| 188-0-271-105 | 4062 BALTIC ST | 3,256.34 |
| 188-0-271-115 | 4052 BALTIC ST | 3,256.34 |
| 188-0-271-125 | 4042 BALTIC ST | 3,256.34 |
| 188-0-271-135 | 4032 BALTIC ST | 2,848.00 |
| 188-0-271-145 | 1501 SEABRIDGE LN | 2,848.00 |
| 188-0-271-155 | 1507 SEABRIDGE LN | 3,256.34 |
| 188-0-271-165 | 1517 SEABRIDGE LN | 2,848.00 |
| 188-0-271-175 | 1527 SEABRIDGE LN | 2,848.00 |
| 188-0-271-185 | 4033 CARIBBEAN ST | 3,256.34 |
| 188-0-271-195 | 4043 CARIBBEAN ST | 2,848.00 |
| 188-0-271-205 | 4053 CARIBBEAN ST | 3,256.34 |
| 188-0-271-215 | 4103 CARIBBEAN ST | 3,256.34 |
| 188-0-271-225 | 4113 CARIBBEAN ST | 2,848.00 |
| 188-0-271-235 | 4123 CARIBBEAN ST | 3,256.34 |
| 188-0-271-245 | 4133 CARIBBEAN ST | 3,256.34 |
| 188-0-271-255 | 4143 CARIBBEAN ST | 2,848.00 |
| 188-0-271-265 | 4153 CARIBBEAN ST | 3,256.34 |
| 188-0-271-275 | 4163 CARIBBEAN ST | 2,848.00 |
| 188-0-271-285 | 4173 CARIBBEAN ST | 3,256.34 |
| 188-0-271-295 | 4183 CARIBBEAN ST | 3,256.34 |
| 188-0-272-015 | 4144 CARIBBEAN ST | 3,796.56 |
| 188-0-272-025 | 4134 CARIBBEAN WAY | 3,796.56 |
| 188-0-272-035 | 4124 CARIBBEAN ST | 3,490.02 |
| 188-0-272-045 | 4114 CARIBBEAN ST | 3,796.56 |
| 188-0-272-055 | 4104 CARIBBEAN ST | 3,490.02 |
| 188-0-272-065 | 4054 CARIBBEAN ST | 3,796.56 |
| 188-0-272-075 | 4044 CARIBBEAN ST | 3,490.02 |
| 188-0-272-085 | 4034 CARIBBEAN ST | 3,796.56 |
| 188-0-272-095 | 4024 CARIBBEAN ST | 3,796.56 |
| 188-0-272-105 | 4014 CARIBBEAN ST | 3,796.56 |
| 188-0-272-115 | 4004 CARIBBEAN ST | 3,490.02 |
| 188-0-272-205 | 1601 S VICTORIA AVE | 20,447.00 |
| 188-0-280-015 | 1414 WINDSHORE WAY | 1,425.14 |

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-330-075 | 1513 WINDSHORE WAY | 1,662.30 |
| 188-0-330-085 | 1515 WINDSHORE WAY | 1,662.30 |
| 188-0-330-095 | 1517 WINDSHORE WAY | 1,662.30 |
| 188-0-330-105 | 1527 WINDSHORE WAY | 2,048.66 |
| 188-0-330-115 | 1525 WINDSHORE WAY | 1,662.30 |
| 188-0-330-125 | 1523 WINDSHORE WAY | 1,662.30 |
| 188-0-330-135 | 1521 WINDSHORE WAY | 2,048.66 |
| 188-0-330-145 | 1519 WINDSHORE WAY | 1,662.30 |
| 188-0-330-155 | 1539 WINDSHORE WAY | 1,662.30 |
| 188-0-330-165 | 1537 WINDSHORE WAY | 2,048.66 |
| 188-0-330-175 | 1535 WINDSHORE WAY | 1,662.30 |
| 188-0-330-185 | 1533 WINDSHORE WAY | 1,662.30 |
| 188-0-330-195 | 1531 WINDSHORE WAY | 2,048.66 |
| 188-0-330-205 | 1541 WINDSHORE WAY | 1,662.30 |
| 188-0-330-215 | 1543 WINDSHORE WAY | 1,662.30 |
| 188-0-330-225 | 1545 WINDSHORE WAY | 1,662.30 |
| 188-0-330-235 | 1547 WINDSHORE WAY | 1,662.30 |
| 188-0-330-245 | 1557 WINDSHORE WAY | 2,048.66 |
| 188-0-330-255 | 1555 WINDSHORE WAY | 1,662.30 |
| 188-0-330-265 | 1553 WINDSHORE WAY | 1,662.30 |
| 188-0-330-275 | 1551 WINDSHORE WAY | 2,048.66 |
| 188-0-330-285 | 1549 WINDSHORE WAY | 1,662.30 |
| 188-0-330-295 | 1569 WINDSHORE WAY | 1,662.30 |
| 188-0-330-305 | 1567 WINDSHORE WAY | 2,048.66 |
| 188-0-330-315 | 1565 WINDSHORE WAY | 1,662.30 |
| 188-0-330-325 | 1563 WINDSHORE WAY | 1,662.30 |
| 188-0-330-335 | 1561 WINDSHORE WAY | 2,048.66 |
| 188-0-330-345 | 1571 WINDSHORE WAY | 1,662.30 |
| 188-0-330-355 | 1573 WINDSHORE WAY | 1,662.30 |
| 188-0-330-365 | 1575 WINDSHORE WAY | 1,662.30 |
| 188-0-330-375 | 1577 WINDSHORE WAY | 1,662.30 |
| 188-0-330-385 | 1587 WINDSHORE WAY | 2,048.66 |
| 188-0-330-395 | 1585 WINDSHORE WAY | 1,662.30 |
| 188-0-330-405 | 1583 WINDSHORE WAY | 1,662.30 |
| 188-0-330-415 | 1581 WINDSHORE WAY | 2,048.66 |
| 188-0-330-425 | 1579 WINDSHORE WAY | 1,662.30 |
| 188-0-340-015 | 1500 SEABRIDGE LN | 2,048.66 |
| 188-0-340-025 | 1502 SEABRIDGE LN | 1,662.30 |
| 188-0-340-035 | 1504 SEABRIDGE LN | 1,662.30 |
| 188-0-340-045 | 1506 SEABRIDGE LN | 2,048.66 |
| 188-0-340-055 | 1508 SEABRIDGE LN | 1,662.30 |
| 188-0-340-065 | 1518 SEABRIDGE LN | 1,662.30 |
| 188-0-340-075 | 1520 SEABRIDGE LN | 2,048.66 |
| 188-0-340-085 | 1522 SEABRIDGE LN | 1,662.30 |
| 188-0-340-095 | 1524 SEABRIDGE LN | 1,662.30 |
| 188-0-340-105 | 1526 SEABRIDGE LN | 2,048.66 |
| 188-0-340-115 | 1516 SEABRIDGE LN | 1,662.30 |
| 188-0-340-125 | 1514 SEABRIDGE LN | 1,662.30 |
| 188-0-340-135 | 1512 SEABRIDGE LN | 1,662.30 |
| 188-0-340-145 | 1510 SEABRIDGE LN | 1,662.30 |
| 188-0-340-155 | 1530 SEABRIDGE LN | 2,048.66 |
| 188-0-340-165 | 1532 SEABRIDGE LN | 1,662.30 |
| 188-0-340-175 | 1534 SEABRIDGE LN | 1,662.30 |
| 188-0-340-185 | 1536 SEABRIDGE LN | 2,048.66 |
| 188-0-340-195 | 1538 SEABRIDGE LN | 1,662.30 |
| 188-0-340-205 | 1548 SEABRIDGE LN | 1,662.30 |
| 188-0-340-215 | 1550 SEABRIDGE LN | 2,048.66 |
| 188-0-340-225 | 1552 SEABRIDGE LN | 1,662.30 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 4**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 188-0-280-025 | 1416 WINDSHORE WAY | 1,425.14 |
| 188-0-280-035 | 1418 WINDSHORE WAY | 1,662.30 |
| 188-0-280-045 | 1400 WINDSHORE WAY | 1,425.14 |
| 188-0-280-055 | 3818 ALEE LN | 1,425.14 |
| 188-0-280-065 | 3816 ALEE LN | 1,662.30 |
| 188-0-280-075 | 3814 ALEE LN | 1,662.30 |
| 188-0-280-085 | 3812 ALEE LN | 1,662.30 |
| 188-0-280-095 | 3810 ALEE LN | 1,662.30 |
| 188-0-280-105 | 3800 ALEE LN | 1,425.14 |
| 188-0-280-115 | 1402 WINDSHORE WAY | 1,425.14 |
| 188-0-280-125 | 1406 WINDSHORE WAY | 1,662.30 |
| 188-0-280-135 | 1408 WINDSHORE WAY | 1,425.14 |
| 188-0-280-145 | 1410 WINDSHORE WAY | 1,425.14 |
| 188-0-280-155 | 1428 WINDSHORE WAY | 1,425.14 |
| 188-0-280-165 | 1430 WINDSHORE WAY | 1,425.14 |
| 188-0-280-175 | 1432 WINDSHORE WAY | 1,662.30 |
| 188-0-280-185 | 1434 WINDSHORE WAY | 1,425.14 |
| 188-0-280-195 | 1436 WINDSHORE WAY | 1,425.14 |
| 188-0-280-205 | 1438 WINDSHORE WAY | 1,662.30 |
| 188-0-280-215 | 1440 WINDSHORE WAY | 1,662.30 |
| 188-0-280-225 | 1442 WINDSHORE WAY | 1,662.30 |
| 188-0-280-235 | 1444 WINDSHORE WAY | 1,662.30 |
| 188-0-280-245 | 1446 WINDSHORE WAY | 1,425.14 |
| 188-0-280-255 | 1448 WINDSHORE WAY | 1,425.14 |
| 188-0-280-265 | 1420 WINDSHORE WAY | 1,662.30 |
| 188-0-280-275 | 1422 WINDSHORE WAY | 1,425.14 |
| 188-0-280-285 | 1424 WINDSHORE WAY | 1,425.14 |
| 188-0-280-295 | 1524 WINDSHORE WAY | 1,425.14 |
| 188-0-280-305 | 1526 WINDSHORE WAY | 1,425.14 |
| 188-0-280-315 | 1528 WINDSHORE WAY | 1,662.30 |
| 188-0-280-325 | 1500 WINDSHORE WAY | 1,425.14 |
| 188-0-280-335 | 1502 WINDSHORE WAY | 1,425.14 |
| 188-0-280-345 | 1504 WINDSHORE WAY | 1,662.30 |
| 188-0-280-355 | 1506 WINDSHORE WAY | 1,662.30 |
| 188-0-280-365 | 1508 WINDSHORE WAY | 1,662.30 |
| 188-0-280-375 | 1510 WINDSHORE WAY | 1,662.30 |
| 188-0-280-385 | 1512 WINDSHORE WAY | 1,425.14 |
| 188-0-280-395 | 1514 WINDSHORE WAY | 1,425.14 |
| 188-0-280-405 | 1516 WINDSHORE WAY | 1,662.30 |
| 188-0-280-415 | 1518 WINDSHORE WAY | 1,425.14 |
| 188-0-280-425 | 1520 WINDSHORE WAY | 1,425.14 |
| 188-0-280-435 | 1538 WINDSHORE WAY | 1,425.14 |
| 188-0-280-445 | 1540 WINDSHORE WAY | 1,425.14 |
| 188-0-280-455 | 1542 WINDSHORE WAY | 1,662.30 |
| 188-0-280-465 | 1544 WINDSHORE WAY | 1,425.14 |
| 188-0-280-475 | 1546 WINDSHORE WAY | 1,425.14 |
| 188-0-280-485 | 1548 WINDSHORE WAY | 1,662.30 |
| 188-0-280-495 | 1550 WINDSHORE WAY | 1,662.30 |
| 188-0-280-505 | 1552 WINDSHORE WAY | 1,662.30 |
| 188-0-280-515 | 1554 WINDSHORE WAY | 1,662.30 |
| 188-0-280-525 | 1556 WINDSHORE WAY | 1,425.14 |
| 188-0-280-535 | 1558 WINDSHORE WAY | 1,425.14 |
| 188-0-280-545 | 1530 WINDSHORE WAY | 1,662.30 |
| 188-0-280-555 | 1532 WINDSHORE WAY | 1,425.14 |
| 188-0-280-565 | 1534 WINDSHORE WAY | 1,425.14 |
| 188-0-291-025 | 4071 FARRALON WAY | 3,796.56 |
| 188-0-291-035 | 4061 FARRALON WAY | 3,796.56 |
| 188-0-291-045 | 4051 FARRALON WAY | 3,796.56 |
| 188-0-340-235 | 1554 SEABRIDGE LN | 1,662.30 |
| 188-0-340-245 | 1556 SEABRIDGE LN | 2,048.66 |
| 188-0-340-255 | 1546 SEABRIDGE LN | 1,662.30 |
| 188-0-340-265 | 1544 SEABRIDGE LN | 1,662.30 |
| 188-0-340-275 | 1542 SEABRIDGE LN | 1,662.30 |
| 188-0-340-285 | 1540 SEABRIDGE LN | 1,662.30 |
| 188-0-340-295 | 1560 SEABRIDGE LN | 2,048.66 |
| 188-0-340-305 | 1562 SEABRIDGE LN | 1,662.30 |
| 188-0-340-315 | 1564 SEABRIDGE LN | 1,662.30 |
| 188-0-340-325 | 1566 SEABRIDGE LN | 2,048.66 |
| 188-0-340-335 | 1568 SEABRIDGE LN | 1,662.30 |
| 188-0-340-345 | 1578 SEABRIDGE LN | 1,662.30 |
| 188-0-340-355 | 1580 SEABRIDGE LN | 2,048.66 |
| 188-0-340-365 | 1582 SEABRIDGE LN | 1,662.30 |
| 188-0-340-375 | 1584 SEABRIDGE LN | 1,662.30 |
| 188-0-340-385 | 1586 SEABRIDGE LN | 2,048.66 |
| 188-0-340-395 | 1576 SEABRIDGE LN | 1,662.30 |
| 188-0-340-405 | 1574 SEABRIDGE LN | 1,662.30 |
| 188-0-340-415 | 1572 SEABRIDGE LN | 1,662.30 |
| 188-0-340-425 | 1570 SEABRIDGE LN | 1,662.30 |
| 188-0-350-065 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-075 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-085 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-095 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-105 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-115 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-125 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-135 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-145 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-155 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-165 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-175 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-235 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-245 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-255 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-265 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-275 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-285 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-295 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-305 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-315 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-325 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-335 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-345 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-355 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-365 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-375 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-385 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-395 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-405 | 1901 S VICTORIA AVE | 1,209.98 |
| 188-0-350-415 | 1901 S VICTORIA AVE | 1,425.14 |
| 188-0-350-425 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-435 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-445 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-350-455 | 1901 S VICTORIA AVE | 1,662.30 |
| 188-0-361-015 | NOT AVAILABLE | 1,662.30 |
| 188-0-361-025 | NOT AVAILABLE | 2,048.66 |
| 188-0-361-035 | NOT AVAILABLE | 1,662.30 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 4**
**(SEABRIDGE AT MANDALAY BAY)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 188-0-291-055 | 4041 FARRALON WAY | 3,796.56 | 188-0-361-045 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-065 | 4031 FARRALON WAY | 3,796.56 | 188-0-361-055 | NOT AVAILABLE | 2,048.66 |
| 188-0-291-075 | 4021 FARRALON WAY | 3,490.02 | 188-0-361-065 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-085 | 4011 FARRALON WAY | 3,796.56 | 188-0-361-075 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-095 | 4001 FARRALON WAY | 3,796.56 | 188-0-361-085 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-105 | 1702 ALEUTIAN WAY | 3,796.56 | 188-0-361-095 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-115 | 1712 ALEUTIAN WAY | 3,796.56 | 188-0-361-105 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-125 | 1724 ALEUTIAN WAY | 3,796.56 | 188-0-361-115 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-135 | 1734 ALEUTIAN WAY | 3,796.56 | 188-0-362-015 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-145 | 1744 ALEUTIAN WAY | 3,490.02 | 188-0-362-025 | NOT AVAILABLE | 2,048.66 |
| 188-0-291-155 | 1800 ALEUTIAN WAY | 3,796.56 | 188-0-362-035 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-165 | 1804 ALEUTIAN WAY | 3,796.56 | 188-0-362-045 | NOT AVAILABLE | 1,662.30 |
| 188-0-291-175 | 1814 ALEUTIAN WAY | 3,796.56 | 188-0-362-055 | NOT AVAILABLE | 2,048.66 |
| 188-0-291-185 | 1824 ALEUTIAN WAY | 3,490.02 | 188-0-362-065 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-015 | 4082 FARRALON WAY | 2,848.00 | 188-0-362-075 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-025 | 4072 FARRALON WAY | 2,602.76 | 188-0-362-085 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-035 | 4062 FARRALON WAY | 2,848.00 | 188-0-362-095 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-045 | 4052 FARRALON WAY | 2,848.00 | 188-0-362-105 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-055 | 4042 FARRALON WAY | 2,848.00 | 188-0-362-115 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-065 | 4032 FARRALON WAY | 2,602.76 | 188-0-363-015 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-075 | 4022 FARRALON WAY | 2,848.00 | 188-0-363-025 | NOT AVAILABLE | 2,048.66 |
| 188-0-292-085 | 4012 FARRALON WAY | 2,848.00 | 188-0-363-035 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-095 | 4002 FARRALON WAY | 2,602.76 | 188-0-363-045 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-105 | 4003 GALAPAGOS WAY | 2,848.00 | 188-0-363-055 | NOT AVAILABLE | 2,048.66 |
| 188-0-292-115 | 4013 GALAPAGOS WAY | 2,602.76 | 188-0-363-065 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-125 | 4023 GALAPAGOS WAY | 2,848.00 | 188-0-363-075 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-135 | 4033 GALAPAGOS WAY | 2,848.00 | 188-0-363-085 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-145 | 4043 GALAPAGOS WAY | 2,848.00 | 188-0-363-095 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-155 | 4053 GALAPAGOS WAY | 2,848.00 | 188-0-363-105 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-165 | 4063 GALAPAGOS WAY | 2,602.76 | 188-0-363-115 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-175 | 4073 GALAPAGOS WAY | 2,848.00 | 188-0-364-015 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-185 | 4103 GALAPAGOS WAY | 2,848.00 | 188-0-364-025 | NOT AVAILABLE | 2,048.66 |
| 188-0-292-195 | 4113 GALAPAGOS WAY | 2,848.00 | 188-0-364-035 | NOT AVAILABLE | 1,662.30 |
| 188-0-292-205 | 4123 GALAPAGOS WAY | 2,848.00 | 188-0-364-045 | NOT AVAILABLE | 1,662.30 |
| 188-0-293-015 | 4134 GALAPAGOS WAY | 2,602.76 | 188-0-364-055 | NOT AVAILABLE | 2,048.66 |
| 188-0-293-025 | 4124 GALAPAGOS WAY | 2,848.00 | 188-0-364-065 | NOT AVAILABLE | 1,662.30 |
| 188-0-293-035 | 4114 GALAPAGOS WAY | 2,848.00 | 188-0-364-075 | NOT AVAILABLE | 1,662.30 |
| 188-0-293-045 | 4104 GALAPAGOS WAY | 2,602.76 | 188-0-364-085 | NOT AVAILABLE | 1,662.30 |
| 188-0-293-055 | 4084 GALAPAGOS WAY | 2,848.00 | 188-0-364-095 | NOT AVAILABLE | 1,662.30 |
| | | | **Totals:** | **542 Parcels** | **$1,508,340.80** |

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| | | |
|---|---|---|
| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br><br>**AGENDA REPORT** | **TYPE OF ITEM: Info/Consent**<br><br>**AGENDA ITEM NO.: 11** |

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Jim Throop
Chief Financial Officer

Jim Throop

**SUBJECT:** Special Tax Levy for Community Facilities District No. 2000-3 for Fiscal Year 2018-19

**CONTACT:** Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, (805) 385-7475

## RECOMMENDATION:

That City Council, acting as the legislative body of Community Facilities District No. 2000-3 (CFD No. 2000-3) adopt a resolution setting a special tax rate within CFD No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) for Fiscal Year 2018-19.

## BACKGROUND

On July 24, 2001, City Council adopted Resolution No. 12,019 authorizing bonded indebtedness for CFD No. 2000-3 in the amount not to exceed $15,000,000 to be paid by the levy of a special tax. Government Code Section 53340 requires that, prior to the first time the special tax is levied, the City Council adopt an ordinance setting the special tax rate (which states the maximum rate approved by the voters in the CFD at the time of formation). Thereafter, in each fiscal year, the Government Code requires the City Council to adopt a resolution levying the special tax rate for that fiscal year. The special tax rate set by resolution each year may be less than the maximum rate set by the ordinance. On April 17, 2001, the City Council adopted Ordinance No. 2570 setting the special tax rate for CFD No. 2000-3.

The attached resolution (Attachment A) sets the special tax rate for Fiscal Year 2018-2019 for CFD No. 2000-3. The special tax is used to pay debt service on the CFD No. 2000-3 bonds and to pay expenses related to administration of the district. The total amount of special taxes for CFD No. 2000-3 for FY 2018-2019 is estimated at $598,981. This is a slight increase from the FY 2017-18 special tax levy of $583,722.96 due to debt service requirements.

The reserve fund will be credited to property owners in the final year of the bonds, to the extent available. The remaining balance of the bonds is $5,925,000 with the final payment due on September 1, 2032.

**STRATEGIC PRIORITIES**

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

**FINANCIAL IMPACT**

There will be no cost to the general fund from approval of the resolution levying the special taxes for CFD No. 2000-3. Debt service costs and all administrative costs are included in the amount to be collected by the special taxes which are levied against properties located in CFD No. 2000-3.

**ATTACHMENTS:**

Attachment A: Resolution Authorizing Levy of Special Tax CFD No. 2000-3

Attachment B: Exhibit A to CFD 2000-3 Resolution

RESOLUTION NO. _______

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, ACTING AS LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2000-3 (OXNARD BOULEVARD/HIGHWAY 101 INTERCHANGE), SETTING THE LEVY OF AN ANNUAL SPECIAL TAX FOR SUCH COMMUNITY FACILITIES DISTRICT FOR FISCAL YEAR 2018-2019

WHEREAS, the CITY COUNCIL of the CITY OF OXNARD, CALIFORNIA (the “City Council”), has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors to authorize the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the “Act”) and this Community Facilities District is designated as COMMUNITY FACILITIES DISTRICT NO. 2000-3 (OXNARD BOULEVARD/HIGHWAY 101 INTERCHANGE) (the “District”); and

WHEREAS, the City Council, by the adoption of Ordinance No. 2570 (“Ordinance”) as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of special taxes within the District including the Improvement Areas established within such District to finance authorized services; and

WHEREAS, Government Code Section 53340 provides that the City Council may provide, by resolution, for the levy of special taxes in the current tax year at the same rates or at a lower rate than the rate provided for in the Ordinance levying such special taxes, if such resolution is adopted and a certified list of all parcels subject to the special tax levy including the amount of the special tax to be levied on each parcel for the current tax year (the “Certified Parcel List”) is timely filed by the clerk or other official designated by the City Council with the Auditor of the County of Ventura (the “County Auditor”) on or before August 10th of the applicable tax year; and

WHEREAS, the assessments are in conformance with Proposition 218; and

WHEREAS, the City’s Chief Financial Officer has prepared or caused to be prepared a Certified Parcel List;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oxnard, acting as the legislative body of Community Facilities District No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange), as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. In accordance with the Act and the Ordinance, there is hereby levied upon the parcels within the District which are not otherwise exempt from taxation under the Act or the Ordinance special taxes for the Fiscal Year 2018-2019 at the special tax rates set forth in the report prepared by NBS Government Finance Group entitled “City of Oxnard Community Facilities District No. 2000-3 (Oxnard Blvd/Highway 101 Interchange) Fiscal Year 2018-2019 Levy” (the “Report”) attached hereto as Exhibit A and made a part hereof, which special tax rates do not exceed the maximum special tax rates set forth in the Ordinance. After adoption of this Resolution, the Chief Financial Officer of the City, or designee, may make any necessary modifications to these special taxes to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxes or in the amount to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the special tax applicable to any category of parcels and is made prior to the submission of the tax rolls to the Ventura County Auditor.

SECTION 3. The Chief Financial Officer is hereby authorized and directed to submit the Certified Parcel List to the County Auditor on or before July 5, 2018 or such later date to which the County Auditor may agree.

SECTION 4. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax. Any special taxes that may not be collected on the County tax roll shall be collected through a direct billing procedure by the Treasurer of the City of Oxnard, acting for and on behalf of the District.

SECTION 5. The County Auditor is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected, in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax.

SECTION 6. The County Auditor shall, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 7. This resolution shall become effective upon its adoption.

APPROVED AND ADOPTED on this _____ day of _________, 2018, by the following vote:

AYES:

NOES:

ABSENT:

_______________________________
Tim Flynn, Mayor of the City Council of the City of Oxnard, acting on behalf of Community Facilities District No. 2000-3 (Oxnard Boulevard/Highway 101 Interchange) of the City of Oxnard

ATTEST:

__________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_______________________________
Stephen M. Fischer, City Attorney

STATE OF CALIFORNIA )
) ss.
COUNTY OF VENTURA )

I, MICHELLE ASCENCION, City Clerk of the City Council of the City of Oxnard, do hereby certify that the above and foregoing is a full, true and correct copy of RESOLUTION NO. _______________ of said City Council, and that the same has not been amended or repealed.

DATED: __________, 2018

_______________________________________________
City Clerk of the City Council of the City of Oxnard

(SEAL)

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2000-3**
**(OXNARD BLVD/HIGHWAY 101 INTERCHANGE)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 132-0-033-055 | NOT AVAILABLE | $236.96 |
| 132-0-033-075 | NOT AVAILABLE | 235.90 |
| 132-0-033-095 | 110 RIVERPARK BLVD | 1,723.14 |
| 132-0-033-105 | 210 RIVERPARK BLVD | 2,660.00 |
| 132-0-060-050 | 2805 VINEYARD AVE | 148.88 |
| 132-0-060-145 | 141 W STROUBE ST | 767.34 |
| 132-0-060-155 | 2851 N VINEYARD AVE | 309.22 |
| 132-0-100-085 | NOT AVAILABLE | 1,632.04 |
| 132-0-100-095 | NOT AVAILABLE | 3,676.40 |
| 132-0-100-105 | 1000 TOWN CENTER DR | 6,900.40 |
| 132-0-100-165 | 2901 N VENTURA RD | 9,539.18 |
| 132-0-100-175 | NOT AVAILABLE | 12.56 |
| 132-0-100-185 | 2775 N VENTURA RD | 4,195.80 |
| 132-0-100-235 | 2811 N VENTURA RD | 461.44 |
| 132-0-100-245 | 2821 N VENTURA RD | 461.44 |
| 132-0-100-255 | 2801 N VENTURA RD | 860.68 |
| 132-0-100-265 | NOT AVAILABLE | 1,906.92 |
| 132-0-100-275 | NOT AVAILABLE | 8,148.28 |
| 132-0-100-285 | NOT AVAILABLE | 3,271.66 |
| 132-0-100-295 | NOT AVAILABLE | 2,933.38 |
| 132-0-100-335 | NOT AVAILABLE | 4,062.38 |
| 132-0-100-345 | NOT AVAILABLE | 2,155.54 |
| 132-0-100-355 | NOT AVAILABLE | 4,152.18 |
| 132-0-100-365 | NOT AVAILABLE | 2,065.76 |
| 132-0-110-015 | NOT AVAILABLE | 23,414.58 |
| 132-0-110-175 | NOT AVAILABLE | 483.96 |
| 132-0-110-315 | NOT AVAILABLE | 12,052.98 |
| 132-0-110-535 | 750 CLYDE RIVER PL | 9,840.58 |
| 132-0-170-105 | NOT AVAILABLE | 543.68 |
| 132-0-170-115 | NOT AVAILABLE | 1,467.94 |
| 132-0-170-125 | 2905 ROCKY MOUNTAIN DR | 362.46 |
| 132-0-170-135 | 2903 ROCKY MOUNTAIN DR | 362.46 |
| 132-0-170-145 | 2901 ROCKY MOUNTAIN DR | 362.46 |
| 132-0-170-155 | 2907 ROCKY MOUNTAIN DR | 362.46 |
| 132-0-170-165 | 2909 ROCKY MOUNTAIN DR | 362.46 |
| 132-0-170-175 | 2911 ROCKY MOUNTAIN DR | 362.46 |
| 132-0-170-185 | 2925 ROCKY MOUNTAIN DR | 407.76 |
| 132-0-170-195 | 2923 ROCKY MOUNTAIN DR | 407.76 |
| 132-0-170-205 | 2921 ROCKY MOUNTAIN DR | 407.76 |
| 132-0-170-215 | 2927 ROCKY MOUNTAIN DR | 407.76 |
| 132-0-170-225 | 2929 ROCKY MOUNTAIN DR | 407.76 |
| 132-0-170-235 | 2931 ROCKY MOUNTAIN DR | 407.76 |
| 132-0-170-245 | 313 DANVERS RIVER ST | 279.60 |
| 132-0-170-255 | 311 DANVERS RIVER ST | 279.60 |
| 132-0-170-265 | 309 DANVERS RIVER ST | 279.60 |
| 132-0-170-275 | 307 DANVERS RIVER ST | 279.60 |
| 132-0-170-285 | 305 DANVERS RIVER ST | 279.60 |
| 132-0-170-295 | 303 DANVERS RIVER ST | 279.60 |
| 132-0-170-305 | 301 DANVERS RIVER ST | 279.60 |
| 132-0-170-315 | 318 ELK RIVER ST | 317.14 |
| 132-0-170-325 | 316 ELK RIVER ST | 317.14 |
| 132-0-170-335 | 314 ELK RIVER ST | 317.14 |
| 132-0-170-345 | 312 ELK RIVER ST | 317.14 |
| 132-0-170-355 | 310 ELK RIVER ST | 317.14 |
| 132-0-170-365 | 308 ELK RIVER ST | 317.14 |
| 132-0-170-375 | 373 FEATHER RIVER PL | 349.50 |
| 132-0-170-385 | 371 FEATHER RIVER PL | 349.50 |
| 132-0-170-395 | 369 FEATHER RIVER PL | 349.50 |
| 132-0-170-405 | 367 FEATHER RIVER PL | 349.50 |
| 132-0-170-415 | 365 FEATHER RIVER PL | 349.50 |
| 132-0-252-395 | 633 FLATHEAD RIVER ST | $118.26 |
| 132-0-252-405 | 637 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-415 | 639 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-425 | 641 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-435 | 643 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-445 | 645 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-455 | 647 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-465 | 649 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-475 | 3020 N OXNARD BLVD | 163.72 |
| 132-0-252-485 | 3022 N OXNARD BLVD | 163.72 |
| 132-0-252-495 | 3024 N OXNARD BLVD | 163.72 |
| 132-0-252-505 | 3026 N OXNARD BLVD | 163.72 |
| 132-0-252-515 | 3028 N OXNARD BLVD | 163.72 |
| 132-0-252-525 | 3030 N OXNARD BLVD | 163.72 |
| 132-0-252-535 | 3032 N OXNARD BLVD | 163.72 |
| 132-0-260-015 | 416 GREEN RIVER ST | 120.84 |
| 132-0-260-025 | 414 GREEN RIVER ST | 120.84 |
| 132-0-260-035 | 412 GREEN RIVER ST | 120.84 |
| 132-0-260-045 | 410 GREEN RIVER ST | 120.84 |
| 132-0-260-055 | 408 GREEN RIVER ST | 120.84 |
| 132-0-260-065 | 407 FLATHEAD RIVER ST | 120.84 |
| 132-0-260-075 | 417 FLATHEAD RIVER ST | 120.84 |
| 132-0-260-085 | 427 FLATHEAD RIVER ST | 120.84 |
| 132-0-260-095 | 437 FLATHEAD RIVER ST | 120.84 |
| 132-0-260-105 | 447 FLATHEAD RIVER ST | 120.84 |
| 132-0-260-115 | 457 FLATHEAD RIVER ST | 120.84 |
| 132-0-260-125 | 3010 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-135 | 3012 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-145 | 3014 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-155 | 3016 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-165 | 3018 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-175 | 3020 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-185 | 3022 MOONLIGHT PARK AVE | 120.84 |
| 132-0-260-195 | 406 GARONNE ST | 204.50 |
| 132-0-260-205 | 404 GARONNE ST | 204.50 |
| 132-0-260-215 | 402 GARONNE ST | 204.50 |
| 132-0-260-225 | 400 GARONNE ST | 204.50 |
| 132-0-260-235 | 401 FOREST PARK BLVD | 204.50 |
| 132-0-260-245 | 403 FOREST PARK BLVD | 204.50 |
| 132-0-260-255 | 405 FOREST PARK BLVD | 204.50 |
| 132-0-260-265 | 407 FOREST PARK BLVD | 204.50 |
| 132-0-260-275 | 409 FOREST PARK BLVD | 204.50 |
| 132-0-260-285 | 411 FOREST PARK BLVD | 204.50 |
| 132-0-260-295 | 413 FOREST PARK BLVD | 204.50 |
| 132-0-260-305 | 415 FOREST PARK BLVD | 204.50 |
| 132-0-260-315 | 417 FOREST PARK BLVD | 204.50 |
| 132-0-260-355 | 421 FOREST PARK BLVD | 219.54 |
| 132-0-260-365 | 423 FOREST PARK BLVD | 219.54 |
| 132-0-260-375 | 425 FOREST PARK BLVD | 219.54 |
| 132-0-260-385 | 427 FOREST PARK BLVD | 219.54 |
| 132-0-260-395 | 3006 MOONLIGHT PARK AVE | 219.54 |
| 132-0-260-405 | 3004 MOONLIGHT PARK AVE | 219.54 |
| 132-0-260-415 | 3002 MOONLIGHT PARK AVE | 219.54 |
| 132-0-260-425 | 3000 MOONLIGHT PARK AVE | 219.54 |
| 132-0-260-435 | 431 FOREST PARK BLVD | 219.54 |
| 132-0-260-445 | 433 FOREST PARK BLVD | 219.54 |
| 132-0-260-455 | 435 FOREST PARK BLVD | 219.54 |
| 132-0-260-465 | 437 FOREST PARK BLVD | 219.54 |
| 132-0-260-475 | 439 FOREST PARK BLVD | 219.54 |
| 132-0-260-485 | 441 FOREST PARK BLVD | 219.54 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2000-3**
**(OXNARD BLVD/HIGHWAY 101 INTERCHANGE)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 132-0-170-425 | 363 FEATHER RIVER PL | 349.50 | 132-0-260-495 | 443 FOREST PARK BLVD | 219.54 |
| 132-0-170-435 | 361 FEATHER RIVER PL | 349.50 | 132-0-260-505 | NOT AVAILABLE | 694.86 |
| 132-0-170-445 | 355 FEATHER RIVER PL | 349.50 | 132-0-271-155 | 714 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-455 | 353 FEATHER RIVER PL | 349.50 | 132-0-271-165 | 712 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-465 | 351 FEATHER RIVER PL | 349.50 | 132-0-271-175 | 710 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-475 | 349 FEATHER RIVER PL | 349.50 | 132-0-271-185 | 708 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-485 | 347 FEATHER RIVER PL | 349.50 | 132-0-271-195 | 706 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-495 | 345 FEATHER RIVER PL | 349.50 | 132-0-271-205 | 704 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-505 | 343 FEATHER RIVER PL | 349.50 | 132-0-271-215 | 702 FLATHEAD RIVER ST | 119.16 |
| 132-0-170-515 | 341 FEATHER RIVER PL | 299.02 | 132-0-271-285 | 3013 N OXNARD BLVD | 207.98 |
| 132-0-170-525 | 339 FEATHER RIVER PL | 299.02 | 132-0-271-295 | 3011 N OXNARD BLVD | 207.98 |
| 132-0-170-535 | 337 FEATHER RIVER PL | 299.02 | 132-0-271-305 | 3009 N OXNARD BLVD | 207.98 |
| 132-0-170-545 | 335 FEATHER RIVER PL | 299.02 | 132-0-271-315 | 3007 N OXNARD BLVD | 207.98 |
| 132-0-170-555 | 333 FEATHER RIVER PL | 299.02 | 132-0-271-325 | 701 FOREST PARK BLVD | 207.98 |
| 132-0-170-565 | 331 FEATHER RIVER PL | 299.02 | 132-0-271-335 | 703 FOREST PARK BLVD | 207.98 |
| 132-0-170-575 | 321 FEATHER RIVER PL | 380.58 | 132-0-271-345 | 705 FOREST PARK BLVD | 207.98 |
| 132-0-170-585 | 319 FEATHER RIVER PL | 380.58 | 132-0-271-355 | 707 FOREST PARK BLVD | 207.98 |
| 132-0-170-595 | 317 FEATHER RIVER PL | 380.58 | 132-0-271-365 | 709 FOREST PARK BLVD | 207.98 |
| 132-0-170-605 | 315 FEATHER RIVER PL | 380.58 | 132-0-271-375 | 711 FOREST PARK BLVD | 207.98 |
| 132-0-170-615 | 316 FEATHER RIVER PL | 362.46 | 132-0-271-385 | 713 FOREST PARK BLVD | 207.98 |
| 132-0-170-625 | 318 FEATHER RIVER PL | 362.46 | 132-0-271-395 | 717 FOREST PARK BLVD | 207.98 |
| 132-0-170-635 | 320 FEATHER RIVER PL | 362.46 | 132-0-271-405 | 719 FOREST PARK BLVD | 207.98 |
| 132-0-170-645 | 319 ELK RIVER ST | 353.40 | 132-0-271-415 | 721 FOREST PARK BLVD | 207.98 |
| 132-0-170-655 | 317 ELK RIVER ST | 353.40 | 132-0-271-425 | 723 FOREST PARK BLVD | 207.98 |
| 132-0-170-665 | 315 ELK RIVER ST | 353.40 | 132-0-271-435 | 725 FOREST PARK BLVD | 207.98 |
| 132-0-170-675 | 313 ELK RIVER ST | 353.40 | 132-0-271-445 | 727 FOREST PARK BLVD | 207.98 |
| 132-0-180-175 | 351 FOREST PARK BLVD | 232.00 | 132-0-271-455 | 729 FOREST PARK BLVD | 207.98 |
| 132-0-180-185 | 349 FOREST PARK BLVD | 232.00 | 132-0-271-465 | 731 FOREST PARK BLVD | 207.98 |
| 132-0-180-195 | 347 FOREST PARK BLVD | 232.00 | 132-0-271-475 | 733 FOREST PARK BLVD | 207.98 |
| 132-0-180-205 | 345 FOREST PARK BLVD | 232.00 | 132-0-271-485 | 737 FOREST PARK BLVD | 207.98 |
| 132-0-180-215 | 343 FOREST PARK BLVD | 232.00 | 132-0-271-495 | 749 FOREST PARK BLVD | 207.98 |
| 132-0-180-225 | 341 FOREST PARK BLVD | 232.00 | 132-0-271-505 | 751 FOREST PARK BLVD | 207.98 |
| 132-0-180-235 | 335 FOREST PARK BLVD | 232.00 | 132-0-271-515 | 753 FOREST PARK BLVD | 207.98 |
| 132-0-180-245 | 333 FOREST PARK BLVD | 232.00 | 132-0-271-525 | 755 FOREST PARK BLVD | 207.98 |
| 132-0-180-255 | 331 FOREST PARK BLVD | 232.00 | 132-0-271-535 | 757 FOREST PARK BLVD | 207.98 |
| 132-0-180-265 | 321 FOREST PARK BLVD | 232.00 | 132-0-271-545 | 759 FOREST PARK BLVD | 207.98 |
| 132-0-180-275 | 319 FOREST PARK BLVD | 232.00 | 132-0-271-555 | 761 FOREST PARK BLVD | 207.98 |
| 132-0-180-285 | 317 FOREST PARK BLVD | 232.00 | 132-0-271-565 | 763 FOREST PARK BLVD | 207.98 |
| 132-0-180-295 | 315 FOREST PARK BLVD | 232.00 | 132-0-271-575 | 765 FOREST PARK BLVD | 207.98 |
| 132-0-180-305 | 313 FOREST PARK BLVD | 232.00 | 132-0-271-585 | 3010 VENTURA RD | 207.98 |
| 132-0-180-315 | 311 FOREST PARK BLVD | 232.00 | 132-0-271-595 | 3012 VENTURA RD | 207.98 |
| 132-0-180-325 | 309 FOREST PARK BLVD | 232.00 | 132-0-271-605 | 3014 VENTURA RD | 207.98 |
| 132-0-180-335 | 307 FOREST PARK BLVD | 232.00 | 132-0-271-615 | 3016 VENTURA RD | 207.98 |
| 132-0-180-425 | 3032 SHENANDOAH DR | 143.12 | 132-0-272-375 | 3033 N OXNARD BLVD | 172.92 |
| 132-0-180-435 | 3022 SHENANDOAH DR | 143.12 | 132-0-272-385 | 3031 N OXNARD BLVD | 172.92 |
| 132-0-180-445 | 3012 SHENANDOAH DR | 143.12 | 132-0-272-395 | 3029 N OXNARD BLVD | 172.92 |
| 132-0-180-455 | 3002 SHENANDOAH DR | 143.12 | 132-0-272-405 | 3027 N OXNARD BLVD | 172.92 |
| 132-0-180-465 | 3003 SHENANDOAH DR | 146.30 | 132-0-272-415 | 3025 N OXNARD BLVD | 172.92 |
| 132-0-180-475 | 3013 SHENANDOAH DR | 146.30 | 132-0-272-425 | 3023 N OXNARD BLVD | 172.92 |
| 132-0-180-485 | 3023 SHENANDOAH DR | 146.30 | 132-0-272-435 | 3021 N OXNARD BLVD | 172.92 |
| 132-0-180-495 | 3033 SHENANDOAH DR | 146.30 | 132-0-280-015 | 470 GARONNE ST | 143.50 |
| 132-0-180-505 | 3043 SHENANDOAH DR | 146.30 | 132-0-280-025 | 468 GARONNE ST | 143.50 |
| 132-0-180-545 | 3034 ROIA LN | 166.98 | 132-0-280-035 | 466 GARONNE ST | 143.50 |
| 132-0-180-555 | 3024 ROIA LN | 166.98 | 132-0-280-045 | 464 GARONNE ST | 143.50 |
| 132-0-180-565 | 3014 ROIA LN | 166.98 | 132-0-280-055 | 462 GARONNE ST | 143.50 |
| 132-0-180-575 | 3004 ROIA LN | 166.98 | 132-0-280-065 | 460 GARONNE ST | 143.50 |
| 132-0-180-585 | 3005 ROIA LN | 201.44 | 132-0-280-075 | 430 GARONNE ST | 143.50 |
| 132-0-180-595 | 3015 ROIA LN | 201.44 | 132-0-280-085 | 428 GARONNE ST | 143.50 |
| 132-0-180-605 | 3025 ROIA LN | 201.44 | 132-0-280-095 | 426 GARONNE ST | 143.50 |
| 132-0-180-675 | 3026 PALISADES PARK DR | 180.24 | 132-0-280-105 | 424 GARONNE ST | 143.50 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2000-3**
**(OXNARD BLVD/HIGHWAY 101 INTERCHANGE)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 132-0-180-685 | 3016 PALISADES PARK DR | 180.24 | 132-0-280-115 | 422 GARONNE ST | 143.50 |
| 132-0-180-695 | 3006 PALISADES PARK DR | 180.24 | 132-0-280-125 | 420 GARONNE ST | 143.50 |
| 132-0-180-765 | 405 GARONNE ST | 212.04 | 132-0-280-135 | 421 GREEN RIVER ST | 143.50 |
| 132-0-180-775 | 403 GARONNE ST | 212.04 | 132-0-280-145 | 423 GREEN RIVER ST | 143.50 |
| 132-0-180-785 | 401 GARONNE ST | 212.04 | 132-0-280-155 | 425 GREEN RIVER ST | 143.50 |
| 132-0-190-015 | 321 COLORADO RIVER PL | 242.56 | 132-0-280-165 | 427 GREEN RIVER ST | 143.50 |
| 132-0-190-025 | 331 COLORADO RIVER PL | 242.56 | 132-0-280-175 | 429 GREEN RIVER ST | 143.50 |
| 132-0-190-035 | 341 COLORADO RIVER PL | 242.56 | 132-0-280-185 | 431 GREEN RIVER ST | 143.50 |
| 132-0-190-045 | 351 COLORADO RIVER PL | 242.56 | 132-0-280-195 | NOT AVAILABLE | 143.50 |
| 132-0-190-055 | 391 COLORADO RIVER PL | 242.56 | 132-0-280-205 | 463 GREEN RIVER ST | 143.50 |
| 132-0-190-065 | 381 COLORADO RIVER PL | 242.56 | 132-0-280-215 | 465 GREEN RIVER ST | 143.50 |
| 132-0-190-075 | 371 COLORADO RIVER PL | 242.56 | 132-0-280-225 | 467 GREEN RIVER ST | 143.50 |
| 132-0-190-085 | 361 COLORADO RIVER PL | 242.56 | 132-0-280-235 | 469 GREEN RIVER ST | 143.50 |
| 132-0-190-095 | 2800 RIVERPARK BLVD | 242.56 | 132-0-280-245 | 471 GREEN RIVER ST | 143.50 |
| 132-0-190-105 | 2802 RIVERPARK BLVD | 242.56 | 132-0-290-075 | 530 GARONNE ST | 131.64 |
| 132-0-190-115 | 2804 RIVERPARK BLVD | 242.56 | 132-0-290-085 | 528 GARONNE ST | 131.64 |
| 132-0-190-125 | 2820 RIVERPARK BLVD | 242.56 | 132-0-290-095 | 526 GARONNE ST | 131.64 |
| 132-0-190-135 | 2818 RIVERPARK BLVD | 242.56 | 132-0-290-105 | 524 GARONNE ST | 131.64 |
| 132-0-190-145 | 2816 RIVERPARK BLVD | 242.56 | 132-0-290-115 | 522 GARONNE ST | 131.64 |
| 132-0-190-155 | 2814 RIVERPARK BLVD | 242.56 | 132-0-290-125 | 520 GARONNE ST | 131.64 |
| 132-0-190-165 | 2812 RIVERPARK BLVD | 242.56 | 132-0-290-135 | 521 GREEN RIVER ST | 131.64 |
| 132-0-190-175 | 2810 RIVERPARK BLVD | 242.56 | 132-0-290-145 | 523 GREEN RIVER ST | 131.64 |
| 132-0-190-185 | 2821 SMOKY MOUNTAIN DR | 242.56 | 132-0-290-155 | 525 GREEN RIVER ST | 131.64 |
| 132-0-190-195 | 2819 SMOKY MOUNTAIN DR | 242.56 | 132-0-290-165 | 527 GREEN RIVER ST | 131.64 |
| 132-0-190-205 | 2817 SMOKY MOUNTAIN DR | 242.56 | 132-0-290-175 | 529 GREEN RIVER ST | 131.64 |
| 132-0-190-215 | 2815 SMOKY MOUNTAIN DR | 242.56 | 132-0-290-185 | 531 GREEN RIVER ST | 131.64 |
| 132-0-190-225 | 2813 SMOKY MOUNTAIN DR | 242.56 | 132-0-311-035 | NOT AVAILABLE | 6,760.64 |
| 132-0-190-235 | 2811 SMOKY MOUNTAIN DR | 242.56 | 132-0-311-045 | NOT AVAILABLE | 6,516.16 |
| 132-0-190-245 | 2801 SMOKY MOUNTAIN DR | 242.56 | 132-0-311-055 | 2766 SEAGLASS WAY | 4,414.80 |
| 132-0-190-255 | 2803 SMOKY MOUNTAIN DR | 242.56 | 132-0-311-105 | 400 TOWN CENTER DR | 11,221.92 |
| 132-0-190-265 | 2805 SMOKY MOUNTAIN DR | 242.56 | 132-0-311-115 | 681 TOWN CENTER DR | 1,248.42 |
| 132-0-190-275 | 2835 SMOKY MOUNTAIN DR | 221.36 | 132-0-311-125 | 691 TOWN CENTER DR | 839.06 |
| 132-0-190-285 | 2833 SMOKY MOUNTAIN DR | 221.36 | 132-0-311-135 | 598 TOWN CENTER DR | 1,590.52 |
| 132-0-190-295 | 2831 SMOKY MOUNTAIN DR | 221.36 | 132-0-311-165 | NOT AVAILABLE | 781.30 |
| 132-0-190-305 | 2830 RIVERPARK BLVD | 221.36 | 132-0-311-175 | NOT AVAILABLE | 87,654.16 |
| 132-0-190-315 | NOT AVAILABLE | 221.36 | 132-0-311-185 | 656 TOWN CENTER WAY | 2,428.38 |
| 132-0-190-325 | 2834 RIVER PARK BLVD | 221.36 | 132-0-311-195 | 670 TOWN CENTER WAY | 232.28 |
| 132-0-190-335 | 392 DANVERS RIVER ST | 221.36 | 132-0-330-015 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-345 | 382 DANVERS RIVER ST | 221.36 | 132-0-330-025 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-355 | 372 DANVERS RIVER ST | 221.36 | 132-0-330-035 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-365 | 362 DANVERS RIVER ST | 221.36 | 132-0-330-045 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-375 | 322 DANVERS RIVER ST | 221.36 | 132-0-330-055 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-385 | 332 DANVERS RIVER ST | 221.36 | 132-0-330-065 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-395 | 342 DANVERS RIVER ST | 221.36 | 132-0-330-075 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-190-405 | 352 DANVERS RIVER ST | 221.36 | 132-0-330-085 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-200-015 | 2716 RIVERPARK BLVD | 239.22 | 132-0-330-095 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-200-025 | 2714 RIVERPARK BLVD | 239.22 | 132-0-330-105 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-200-035 | 2712 RIVERPARK BLVD | 239.22 | 132-0-330-115 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-200-045 | 2710 RIVERPARK BLVD | 239.22 | 132-0-330-125 | 361 RIVERPARK BLVD | 101.78 |
| 132-0-200-055 | 2720 RIVERPARK BLVD | 239.22 | 132-0-340-015 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-065 | 2722 RIVERPARK BLVD | 239.22 | 132-0-340-025 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-075 | 2724 RIVERPARK BLVD | 239.22 | 132-0-340-035 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-085 | 2726 RIVERPARK BLVD | 239.22 | 132-0-340-045 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-095 | 2734 RIVERPARK BLVD | 239.22 | 132-0-340-055 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-105 | 2732 RIVERPARK BLVD | 239.22 | 132-0-340-065 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-115 | 2730 RIVERPARK BLVD | 239.22 | 132-0-340-075 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-125 | 390 COLORADO RIVER PL | 239.22 | 132-0-340-085 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-135 | 380 COLORADO RIVER PL | 239.22 | 132-0-340-095 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-145 | 370 COLORADO RIVER PL | 239.22 | 132-0-340-105 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-200-155 | 360 COLORADO RIVER PL | 239.22 | 132-0-340-115 | 359 RIVERPARK BLVD | 101.78 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2000-3**
**(OXNARD BLVD/HIGHWAY 101 INTERCHANGE)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 132-0-200-165 | 320 COLORADO RIVER PL | 239.22 |
| 132-0-200-175 | 330 COLORADO RIVER PL | 239.22 |
| 132-0-200-185 | 340 COLORADO RIVER PL | 239.22 |
| 132-0-200-195 | 350 COLORADO RIVER PL | 239.22 |
| 132-0-200-205 | 2735 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-215 | 2733 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-225 | 2731 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-235 | 2721 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-245 | 2723 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-255 | 2725 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-265 | 2727 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-275 | 2717 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-285 | 2715 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-295 | 2713 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-305 | 2711 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-455 | 2701 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-465 | 2703 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-475 | 2705 SMOKY MOUNTAIN DR | 264.08 |
| 132-0-200-485 | 2700 RIVERPARK BLVD | 239.22 |
| 132-0-200-495 | 2702 RIVERPARK BLVD | 239.22 |
| 132-0-200-505 | 2704 RIVERPARK BLVD | 239.22 |
| 132-0-200-515 | 341 AMERICAN RIVER CT | 239.22 |
| 132-0-200-525 | 343 AMERICAN RIVER CT | 239.22 |
| 132-0-200-535 | 345 AMERICAN RIVER CT | 239.22 |
| 132-0-200-545 | 347 AMERICAN RIVER CT | 239.22 |
| 132-0-200-555 | 357 AMERICAN RIVER CT | 239.22 |
| 132-0-200-565 | 355 AMERICAN RIVER CT | 239.22 |
| 132-0-200-575 | 353 AMERICAN RIVER CT | 239.22 |
| 132-0-200-585 | 351 AMERICAN RIVER CT | 239.22 |
| 132-0-210-345 | 300 BIG SUR RIVER PL | 220.18 |
| 132-0-210-355 | 302 BIG SUR RIVER PL | 220.18 |
| 132-0-210-365 | 304 BIG SUR RIVER PL | 220.18 |
| 132-0-210-375 | 306 BIG SUR RIVER PL | 220.18 |
| 132-0-210-385 | 308 BIG SUR RIVER PL | 220.18 |
| 132-0-210-395 | 310 BIG SUR RIVER PL | 220.18 |
| 132-0-210-405 | 301 AMERICAN RIVER CT | 220.18 |
| 132-0-210-415 | 303 AMERICAN RIVER CT | 220.18 |
| 132-0-210-425 | 305 AMERICAN RIVER CT | 220.18 |
| 132-0-210-435 | 307 AMERICAN RIVER CT | 220.18 |
| 132-0-210-445 | 309 AMERICAN RIVER CT | 220.18 |
| 132-0-210-455 | 311 AMERICAN RIVER CT | 220.18 |
| 132-0-210-465 | 312 BIG SUR RIVER PL | 220.18 |
| 132-0-210-475 | 314 BIG SUR RIVER PL | 220.18 |
| 132-0-210-495 | 318 BIG SUR RIVER PL | 220.18 |
| 132-0-210-505 | 313 AMERICAN RIVER CT | 220.18 |
| 132-0-210-515 | 315 AMERICAN RIVER CT | 220.18 |
| 132-0-210-525 | 317 AMERICAN RIVER CT | 220.18 |
| 132-0-210-535 | 319 AMERICAN RIVER CT | 220.18 |
| 132-0-210-545 | 330 BIG SUR RIVER PL | 212.94 |
| 132-0-210-555 | 328 BIG SUR RIVER PL | 212.94 |
| 132-0-210-565 | 326 BIG SUR RIVER PL | 212.94 |
| 132-0-210-575 | 324 BIG SUR RIVER PL | 212.94 |
| 132-0-210-585 | 322 BIG SUR RIVER PL | 212.94 |
| 132-0-210-595 | 320 BIG SUR RIVER PL | 212.94 |
| 132-0-210-605 | 331 AMERICAN RIVER CT | 212.94 |
| 132-0-210-615 | 329 AMERICAN RIVER CT | 212.94 |
| 132-0-210-625 | 327 AMERICAN RIVER CT | 212.94 |
| 132-0-210-635 | 325 AMERICAN RIVER CT | 212.94 |
| 132-0-210-645 | 323 AMERICAN RIVER CT | 212.94 |
| 132-0-210-655 | 321 AMERICAN RIVER CT | 212.94 |

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 132-0-340-125 | 359 RIVERPARK BLVD | 101.78 |
| 132-0-350-015 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-025 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-035 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-045 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-055 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-065 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-075 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-085 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-095 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-105 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-115 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-350-125 | 357 RIVERPARK BLVD | 101.78 |
| 132-0-360-015 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-025 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-035 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-045 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-055 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-065 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-075 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-085 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-095 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-105 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-115 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-360-125 | 355 RIVERPARK BLVD | 101.78 |
| 132-0-370-015 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-025 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-035 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-045 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-055 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-065 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-075 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-085 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-095 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-105 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-115 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-370-125 | 353 RIVERPARK BLVD | 101.78 |
| 132-0-380-015 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-025 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-035 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-045 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-055 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-065 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-075 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-085 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-095 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-105 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-115 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-380-125 | 351 RIVERPARK BLVD | 101.78 |
| 132-0-390-015 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-025 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-035 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-045 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-055 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-065 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-075 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-085 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-095 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-105 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-390-115 | 323 RIVERPARK BLVD | 101.78 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2000-3**
**(OXNARD BLVD/HIGHWAY 101 INTERCHANGE)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount | Parcel No. | Site Address | Levy Amount |
|---|---|---|---|---|---|
| 132-0-230-195 | 500 FOREST PARK BLVD | 8,135.18 | 132-0-390-125 | 323 RIVERPARK BLVD | 101.78 |
| 132-0-230-205 | 500 FOREST PARK BLVD | 8,135.18 | 132-0-400-015 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-230-225 | 470 FOREST PARK BLVD | 16,814.14 | 132-0-400-025 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-230-235 | 401 DANVERS RIVER DR | 3,512.28 | 132-0-400-035 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-015 | 648 FLATHEAD RIVER ST | 118.26 | 132-0-400-045 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-025 | 646 FLATHEAD RIVER ST | 118.26 | 132-0-400-055 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-035 | 644 FLATHEAD RIVER ST | 118.26 | 132-0-400-065 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-045 | 642 FLATHEAD RIVER ST | 118.26 | 132-0-400-075 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-055 | 640 FLATHEAD RIVER ST | 118.26 | 132-0-400-085 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-065 | 638 FLATHEAD RIVER ST | 118.26 | 132-0-400-095 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-075 | 636 FLATHEAD RIVER ST | 118.26 | 132-0-400-105 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-085 | 634 FLATHEAD RIVER ST | 118.26 | 132-0-400-115 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-095 | 632 FLATHEAD RIVER ST | 118.26 | 132-0-400-125 | 321 RIVERPARK BLVD | 101.78 |
| 132-0-251-105 | 630 FLATHEAD RIVER ST | 118.26 | 132-0-410-015 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-115 | 628 FLATHEAD RIVER ST | 118.26 | 132-0-410-025 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-125 | 626 FLATHEAD RIVER ST | 118.26 | 132-0-410-035 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-135 | 624 FLATHEAD RIVER ST | 118.26 | 132-0-410-045 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-145 | 622 FLATHEAD RIVER ST | 118.26 | 132-0-410-055 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-155 | 620 FLATHEAD RIVER ST | 118.26 | 132-0-410-065 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-165 | 614 FLATHEAD RIVER ST | 118.26 | 132-0-410-075 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-175 | 612 FLATHEAD RIVER ST | 118.26 | 132-0-410-085 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-185 | 610 FLATHEAD RIVER ST | 118.26 | 132-0-410-095 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-195 | 608 FLATHEAD RIVER ST | 118.26 | 132-0-410-105 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-205 | 606 FLATHEAD RIVER ST | 118.26 | 132-0-410-115 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-215 | 604 FLATHEAD RIVER ST | 118.26 | 132-0-410-125 | 319 RIVERPARK BLVD | 101.78 |
| 132-0-251-225 | 602 FLATHEAD RIVER ST | 118.26 | 132-0-420-015 | 2831 N VENTURA RD | 692.18 |
| 132-0-251-235 | 600 FLATHEAD RIVER ST | 118.26 | 132-0-420-025 | 2851 N VENTURA RD | 519.12 |
| 132-0-251-245 | 514 FLATHEAD RIVER ST | 118.26 | 132-0-420-075 | 2861 N VENTURA RD | 129.78 |
| 132-0-251-255 | 512 FLATHEAD RIVER ST | 118.26 | 132-0-420-085 | 2861 N VENTURA RD | 129.78 |
| 132-0-251-265 | 510 FLATHEAD RIVER ST | 118.26 | 132-0-420-095 | 2861 N VENTURA RD | 129.78 |
| 132-0-251-275 | 508 FLATHEAD RIVER ST | 118.26 | 132-0-420-105 | 2861 N VENTURA RD | 129.78 |
| 132-0-251-285 | 506 FLATHEAD RIVER ST | 118.26 | 132-0-420-115 | 2841 N VENTURA RD | 519.12 |
| 132-0-251-295 | 504 FLATHEAD RIVER ST | 118.26 | 132-0-430-015 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-305 | 502 FLATHEAD RIVER ST | 118.26 | 132-0-430-025 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-315 | 500 FLATHEAD RIVER ST | 118.26 | 132-0-430-035 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-325 | 3007 MOONLIGHT PARK AVE | 300.32 | 132-0-430-045 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-335 | 3005 MOONLIGHT PARK AVE | 300.32 | 132-0-430-055 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-345 | 3003 MOONLIGHT PARK AVE | 300.32 | 132-0-430-065 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-355 | 3001 MOONLIGHT PARK AVE | 300.32 | 132-0-430-075 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-365 | 639 FOREST PARK BLVD | 172.92 | 132-0-430-085 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-375 | 637 FOREST PARK BLVD | 172.92 | 132-0-430-095 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-385 | 635 FOREST PARK BLVD | 172.92 | 132-0-430-105 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-395 | 633 FOREST PARK BLVD | 172.92 | 132-0-430-115 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-405 | 631 FOREST PARK BLVD | 172.92 | 132-0-430-125 | 317 RIVERPARK BLVD | 101.78 |
| 132-0-251-415 | 629 FOREST PARK BLVD | 172.92 | 132-0-440-015 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-425 | 627 FOREST PARK BLVD | 172.92 | 132-0-440-025 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-435 | 625 FOREST PARK BLVD | 172.92 | 132-0-440-035 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-445 | 623 FOREST PARK BLVD | 172.92 | 132-0-440-045 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-455 | 621 FOREST PARK BLVD | 172.92 | 132-0-440-055 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-465 | 519 FOREST PARK BLVD | 172.92 | 132-0-440-065 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-475 | 517 FOREST PARK BLVD | 172.92 | 132-0-440-075 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-485 | 515 FOREST PARK BLVD | 172.92 | 132-0-440-085 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-495 | 513 FOREST PARK BLVD | 172.92 | 132-0-440-095 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-505 | 511 FOREST PARK BLVD | 172.92 | 132-0-440-105 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-515 | 509 FOREST PARK BLVD | 172.92 | 132-0-440-115 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-525 | 507 FOREST PARK BLVD | 172.92 | 132-0-440-125 | 315 RIVERPARK BLVD | 101.78 |
| 132-0-251-535 | 505 FOREST PARK BLVD | 172.92 | 132-0-450-015 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-251-545 | 503 FOREST PARK BLVD | 172.92 | 132-0-450-025 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-251-555 | 501 FOREST PARK BLVD | 172.92 | 132-0-450-035 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-251-565 | 617 FOREST PARK BLVD | 172.92 | 132-0-450-045 | 313 RIVERPARK BLVD | 101.78 |

**EXHIBIT A**

**CITY OF OXNARD**
**COMMUNITY FACILITIES DISTRICT NO. 2000-3**
**(OXNARD BLVD/HIGHWAY 101 INTERCHANGE)**
**FISCAL YEAR 2018-2019 LEVY**

| Parcel No. | Site Address | Levy Amount |
|---|---|---|
| 132-0-251-575 | 615 FOREST PARK BLVD | 172.92 |
| 132-0-251-585 | 613 FOREST PARK BLVD | 172.92 |
| 132-0-251-595 | 611 FOREST PARK BLVD | 172.92 |
| 132-0-251-605 | 609 FOREST PARK BLVD | 172.92 |
| 132-0-251-615 | 607 FOREST PARK BLVD | 172.92 |
| 132-0-251-625 | 605 FOREST PARK BLVD | 172.92 |
| 132-0-251-635 | 603 FOREST PARK BLVD | 172.92 |
| 132-0-251-645 | 601 FOREST PARK BLVD | 172.92 |
| 132-0-251-655 | 3008 N OXNARD BLVD | 172.92 |
| 132-0-251-665 | 3010 N OXNARD BLVD | 172.92 |
| 132-0-251-675 | 3012 N OXNARD BLVD | 172.92 |
| 132-0-251-685 | 3014 N OXNARD BLVD | 172.92 |
| 132-0-252-015 | 614 GREEN RIVER ST | 118.26 |
| 132-0-252-025 | 612 GREEN RIVER ST | 118.26 |
| 132-0-252-035 | 610 GREEN RIVER ST | 118.26 |
| 132-0-252-045 | 608 GREEN RIVER ST | 118.26 |
| 132-0-252-055 | 606 GREEN RIVER ST | 118.26 |
| 132-0-252-065 | 604 GREEN RIVER ST | 118.26 |
| 132-0-252-075 | 602 GREEN RIVER ST | 118.26 |
| 132-0-252-085 | 3025 MOSS LANDING BLVD | 118.26 |
| 132-0-252-095 | 3023 MOSS LANDING BLVD | 118.26 |
| 132-0-252-105 | 3021 MOSS LANDING BLVD | 118.26 |
| 132-0-252-115 | 3019 MOSS LANDING BLVD | 118.26 |
| 132-0-252-125 | 3017 MOSS LANDING BLVD | 118.26 |
| 132-0-252-135 | 3015 MOSS LANDING BLVD | 118.26 |
| 132-0-252-145 | 3013 MOSS LANDING BLVD | 118.26 |
| 132-0-252-155 | 3011 MOSS LANDING BLVD | 118.26 |
| 132-0-252-165 | 603 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-175 | 605 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-185 | 607 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-195 | 609 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-205 | 611 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-215 | 613 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-225 | 615 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-235 | 646 GREEN RIVER ST | 118.26 |
| 132-0-252-245 | 644 GREEN RIVER ST | 118.26 |
| 132-0-252-255 | 642 GREEN RIVER ST | 118.26 |
| 132-0-252-265 | 640 GREEN RIVER ST | 118.26 |
| 132-0-252-275 | 638 GREEN RIVER ST | 118.26 |
| 132-0-252-285 | 636 GREEN RIVER ST | 118.26 |
| 132-0-252-295 | 634 GREEN RIVER ST | 118.26 |
| 132-0-252-305 | 630 GREEN RIVER ST | 118.26 |
| 132-0-252-315 | 628 GREEN RIVER ST | 118.26 |
| 132-0-252-325 | 624 GREEN RIVER ST | 118.26 |
| 132-0-252-335 | 622 GREEN RIVER ST | 118.26 |
| 132-0-252-345 | 620 GREEN RIVER ST | 118.26 |
| 132-0-252-355 | 625 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-365 | 627 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-375 | 629 FLATHEAD RIVER ST | 118.26 |
| 132-0-252-385 | 631 FLATHEAD RIVER ST | 118.26 |
| 132-0-450-055 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-065 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-075 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-085 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-095 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-105 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-115 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-450-125 | 313 RIVERPARK BLVD | 101.78 |
| 132-0-460-015 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-025 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-035 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-045 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-055 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-065 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-075 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-085 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-095 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-105 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-115 | 311 RIVERPARK BLVD | 101.78 |
| 132-0-460-125 | 311 RIVERPARK BLVD | 101.78 |
| 139-0-050-140 | NOT AVAILABLE | 343.58 |
| 139-0-050-225 | 2370 N H ST | 171.78 |
| 142-0-010-065 | NOT AVAILABLE | 183.24 |
| 142-0-010-215 | 101 W ESPLANADE DR | 1,047.94 |
| 142-0-010-345 | 2420 N OXNARD BLVD | 11,785.08 |
| 142-0-010-425 | 200 W ESPLANADE DR | 2,078.70 |
| 142-0-010-515 | 271 W ESPLANADE DR | 2,395.12 |
| 142-0-010-555 | 361 W ESPLANADE DR | 4,430.96 |
| 142-0-010-575 | NOT AVAILABLE | 3,273.32 |
| 142-0-010-605 | NOT AVAILABLE | 933.40 |
| 142-0-010-615 | 401 W ESPLANADE DR | 24,030.98 |
| 142-0-010-625 | 151 W ESPLANADE DR | 37,164.18 |
| 142-0-010-635 | 411 ESPLANADE DR | 12,610.90 |
| 142-0-010-645 | 421 W ESPLANADE DR | 1,533.48 |
| 142-0-021-010 | 2420 N OXNARD BLVD | 7,467.32 |
| 142-0-021-070 | 2360 N OXNARD BLVD | 3,733.66 |
| 142-0-021-080 | 2368 N OXNARD BLVD | 1,895.46 |
| 142-0-021-170 | 2341 VINEYARD AVE | 5,285.54 |
| 142-0-021-240 | 2303 N VINEYARD AVE | 2,685.72 |
| 142-0-021-250 | 2441 VINEYARD AVE | 2,662.80 |
| 142-0-022-605 | 300 ESPLANADE DR | 27,205.82 |
| 142-0-022-615 | NOT AVAILABLE | 21,641.00 |
| 142-0-235-180 | 111 E GONZALES RD | 5,849.18 |
| 142-0-235-190 | 137 E GONZALES RD | 6,749.06 |
| 142-0-310-015 | 300 W ESPLANADE DR | 3,753.30 |
| 142-0-310-025 | 250 W ESPLANADE DR | 13,818.00 |
| 142-0-310-035 | NOT AVAILABLE | 1,467.76 |
| 142-0-310-045 | NOT AVAILABLE | 2,075.84 |
| 142-0-310-055 | 150 W ESPLANADE DR | 6,206.56 |
| 142-0-310-065 | NOT AVAILABLE | 1,740.36 |
| **Total** | **700 Parcels** | **$598,980.58** |

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| | |
|---|---|
| CITY OF OXNARD CALIFORNIA — **CITY COUNCIL** **AGENDA REPORT** | **TYPE OF ITEM: Info/Consent** **AGENDA ITEM NO.: 12** |

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Scott Whitney
Interim City Manager/Police Chief

**SUBJECT:** Opposition to Concealed Carry Reciprocity Resolution.

**CONTACT:** Scott Whitney, Interim City Manager/Police Chief
Scott.Whitney@OxnardPD.org, (805) 385-7624

**RECOMMENDATION:**

That City Council adopt a resolution opposing Senate Bill 446 and H.R. Bill 38, titled *Constitutional Concealed Carry Reciprocity Act of 2017* and *Concealed Carry Reciprocity Act of 2017,* respectively.

**BACKGROUND**

On January 3, 2017, the Concealed Carry Reciprocity Act of 2017 (H.R. 38) was introduced by Rep. Richard Hudson. This bill would create national reciprocity for state concealed carry permits, meaning that it would force every state to recognize concealed carry weapon (CCW) permits issued by other states, regardless of the permitting standards of the issuing state. Additionally, this bill notes that an individual who has a concealed carry permit from another state is not subject to the federal prohibition on possessing a firearm in a school zone, and may carry or possess the concealed handgun in federally owned lands that are open to the public. On February 27, 2017, Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446) was reintroduced by Senator John Cornyn, which is a companion bill to HR. 38.

Under California law, in order to obtain a conceal carry permit, an individual must meet specific requirements, including having “a good cause” for carrying a weapon and pass a training course. Furthermore, California law requires that if an individual has a conceal carry permit from another state, that individual is prohibited from carrying a conceal weapon in California, unless they obtain a CCW permit in California.

While many states have chosen to set up strong regulations regarding CCW, some states have chosen to have either very loose regulations or none at all. If passed, H.R. 38 and S. 446 would seriously undermine California's current regulations regarding CCW permits. Furthermore, these bills would override the Gun Free School Zones Act, which makes it a federal crime to carry a gun in a school zone.

Several cities throughout the Unites States have adopted resolutions in opposition, including: Los Angeles, San Francisco, Oakland, New York, Chicago and Minneapolis/St. Paul. Additionally, several organizations have also raised concerns and oppose this legislation, including: the California State Sheriffs Association, California Police Chiefs Association, and the International Association of Chiefs of Police.

The City of Oxnard has experienced gun violence. Between 2015 and 2017, over four-hundred (400) individuals were gunshot victims in reported aggravated assaults or homicides. A law allowing an increase in the amount of untrained people to carry loaded, hidden guns in more public places would likely bring an increase to those numbers.

The legislation passed the House on December 6, 2017 by a 231-198 vote. The Senate plans to take up the legislation some time in 2018. The adoption of these bills would have a negative impact on the California's CCW laws and would likely make it more challenging for the Oxnard Police Department to enforce state law.

For the reasons stated above, it is recommended for City Council to approve a resolution in opposition to Concealed Carry Reciprocity Act of 2017 (H.R. 38) and Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446).

**STRATEGIC PRIORITIES**

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 1. Improve community safety and quality of life through a combination of prevention, intervention, and suppression efforts that address crime and underlying issues.

Objective 1c. Highlight our continued efforts to address Domestic Violence.

**FINANCIAL IMPACT**

There is no financial impact to the city.

<INSERT BODY HERE>

**ATTACHMENTS:**

Attachment A: City Council Resolution-Concealed Carry Reciprocity

Attachment B: H.R. 38 Concealed Carry Reciprocity Act of 2017

Attachment C: S 446 Consititutional Concealed Carry Reciprocity Act of 2017

# RESOLUTION NO. ______

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA EXPRESSING OPPOSITION TO THE CONCEALED CARRY RECIPROCITY ACT OF 2017

**WHEREAS**, On January 3, 2017, U.S. Representative Richard Hudson (R-NC) introduced HR 38 and on February 27, 2017, U.S. Senator John Cornyn (R-TX) introduced S 446, both known as the Concealed Carry Reciprocity Act of 2017;

**WHEREAS**, On December 6, 2017, the U.S. House of Representatives passed HR 38;

**WHEREAS**, While every state allows concealed carry of firearms under some circumstances, each state has different requirements on who is permitted to carry, what requirements are appropriate, and what type of training should be required of permit holders;

**WHEREAS**, The Concealed Carry Reciprocity Act of 2017 would allow people with concealed carry permits in one state to take their weapon to any other state, even if the other state has stricter limits on concealed carry weapons than the home state in which they obtained their permit;

**WHEREAS**, California has the strictest gun control regulations in the country, and the 8th lowest firearm mortality in the country, this legislation would weaken the regulations we value by allowing gun owners from states with significantly less-stringent regulations to carry weapons in our state;

**WHEREAS**, These Concealed Carry Reciprocity bills would override existing state laws and local practice and limit California's ability to prevent criminal firearm trafficking, criminal possession of weapons, and the general proliferation of firearms in public places;

**WHEREAS**, Scientific studies have shown that firearms are a poor choice for self-defense as they increase the likelihood of death or injury to the possessor;

**WHEREAS**, Gun violence in the City of Oxnard results in over 10 deaths and 130 non-fatal injuries annually and is unacceptable and demands immediate action;

**WHEREAS**, Gun violence in the United States results in over 30,000 deaths and 80,000 non-fatal injuries annually; and we must begin taking steps to protect our citizens from this public health crisis;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City Council of the City of Oxnard hereby opposes the Concealed Carry Reciprocity Act of 2017 and calls on its representatives in the U.S. House of Representatives and Senate to vote against these bills, and to work with their colleagues to oppose these bills; and be it further resolved that the City Clerk be and hereby is requested to forward a suitably engrossed copy of this order to all Oxnard representatives in Congress.

PASSED AND ADOPTED THIS 5th day of June 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
Tim Flynn, Mayor

ATTEST:

______________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

______________________________
Stephen M. Fischer, City Attorney

IIB

115TH CONGRESS
1ST SESSION

# H. R. 38

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2017
Received; read twice and referred to the Committee on the Judiciary

# AN ACT

To amend title 18, United States Code, to provide a means by which nonresidents of a State whose residents may carry concealed firearms may also do so in the State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Concealed Carry Reciprocity Act of 2017''.

# TITLE I—CONCEALED CARRY RECIPROCITY ACT OF 2017

**SEC. 101. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

**''§ 926D. Reciprocity for the carrying of certain concealed firearms**

''(a) Notwithstanding any provision of the law of any State or political subdivision thereof (except as provided in subsection (b)) and subject only to the requirements of this section, a person who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, who is carrying a valid identification document containing a photograph of the person, and who is carrying a valid license or permit which is issued pursuant to the law of a State and which permits the person to carry a concealed firearm or is entitled to carry a concealed firearm in the State in which the person resides, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce, in any State that—

"(1) has a statute under which residents of the State may apply for a license or permit to carry a concealed firearm; or

"(2) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

"(b) This section shall not be construed to supersede or limit the laws of any State that—

"(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

"(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

"(c)(1) A person who carries or possesses a concealed handgun in accordance with subsections (a) and (b) may not be arrested or otherwise detained for violation of any law or any rule or regulation of a State or any political subdivision thereof related to the possession, transportation, or carrying of firearms unless there is probable cause to believe that the person is doing so in a manner not provided for by this section. Presentation of facially valid documents as specified in subsection (a) is prima facie evidence that the individual has a license or permit as required by this section.

"(2) When a person asserts this section as a defense in a criminal proceeding, the prosecution shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person did not satisfy the conditions set forth in subsections (a) and (b).

"(3) When a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant a reasonable attorney's fee.

"(d)(1) A person who is deprived of any right, privilege, or immunity secured by this section, under color of any statute, ordinance, regulation, custom, or usage of any State or any political subdivision thereof, may bring an action in any appropriate court against any other person, including a State or political subdivision thereof, who causes the person to be subject to the deprivation, for damages or other appropriate relief.

"(2) The court shall award a plaintiff prevailing in an action brought under paragraph (1) damages and such other relief as the court deems appropriate, including a reasonable attorney's fee.

"(e) In subsection (a):

"(1) The term 'identification document' means a document made or issued by or under the authority of the United States Government, a State, or a political subdivision of a State which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals.

"(2) The term 'handgun' includes any magazine for use in a handgun and any ammunition loaded into the handgun or its magazine.

"(f)(1) A person who possesses or carries a concealed handgun under subsection (a) shall not be subject to the prohibitions of section 922(q) with respect to that handgun.

"(2) A person possessing or carrying a concealed handgun in a State under subsection (a) may do so in any of the following areas in the State that are open to the public:

"(A) A unit of the National Park System.

"(B) A unit of the National Wildlife Refuge System.

"(C) Public land under the jurisdiction of the Bureau of Land Management.

"(D) Land administered and managed by the Army Corps of Engineers.

"(E) Land administered and managed by the Bureau of Reclamation.

"(F) Land administered and managed by the Forest Service.".

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926C the following:

"926D. Reciprocity for the carrying of certain concealed firearms.".

(c) SEVERABILITY.—Notwithstanding any other provision of this title, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of the enactment of this Act.

**SEC. 102. RULE OF CONSTRUCTION.**

Nothing in this title prohibits a law enforcement officer with reasonable suspicion of a violation of any law from conducting a brief investigative stop in accordance with the Constitution of the United States.

**SEC. 103. CERTAIN OFF-DUTY LAW ENFORCEMENT OFFICERS AND RETIRED LAW ENFORCEMENT OFFICERS ALLOWED TO CARRY A CONCEALED FIREARM, AND DISCHARGE A FIREARM, IN A SCHOOL ZONE.**

Section 922(q) of title 18, United States Code, is amended—

(1) in paragraph (2)(B)—

(A) by striking ''or'' at the end of clause (vi); and

(B) by redesignating clause (vii) as clause (ix) and inserting after clause (vi) the following:

''(vii) by an off-duty law enforcement officer who is a qualified law enforcement officer (as defined in section 926B) and is authorized under such section to carry a concealed firearm, if the firearm is concealed;

''(viii) by a qualified retired law enforcement officer (as defined in section 926C) who is authorized under such section to carry a concealed firearm, if the firearm is concealed; or''; and

(2) in paragraph (3)(B)—

(A) by striking ''or'' at the end of clause (iii);

(B) by striking the period at the end of clause (iv) and inserting a semicolon; and

(C) by adding at the end the following:

"(v) by an off-duty law enforcement officer who is a qualified law enforcement officer (as defined in section 926B) and is authorized under such section to carry a concealed firearm; or

"(vi) by a qualified retired law enforcement officer (as defined in section 926C) who is authorized under such section to carry a concealed firearm.".

**SEC. 104. INTERSTATE CARRYING OF FIREARMS BY FEDERAL JUDGES.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, as amended by section 101(a) of this Act, is amended by inserting after section 926D the following:

**"§ 926E. Interstate carrying of firearms by Federal judges**

"Notwithstanding any provision of the law of any State or political subdivision thereof, a Federal judge may carry a concealed firearm in any State if such judge is not prohibited by Federal law from receiving a firearm.".

(b) CLERICAL AMENDMENT.—The table of sections for such chapter, as amended by section 101(b) of this Act, is amended by inserting after the item relating to section 926D the following:

"926E. Interstate carrying of firearms by Federal judges.".

# TITLE II—FIX NICS ACT

**SEC. 201. SHORT TITLE.**

This title may be cited as the "Fix NICS Act of 2017".

**SEC. 202. ACCOUNTABILITY FOR FEDERAL DEPARTMENTS AND AGENCIES.**

Section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) is amended—

(1) in subsection (e)(1), by adding at the end the following:

"(F) SEMIANNUAL CERTIFICATION AND REPORTING.—

"(i) IN GENERAL.—The head of each Federal department or agency shall submit a semiannual written certification to the Attorney General indicating whether the department or agency is in compliance with the record submission requirements under subparagraph (C).

"(ii) SUBMISSION DATES.—The head of a Federal department or agency shall submit a certification to the Attorney General under clause (i)—

"(I) not later than July 31 of each year, which shall address all relevant records, including those that have not been transmitted to the Attorney General, in possession of the department or agency during the period beginning on January 1 of the year and ending on June 30 of the year; and

"(II) not later than January 31 of each year, which shall address all relevant records, including those that have not been transmitted to the Attorney General, in possession of the department or agency during the period beginning on July 1 of the previous year and ending on December 31 of the previous year.

"(iii) CONTENTS.—A certification required under clause (i) shall state, for the applicable period—

"(I) the total number of records of the Federal department or agency demonstrating that a person falls within one of the categories described in subsection (g) or (n) of section 922 of title 18, United States Code;

"(II) for each category of records described in subclause (I), the total number of records of the Federal department or agency that have been provided to the Attorney General; and

"(III) the efforts of the Federal department or agency to ensure complete and accurate reporting of relevant records, including efforts to monitor compliance and correct any reporting failures or inaccuracies.

"(G) IMPLEMENTATION PLAN.—

"(i) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, the head of each Federal department or agency, in coordination with the Attorney General, shall establish a plan to ensure maximum coordination and automated reporting or making available of records to the Attorney General as required under subparagraph (C), and the verification of the accuracy of those records, including the pre-validation of those records, where appropriate, during a 4-year period specified in the plan. The head of each Federal department or agency shall update the plan biennially, to the extent necessary, based on the most recent biennial assessment under subparagraph (K). The records shall be limited to those of an individual described in subsection (g) or (n) of section 922 of title 18, United States Code.

"(ii) BENCHMARK REQUIREMENTS.—Each plan established under clause (i) shall include annual benchmarks to enable the Attorney General to assess implementation of the plan, including—

"(I) qualitative goals and quantitative measures;

"(II) measures to monitor internal compliance, including any reporting failures and inaccuracies;

"(III) a needs assessment, including estimated compliance costs; and

"(IV) an estimated date by which the Federal department or agency will fully comply with record submission requirements under subparagraph (C).

"(iii) COMPLIANCE DETERMINATION.—Not later than the end of each fiscal year beginning after the date of the establishment of a plan under clause (i), the Attorney General shall determine whether the applicable Federal department or agency has achieved substantial compliance with the benchmarks included in the plan.

"(H) ACCOUNTABILITY.—The Attorney General shall publish, including on the website of the Department of Justice, and submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a semiannual report that discloses—

"(i) the name of each Federal department or agency that has failed to submit a required certification under subparagraph (F);

"(ii) the name of each Federal department or agency that has submitted a required certification under subparagraph (F), but failed to certify compliance with the record submission requirements under subparagraph (C);

"(iii) the name of each Federal department or agency that has failed to submit an implementation plan under subparagraph (G);

"(iv) the name of each Federal department or agency that is not in substantial compliance with an implementation plan under subparagraph (G);

"(v) a detailed summary of the data, broken down by department or agency, contained in the certifications submitted under subparagraph (F);

"(vi) a detailed summary of the contents and status, broken down by department or agency, of the implementation plans established under subparagraph (G); and

"(vii) the reasons for which the Attorney General has determined that a Federal department or agency is not in substantial compliance with an implementation plan established under subparagraph (G).

"(I) NONCOMPLIANCE PENALTIES.—For each of fiscal years 2019 through 2022, each political appointee of a Federal department or agency that has failed to certify compliance with the record submission requirements under subparagraph (C), and is not in substantial compliance with an implementation plan established under subparagraph (G), shall not be eligible for the receipt of bonus pay, excluding overtime pay, until the department or agency—

"(i) certifies compliance with the record submission requirements under subparagraph (C); or

"(ii) achieves substantial compliance with an implementation plan established under subparagraph (G).

"(J) TECHNICAL ASSISTANCE.—The Attorney General may use funds made available for the national instant criminal background check system established under subsection (b) to provide technical assistance to a Federal department or agency, at the request of the department or agency, in order to help the department or agency comply with the record submission requirements under subparagraph (C).

"(K) BIENNIAL ASSESSMENT.—Every 2 years, the Attorney General shall assess the extent to which the actions taken under the title II of the Concealed Carry Reciprocity Act of 2017 have resulted in improvements in the system established under this section.

"(L) APPLICATION TO FEDERAL COURTS.—For purposes of this paragraph—

"(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

"(ii) the Director of the Administrative Office of the United States Courts shall perform, for a Federal court, the functions assigned to the head of a department or agency."; and

(2) in subsection (g), by adding at the end the following: "For purposes of the preceding sentence, not later than 60 days after the date on which the Attorney General receives such information, the Attorney General shall determine whether or not the prospective transferee is the subject of an erroneous record and remove any records that are determined to be erroneous. In addition to any funds made

available under subsection (k), the Attorney General may use such sums as are necessary and otherwise available for the salaries and expenses of the Federal Bureau of Investigation to comply with this subsection.''.

**SEC. 203. NICS ACT RECORD IMPROVEMENT PROGRAM.**

(a) REQUIREMENTS TO OBTAIN WAIVER.—Section 102 of the NICS Improvement Amendments Act of 2007(34 U.S.C. 40912) is amended—

(1) in subsection (a), in the first sentence—

(A) by striking ''the Crime Identification Technology Act of 1988 (42 U.S.C. 14601)'' and inserting ''section 102 of the Crime Identification Technology Act of 1998 (34 U.S.C. 40301)''; and

(B) by inserting ''is in compliance with an implementation plan established under subsection (b) or'' before ''provides at least 90 percent of the information described in subsection (c)''; and

(2) in subsection (b)(1)(B), by inserting ''or has established an implementation plan under section 107'' after ''the Attorney General''.

(b) IMPLEMENTATION ASSISTANCE TO STATES.—Section 103 of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40913) is amended—

(1) in subsection (b)(3), by inserting before the semicolon at the end the following: ", including through increased efforts to pre-validate the contents of those records to expedite eligibility determinations";

(2) in subsection (e), by striking paragraph (2) and inserting the following:

"(2) DOMESTIC ABUSE AND VIOLENCE PREVENTION INITIATIVE.—

"(A) ESTABLISHMENT.—For each of fiscal years 2018 through 2022, the Attorney General shall create a priority area under the NICS Act Record Improvement Program (commonly known as 'NARIP') for a Domestic Abuse and Violence Prevention Initiative that emphasizes the need for grantees to identify and upload all felony conviction records and domestic violence records.

"(B) FUNDING.—The Attorney General—

"(i) may use not more than 50 percent of the amounts made available under section 207 of the Concealed Carry Reciprocity Act of 2017 for each of fiscal years 2018 through 2022 to carry out the initiative described in subparagraph (A); and

"(ii) shall give a funding preference under NARIP to States that—

"(I) have established an implementation plan under section 107; and

"(II) will use amounts made available under this subparagraph to improve efforts to identify and upload all felony conviction records and domestic violence records described in clauses (i), (v), and (vi) of section 102(b)(1)(C) by not later than September 30, 2022."; and

(3) by adding at the end the following:

"(g) TECHNICAL ASSISTANCE.—The Attorney General shall direct the Office of Justice Programs, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation to—

"(1) assist States that are not currently eligible for grants under this section to achieve compliance with all eligibility requirements; and

"(2) provide technical assistance and training services to grantees under this section.".

**SEC. 204. NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM.**

(a) STATE GRANT PROGRAM FOR CRIMINAL JUSTICE IDENTIFICATION, INFORMATION, AND COMMUNICATION.—Section 102 of the Crime Identification Technology Act of 1998 (34 U.S.C. 40301) is amended—

(1) in subsection (a)(3)—

(A) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(B) by inserting after subparagraph (B) the following:

"(C) identification of all individuals who have been convicted of a crime punishable by imprisonment for a term exceeding 1 year";

(2) in subsection (b)(6)—

(A) by striking "(18 U.S.C. 922 note)" and inserting "(34 U.S.C. 40901(b))"; and

(B) by inserting before the semicolon at the end the following: ", including through increased efforts to pre-validate the contents of felony conviction records and domestic violence records to expedite eligibility determinations, and measures and resources necessary to establish and achieve compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007''; and

(3) in subsection (d), by inserting after ''unless'' the following: ''the State has achieved compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007 or''.

(b) GRANTS FOR THE IMPROVEMENT OF CRIMINAL RECORDS.—Section 106(b)(1) of the Brady Handgun Violence Prevention Act (34 U.S.C. 40302(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''as of the date of enactment of this Act'' and inserting '', as of the date of enactment of the Concealed Carry Reciprocity Act of 2017,''; and

(B) by striking ''files,'' and inserting the following: ''files and that will utilize funding under this subsection to prioritize the identification and transmittal of felony conviction records and domestic violence records,'';

(2) in subparagraph (B), by striking ''and'' at the end;

(3) in subparagraph (C)—

(A) by striking "upon establishment of the national system,"; and

(B) by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following—

"(D) to establish and achieve compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007.".

**SEC. 205. IMPROVING INFORMATION SHARING WITH THE STATES.**

(a) IN GENERAL.—Title I of the NICS Improvement Amendments Act of 2007 (34 U.S. 40911 et seq.) is amended by adding at the end the following:

**"SEC. 107. IMPLEMENTATION PLAN.**

"(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Concealed Carry Reciprocity Act of 2017, the Attorney General, in coordination with the States and Indian tribal governments, shall establish, for each State or Indian tribal government, a plan to ensure maximum coordination and automation of the reporting or making available of appropriate records to the National Instant Criminal Background Check System established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) and the verification of the accuracy of those records during a 4-year period specified in the plan, and shall update the plan biennially, to the extent necessary, based on the most recent biennial assessment under subsection (f). The records shall be limited to those of an individual described in subsection (g) or (n) of section 922 of title 18, United States Code.

"(b) BENCHMARK REQUIREMENTS.—Each plan established under this section shall include annual benchmarks to enable the Attorney General to assess the implementation of the plan, including—

"(1) qualitative goals and quantitative measures; and

"(2) a needs assessment, including estimated compliance costs.

"(c) COMPLIANCE DETERMINATION.—Not later than the end of each fiscal year beginning after the date of the establishment of an implementation plan under this section, the Attorney General shall determine whether each State or Indian tribal government has achieved substantial compliance with the benchmarks included in the plan.

"(d) ACCOUNTABILITY.—The Attorney General—

"(1) shall disclose and publish, including on the website of the Department of Justice—

"(A) the name of each State or Indian tribal government that received a determination of failure to achieve substantial compliance with an implementation plan under subsection (c) for the preceding fiscal year; and

"(B) a description of the reasons for which the Attorney General has determined that the State or Indian tribal government is not in substantial compliance with the implementation plan, including, to the greatest extent possible, a description of the types and amounts of records that have not been submitted; and

"(2) if a State or Indian tribal government described in paragraph (1) subsequently receives a determination of substantial compliance, shall—

"(A) immediately correct the applicable record; and

"(B) not later than 3 days after the determination, remove the record from the website of the Department of Justice and any other location where the record was published.

"(e) INCENTIVES.—For each of fiscal years 2018 through 2022, the Attorney General shall give affirmative preference to all Bureau of Justice Assistance discretionary grant applications of a State or Indian tribal government that received a determination of substantial compliance under subsection (c) for the fiscal year in which the grant was solicited.

"(f) BIENNIAL ASSESSMENT.—Every 2 years, the Attorney General shall assess the extent to which the actions taken under title II of the Concealed Carry Reciprocity Act of 2017 have resulted in improvements in the National Instant Criminal Background Check System established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40903).

**"SEC. 108. NOTIFICATION TO LAW ENFORCEMENT AGENCIES OF PROHIBITED PURCHASE OF A FIREARM.**

"(a) IN GENERAL.—In the case of a background check conducted by the National Instant Criminal Background Check System pursuant to the request of a licensed importer, licensed manufacturer, or licensed dealer of firearms (as such terms are defined in section 921 of title 18, United States Code), which background check determines that the receipt of a firearm by a person would violate subsection (g) or (n) of section 922 of title 18, United States Code, and such determination is made after 3 business days have elapsed since the licensee contacted the System and a firearm has been transferred to that person, the System shall notify the law enforcement agencies described in subsection (b).

"(b) LAW ENFORCEMENT AGENCIES DESCRIBED.—The law enforcement agencies described in this subsection are the law enforcement agencies that have jurisdiction over the location from which the licensee contacted the system and the law enforcement agencies that have jurisdiction over the location of the residence of the person for which the background check was conducted, as follows:

"(1) The field office of the Federal Bureau of Investigation.

"(2) The local law enforcement agency.

"(3) The State law enforcement agency.".

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the NICS Improvement Amendments Act of 2007 (Public Law 110–180; 121 Stat. 2559) is amended by inserting after the item relating to section 106 the following:

"Sec. 107. Implementation plan.
"Sec. 108. Notification to law enforcement agencies of prohibited purchase of a firearm.".

**SEC. 206. ATTORNEY GENERAL REPORT ON USE OF BUMP STOCKS IN CRIME.**

(a) IN GENERAL.—Using amounts made available for research, evaluation, or statistical purposes, within 180 days after the date of the enactment of this Act, the Attorney General shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the

Committee on the Judiciary of the Senate a written report that—

(1) specifies the number of instances in which a bump stock has been used in the commission of a crime in the United States;

(2) specifies the types of firearms with which a bump stock has been so used; and

(3) contains the opinion of the Attorney General as to whether subparagraphs (B)(i) and (C)(i) of section 924(c)(1) of title 18, United States Code, apply to all instances in which a bump stock has been used in the commission of a crime of violence in the United States.

(b) DEFINITION OF BUMP STOCK.—In this section, the term ‘‘bump stock’’ means a device that—

(1) attaches to a semiautomatic rifle (as defined in section 921(a)(28) of title 18, United States Code);

(2) is designed and intended to repeatedly activate the trigger without the deliberate and volitional act of the user pulling the trigger each time the firearm is fired; and

(3) functions by continuous forward pressure applied to the rifle's fore end in conjunction with a linear forward and backward sliding motion of the

mechanism utilizing the recoil energy when the rifle is discharged.

**SEC. 207. AUTHORIZATIONS OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated $100,000,000 for each of fiscal years 2018 through 2022 to carry out, in accordance with the NICS Act Record Improvement Program and the National Criminal History Improvement Program, the activities under—

(1) section 102 of the NICS Improvement Amendments Act of 2007;

(2) section 103 of the NICS Improvement Amendments Act of 2007;

(3) section 102 of the Crime Identification Technology Act of 1998; and

(4) section 106(b) of the Brady Handgun Violence Prevention Act.

(b) ADDITIONAL AUTHORIZATIONS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)) is amended—

(1) in paragraph (1)—

(A) by striking "$33,000,000" and inserting "$31,000,000";

(B) by striking "1994 and 1995" and inserting "2018 through 2022"; and

(C) by inserting ", in addition to any amounts otherwise made available for research, evaluation or statistical purposes in a fiscal year" before the period; and

(2) in paragraph (2)—

(A) by striking "$33,000,000" and inserting "$27,000,000";

(B) by striking "1994 and 1995" and inserting "2018 through 2022"; and

(C) by inserting ", in addition to any amounts otherwise made available for research, evaluation or statistical purposes in a fiscal year" before the period.

Passed the House of Representatives December 6, 2017.

Attest: KAREN L. HAAS,

*Clerk.*

II

115TH CONGRESS
1ST SESSION

# S. 446

To allow reciprocity for the carrying of certain concealed firearms.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2017

Mr. CORNYN (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COCHRAN, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. ISAKSON, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. THUNE, Mr. WICKER, Mr. YOUNG, Mr. JOHNSON, and Mr. FLAKE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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# A BILL

To allow reciprocity for the carrying of certain concealed firearms.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Constitutional Concealed Carry Reciprocity Act of 2017''.

**SEC. 2. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

**"§ 926D. Reciprocity for the carrying of certain concealed firearms**

"(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

"(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

"(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

"(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

"(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

"(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

"(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

"(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

"(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

"(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

"926D. Reciprocity for the carrying of certain concealed firearms.".

(c) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this Act, or any amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this Act and amendments made by this Act and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

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| CITY OF OXNARD CALIFORNIA | CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Info/Consent<br>AGENDA ITEM NO.: 13 |
|---|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Rosemarie Gaglione
Public Works Director

Rosemarie Gaglione

**SUBJECT:** Public Safety Vehicle Replacement.

**CONTACT:** Rosemarie Gaglione, Public Works Director
rosemarie.gaglione@oxnard.org, (805) 385-8055

**RECOMMENDATION:**

That City Council approve and authorize the Mayor to execute three (3) purchase orders for a total amount of $757,172.31 for public safety vehicle purchases as follows:

1. Purchase Order 6829 is for thirteen (13) Ford Police Interceptor Utility vehicles and up-fitting costs for $563,509.31 from Folsom Lake Ford.

2. Purchase Order 6830 is for three (3) Nissan Frontier King Cab light duty pickup trucks and up-fitting costs for $81,511.80 from Selma Nissan.

3. Purchase Order 6833 is for four (4) BMW police motorcycles and up-fitting costs for $112,151.20 from BMW Motorcycles of Ventura County.

**BACKGROUND**

Patrol Vehicles

The Police Department's patrol vehicle fleet currently consists of seventy-nine (79) "black and white" units. Thirty-eight (38) of these are Ford Police Interceptor Utility Vehicles, six (6) are Chevrolet Caprices, thirty-one (31) are Ford Crown Victorias, three (3) are Chevrolet Tahoes, and one (1) is a Ford F150 4x4 short-bed pickup truck.

The Police Department's patrol fleet is recovering from the impacts of several years of scaled back and deferred purchases. In FY 16-17, a focused effort began to improve the overall health of the patrol fleet. Prior to that time, the patrol fleet consisted of a large percentage of vehicles that were well past the recommended service life of 100,000 miles listed in the *City of Oxnard Vehicle Purchasing Guidelines*. Once patrol vehicles surpass the recommended 100,000 mile mark, repair costs increase as reliability decreases. Currently there are eight (8) patrol vehicles with odometer readings above 100,000 miles and five (5) vehicles with mileage above 90,000 that need replacement. Of the five (5) vehicles with over 90,000 miles, four (4) of them are just below 100,000 miles and will surpass the 100,000 mark within the next few weeks (see table below). The condition of the fifth Crown Victoria vehicle is such that replacement is necessary.

In order to maintain a safe and dependable patrol vehicle fleet, it is critical that the Police Department maintains a comprehensive vehicle replacement plan. In FY 16-17, Fleet Services recommended that a minimum of twelve (12) police patrol vehicles be added to the fleet every fiscal year, for three (3) consecutive fiscal years. This request for replacement patrol vehicles is necessary to stabilize and maintain the health of the patrol vehicle fleet.

The last purchase of eleven (11) patrol vehicles was authorized by the City Council on March 6, 2017.

<u>Three-Year Patrol Vehicle Replacement Schedule</u>

| FY 2016-2017 | | | FY 2017-2018 | | | FY 2018-2019 | | |
|---|---|---|---|---|---|---|---|---|
| Unit # | Year | Mileage | Unit # | Year | Mileage | Unit # | Year | Mileage |
| 9011 | 2009 | 152,387 | 3412 | 200 | 117,798 | 8005 | 2008 | 96,091 |
| 6018 | 2006 | 147,335 | 10004 | 2010 | 125,856 | 11011 | 2011 | 91,416 |
| 9009 | 2009 | 151,868 | 11002 | 2011 | 121,899 | 6019 | 2006 | 87,252 |
| 11004 | 2011 | 148,647 | 11000 | 2011 | 116,666 | 8017 | 2008 | 84,564 |
| 8013 | 2008 | 142,518 | 11005 | 2011 | 110,817 | 6017 | 2006 | 83,641 |
| 6010 | 2006 | 136,384 | 8002 | 2008 | 109,280 | 3706 | 2004 | 84,906 |
| 10001 | 2010 | 139,346 | 3466 | 2001 | 107,924 | 3705 | 2004 | 81,296 |
| 5001 | 2005 | 137,765 | 3710 | 2004 | 108,841 | 11013 | 2011 | 90,710 |
| 3701 | 2004 | 120,642 | 3348 | 2000 | 106,733 | 9005 | 2009 | 88,538 |
| 8011 | 2008 | 123,443 | 8008 | 2008 | 98,212 | 11017 | 2011 | 83,726 |
| 3607 | 2003 | 118,757 | 3708 | 2004 | 92,902 | 11015 | 2011 | 83,468 |
| 3610 | 2003 | 120,916 | 8010 | 2008 | 98,004 | 13001 | 2012 | 62,820 |
| Decomissioned | | | | | | | | |
| Scheduled to be replaced FY 2017-18 | | | | | | | | |

After considerable vehicle platform research and comparisons during 2015 and 2016, the Police Department selected the Ford Police Interceptor Utility vehicle, which has become a principal vehicle in nationwide law enforcement.

The Police Department recommends a purchase of thirteen (13) Ford Police Interceptor Utility Vehicles. These new vehicles will replace the eight (8) Ford Crown Victorias with mileage above 100,000 and five (5) Ford Crown Victorias with mileage above 90,000.

Support Vehicles

There are currently twelve (12) community service officer ("CSO") and sixteen (16) traffic service assistant ("TSA") positions in the Police Department. CSOs and TSAs mainly use mid-sized pickup trucks for various field support functions. Two (2) Toyota Prius compact sedans are assigned to the TSA Unit. The services that the CSOs and TSAs provide for patrol officers are invaluable as they support officer availability, faster response times, and the ability for officers to engage in proactive efforts.

The inventory of vehicles used by the CSOs and TSAs is currently at twenty-six (26). Of those twenty-six, seven (7) of the trucks have mileage in excess of 100,000 and are ten (10) or more years old, and two (2) have well over 90,000 miles. Three (3) of these pickup trucks have been determined to have exceeded their service lives.

**Support Vehicle Inventory**

| Unit | Year | Make | Mileage | | Unit | Year | Make | Mileage |
|---|---|---|---|---|---|---|---|---|
| 3327 | 1999 | Chevy S10 | 166,808 | | 3465 | 2001 | Ford Ranger | 76,380 |
| 5025 | 2005 | Ford Ranger | 141,422 | | 3580 | 2002 | Toyota Prius | 74,020 |
| 5028 | 2005 | Ford Ranger | 130,531 | | 3485 | 2001 | Toyota Prius | 73,161 |
| 3326 | 1999 | Chevy S10 | 116,293 | | 3477 | 2001 | Ford Ranger | 69,322 |
| 6045 | 2006 | Ford Ranger | 107,408 | | 6044 | 2006 | Ford Ranger | 66,892 |
| 3732 | 2004 | Ford Ranger | 106,803 | | 3731 | 2004 | Ford Ranger | 60,928 |
| 6042 | 2006 | Ford Ranger | 103,030 | | 6041 | 2006 | Ford Ranger | 58,975 |
| 8907 | 2008 | Chevy Colorado | 100,347 | | 901 | 2010 | Ford Ranger | 58,066 |
| 8908 | 2008 | Chevy Colorado | 96,041 | | 17906 | 2017 | Nissan Frontier | 3,621 |
| 8905 | 2008 | Chevy Colorado | 91,400 | | 17909 | 2017 | Nissan Frontier | 2,175 |
| 8906 | 2008 | Chevy Colorado | 82,499 | | 17905 | 2017 | Nissan Frontier | 2,000 |
| 6043 | 2006 | Ford Ranger | 80,342 | | 17907 | 2017 | Nissan Frontier | 1,600 |
| 3676 | 2003 | Chevy S10 | 80,284 | | 17908 | 2017 | Nissan Frontier | 989 |

| |
|---|
| **Vehicle no longer in service** |
| **Vehicle mileage exceeds 100,000** |
| **Vehicle mileage exceeds 90,000** |

Of note, unit #3732, a 2004 Ford Ranger, was recently retired from service. That vehicle had 106,803 miles and needed a variety of repairs, including a new transmission. The repairs would have cost thousands of dollars to fix.

Toyota and Nissan are the only manufacturers who currently manufacture mid-size pickup trucks that fit the specifications for CSO and TSA duties. The Toyota Tacoma and Nissan Frontier are similar in size, reliability, and fuel efficiency. Both the Tacoma and Nissan Frontier have good reputations, and both can fulfill their mission. The biggest difference found between the two vehicles was in pricing. The Toyota Tacoma costs approximately $25,000 per unit, while the Nissan Frontier costs approximately $21,000. All capabilities being equal, Nissan was selected because of its lower cost.

The Police Department recommends the purchase of three (3) Nissan Frontiers. These vehicles will replace three (3) vehicles whose service lives are at an end.

Vehicles are being purchased through the State's bidders list.

Police Motorcycles

The Police Department's Traffic Unit consists of fourteen (14) sworn personnel. Typically, police motorcycles are removed from service when they exceed 55,000 miles; once they reach this mileage, reliability decreases as maintenance costs climb. At the time of this report, all four (4) have exceeded 55,000 miles.

The Police Department currently has a total fourteen (14) motorcycles in its inventory. Though the ratio is one motorcycle to each Traffic Unit officer, the lack of spare motorcycles deprive Traffic Unit officers of the use of a motorcycle when service or repairs are being performed. There have been several occasions in recent months where more than one Traffic Unit officer was without a motorcycle for a significant period. A set-aside of older, high-mileage motorcycles strictly for training purposes is also necessary as this reduces wear and tear on service motorcycles. The following table depicts the current inventory. All of these motorcycles are assigned to officers.

**Police Department Motorcycle Inventory**

| Unit | Year | Make | Mileage |
|---|---|---|---|
| 6075 | 2006 | BMW | 96,093 |
| 8901 | 2008 | BMW | 88,891 |
| 6074 | 2006 | BMW | 78,291 |
| 13903 | 2013 | BMW | 55,297 |

| | | | |
|---|---|---|---|
| 13904 | 2013 | BMW | 49,008 |
| 11907 | 2011 | Kawasaki | 40,789 |
| 13902 | 2013 | BMW | 37,058 |
| 13905 | 2013 | BMW | 36,979 |
| 11905 | 2011 | Kawasaki | 35,436 |
| 15910 | 2015 | BMW | 24,401 |
| 15909 | 2015 | BMW | 23,210 |
| 15908 | 2015 | BMW | 13,960 |
| 17901 | 2015 | BMW | 9,448 |
| 17900 | 2015 | BMW | 5,647 |
| **Over recommended end of service mileage** | | | |
| **Nearing recommended end of service mileage** | | | |

The Police Department evaluated motorcycle types to determine the model best suited for police field operations. The most important factors that were considered were rider safety, performance (acceleration, top speed, handling and braking), durability, and maintenance. In 2016, the Michigan State Police Vehicle Evaluation Staff conducted testing on the Harley Davidson FLHTP, Harley Davidson FLHP, BMW R1200 RTP, and the Victory Commander 1. These motorcycles are currently the only motorcycles certified for police service in the United States. The BMW R1200 RTP was rated as the top performer in all categories. Another determining factor was that the mechanics at Oxnard's Fleet Services are certified in the repair and maintenance of the BMW R1200 RTP motorcycle, which reduces costs.

The Police Department recommends the purchase of four (4) BMW police motorcycles. This would increase the total number of motorcycles in the fleet to eighteen (18). The four new motorcycles would replace the four (4) high-mileage motorcycles and would each be assigned to a Traffic Unit officer. Two (2) of the inventory's high-mileage motorcycles would be converted into training motorcycles and would be used solely for that purpose. The remaining two (2) high-mileage motorcycles would be held in reserve for use as a spare motorcycle that could be used while others are being serviced or repaired.

Three bids were received for the motorcycles:

| | |
|---|---|
| BMW Motorcycles of Ventura County | $112,151.20 |
| BMW Motorcycles of Burbank | $119,565.20 |
| Long Beach BMW Motorcycles | $124,374.67 |

BMW Motorcycles of Ventura County is the low bidder and staff recommends purchasing the motorcycles from them.

**STRATEGIC PRIORITIES**

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

**FINANCIAL IMPACT**

The below costs include equipment up-fitting:

A fully-outfitted patrol Ford Utility Vehicle currently costs $43,346.87. The cost to purchase thirteen (13) vehicles is $563,509.31.

A fully-outfitted TSA/CSO Nissan Frontier pick-up truck costs $27,170.60. The cost to purchase three (3) trucks is $81,511.80.

A fully-outfitted patrol motorcycle currently costs $28,037.80. The cost to purchase four (4) motorcycles is $112,151.20.

The total amount for all of the above vehicles is $757,172.31. Funding in the amount of $793,000 was authorized by the City Council as part of Mid-Year 2017-18 Budget Appropriation on February 20, 2018, to Public Safety Vehicle Replacement (Project 182101 / Capital Outlay 301-2110-826-8606). The balance of the authorized funding will be used to purchase any additional equipment required for the patrol vehicles.

**ATTACHMENTS:**

Attachment A - Purchase Order 6829

Attachment B - Purchase Order 6830

Attachment C - Purchase Order 6833

CITY OF OXNARD CALIFORNIA

# PURCHASE ORDER

**CITY OF OXNARD**
**300 WEST 3RD STREET**
**OXNARD, CA 93030**

**PURCHASE ORDER NO.**
**006829**

CCRC
5/3/18 e
REVIEWED

DATE: 5/3/2018

**VENDOR PHONE:** (0) -
**VENDOR FAX:** ( ) -
**VENDOR #:** 20238
**VENDOR ADDRESS:** FOLSOM LAKE FORD
12755 FOLSOM BLVD
FOLSOM, CA 95630

**SHIP TO:** FLEET SERVICES
1060 PACIFIC AVE, BLDG 1
OXNARD, CA 93030

***Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence***

| DELIVER BY | REQUISITION # | REQUISITION DATE | CONFIRMED BY |
|---|---|---|---|
| 06/30/2018 | 0000003897 | 04/17/2018 | |
| **FOB** | **ACCOUNT NUMBER** | | **AUTHORIZED BY** |
| | 30121108268606 | | MARISELA HART |

| ITEM # | QUANTITY/ UNIT | DESCRIPTION ARTICLE OR SERVICE | UNIT COST | EXTENDED COST |
|---|---|---|---|---|
| 1 | 13.00 / DL | PURCHASE 13-2018 FORD POLICE INTERCEPTORS | 43,346.870 0 | 563,509.31 |

| TOTAL PURCHASE AMOUNT | $563,509.31 |
|---|---|

**In order to receive payment, email all invoices to:**
**invoices@oxnard.org**

**In the subject line, reference the Purchase Order number above.**

AUTHORIZED SIGNATURE. ____________________

By acceptance of this purchase order, you agree to the attached terms and conditions of the City of Oxnard

PURCHASE ORDERS
TERMS AND CONDITIONS

The City Purchasing Officer and the Vendor agree as follows:

1. Vendor shall furnish to City the labor, materials, equipment, supplies and/or services described in the Purchase Order preceding this page.
2. City shall pay to Vendor the price, or prices, specified in the Purchase Order upon delivery of the labor, materials, equipment, supplies and/or services, and acceptance thereof by the City Purchasing Officer, or upon the completion of the services to be performed and acceptance thereof.
3. If the Purchase Order is continuing in nature, City shall pay to Vendor the amount due Vendor for labor, materials, equipment or supplies furnished, or services completed and accepted.
4. Vendor shall deliver the labor, materials, equipment or supplies, or cause the services to be performed, within the time and in the manner specified in the Purchase Order. Vendor shall be excused in performance for delays resulting from causes beyond the control of Vendor.
5. If services are performed or labor furnished to City under the Purchase Order, Vendor agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, willfulness or acts for which Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf would be held strictly liable. Vendor's obligation to defend shall arise when a claim, demand or action is made or filed, whether or not such claim, demand or action results in a determination of liability or damages as to which Vendor is obligated to indemnify and hold harmless.
6. Insurance
   a) Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance coverage issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverage.
      i. Commercial general liability insurance, including a contractual liability endorsement, in an amount not less than $1,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability coverage (Occurrence Form CG0001ED, November 1988);
      ii. Business automobile liability insurance in an amount not less than $1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Auto Liability Insurance Services Office coverage (Occurrence Form CA000TED, June 1992) covering Code No. 1, "any auto";
      iii. Workers' compensation insurance in compliance with the laws of the State of California, including employer's liability insurance in an amount not less than $1,000,000 per claimant.
7. Vendor, in the performance of any services or the furnishing of any labor under this Purchase Order, shall be considered an independent contractor, and Vendor and Vendor's agents and employees shall not be considered officers or employees of the City.
8. Vendor, without the written consent of the City Purchasing Officer, shall not:
   a) Assign the Purchase Order, or any interest therein, or any money due thereunder; or
   b) Make any changes, alterations or variations in the terms of the Purchase Order.
9. The cost of inspection on deliveries, or offers to make deliveries that do not meet specifications, will be paid by Vendor or deducted by City from amounts due Vendor.
10. Vendor shall indemnify and hold harmless City, its officers and employees, from liability, claims, loss or expense of any kind or nature on account of any copyrighted or uncopyrighted composition, patented or unpatented process or invention, article or appliance furnished or used under this Purchase Order.
11. Vendor shall comply with all applicable federal, state and local ordinance, laws and regulations and shall obtain and pay for all required licenses and permits, including a City of Oxnard business license.
12. Return or exchange of materials, equipment or supplies will not be permitted without written approval by the City Purchasing Officer.
13. All materials, supplies and equipment furnished under the Purchase Order shall, where applicable, be in full compliance with the Safety Orders and Regulations of the Division of Industrial Safety of the State of California and the Williams-Steiger Federal Occupational Health and Safety Act of 1970.
14. City may terminate this Purchase Order at any time by giving written notice of termination to Vendor. If termination is for cause, termination shall become effective on the date of the notice or at a later date, specified in the notice. If termination is without cause, termination shall become effective five days after the date of the notice or at a later date specified in the notice.
15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

17. The following requirements apply to any Purchase Order funded in whole or in part by federal grant funds.
   a) Upon expiration of the time specified on the reverse side, this Purchase Order shall terminate unless City and Vendor have mutually agreed in writing to an extension of time.
   b) If legal action is brought by either party because the other has failed to comply with terms or conditions of this Purchase Order, the prevailing party shall be awarded its attorney's fees and costs in addition to its damages and/or equitable relief.
   c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
   d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall have access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.

CITY OF OXNARD CALIFORNIA

# PURCHASE ORDER

CITY OF OXNARD
300 WEST 3RD STREET
OXNARD, CA 93030

CCRC
5/3/18 R
REVIEWED

PURCHASE ORDER NO.
006830

DATE: 5/3/2018

VENDOR PHONE: (0) -
VENDOR FAX: ( ) -
VENDOR #: 20241
VENDOR ADDRESS: SELMA NISSAN
2525 HIGHLAND DR
SELMA, CA 93662

SHIP TO: FLEET SERVICES
1060 PACIFIC AVE, BLDG 1
OXNARD, CA 93030

***Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence***

| DELIVER BY | REQUISITION # | REQUISITION DATE | CONFIRMED BY |
|---|---|---|---|
| 06/30/2018 | 0000003898 | 04/17/2018 | |
| **FOB** | **ACCOUNT NUMBER** | | **AUTHORIZED BY** |
| | 30121108268606 | | MARISELA HART |

| ITEM # | QUANTITY/ UNIT | DESCRIPTION ARTICLE OR SERVICE | UNIT COST | EXTENDED COST |
|---|---|---|---|---|
| 1 | 3.00 / DL | PURCHASE 3 NISSAN FRONTIERS FOR POLICE DEPT | 27,170.600 0 | 81,511.80 |

| TOTAL PURCHASE AMOUNT | $81,511.80 |
|---|---|

**In order to receive payment, email all invoices to:**
**invoices@oxnard.org**

**In the subject line, reference the Purchase Order number above.**

AUTHORIZED SIGNATURE. ______________________

By acceptance of this purchase order, you agree to the attached terms and conditions of the City of Oxnard

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TERMS AND CONDITIONS

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5. If services are performed or labor furnished to City under the Purchase Order, Vendor agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, willfulness or acts for which Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf would be held strictly liable. Vendor's obligation to defend shall arise when a claim, demand or action is made or filed, whether or not such claim, demand or action results in a determination of liability or damages as to which Vendor is obligated to indemnify and hold harmless.
6. Insurance
   a) Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance coverage issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverage.
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      ii. Business automobile liability insurance in an amount not less than $1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Auto Liability Insurance Services Office coverage (Occurrence Form CA000TED, June 1992) covering Code No. 1, "any auto";
      iii. Workers' compensation insurance in compliance with the laws of the State of California, including employer's liability insurance in an amount not less than $1,000,000 per claimant.
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10. Vendor shall indemnify and hold harmless City, its officers and employees, from liability, claims, loss or expense of any kind or nature on account of any copyrighted or uncopyrighted composition, patented or unpatented process or invention, article or appliance furnished or used under this Purchase Order.
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15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

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   b) If legal action is brought by either party because the other has failed to comply with terms or conditions of this Purchase Order, the prevailing party shall be awarded its attorney's fees and costs in addition to its damages and/or equitable relief.
   c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
   d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall have access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.

CITY OF OXNARD CALIFORNIA

# PURCHASE ORDER

**CITY OF OXNARD**
**300 WEST 3RD STREET**
**OXNARD, CA 93030**

**PURCHASE ORDER NO.**
**006833**

CCRC
5/3/18 K
REVIEWED

DATE: 5/3/2018

**VENDOR PHONE:** (805)499-3770
**VENDOR FAX:** (805)491-0615
**VENDOR #:** 19455
**VENDOR ADDRESS:** BMW MOTORCYCLES OF VENTURA COU
830 TOURMALINE DRIVE
NEWBURY PARK, CA 91320

**SHIP TO:** FLEET SERVICES
1060 PACIFIC AVE, BLDG 1
OXNARD, CA 93030

***Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence***

| DELIVER BY | REQUISITION # | REQUISITION DATE | CONFIRMED BY |
|---|---|---|---|
| 06/30/2018 | 0000003899 | 04/17/2018 | GARY CLARK, LLC |
| **FOB** | **ACCOUNT NUMBER** | | **AUTHORIZED BY** |
| | 30121108268606 | | MARISELA HART |

| ITEM # | QUANTITY/ UNIT | DESCRIPTION ARTICLE OR SERVICE | UNIT COST | EXTENDED COST |
|---|---|---|---|---|
| 1 | 4.0000 / DL | PURCHASE 4-2018 BMW R1200 MOTORCYCLES FOR POLICE | 28,037.80 | 112,151.20 |

| TOTAL PURCHASE AMOUNT | $112,151.20 |
|---|---|

**In order to receive payment, email all invoices to:**
**invoices@oxnard.org**

**In the subject line, reference the Purchase Order number above.**

AUTHORIZED SIGNATURE. ____________________

By acceptance of this purchase order, you agree to the attached terms and conditions of the City of Oxnard

PURCHASE ORDERS
TERMS AND CONDITIONS

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6. Insurance
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15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

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   c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
   d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall have access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.

| CITY OF OXNARD CALIFORNIA | CITY COUNCIL<br>AGENDA REPORT | TYPE OF ITEM: Report<br>AGENDA ITEM NO.: 1 |
|---|---|---|

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Scott Whitney
Interim City Manager/Police Chief

**SUBJECT:** Fiscal Year 2018-19 Budget Workshop. (90/20/30)

**CONTACT:** Scott Whitney, Interim City Manager/Police Chief
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## RECOMMENDATION:

That the City Council:
1. Approve the recommended budget calendar and process leading to adoption of the Fiscal Year (FY) 2018-2019 Budget on June 26, 2018; and
2. Conduct a budget workshop with the primary intent of:
   a. Understanding the City's financial position, and
   b. Understanding departmental accomplishments, needs, and other pertinent information.

## BACKGROUND

The recommended budget represents the City’s spending plan for the next 12 months for all funds under its control. It is a balanced budget. The budget also represents fiscal responsibility.

The City is facing some challenging times, with significant increases in pension costs over the next several years. The proposed budget includes the elimination of 13 full-time positions. All department directors were tasked with identifying additional cost-cutting measures. Those that had the least impact on service levels are presented. New revenue sources are also identified.

While the City has made much progress over the past few years in rebuilding our Finance and Human Resources Departments, the two departments are still recovering from years of low staffing levels; underfunding; limited training; antiquated software and technology systems; and leadership turnover. There is more work to be done. While our most recent Comprehensive Annual Financial Report eliminated the "qualified" findings and was "unmodified" and "unqualified," our most recent Single Audit still had significant "material weaknesses."

For years, the City's unofficial motto was, "we do more with less." In reality, this eventually translates not only to gaps in the Human Resources and Finance Departments, but also gaps in other services, and gaps in capital investment and capital outlay. Eventually, these gaps and unfunded needs lead to an inability to provide the level of service that our residents expect.

The lack of current funding for the City's unmet needs and the anticipated increases in expenses over the next few years create an environment where tough decisions will have to be made. Without additional sources of revenue, more cuts in services are anticipated in the coming years. Additional service cuts get incrementally closer to the City's core services. The first 5 percent in cuts is much easier than the second 5 percent of cuts.

Oxnard has more than 1,300 dedicated employees. We enjoy working with, and for, our community. We should all be proud of our accomplishments over the past year. No matter the level of resources, we will all pull together and work toward many more successes in the upcoming fiscal year. I see that spirit of public service demonstrated every single day in our City.

**ALL FUNDS TOTAL**

The recommended budget for Fiscal Year 2018-19 totals $428.4 million. This in an increase of $14.2 million, 3 percent, over the current Fiscal Year 2017-18 budget of $414.2 million. A comparative summary of the FY2018-19 recommended budget compared to the FY2017-18 Adopted Budget by major fund is presented below.

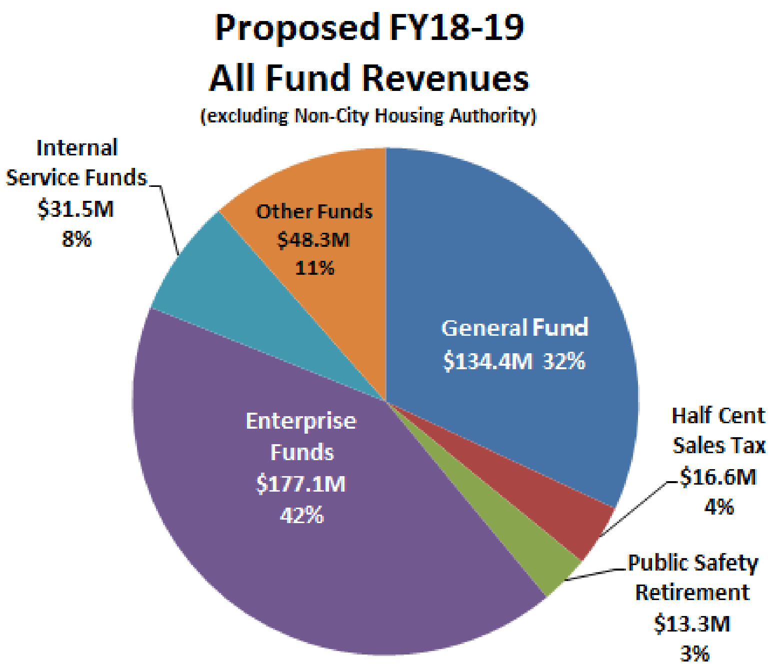
| Fund | FY 17-18 Adopted | FY 18-19 Proposed | $ Changes | % Change |
|---|---|---|---|---|
| General Fund | 125,484,375 | 134,439,316 | 8,954,941 | 7% |
| Half Cent Sales Tax | 12,985,871 | 18,097,343 | 5,111,472 | 39% |
| Public Safety Retirement | 13,891,720 | 13,253,323 | (638,397) | -5% |
| Storm Water Management | 1,287,385 | 1,689,621 | 402,236 | 31% |
| Street Maintenance Fund | 221,504 | 221,682 | 178 | 0% |
| Performing Arts and Convention Center | 2,072,128 | 1,981,693 | (90,435) | -4% |
| Golf Course Enterprise | 895,178 | 922,418 | 27,240 | 3% |
| State Gas Tax | 7,159,287 | 6,423,078 | (736,209) | -10% |
| Special Revenue Funds | 9,866,677 | 11,409,408 | 1,542,731 | 16% |
| Landscape & Community Facility Maintenance Districts | 12,027,135 | 12,586,627 | 559,492 | 5% |
| Assessment Districts Funds | 4,228,459 | 4,101,346 | (127,113) | -3% |
| Enterprise Funds: | | | | |
| Water Enterprise | 58,871,273 | 59,073,089 | 201,816 | 0% |
| Wastewater Enterprise | 62,024,032 | 59,478,630 | (2,545,402) | -4% |
| Environmental Resources Enterprise | 45,889,239 | 44,702,253 | (1,186,986) | -3% |
| Total Enterprise Funds | 166,784,544 | 163,253,972 | (3,530,572) | -2% |
| Internal Service Funds: | | | | |
| Workers Compensation Fund | 2,988,144 | 4,993,984 | 2,005,840 | 67% |
| Public Liability & Property Damage Fund | 5,576,787 | 6,653,466 | 1,076,679 | 19% |
| Customer Billing Operating Fund | 1,318,715 | 1,845,536 | 526,821 | 40% |
| Information Technology Fund | 5,334,513 | 5,033,043 | (301,470) | -6% |
| Facilitites Maintenance Fund | 3,895,699 | 3,846,990 | (48,709) | -1% |
| Fleet Services Fund | 10,379,809 | 9,602,205 | (777,604) | -7% |
| Total Internal Service Funds | 29,493,667 | 31,975,224 | 2,481,557 | 8% |
| Housing Authority (Non-City) | 27,842,043 | 28,100,000 | 257,957 | 1% |
| **Total All Funds** | **414,239,973** | **428,455,051** | **14,215,078** | **3%** |

## MAJOR BUDGET ISSUES

*Limited revenue growth*

The City's ability to increase revenues is limited. Major General Fund revenues such as property, sales and transient occupancy tax rates can only be increased by voter approval. Water, sewer and solid waste rates can be adjusted by the City Council using the Proposition 218 process.

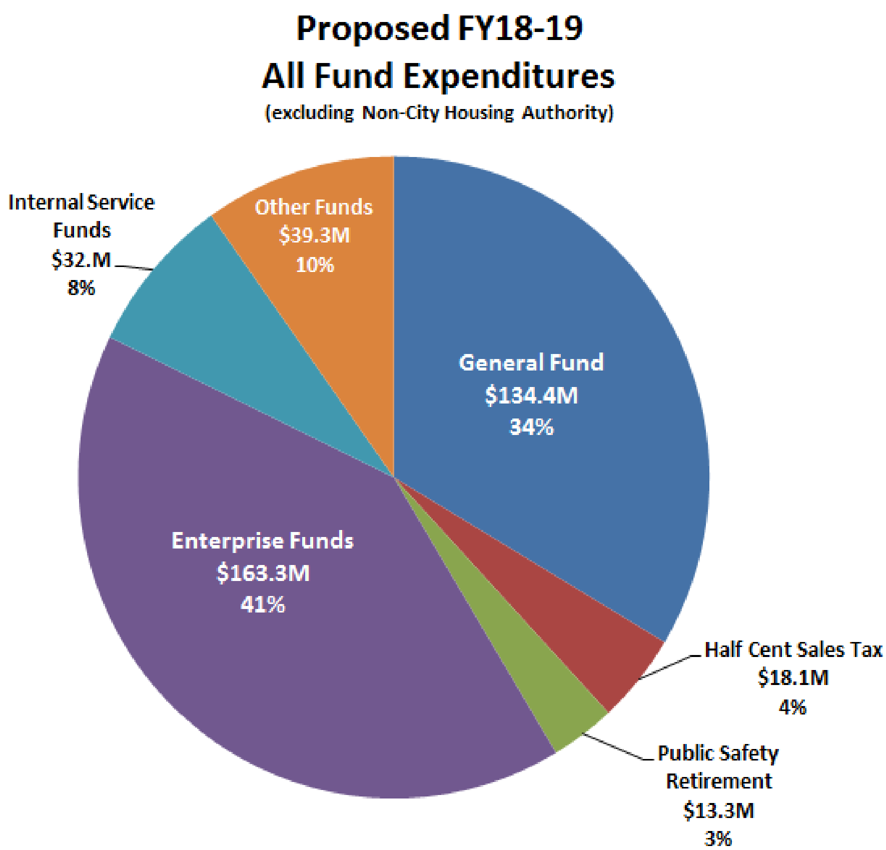
Overall, total City revenues for FY18-19 are projected to be $421 million. General fund revenues are expected to grow by $9.5 million, or 7.6 percent, in the new budget year. Water revenue is anticipated to be $62.9 million, an increase of $2.6 million. Wastewater revenue is projected to be $68.3 million (including operating transfers between Wastewater Collection and Treatment funds), an increase of $5.2 million. The revenues of the Environmental Resources Department will increase by 3 percent, from $44.3 million to $45.8 million in the proposed FY19 Budget.




*Growth in expenditures*

City expenditures continue to grow, due mostly to personnel costs. A total of 138 former limited-benefitted positions were converted to full-time employees in FY17-18. The conversion eliminated the official use of the limited-benefitted employment (LBE) designation. LBE employees who became full-time were matched to the closest fitting classifications. Those paid below their new classification range were brought up to step one of the pay range. Now the City only has full-time equivalents (FTEs) or temporary employees.

Salary and benefit adjustments based on existing collective bargaining agreements are included in the new budget as required by City-approved contracts.




*Recommended Budget Reductions*

The growth in General Fund expenditures required City departments to offset increases in costs. All departments were tasked with presenting reductions of 5 percent. The proposals were reviewed by city management and are recommended in the new budget. Following is a summary of net proposed savings by department.

| Departments | Proposed Savings |
|---|---|
| Carnegie Art Museum | 27,510 |
| City Attorney | 100,000 |
| City Clerk | 69,728 |
| City Council | (41,000) |
| City Manager | 232,164 |
| City Treasurer | 29,708 |
| Development Services | 1,331,358 |
| Economic Development | 477,124 |
| Finance | 227,951 |
| Fire | 187,923 |
| Human Resources | 210,115 |
| Internal Services | 1,076,970 |
| Library | 197,184 |
| Non-Departmental | 181,917 |
| Police | 1,394,187 |
| PACC | 105,350 |
| Public Works | (259,703) |
| Recreation | 293,296 |
| Golf subsidy | 493,909 |
| Traffic Safety Fund Subsidy | 150,000 |
| Increase Vacancy Rate (from $3.9M or 4.85% to $4.7M or 5.86%) | 838,026 |
| **Total Net Savings** | **7,323,717** |

*Pension Cost Increases*

The City will experience a sharp increase in the required employer contributions to the California Public Employees Retirement System (CalPERS) over the next five years. Two main factors contribute to the increase: reductions by CalPERS in their expected rate of return - the discount rate - and the increasing unfunded liability.

CalPERS has implemented three discount rate reductions over the years. In 2003 they dropped the rate from 8.25 percent to 7.75 percent. In 2013 they reduced the rate again from 7.75 percent to 7.5 percent. This is the current discount rate. The expectation is that the rate will be further reduced to 7 percent by 2020. Historically, CalPERS has achieved a 20-year rate of return of 6.6 percent. Lowering the rate is prudent, and it better represents the costs of the benefits. However, the lower rate increases the City's normal pension costs as well as the unfunded liability.

The City's most current CalPERS obligations (as of June 30, 2016) total $913 million for both current and future retirees. The City has approximately $644 million, or 71 percent, of the plan funded. The City's unfunded accrued liability totals $269 million.

Pension costs as a percentage of the annual City budget will have grown from about 5 percent of the City's general fund in 2003 to more than 20 percent by 2019. Pension costs as a percentage of payroll also will have grown from 14 percent in 2003 to 50 percent in 2019 for public safety employees. For miscellaneous (non-public safety) employees, the cost will grow from zero in 2003 to 22 percent of payroll in 2019.

The rising cost of public employee pensions is by far the most significant cost affecting the City budget. Expenditures will squeeze out other essential services and capital needs. It is estimated that the General Fund costs for pensions will increase from $22 million in 2018 to $35 million over the next decade.

The City is required to perform a biennial actuarial study of its CalPERS pension costs and report the results to the public. This is done in the comprehensive annual financial report.

The City Council received a special presentation on potential CalPERS payment projections on March 27, 2018. The presentation provided an overview of current and future CalPERS obligations and an estimate of the increase over the term of the liability.

*Carman Public Safety Override Tax*

The City is fortunate to have had its citizens approve a special property tax override to help pay for public safety pension costs. Known as the Carman Public Safety Override Tax, the tax allows the City to cover a portion of the pension costs for police and fire personnel.

The City of Oxnard sorts out the amounts charged to the Carman Public Safety Override Tax using an actuarially-accepted methodology that takes the original benefits in effect on July 1, 1978 and projects them forward to present day values for payment from the tax. Benefits approved after July 1, 1978 are separated from the calculation and are ineligible for payment.

This year the amount funded by the Carman tax for the PERS Unfunded Accrued Liability (UAL) is approximately $2.5 million less than in the prior year. The general fund is paying for the additional amount.

*Collective Bargaining Agreements*

The current agreements with Local 1684, International Association of Firefighters AFL-CIO and the Oxnard Peace Officers' Association expire on August 31, 2018. The current agreement with the public safety employees has them paying 5 percent of the 9 percent employee contribution to CalPERS. The City currently picks up the remaining 4 percent employee contribution on behalf of the employee.

Last year the City Council approved two labor agreements: One with the Oxnard Mid-Managers Association (OMMA) and one with the International Union of Operating Engineers Local 501 (IUOE). The new agreements require all non-safety miscellaneous employees to pay their full contribution of 7 percent to CalPERS by July 2019 when those agreements expire. The City will no longer be paying any portion of employee costs for miscellaneous employees.

*Aging Infrastructure and Technology*

Increases in operating and maintenance costs have prevented the City from meeting all of its infrastructure needs. The City completed a full accounting of its fixed assets in 2017 and added those valuations to the City's financial statements.

The City's average pavement condition index (PCI) of streets is 59.5 (on a scale of 0 to 100 with 100 being a new street). This means the City's streets and roads are in need of repair and replacement. The City did make significant progress in road improvements over the last year. A total of $24.8 million was approved for road work by the Council.

Numerous buildings and facilities are in need of rehabilitation and repairs. The list includes the second and third floors of the city hall building, which are closed as uninhabitable; the ancillary buildings at the Performing Arts and Convention Center (PACC); the former City building at the corner of Second and B Street; the Gull Wings Building; the former high school located at Campus Park; as well as several fire stations that need new roofs.

The City building at 300 W. Third Street has space design issues. The long-planned remodel of the Finance Department's third floor space has been put on hold pending a reassessment of the needs and the costs of the construction work. However the work space is less than favorable and unconducive to the teamwork that is needed to collaborate on solutions to the City's financial challenges.

The City's Information Technology (IT) is in need of replacement and modernization. The inventory of personal computers and equipment is dated, creating software compatibility issues due to differing versions of basic operating software. The City's IT network also requires a major investment in new equipment and technology in order to keep it modern and functioning.

Security of buildings and public spaces has recently become an issue. The need to retire old, obsolete video surveillance systems and install an integrated city-wide security network is essential to the safety and protection of residents and employees.

*Deferred Maintenance*

The rehabilitation, renovation and replacement of the public's assets are essential to preserving their economic value and service life. The fiduciary responsibility is to properly maintain them and increase and lengthen their service capacity to avoid significant replacement costs.

Unfortunately numerous buildings and facilities are in need of repair, so a plan needs to be developed and funded to rehabilitate our buildings. The budget does not contain any resources for major renovations or repairs to City facilities but staff will work to prepare a five-year capital improvements plan that addresses the needs and recommends financial options.

There is also a long list of vehicles and rolling equipment that have outlived their useful life and are in need of replacement. In March 2017, the Council approved $672,000 for the purchase of 11 police cars, six light-duty police trucks and one patrol utility truck. In February 2018, the Council approved $793,000 for 13 patrol cars, four motorcycles and three pickup trucks.

The replacement of two fire engines was also approved by the City Council. Measure O funds were designated for the purchase of the engines using lease-purchase financing.

As with City buildings, the City needs to prepare a plan for addressing the needs of the City fleet and rolling stock. The needs will be addressed in the five-year capital plan. The plan will identify options for renewing the fleet at the lowest cost to the taxpayer.

## ECONOMIC CLIMATE AND FINANCIAL FORECAST

The national economy continues to expand. According to the most recent forecast of the Federal Open Market Committee (March 2018), U.S. gross domestic product growth will rise to 2.7 percent in 2018, 2.4 percent in 2019 and 2.0 percent in 2020. The unemployment rate is expected to drop to 3.8 percent in 2018 and 3.6 percent in 2019; all signs of a positive market.

Interest rates are expected to increase in the short term. The Federal Open Market Committee increased the federal funds rate to 1.5 percent in December 2017 and is expected to increase the rate to 2.1 in 2018 and 2.7 percent in 2019.

The California state economy is now the world’s fifth largest economy, surpassing the United Kingdom. The state’s gross domestic product rose by $127 billion from 2016 to 2017. The state has 12 percent of the total U.S. population but contributed 16 percent of the nation’s job growth.

The local economy is good. The unemployment rate as reported by the U.S. Bureau of Labor Statistics for the Oxnard-Thousand Oaks-Ventura Metropolitan Statistical Area (MSA) is 3.6 percent as of March 2018, a drop of 1.1 percent from March 2017. The highest unemployment rate reported in the last 10 years was in August 2010 when the jobless rate hit 11.3 percent.

The real estate market is solid. According to the Zillow Home Value Index, the median value for a home in Oxnard is $486,594. This is a 7.6 percent increase over last year. The Zillow forecast for next year is a 5 percent increase in value. Zillow reports the median listing price at $525,000 and the median sale price at $488,800.

In the current fiscal year or FY18, there are 389 residential units under construction. In FY18-19, the City anticipates another 385 of proposed units permitted for construction along with another 183 units under plan check.

Tourism is expected to boost the local economy. Oxnard has 11 miles of beach, excellent weather and a calm, laid-back atmosphere that is ideal for family vacations. It is also centrally located to many regional attractions, such as Ojai and the Premium Outlets in Camarillo. The City works in tandem with the Oxnard Convention and Visitors Bureau to promote Oxnard as a tourist and visitor destination.

In 2016, total direct travel spending in California was $126.3 billion. In 2017 Oxnard had year-to-date hotel and motel occupancies of 78.1 percent, an increase of 1.8 percent from 2016. The average daily room rate in Oxnard was $143.90, the highest in Ventura County.

*Local Economic Indicators*

Sales taxes have grown by 2 percent year over year. Growth over the last five years has averaged 4 percent. Over the last two quarters the largest generators of sales taxes have been auto/transportation and general consumer goods. The expectation for the short term is for a contraction in the economy given the historic growth that has occurred since the recession of 2018

Transient occupancy taxes (TOT) have shown strong growth year over year. The five-year trend has been 8 percent average growth annually. Room occupancy rates are reported to be in the 79 percent level, with average room rates of $144.

TOT collections are limited by the number of available hotel and motel rooms within the City. There are currently 32 hotels and motels within the City. There are two hotels in the development stage that will add more rooms to the local inventory. There are also many private residences along our beaches that are rented out as short-term rentals. The City does not currently collect TOT on the majority of these rentals.

Business licenses have grown to more than 11,000 applicants with an average growth of 2 percent over the past 10 years. Growth in business licenses is a positive indicator of the local economy.

*The Mid- and Long-Term Financial Forecast*

The City contracts with Management Partners consultants for financial forecasting services. The City conducts a 10-year financial forecast to identify General Fund revenue and expenditure trends and predict potential impacts on future budgets. The 10-year model uses revenue and expenditure assumptions to predict future budgets and incorporates known cost escalators such as salaries adjustments and pensions.

Using projected property and sales tax estimates from HdL (the City's tax consultant), the City's financial forecast for the next five years includes a 2 percent growth escalator per annum. Based on this assumption, General Fund revenues are expected to grow at an average of 2.8 percent over the next five years. This is a conservative estimate.

City expenditures are also predicated on assumptions built into the forecast model. The expenditure escalator assumes a 2 percent growth rate, and future budgets will likely increase by an average of 2.6 percent over the next five years. Of course there are always unknowns and unexpected occurrences that cannot be predicted. However, the forecast provides sound information on which to make prudent and conservative decisions.

*Economic Opportunities*

There are tremendous opportunities for economic growth in Oxnard. Oxnard's close proximity to the Los Angeles metropolitan area is an asset and a competitive advantage. The cities are well-connected by highways and rail, making the transport of goods and services easy to accomplish. Oxnard also is home to several regional economic drivers such as the Port of Hueneme and Naval Base Ventura County. Educational opportunities are presented by Oxnard College, Ventura College and California State University Channel Islands.

The expectation is that the City will commit resources to ensure the success of its economic development efforts. The new budget includes $100,000 to fund an economic development plan for the City. The plan will identify businesses and industries that are well-suited for location in Oxnard and can be served by the local population.

The development of the downtown will continue to be a priority. The plan is to sell the successor agency properties before June 30, 2018, with an eye toward the eventual development of the different sites as identified in the Council-approved Downtown Master Plan. The City reserves the right to purchase the properties in order to maintain control over the development of the sites.

## THE GENERAL FUND

The General Fund is the City's largest fund and is used to account for all the financial resources traditionally associated with government activities, which are not legally required to be accounted for in another fund. Principal sources of revenue are property taxes, sales taxes, business licenses, TOT, franchise fees, state shared revenues and billings for services. Primary expenditures in the General Fund are public safety, parks, street maintenance, recreation, development services and general city administration.

*Estimated Revenues*

General Fund revenues for the new fiscal year are projected to be $134.4 million. This is an increase of $8.2 million from the current budget of $126.2 million. The major factors impacting General Fund revenues are growth in property and sales taxes and the loss of the Infrastructure Use Fee for public safety and City facilities.

Property taxes represent the largest revenue source of the General Fund. Total property tax collections in the new year are estimated to be $56.6 million. There are a total of 45,250 parcels within the Oxnard City limits. Residential properties total 41,485 parcels or 58 percent of the assessment roll. Commercial properties total 1,057 or 15 percent of the roll. Industrial properties number 888 or 17 percent of the property tax roll and all other properties total 1,820 parcels or 10 percent of the roll. Overall, property taxes are expected to grow by 4.5 percent for additional collections of $2.4 million.

Property valuations are established by the Assessor of Ventura County for the secured and unsecured property tax rolls. Under the provisions of Article XIIIA of the State of California Constitution, properties are assessed at 100 percent of full value. From this base assessment, subsequent annual increases in valuation are limited to a maximum of 2 percent.

Sales taxes account for 23 percent of total General Fund revenues and are projected to total $31 million in the new year. The County currently imposes a 7.25 percent sale tax rate. Of this amount, only 1 percent (the Bradley-Burns) is received by the City. The State of California retains 3.93 percent for state purposes and the County retains 2.32 percent for their use. The City has an additional 0.5 percent sales tax, approved by the voters of Oxnard as Measure O, which raises the City's sales tax to 7.75 percent.

A comparison of existing sales tax rates among California's largest 25 cities shows that Oxnard has one of the lowest sales tax rates. Only the City of Bakersfield has a lower tax rate of 7.25 percent while 15 other cities have higher sales tax rates. The City of Long Beach has the highest sales tax rate in the state at 10.25 percent.

Transient occupancy taxes are expected to produce $5.5 million in the new budget. This is an increase of 5.7 percent from the current year collections of $5.2 million. City staff will present an option to Council to expand the collection of TOT taxes on short-term rentals within the city limits.

*Estimated Expenditures*

General fund expenditures total $134.4 million in the new budget compared to the current year original budget of $125.5 million adopted in June 2017. This is an increase of $8.9 million or 7 percent. Numerous budget amendments were approved during FY2017-18, which also increased general fund expenditures from $125.5 million to $128.4 million.

A mid-year budget amendment was approved by the City Council in February that increased overall General Fund expenditures in FY17-18 by an additional $4.22 million. Total appropriations for FY17-18 are now $132.6 million.

As indicated earlier, reductions in General Fund expenditures were necessary to balance the budget. The inability to fully use the Carman Override Tax for public safety pensions added $2.5

million to the General Fund gap. In addition, the public liability insurance fund and the workers compensation fund required additional contributions totaling $2.6 million to fully fund the program. These three items alone created a $5.1 million shortfall in the general fund.

In total, the initial General Fund base budget expenditures were $7.32 million more than the estimated revenue. A combination of revenue and expenditure proposals resolved the funding gap and produced a balanced budget for the year. Included in the expenditure proposals is a reduction of $.6 million from the original proposed $2.6 million fully funded public liability insurance and workers compensation to $2 million, reflecting a 70% confidence interval, which is common practice.

*Projected Ending Fund Balance*

The ending fund balance for the General Fund is estimated to be $16.9 million on June 30, 2018.

*Major Issues Impacting the General Fund*

Infrastructure Use Fees Litigation – The City has been sued for the use of approximately $7 million annually from its enterprise funds (water, wastewater and solid waste) to pay for public safety, street repairs and facility (buildings) services used by the public utilities. In 2014, consultants HF&H reviewed the services required by the utilities and determined that the infrastructure use fees were justified and could be paid to the General Fund.

In FY16-17, the City transferred $3 million from the utility funds to the general fund as part of Infrastructure Use Fee. That amount was eliminated in FY17-18. The new budget contains $4.1 million in IUF fees for street repairs only.

CalPERS Pensions - As stated earlier, the increases in the cost of employee pensions will have a dramatic impact on general fund expenditures. The costs associated with the pensions were discussed earlier given their impact on the entire City budget.

Aging Infrastructure – The City will present a five-year capital improvements plan for Council review and approval in September after the City Council recess. The five-year plan will document the known capital needs of the City, including building and facilities, roads, streets and bridges, parks and open space, water, wastewater, solid waste, IT and the City fleet.

The General Fund currently has very little capacity to finance capital improvements. Other special revenues, such as gas taxes and the Street Maintenance Fund, finance most street improvements, and Measure O has been instrumental in providing one-time funds for building improvements such as roof replacements.

Development impact fees are being reviewed and updated to produce more current fees than have previously been collected by the City. The work is being performed by Harris &

Associates. It is anticipated that development impact fees will help fund the planned improvements required by new development.

Council Policy on General Fund Balance – The City Council has an established policy of maintaining a General Fund balance of 18 percent of budgeted expenditures. This does not include Measure O funds which are technically part of the General Fund but are accounted for separately in Oxnard.

## MEASURE O SALES TAX

The Measure O Half Cent Sales Tax was approved by Oxnard voters on November 4, 2008. The general purpose sales tax of 0.5 percent expires in 2028. The approved ballot language was "To protect, maintain and enhance vital services including police, fire, emergency response, expanding youth recreation, after-school and anti-gang prevention programs, acquiring property for parks/open space preservation, upgrading stormwater drains, improving senior services, increasing code compliance, and other general services - Shall the sales tax be increased by one half cent for twenty years only, with citizen oversight and independent financials audits?"

The Measure O tax revenue has been a lifeline for public safety; funding 21 firefighter and 16 police officer positions. In 2015, the City also borrowed $16 million from the Measure O fund to stabilize the General Fund with a commitment to repay the amount that was borrowed.

The Measure O Citizen Oversight Committee is charged with ensuring that funds are spent as approved by the voters. There are nine committee members appointed by the City Council to serve two-year terms. Meetings are held quarterly.

*Estimated Revenues*

Measure O revenues for the new fiscal year are projected to be $16.6 million. This is an increase of $0.7 million from the current budget of $15.9 million.

*Estimated Expenditures*

Measure O proposed appropriations total $18.1 million in the new budget. This includes new programs, such as Safe Home & Safe Families, Acquisition of a Homeless Shelter, Annual Homeless Program, Downtown Art Hub and Market Study, Financing of new ERP, Fire Advanced Life Support, Economic Development Strategy, Tenant Relocation Assistance, and Development Services CivicSpark Intern. This is an increase of $5.1 million when compared to the current year Adopted FY18 Budget of $13 million.

*Projected Ending Fund Balance*

The Measure O estimated fund balance is $12.7 million at June 30, 2018. With an estimated year-end carryover of approximately $1.9 million, the anticipated ending-fund balance for Measure O on June 30, 2019 would be $9.3 million.

*Major Issues Impacting Measure O*

Measure O is scheduled to sunset in 2028, twenty years after its approval in 2008. The City should not wait until 2028 to determine whether to renew the sales tax. Future discussions should not only include whether, and when, it should be renewed, but whether the current rate is sufficient.

**THE WATER FUND**

The Water Fund accounts for all activities of the City's water distribution and treatment system. Revenues are derived from the sale of metered water service, water connection fees and installation charges. These revenues are used to pay for operating expenditures, capital improvements, debt service payments and machinery and equipment.

*Estimated Revenues*

Revenue for the water fund is estimated at $62.9 million, an increase of $2.6 million from the FY17-18 budget of $60.3 million. The City increased water rates in September 2017 with the expectation that the next potential rate adjustment would become effective in early 2019. Rates were adjusted by $3.60 per month for an average single family residential customer.

*Estimated Expenditures*

Expenditures in the water fund are estimated at $59.1 million in the new budget year. Major items include wholesale water purchases from Calleguas Municipal Water District and United Water Conservation District as well as electricity costs.

*Projected Ending Fund Balance (Cash)*

The Water Operating Fund is expected to have an ending cash balance of $25.0 million on June 30, 2018. The estimated fund balance, which includes asset reclassification and other restricted water fund, is $36.1 million. The City Council policy is to maintain 25 percent of annual operating expenses in reserve.

*Major Issues Impacting the Water Fund*

Rate Adjustments – The most recent water rate adjustment was effective as of September 1, 2017. The next cost of service review and potential rate adjustment is scheduled for January 2019. Council will need to discuss the process for reviewing rate proposals and the plan for engaging the public.

Groundwater Management – The State of California has designated the Fox Canyon Groundwater Management Agency with the task of preserving and managing groundwater resources within the areas or lands overlying the Fox Canyon aquifer for the common benefit of the public and all agricultural, domestic and municipal and industrial users. The expectation is that groundwater pumping will be curtailed given the impacts of drawing down the aquifer and that future allocations of groundwater will be very limited.

Reclaimed Water (Advanced Water Purification Facility) – The City is currently producing 950 million gallons of purified reclaimed water. The water is being sold as a commodity to agricultural interests. The value of the water purification facility will greatly increase as groundwater pumping is restricted, providing the citizens of Oxnard with a valuable asset that increases the sustainability and reliability of water in the City.

**THE WASTEWATER FUND**

The Wastewater Fund accounts for the City's sanitary sewer activities related to conveyance system maintenance and services. Revenues are derived mainly from sewer charges, connection fees and treatment plant charges. These revenues are used to pay for operating expenditures, capital improvements, acquisition of equipment and machinery and annual debt service payments.

*Estimated Revenues*

Wastewater revenue is estimated to be $68.3 million in the new budget year (including operating transfers between Wastewater Collection and Treatment funds). The City Council unanimously adopted a new wastewater rate for five consecutive years on May 23, 2017. A Utility Ratepayers Advisory Panel (URAP) met to review staff proposals for rate adjustments and voted 5 to 2 to recommend annual adjustments of 5.25 percent. The monthly increase in the first year for a typical household was $2.22. The next rate adjustment is scheduled to take effect on January 1, 2019.

*Estimated Expenditures*

Wastewater costs are estimated to be $59.5 million in the new budget year (including operating transfers between Wastewater Collection and Treatment funds). Major expenditures in the new year include electricity, treatment chemicals, biosolids hauling and disposal costs.

*Projected Ending Fund Balance (Cash)*

The Wastewater Operating Fund is expected to have an ending cash balance of $21.2 million June 30, 2018. Of the $21.2 million available, $5.8 million is the estimated outstanding commitment of encumbrances and CIPs. The estimated fund balance, which includes asset reclassification and other restricted Wastewater Funds, is $27.7 million. The City Council policy is to maintain 25 percent of annual operating expenses in reserve.

*Major Issues Impacting the Wastewater Fund*

Measure M Litigation – The City of Oxnard filed a lawsuit on March 23, 2016 in response to the 2016 Measure M ballot initiative that sought to overturn the Council-approved wastewater rates. The trial was held in December 2017. A tentative decision and proposed statement of decision ruling was issued on May 23, 2018 by the Judge of the Superior Court stating that Measure M was a valid exercise of the right of the citizens of Oxnard to decide what type of wastewater system would best serve the overall needs of the community. The tentative decisions denies Oxnard's request to invalidate Measure M.

The City will ascertain the impacts of the ruling on the finances and operations of the Wastewater Fund and work on a legal and financial strategy for resolving this matter.

Capital Improvements – The capital improvement needs of the wastewater system continue to be a priority for the fund. The wastewater treatment plant in particular is in need of major repairs and renovations. A formal capital program was adopted as part of the new rate structure. The expectation is that borrowing will be required to finance some of the more expensive projects. The City will secure the lowest cost financing given the need to save funds.

Service Agreements – The City has a number of wastewater service agreements with other entities that need a formal review to ensure that the interests of the City are being promoted.

## THE ENVIRONMENTAL RESOURCES FUND

This fund accounts for the City's solid waste activities related to the collection, recycling and disposal of refuse. Revenues are derived from refuse disposal charges, developer fees and other services. Revenues are used to pay for operating expenditures, capital improvements, machinery and equipment and lease-purchase payments.

*Estimated Revenues*

The revenues for Environmental Resources are estimated to be $45.8 million in FY18-19. There is no need to adjust rates in FY18-19, with the exception of annual pass-through rates, which will be available by the beginning of the new fiscal year.

*Estimated Expenditures*

The expenditures for Environmental Resources are projected to be $44.7 million in the new year. Major expenditures include labor, landfill fees, repairs and maintenance, contractual services and operating supplies.

*Projected Ending Fund Balance (Cash)*

The Environmental Resources Operating Fund is expected to have an ending cash balance of $16.0 million at June 30, 2018. The estimated fund balance, which includes asset reclassification and other restricted funds, is $19.9 million. The City Council policy is to maintain 9 percent of annual operating expenses in reserve.

*Major Issues Impacting the Environmental Resources Fund*

Capital Improvements – Environmental Resources is proposing several capital improvement projects to upgrade its infrastructure and equipment at the Del Norte Regional Recycling and Transfer Station to include resurfacing the waste tipping floor, roof repair, replacement of baler machine, weigh scales, and tractor-trailers. A compressed natural gas (CNG) fueling station is needed to fuel the new fleet of refuse trucks operating on CNG. New recycling bins are needed to meet state mandates in commercial recycling.

Illegal Dumping and Clean-Up - By fiscal year end, Environmental Resources will have responded to approximately 5,500 Oxnard-311 calls for illegal dumping with the clean-up of approximately 550 tons of trash. Environmental Resources will have completed 40 neighborhood clean-ups by fiscal year end, resulting in the collection of 800 tons of trash and recyclable material.

Commercial Recycling Mandates - AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling requires the City to implement recycling programs for commercial enterprises. Resources will be needed such as trucks and operators, recycling bins, and promotional materials to implement the programs.

## <u>CITY OF OXNARD FINANCING AUTHORITY</u>

In 2003, the City of Oxnard Financing Authority issued Variable Rate Demand Lease Revenue Bonds, 2003 Series B to finance the construction of a parking structure and library. In 2006, the Authority issued additional Variable Rate Demand Lease Revenue Bonds, Series 2006 (Civic Center Phase 2 Project) to finance the second phase of civic center improvements. Both the 2003 and 2006 variable rate bonds required weekly interest rate resets with a letter of credit provided by MUFG Union Bank, N.A ("MUFG").

City staff worked with its financial advisor, bond counsel, and underwriter to replace the variable rate demand bonds, with fixed-interest rate bonds. The March 2018 refinancing will save the City approximately $1 million over the remaining life of the bonds and eliminate the need for letters of credit. An interest rate swap agreement was also eliminated as part of the new permanent financing structure.

The City still maintains one last variable rate demand bond issue - the 2004 Wastewater Series B. The plan is to refinance this issue using fixed-interest rate debt and eliminate the associated letter of credit and interest rate swap that currently exist.

## BUDGET REVIEW AND APPROVAL SCHEDULE

The following outlines the Budget Workshop sessions to review and approve the recommended budget.

| Topic | Date & Time |
|---|---|
| City Council - FY18-19 Budget Workshop | June 5, 2018 - 4:30 p.m. |
| City Council - FY18-19 Budget Public Hearing | June 19, 2018 - 5 p.m. |
| City Council - FY18-19 Budget Adoption | June 26, 2018 - 6 p.m. |
| City Council - 5-Year CIP Budget Presentation | Fall 2018 |

## STRATEGIC PRIORITIES

This agenda item supports the Organizational Effectiveness strategy. The purpose of the Organizational Effectiveness strategy is to strengthen and stabilize the organizational foundation of the City in the areas of Finance, Information Technology, and Human Resources, and to improve workforce quality while increasing transparency to the public. This item supports the following goals and objectives:

Goal 2. Increase transparency with Council, community and staff related to the City's budget and financial management processes.

## FINANCIAL IMPACT

There is no immediate financial impact at this time.

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| | | |
|---|---|---|
| CITY OF OXNARD CALIFORNIA | **CITY COUNCIL**<br><br>**AGENDA REPORT** | **TYPE OF ITEM: Report**<br><br>**AGENDA ITEM NO.: 2** |

**DATE:** June 5, 2018

**TO:** City Council

**THROUGH:** Scott Whitney
Interim City Manager

**FROM:** Ashley Golden
Development Services Director

**SUBJECT:** Cannabis Tax and Transient Occupancy Tax Ballot Measures. (10/10/5)

**CONTACT:** Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, (805) 385-7882

**RECOMMENDATION:**

That City Council:

1. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE IMPOSING A CANNABIS BUSINESS TAX; REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS, and

2. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE TO MODIFY THE CITY'S EXISTING TRANSIENT OCCUPANCY TAX SO THAT IT APPLIES TO SHORT-TERM RENTALS WITHIN THE CITY, REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS

## BACKGROUND

Except under narrow circumstances, the City can only place a tax measure before the voters at a regular election in which members of the City Council will be elected. (Cal.Const. Article XIII C, Section 2(b).) The next City Council election is scheduled for November 6, 2018. In order to place a tax measure on the November 6, 2018 ballot, a 2/3 vote from City Council is required. Once placed on the ballot, the voters must approve the establishment and rates of the tax before it becomes effective.

City staff have identified two potential ballot measures – a City business tax on cannabis (marijuana) uses within the City and an amendment to the City transient occupancy tax (TOT) to clarify that short-term rentals (STRs) are within the types of lodging that would be required to pay the City's existing 10 percent TOT.

The proposed changes would represent either a new tax (the cannabis business tax) or a clarification in the scope of an existing tax (the amendment to the TOT tax). Proposition 218 requires that these proposed changes be approved by a majority of the voters.

<u>Cannabis Business Tax</u>

On November 8, 2016, California voters passed the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") as Proposition 64. AUMA legalized the nonmedical use of cannabis (marijuana) by persons 21 years of age and over, the personal cultivation of up to six cannabis plants per household, and certain commercial cannabis businesses. Under AUMA, local jurisdictions retained the authority to adopt and enforce local ordinances regulating or prohibiting state-licensed cannabis businesses.

On July 18, 2017, the City Council held a study session on cannabis and directed staff to move forward with three recommendations:

1. Enact a zone text amendment explicitly banning commercial cannabis activities.

2. Incorporate existing medical cannabis restrictions into the zoning code.

3. Revise existing regulations to allow for delivery of medical cannabis.

The City Council subsequently adopted an ordinance prohibiting all cannabis-related uses within the City's commercial and industrial zones. This ordinance became effective on December 14, 2017.

The City Council adopted Ordinance No. 2937 on April 10, 2018, and the ordinance became effective on May 10, 2018. The ordinance updates existing cannabis/marijuana prohibitions in Article XVI of Chapter 7 of the Oxnard City Code (Section 7-280 et seq.) to allow medical cannabis deliveries in the City under specific conditions.

The proposed cannabis business tax ordinance would impose a new group of taxes on a wide range of cannabis uses, including cultivation, testing laboratories, retail sales, deliveries, distribution and manufacturing. The City Council may adjust the rates of the cannabis tax by resolution or ordinance; however, it cannot set a rate that exceeds the maximum rate that is approved by the voters. The maximum tax rates on cultivation may be adjusted for inflation starting in 2022 based upon changes in the consumer price index (CPI). While the City's consultant (HdL) is still conducting its analysis on the specific amount of revenue that could be raised by the proposed new taxes, the anticipated range of revenue is between $1,200,000 to $2,500,000 per year.

Although the City's existing regulations do not currently allow cannabis cultivation, testing laboratories, retail sales, deliveries, distribution and manufacturing, ballot language for the November 2018 ballot must be submitted to the County by July 3, 2018. If the City Council chooses to place the cannabis business tax measure on the ballot and the voters approve the measure, the passing of a tax measure alone <u>would not</u> permit cannabis activities within the City. The City Council can add a tax measure to the ballot and continue to prohibit certain types of cannabis activities.

Advancing the ballot language forward will allow the City to continue the "go slow" approach, but at the same time preserve the City's ability to tax cannabis activities should the Council allow for additional cannabis activities within the City before November 2020, which is the next election tax measure can be placed before the voters. Future City Council study sessions to discuss options regarding cannabis, including the types of additional cannabis uses that the City Council wishes to consider are tentatively scheduled for the June 26, 2018 City Council meeting.

Should the City Council decide that the cannabis tax will not be presented to the voters or if the voters do not approve of the proposed tax, then any existing and future cannabis businesses (if later allowed by the City Council) would pay the existing City business license tax – not the substantially greater cannabis business tax that is being proposed.

<u>Transient Occupancy Tax (TOT)</u>

Many cities in California have a transient occupancy tax or bed tax that is charged to transients when they rent accommodations in a hotel, inn, motel or other lodging for a period of 30 days or less. The TOT is an important funding source to cities and counties because 100 percent of the revenue generated goes directly to the local jurisdiction. The City of Oxnard has imposed a TOT for more than 50 years at the current rate of 10 percent.

Over the last few years, the success of online platforms such as Airbnb, VRBO and HomeAway have made it easier and much more convenient for private residences to advertise the availability of their homes for what is commonly referred to as "vacation rentals" or "short-term rentals" (STRs) As a result, the City of Oxnard, like many other cities along the coast, has seen a substantial increase in the use of private residences for these purposes.

Like the TOT regulations of many cities throughout California, the City of Oxnard's TOT does not specifically apply to STRs because STRs in residential zones (other than the weekly or monthly rental of a few beach houses during the summer months) were not contemplated when the City adopted its TOT more than 50 years ago. While a small number of vacation rental operators voluntarily pay TOT to the City, the vast majority of short-term rental operators within the City do not pay TOT.

Short-term rentals within residential zones are not specifically authorized by City regulations, but a number of STRs are currently operating within the City. In addition to working with the Coastal Commission, monitoring ongoing litigation regarding STRs, and tracking other cities' STR regulation, to date the Planning Division has taken the following actions to formulate STR regulation:

1. Conducted an Online Survey (https://www.oxnard.org/str/)
2. Held a Community Meeting on August 16, 2016 (https://www.oxnard.org/str/)
3. Held two Planning Commission Workshops (November 3, 2016 and June 1, 2017)

The proposed amendment to the TOT regulations would specifically add STRs to the types of lodging that are required to pay TOT to the City. The proposed amendment would not increase the TOT rate.

If the City Council chooses to place the TOT measure on the ballot, such measure would not require that STRs be allowed in any specific areas of the City and would not preclude any specific regulations or restrictions on STRs in the future. Such language would, however, allow the City to collect TOT from STRs to the extent that they are officially allowed by the City in the future. It would also ensure that STRs (to the extent that they are allowed within the City) do not have a competitive advantage over other types of lodging within the City, including hotels.

Timing of Ballot Measures

If the ballot language for a cannabis business tax or amendment to the TOT is not submitted to the County by July 3, 2018, the next opportunity for a ballot measure tax would occur as part of the November 2020 General Election.

As outlined above, by ordering a vote on a cannabis business tax measure and/or the TOT measure, the City Council is not committing the City to allow any uses that would not otherwise be permitted in the City Code. The tax would be in place so there would be no delay in collecting revenue, should City Council determine to allow such uses at some point in the future.

## STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goals and objectives:

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

Objective 1a. Focus available resources on a comprehensive effort to promote economic activity in Oxnard, including a marketing program that communicates the City's available resources and assets.

Goal 2. Enhance business development throughout the City.

Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Objective 2b. Improve relationships and communication between the City and the business community.

**FINANCIAL IMPACT**

The estimated cost to place the measures on the general ballot is $15,000 to $20,000 for each measure. The costs will be paid from General Fund No. 101-1302-801-8209.

A voter approved cannabis tax may provide the City with additional revenue from which all citizens can benefit. If additional cannabis activities are allowed in the future, additional revenue will be generated and collected. The anticipated range of revenue is $1,200,000 to $2,500,000 per year.

A voter approved TOT ordinance to include short-term rentals within the City will increase revenues to the General Fund. Based on an estimate of over 200 STRs operating in Oxnard, the projected revenue generated from applying a TOT tax to short term rentals is approximately $1.2 million.

**ATTACHMENTS:**

A: Oxnard Cannabis Tax Resolution

B: Exhibit B - Request for Specified Election Services - Cannabis

C: Oxnard TOT Resolution (no TOT increase, adding SRTs)

D: Exhibit B - Request for Specified Election Services - TOT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE IMPOSING A CANNABIS BUSINESS TAX; REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS

WHEREAS, Government Code Sections 37101 and 37100.5 authorize the City to levy a license tax, for revenue purposes, upon business transacted in the City; and

WHEREAS, as a result of recent voter-approved changes to state law, there has been a very strong interest by cannabis businesses to open in the City, although such business as are not allowed under existing City regulations; and

WHEREAS, cannabis businesses are likely to create demands upon City services, and the City does not currently impose any taxes upon cannabis businesses, aside from generally applicable municipal taxes; and

WHEREAS, the City Council desires to seek to impose a license tax upon cannabis businesses, to be known as the "Cannabis Business Tax"; and

WHEREAS, the Cannabis Business Tax cannot be imposed without voter approval; and

WHEREAS, the City Council desires to submit a Cannabis Business Tax measure to the voters of the City at the General Municipal Election to be held on Tuesday, November 6, 2018, and to be consolidated with any other election to be held on that date; and

WHEREAS, the proposed Cannabis Business Tax is more completely described in the ordinance attached hereto as Attachment "A" and incorporated herein by reference (the "Tax Ordinance").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that the foregoing recitals are true and correct.

SECTION 2. The City Council hereby proposes the Cannabis Business Tax.

SECTION 3. The City Council hereby calls a General Municipal Election for Tuesday November 6, 2018 (the "Election") and orders, pursuant to Elections Code Section 9222, that the Tax Ordinance be submitted to the voters at that election.

SECTION 4. The ballot question shall be substantially as follows:

| | | |
|---|---|---|
| To fund general City services, including public safety, recreation, repairing and improving city streets, library services and senior services, shall the City tax cannabis (marijuana) businesses at annual rates not to exceed $10.00 per canopy square foot for cultivation (adjustable for inflation), 6% of gross receipts for retail cannabis businesses, and 4% for all other cannabis businesses; which is expected to generate an estimated $1.2 to $2.5 million annually? | YES | |
| | NO | |

SECTION 5. The text of the proposed Tax Ordinance shall be printed in the ballot materials; a copy of the measure shall be available for public inspection in the City Clerk's office located at 300 West Third Street, 4th Floor in the City of Oxnard. If not provided in the voter guide, upon request, copies will be sent at the expense of the City. Because the revenue generated by the measure would fund general City services, a majority of votes cast is required for the measure to pass.

SECTION 6. This Resolution is adopted pursuant to Elections Code Section 10403 requesting that the Board of Supervisors of Ventura County, pursuant to Elections Code Section 10401, order that this election of the City of Oxnard be consolidated with the statewide general election to be held on November 6, 2018, which consolidated election shall be held and conducted in the manner prescribed in Elections Code Section 10418.

SECTION 7. Pursuant to Elections Code Section 10411, the Board of Supervisors is authorized to canvass the returns of the election to be held within the boundaries of the City of Oxnard on November 6, 2018.

SECTION 8. Pursuant to Elections Code Section 10002, the Board of Supervisors is requested to permit the County Clerk to render the services and supplies shown on Exhibit B, which is attached hereto and made a part hereof, and any and all other services and supplies necessary to complete the election on November 6, 2018. The City shall pay the reasonable cost of services and supplies rendered by the County Clerk.

SECTION 9. The City Manager is authorized to execute all documents and to perform all necessary acts to enter into one or more agreements for the provisions of election services consistent with this Resolution.

SECTION 10. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 11. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney and directs the City Attorney to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280 in the manner required by law. Any person or persons may file an argument either for or against the ballot measure. An argument for or against the measure shall not exceed 300 words in length. If more than one argument is submitted for the measure, or more than one argument against the measure, the City Clerk shall select the argument to be included with the ballot materials. Rebuttal arguments shall be permitted pursuant to applicable law.

SECTION 12. In all particulars not recited in this Resolution, the election shall be held and conducted in the manner required by law.

SECTION 13. The City Council shall meet to declare the results of the election called for by this Resolution at its first regular meeting following the certification of election results.

SECTION 14. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk.

SECTION 15. The City Clerk shall publish a copy of this Resolution in a newspaper of general circulation once within fifteen (15) days after the adoption of this Resolution.

SECTION 16. This Resolution shall be effective immediately upon adoption.

APPROVED and ADOPTED this 5th day of June, 2018.

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

# EXHIBIT A

**AN ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA ADDING ARTICLE XV (CANNABIS BUSINESS TAX) TO CHAPTER 11 OF THE OXNARD CITY CODE**

**THE PEOPLE OF THE CITY OF OXNARD DO ORDAIN AS FOLLOWS:**

SECTION 1. CODE AMENDMENT. Article XV is added to Chapter 11 of the Oxnard City Code to read as follows:

## ARTICLE 15
## CANNABIS BUSINESS TAX

**Sections:**

**15-10 Title.**

This ordinance shall be known as the Cannabis Business Tax Ordinance.

**15-20 Authority and Purpose.**

The purpose of this Ordinance is to adopt a tax, for revenue purposes, pursuant to Sections 37101 and 37100.5 of the California Government Code, upon Cannabis Businesses that engage in business in the City. The Cannabis Business Tax is levied based upon business gross receipts and square footage of plant canopy. It is not a sales and use tax, a tax upon income, or a tax upon real property.

The Cannabis Business Tax is a general tax enacted solely for general governmental purposes of the City and not for specific purposes. All of the proceeds from the tax imposed by this Article shall be placed in the City's general fund and be available for any legal municipal purpose.

**15-30 Intent.**

The intent of this Ordinance is to levy a tax on all Cannabis Businesses that operate in the City, regardless of whether such business would have been legal at the time this Ordinance was adopted. Nothing in this Ordinance shall be interpreted to authorize or permit any business activity that would not otherwise be legal or permissible under laws applicable to the activity at the time the activity is undertaken.

**15-40 Definitions.**

The following words and phrases shall have the meanings set forth below when used in this Chapter:

A. "Business" shall include all activities engaged in or caused to be engaged in within the City, including any commercial or industrial enterprise, trade, profession, occupation, vocation, calling, or livelihood, whether or not carried on for gain or profit, but shall not include the services rendered by an employee to his or her employer.

B. "Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code and is not limited to medical cannabis.

C. "Cannabis product" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product. "Cannabis product" also means marijuana products as defined by Section 11018.1 of the California Health and Safety Code and is not limited to medical cannabis products.

D. "Canopy" means all areas occupied by any portion of a cannabis plant whether contiguous or noncontiguous on any one site. When plants occupy multiple horizontal planes (as when plants are placed on shelving above other plants) each plane shall be counted as a separate canopy area.

E. "Cannabis business" means any business activity involving cannabis, including but not limited to, cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, testing, dispensing, retailing and wholesaling of cannabis, of cannabis products or of ancillary products and accessories, whether or not carried on for gain or profit.

F. "Cannabis business tax" or "business tax," means the tax due pursuant to this Article for engaging in cannabis business in the City.

G. "Commercial cannabis cultivation" means cultivation in the course of conducting a cannabis business.

H. "City permit" means a permit issued by the City to a person to authorize that person to operate or engage in a cannabis business.

I. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis and includes, but is not limited to, the operation of a nursery.

J. "Employee" means each and every person engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such business for a wage, salary, commission, barter or any other form of compensation.

K. "Engaged in business as a cannabis business" means the commencing, conducting, operating, managing or carrying on of a cannabis business, whether done as owner, or by means of an officer, agent, manager, employee, or otherwise, whether operating from a fixed location in the City or coming into the City from an outside location to engage in such activities. A person shall be deemed engaged in business within the City if:

1. Such person or person's employee maintains a fixed place of business within the City for the benefit or partial benefit of such person;

2. Such person or person's employee owns or leases real property within the

City for business purposes;

3. Such person or person's employee regularly maintains a stock of tangible personal property in the City for sale in the ordinary course of business;

4. Such person or person's employee regularly conducts solicitation of business within the City; or

5. Such person or person's employee performs work or renders services in the City.

The foregoing specified activities shall not be a limitation on the meaning of "engaged in business."

L. "Evidence of doing business" means evidence such as, without limitation, use of signs, circulars, cards or any other advertising media, including the use of internet or telephone solicitation, or representation to a government agency or to the public that such person is engaged in a cannabis business in the City.

M. "Calendar year" means the twelve-month period starting with January 1 and ending with December 31.

N. "Gross Receipts," except as otherwise specifically provided, means, whether designated a sales price, royalty, rent, commission, dividend, or other designation, the total amount (including all receipts, cash, credits, services and property of any kind or nature) received or payable for sales of goods, wares or merchandise or for the performance of any act or service of any nature for which a charge is made or credit allowed (whether such service, act or employment is done as part of or in connection with the sale of goods, wares, merchandise or not), without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever. However, the following shall be excluded from the definition of Gross Receipts:

1. Cash discounts where allowed and taken on sales;

2. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;

3. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;

4. Receipts derived from the occasional sale of used, obsolete or surplus trade fixtures, machinery or other equipment used by the taxpayer in the regular course of the taxpayer's business;

5. Cash value of sales, trades or transactions between departments or units of

the same business;

6. Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a subsequent year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected, they shall be included in the amount of gross receipts for the period when they are recovered;

7. Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar;

8. Amounts collected for others where the business is acting as an agent or trustee and to the extent that such amounts are paid to those for whom collected. These agents or trustees must provide the City's Finance Department with the names and the addresses of the others and the amounts paid to them. This exclusion shall not apply to any fees, percentages, or other payments retained by the agent or trustees.

9. Retail sales of t-shirts, sweaters, hats, stickers, key chains, bags, books, posters, rolling papers, cannabis accessories such as pipes, pipe screens, vape pen batteries (without cannabis) or other personal tangible property which the Tax Administrator has excluded in writing by issuing an administrative ruling per Section 15-14 shall not be subject to the cannabis business tax under this Article. However, any business activities not subject to this Article as a result of the administrative ruling shall be subject to the appropriate business tax provision of Article I of Chapter 11 or any other Chapter or Title as determined by the Tax Administrator.

O. "Lighting" means a source of light that is primarily used for promoting the biological process of plant growth. Lighting does not include sources of light that primarily exist for the safety or convenience of staff or visitors to the facility, such as emergency lighting, walkway lighting, or light admitted via small skylights, windows or ventilation openings.

P. "Nursery" means a facility or part of a facility that is used only for producing clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

Q. "Person" means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, whether organized as a nonprofit or for-profit entity, and includes the plural as well as the singular number.

R. "Sale" means and includes any sale, exchange, or barter.

S. "State" means the State of California.

T. "State license," "license," or "registration" means a state license issued pursuant to California Business & Professions Code Sections 26050, *et seq.* or other applicable state law.

U. "Tax Administrator" means the Finance Director of the City of Oxnard or his or her designee.

V. "Testing Laboratory" means a cannabis business that (i) offers or performs tests of cannabis or cannabis products, (ii) offers no service other than such tests, (iii) sells no products, excepting only testing supplies and materials, (iv) is accredited by an accrediting body that is independent from all other persons involved in the cannabis industry in the state and (v) is registered with the State Department of Public Health.

**15-05 Tax imposed.**

A. Beginning January 1, 2019, there is imposed upon each person who is engaged in business as a cannabis business a cannabis business tax. Such tax is payable regardless of whether the business has been issued a cannabis business license or permit to operate lawfully in the City or is operating unlawfully. The City's acceptance of a cannabis business tax payment from a cannabis business operating illegally will not constitute the City's approval or consent to such illegal operations.

B. The initial rate of the cannabis business tax shall be as follows:

1. For every person who is engaged in commercial cannabis cultivation in the City:

   a. Seven dollars ($7.00) annually per square foot of canopy space in a facility that uses exclusively artificial lighting.

   b. Four dollars ($4.00) annually per square foot of canopy space in a facility that uses a combination of natural and supplemental artificial lighting.

   c. Two dollars ($2.00) annually per square foot of canopy space in a facility that uses no artificial lighting.

   d. One dollar ($1.00) annually per square foot of canopy space for any nursery.

For purposes of this subdivision (B), the square feet of canopy space for a business shall be rebuttably presumed to be the maximum square footage of canopy allowed by the business's City permit for commercial cannabis cultivation, or, in the absence of a City permit, the square footage shall be the maximum square footage of canopy for commercial cannabis cultivation allowed by the state license type. Should a City permit be issued to a business which cultivates only for certain months of the year, the City shall prorate the tax as to sufficiently reflect the period in which cultivation is occurring at the business. In no case shall canopy square footage which is authorized by the City commercial cannabis permit but not utilized for cultivation be deducted for the purpose of determining the tax for cultivation, unless the Tax Administrator is informed in writing and authorizes such reduction for the purpose of relief from the tax prior to the period for which the space will not be used, that such space will not be used.

2. For every person who engages in the operation of a testing laboratory: one percent (1%) of gross receipts.

3. For every person who engages in the retail sales of cannabis as a retailer (dispensary) or non-store front retailer (delivery) or microbusiness (retail sales): four percent (4%) of gross receipts.

4. For every person who engages in a cannabis distribution business: two percent (2%) of gross receipts.

5. For every person who engages in a cannabis manufacturing, processing, or microbusiness (non-retail), or any other type of cannabis business not described in Section (B) (1), (2), (3) or (4): two and half percent (2.5%) of gross receipts.

C. The City Council may, by resolution or ordinance, adjust the rate of the cannabis business tax. However, in no event may the City Council set any adjusted rate that exceeds the maximum rate calculated pursuant to Subdivision (D) of this Section for the date on which the adjusted rate will commence.

D. The maximum rate shall be calculated as follows:

1. For every person who is engaged in commercial cannabis cultivation in the City:

a. Through January 1, 2021, the maximum rate shall be:

i. Ten dollars ($10.00) annually per square foot of canopy space in a facility that uses exclusively artificial lighting.

ii. Seven dollars ($7.00) annually per square foot of canopy space in a facility that uses a combination of natural and supplemental artificial lighting.

iii. Four dollars ($4.00) annually per square foot of canopy space in a facility that uses no artificial lighting.

iv. Two dollars ($2.00) annually per square foot of canopy space for any nursery.

b. On January 1, 2022 and on each January 1 thereafter, the maximum annual tax rate per square foot of each type of canopy space shall increase by the percentage change between January of the calendar year prior to such increase and January of the calendar year of the increase in the Consumer Price Index ("CPI") for all urban consumers in the Los Angeles-Long Beach-Anaheim area as published by the United States Government Bureau of Labor Statistics. If publication of said index is discontinued, then a successor index selected by the City Manager in his or her reasonable discretion shall be substituted. However, no CPI adjustment resulting in a decrease of any tax imposed by this subsection shall be made.

2. For every person who engages in the operation of a testing laboratory, the maximum tax rate shall not exceed two and a half percent (2.5%) of gross receipts.

3. For every person who engages in the retail sales of cannabis as a retailer (dispensary) or non-store front retailer (delivery business), or microbusiness (retail sales activity) the maximum tax rate shall not exceed six percent (6%) of gross receipts.

4. For every person who engages in a cannabis distribution business, the maximum tax rate shall not exceed three percent (3%) of gross receipts.

5. For every person who engages in a cannabis manufacturing, processing, or microbusiness (non-retail activity) or any other type of cannabis business not described in Section (D) (1), (2), (3) or (4), the maximum tax rate shall not exceed four percent (4%) of gross receipts.

**15-6 Reporting and remittance of tax.**

A. The cannabis business tax imposed by this Article shall be paid, in arrears, on a quarterly basis. For commercial cannabis cultivation, the tax due for each calendar quarter shall be based on the square footage of the business's canopy space during the quarter and the rate shall be twenty-five percent (25%) of the applicable annual rate. For all other cannabis businesses activities, the tax due for each calendar quarter shall be based on the gross receipts for the quarter.

B. Each person owing cannabis business tax for a calendar quarter shall, no later than the last day of the month following the close of the calendar quarter, file with the Tax Administrator a statement of the tax owed for that calendar quarter and the basis for calculating that tax. The Tax Administrator may require that the statement be submitted on a form prescribed by the Tax Administrator. The tax for each calendar quarter shall be due and payable on that same date that the statement for the calendar quarter is due.

C. Upon cessation of a cannabis business, tax statements and payments shall be immediately due for all calendar quarters up to the calendar quarter during which cessation occurred.

D. The Tax Administrator may, at his or her discretion, establish shorter report and payment periods for any taxpayer as the Tax Administrator deems necessary to ensure collection of the tax. The Tax Administrator may also require that a deposit, to be applied against the taxes for a calendar quarter, be made by a taxpayer at the beginning of that calendar quarter. In no event shall the deposit required by the Tax Administrator exceed the tax amount he or she projects will be owed by the taxpayer for the calendar quarter. The Tax Administrator may require that a taxpayer make payments via a cashier's check, money order, wire transfer, or similar instrument.

E. For purposes of this section, the square feet of canopy space for a business shall be rebuttably presumed to be no less than the maximum square footage of canopy allowed by the business's City permit for commercial cannabis cultivation, or, in the absence of a City permit, the square footage shall be the maximum square footage of canopy for commercial cannabis cultivation allowed by the state license type. In no case shall canopy square footage which is authorized by the permit or license but not utilized for cultivation be excluded from taxation unless the Tax Administrator is informed in writing, prior to the period for which the space will not be used, that such space will not be used.

**15-7 Payments and communications – timely remittance.**

Whenever any payment, statement, report, request or other communication is due, it must be received by the Tax Administrator on or before the final due date. A postmark will not be accepted as timely remittance. If the due date would fall on a Saturday, Sunday or a holiday observed by the City, the due date shall be the next regular business day on which the City is open to the public.

**15-8 Payment - when taxes deemed delinquent.**

Unless otherwise specifically provided under other provisions of this Article, the taxes required to be paid pursuant to this Article shall be deemed delinquent if not received by the Tax Administrator on or before the due date as specified in Sections 15-6 and 15-7.

**15-9 Notice not required by the City.**

The City may as a courtesy send a tax notice to the business. However, the Tax Administrator is not required to send a delinquency or other notice or bill to any person subject to the provisions of this Chapter. Failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this Article.

**15-10 Penalties and interest.**

A. Any person who fails or refuses to pay any cannabis business tax required to be paid pursuant to this Article on or before the due date shall pay penalties and interest as follows:

1. A penalty equal to ten percent (10%) of the amount of the tax, in addition to the amount of the tax, plus interest on the unpaid tax calculated from the due date of the tax at the rate of one percent (1.0%) per month.

2. If the tax remains unpaid for a period exceeding one calendar month beyond the due date, an additional penalty equal to twenty-five percent (25%) of the amount of the tax, plus interest at the rate of one percent (1.0%) per month on the unpaid tax and on the unpaid penalties.

3. Interest shall be applied at the rate of one percent (1.0%) per month on the first day of the month for the full month and will continue to accrue monthly on the tax and penalty until the balance is paid in full.

B. Whenever a check or electronic payment is submitted in payment of a cannabis business tax and the payment is subsequently returned unpaid by the bank for any reason, the taxpayer will be liable for the tax amount due plus any fees, penalties and interest as provided for in this Section, and any other amount allowed under state law.

**15-11 Refunds and credits.**

A. No refund shall be made of any tax collected pursuant to this Article, except as provided in Section 15-12.

B. No refund of any tax collected pursuant to this Article shall be made because of the discontinuation, dissolution, or other termination of a business.

**15-12 Refunds and procedures.**

A. Whenever the amount of any cannabis business tax, penalty or interest has been overpaid, paid more than once, or has been erroneously collected or received by the City under this Article, it may be refunded to the claimant who paid the tax provided that a written claim for refund is filed with the Tax Administrator within one (1) year of the date the tax was originally due and payable.

B. The Tax Administrator, his or her designee or any other City officer charged with the administration of this Article shall have the right to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after request by the Tax Administrator to do so.

C. In the event that the cannabis business tax was erroneously paid, and the error is attributable to the City, the City shall refund the amount of tax erroneously paid up to one (1) year from the date that the tax was paid.

**15-13 Personal Cultivation Not Taxed.**

The provisions of this Article shall not apply to personal cannabis cultivation as defined in the "Medicinal and Adult Use Cannabis Regulation and Safety Act". This Article shall not apply to personal use of cannabis that is specifically exempted from City and state licensing requirements, that meets the definition of personal use or equivalent terminology under state law, and for which the individual receives no compensation whatsoever related to that personal use.

**15-14 Administration of the tax.**

A. It shall be the duty of the Tax Administrator to collect the taxes, penalties, fees, and perform the duties required by this Article.

B. For purposes of administration and enforcement of this Article generally, the Tax Administrator may from time to time promulgate such administrative interpretations, rules, and procedures consistent with the purpose, intent, and express terms of this Article as he or she deems necessary to implement or clarify such provisions or aid in enforcement.

C. The Tax Administrator may take such administrative actions as needed to administer the tax, including but not limited to:

1. Provide to all cannabis business taxpayers forms for the reporting of the tax;

2. Provide information to any taxpayer concerning the provisions of this Article;

3. Receive and record all taxes remitted to the City as provided in this Article;

4. Maintain records of taxpayer reports and taxes collected pursuant to this Article;

5. Assess penalties and interest to taxpayers pursuant to this Article;

6. Determine amounts owed and enforce collection pursuant to this Article.

**15-15 Appeal procedure.**

Any taxpayer aggrieved by any decision of the Tax Administrator with respect to the amount of tax, interest, penalties and fees, if any, due under this Article may appeal to the City Council by filing a notice of appeal with the City Clerk within thirty (30) calendar days of the serving or mailing of the determination of tax due. The City Clerk, or his or her designee, shall fix a time and place for hearing such appeal, and the City Clerk, or his or her designee, shall give notice in writing to such operator at the last known place of address. The finding of the City Council shall be final and conclusive and shall be served upon the appellant in the manner prescribed by this Article for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of the notice.

**15-16 Enforcement - action to collect.**

Any taxes, penalties and/or fees required to be paid under the provisions of this Article shall be deemed a debt owed to the City. Any person owing money to the City under the provisions of this Article shall be liable in an action brought in the name of the City for the recovery of such debt. The provisions of this Section shall not be deemed a limitation upon the right of the City to bring any other action including criminal, civil and equitable actions, based upon the failure to pay the tax, penalties and/or fees imposed by this Article or the failure to comply with any of the provisions of this Article.

**15-17 Apportionment.**

If a business subject to the tax is operating both within and outside the City, it is the intent of the City to apply the cannabis business tax so that the measure of the tax fairly reflects the proportion of the taxed activity actually carried on in the City. To the extent federal or state law requires that any tax due from any taxpayer be apportioned, the taxpayer may indicate said apportionment on his or her tax return. The Tax Administrator may promulgate administrative procedures for apportionment as he or she finds useful or necessary.

**15-18 Constitutionality and legality.**

This tax is intended to be applied in a manner consistent with the United States and California Constitutions and state law. None of the tax provided for by this Article shall be applied in a manner that causes an undue burden upon interstate commerce, a violation of the equal protection or due process clauses of the Constitutions of the United States or the State of California or a violation of any other provision of the California Constitution or state law. If a person believes that the tax, as applied to him or her, is impermissible under applicable law, he or she may request that the Tax Administrator release him or her from the obligation to pay the impermissible portion of the tax.

**15-19 Audit and examination of premises and records.**

A. For the purpose of ascertaining the amount of cannabis business tax owed or verifying any representations made by any taxpayer to the City in support of his or her tax calculation, the Tax Administrator shall have the power to inspect any location where commercial cannabis cultivation occurs and to audit and examine all books and records (including, but not limited to bookkeeping records, state and federal income tax returns, and other records relating to the gross receipts of the business) of persons engaged in cannabis businesses. In conducting such investigation, the Tax Administrator shall have the power to inspect any equipment, such as computers or point of sale machines, that may contain such records.

B. It shall be the duty of every person liable for the collection and payment to the City of any tax imposed by this Article to keep and preserve, for a period of at least three (3) years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the City, which records the Tax Administrator or his/her designee shall have the right to inspect at all reasonable times.

**15-20 Other licenses, permits, taxes, fees or charges.**

A. Nothing contained in this Article shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any City cannabis license, permit or license required by, under or by virtue of any provision of any other Article of this code or any other ordinance or resolution of the City, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other Article of this code or any other ordinance or resolution of the City. Any references made or contained in any other Article of this code to any licenses, license taxes, fees, or charges, or to any schedule of license fees, shall be deemed to refer to the licenses, license taxes, fees or charges, or schedule of license fees, provided for in other Articles of this Code.

B. Notwithstanding subdivision A of this Section a cannabis business shall not be required to pay the license tax required by Article I of Chapter 11 of this Code so long as all of business's activities within the City that would require payment of a license tax are activities subject to the cannabis business tax.

C. The Tax Administrator may revoke or refuse to renew the license required by Article I of Chapter 11 of this Code for any business that is delinquent in the payment of any tax due pursuant to this Article or that fails to make a deposit required by the Tax Administrator pursuant to Section 15-6.

**15-21 Payment of tax does not authorize unlawful business.**

A. The payment of a cannabis business tax required by this Article, and its acceptance by the City, shall not entitle any person to carry on any cannabis business unless the person has complied with all of the requirements of this Code and all other applicable state laws.

B. No tax paid under the provisions of this Article shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any local or state law.

**15-22 Deficiency determinations.**

If the Tax Administrator is not satisfied that any statement filed as required under the provisions of this Article is correct, or that the amount of tax is correctly computed, he or she may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession within three (3) years of the date the tax was originally due and payable. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When a person discontinues engaging in a business, a deficiency determination may be made at any time within three (3) years thereafter as to any liability arising from engaging in such business whether or not a deficiency determination is issued prior to the date the tax would otherwise be due. Whenever a deficiency determination is made, a notice shall be given to the person concerned in the same manner as notices of assessment are given under Section 15-24.

**15-23 Failure to report—nonpayment, fraud.**

A. Under any of the following circumstances, the Tax Administrator may make and give notice of an assessment of the amount of tax owed by a person under this Article at any time:

1. If the person has not filed a complete statement required under the provisions of this Article;

2. If the person has not paid the tax due under the provisions of this Article;

3. If the person has not, after demand by the Tax Administrator, filed a corrected statement, or furnished to the Tax Administrator adequate substantiation of the information contained in a statement already filed, or paid any additional amount of tax due under the provisions of this Article; or

4. If the Tax Administrator determines that the nonpayment of any business tax due under this Article is due to fraud, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to penalties and interest otherwise stated in this Article and any other penalties allowed by law.

B. The notice of assessment shall separately set forth the amount of any tax known by the Tax Administrator to be due or estimated by the Tax Administrator, after consideration of all information within the Tax Administrator's knowledge concerning the business and activities of the person assessed, to be due under each applicable section of this Article and shall include the amount of any penalties or interest accrued on each amount to the date of the notice of assessment.

**15-24 Tax assessment - notice requirements.**

The notice of assessment shall be served upon the person either by personal delivery, by overnight delivery by a nationally-recognized courier service, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business or to such other address as he or she shall register with the Tax Administrator for the purpose of receiving notices provided under this Article; or, should the person have no address registered with the Tax Administrator for such purpose, then to such person's last known address. For the purposes of this Section, a service by overnight delivery shall be deemed to have occurred one (1) calendar day following deposit with a courier and service by mail shall be deemed to have occurred three (3) days following deposit in the United States mail.

**15-25 Tax assessment - hearing, application and determination.**

Within thirty (30) calendar days after the date of service, the person may apply in writing to the Tax Administrator for a hearing on the assessment. If application for a hearing before the City is not made within the time herein prescribed, the tax assessed by the Tax Administrator shall become final and conclusive. Within thirty (30) calendar days of the receipt of any such application for hearing, the Tax Administrator shall cause the matter to be set for hearing before him or her no later than thirty (30) calendar days after the receipt of the application, unless a later date is agreed to by the Tax Administrator and the person requesting the hearing. Notice of such hearing shall be given by the Tax Administrator to the person requesting such hearing not later than five (5) calendar days prior to such hearing. At such hearing, said applicant may appear and offer evidence why the assessment as made by the Tax Administrator should not be confirmed and fixed as the tax due. After such hearing, the Tax Administrator shall determine and reassess the proper tax to be charged and shall give written notice to the person in the manner prescribed in Section 15-24 for giving notice of assessment.

**15-26 Relief from taxes -disaster relief.**

A. If a business is unable to comply with any tax requirement due to a disaster, the business may notify the Tax Administrator of this inability to comply and request relief from the tax requirement;

B. A request for relief must clearly indicate why relief is requested, the time period for which the relief is requested, and the reason relief is needed for the specific amount of time.

C. The cannabis business agrees to grant the tax collector or his/her designee access to the location where the cannabis business has been impacted due to a disaster.

D. The Tax Administrator, in his/her sole discretion, may provide relief from the cannabis business tax requirement for businesses whose operations have been impacted by a disaster of such tax liability does not exceed five thousand ($5,000) dollars. If such tax liability is five thousand one ($5,001) dollars or more than such relief shall only be approved by the City Council.

E. Temporary relief from the cannabis tax may be granted for a reasonable amount of time as determined by the Tax Administrator or the City Council, as applicable in order to allow the cannabis business time to recover from the disaster.

F. The Tax Administrator or City Council, as applicable may require that certain conditions be followed in order for a cannabis business to receive temporary relief from the cannabis business tax requirement.

F. For purposes of this section, "disaster" means fire, flood, storm, tidal wave, earthquake, or similar public calamity, whether or not resulting from natural causes.

**15-27 Conviction for violation - taxes not waived.**

The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this Article or of any state law requiring the payment of all taxes.

**15-28 Violation deemed misdemeanor.**

Any person violating any of the provisions of this Article shall be guilty of a misdemeanor.

**15-29 Severability.**

If any provision of this Article, or its application to any person or circumstance, is determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Article or the application of this Article to any other person or circumstance and, to that end, the provisions hereof are severable.

**15-30 Remedies cumulative.**

All remedies and penalties prescribed by this Article or which are available under any other provision of the Oxnard City Code and any other provision of law or equity are cumulative. The use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this Article.

**15-31 Amendment or repeal.**

This Article may be repealed or amended by the City Council without a vote of the people to the extent allowed by law. However, as required by Article XIII C of the California Constitution, voter approval is required for any amendment that would increase the rate of any tax levied pursuant to this Article. The people of the City of Oxnard affirm that the following actions shall not constitute an increase of the rate of a tax:

A. The restoration or adjustment of the rate of the tax to a rate that is no higher than that set by this Article, if the City Council has acted to reduce the rate of the tax or incrementally implement an increase authorized by this Article;

B. An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this Article; or

C. The collection of the tax imposed by this Article even if the City had, for some period of time, failed to collect the tax.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

This Ordinance was approved and adopted by the People of the City of Oxnard at the City's November 6, 2018 statewide election.

This Ordinance was approved and adopted by the People of the City of Oxnard at the City's November 6, 2018 election.

______________________________________
Mayor

ATTEST:

______________________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

______________________________________
Stephen M. Fischer, City Attorney

# EXHIBIT B

**MARK A. LUNN**
**Clerk-Recorder, Registrar of Voters**
**Elections Division**

# VENTURA COUNTY
# REQUEST FOR SPECIFIED ELECTION SERVICES
# MEASURES

TO: **MARK A. LUNN**, Clerk-Recorder, Registrar of Voters

FROM: City of Oxnard
City, School District or Special District Name ______ Signature of Authorization

ELECTION: Statewide General Election DATE: November 6, 2018
(For Cannabis Business Tax ballot measure)

**SERVICES REQUESTED:** Place a mark next to the desired services.

**ITEM #1 PUBLICATIONS**

✔ A. County elections official is requested to publish: Notice of Election of Measure, Election Officers and Polling Places.

☐ B. City/District will publish.

**ITEM #2 COUNTY VOTER INFORMATION GUIDE PUBLICATION**

✔ A. Print Full Measure Text.

☐ B. Full Measure Text will not be printed in the County Voter Information Guide.

**ITEM #3 MEASURE/INITIATIVE PROPONENT FILINGS**

☐ A. Random sample of 500 signatures.

☐ B. Full check of all signatures submitted.

**ITEM #4 ELECTION NIGHT RESULTS**

✔ On-line results

☐ E-mail ______

**PERCENTAGE OF VOTES REQUIRED FOR PASSAGE OF MEASURE:**

______

**ELECTIONS DIVISION SERVICES PROVIDED:**

**SIGNATURE CHECKING –** County elections to prepare the set-up and verification of signatures submitted on an initiative, recall or referendum attempting to qualify for the ballot.

**OFFICIAL FILING** – County elections to serve as filing official for all measure document filings, i.e. deadline filing dates, maximum number of words, forms, and format.

**MEASURE FORMS/CAMPAIGN REPORTING MATERIAL** – Ventura County Elections Division to provide one master set for copying.

**SPANISH TRANSLATIONS –** County elections official will arrange for all translations pursuant to Elections Code Section 13307.

**PRINTING OF COUNTY VOTER INFORMATION GUIDES –** County elections official will arrange for all printing of arguments/analyses in the County Voter Information Guide for each election.

**VOTE BY MAIL BALLOTS –** County elections official will handle all Vote By Mail ballots, including the checking of applications and ballot mailing. Applications and envelopes will be provided to City Clerks.

The undersigned requests the above election services to be performed by the County Elections Official and pursuant to Elections Code Section 10002, agrees to reimburse the County in full for services requested upon presentation of a bill.

Name of
School District: ______________________________

Signature & Title: ______________________________ Michelle Ascencion, City Clerk

Date: June 19, 2018

Rev. 10/04/17

# RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO CONSIDER THE ADOPTION OF A MEASURE TO MODIFY THE CITY'S EXISTING TRANSIENT OCCUPANCY TAX SO THAT IT APPLIES TO SHORT-TERM RENTALS WITHIN THE CITY, REQUESTING THE COUNTY CLERK TO CONDUCT THE ELECTION, AND AUTHORIZING THE BOARD OF SUPERVISORS TO CANVASS THE RETURNS

THE CITY COUNCIL OF THE CITY OF OXNARD DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council, pursuant to its right and authority, does hereby order an election to be held on November 6, 2018 for the purpose of submitting a measure or measures to the voters.

SECTION 2. The ballot question shall be substantially as follows:

| | | |
|---|---|---|
| To help preserve funding for general City services, including public safety, recreation, senior services, library services, and repairing and improving city streets, shall an ordinance be adopted to modify the City's existing transient occupancy tax to require that short-term rentals within the City also pay the City's transient occupancy tax? | YES | |
| | NO | |

SECTION 3. The text of the proposed ordinance to be submitted to the voters is attached to this Resolution as Exhibit A. The text of the proposed ordinance shall be printed in the ballot materials; a copy of the measure shall be available for public inspection in the City Clerk's office located at 300 West Third Street, 4th Floor in the City of Oxnard. If not provided in the voter guide, upon request, copies will be sent at the expense of the City. Because the revenue generated by the measure would fund general City services, a majority of votes cast is required for the measure to pass.

SECTION 4. This Resolution is adopted pursuant to Elections Code Section 10403 requesting that the Board of Supervisors of Ventura County, pursuant to Elections Code Section 10401, order that this election of the City of Oxnard be consolidated with the statewide general election to be held on November 6, 2018, which consolidated election shall be held and conducted in the manner prescribed in Elections Code Section 10418.

SECTION 5. Pursuant to Elections Code Section 10411, the Board of Supervisors is authorized to canvass the returns of the election to be held within the boundaries of the City of Oxnard on November 6, 2018.

SECTION 6. Pursuant to Elections Code Section 10002, the Board of Supervisors is requested to permit the County Clerk to render the services and supplies shown on Exhibit B, which is attached hereto and made a part hereof, and any and all other services and supplies necessary to complete the election on November 6, 2018. The City shall pay the reasonable cost of services and supplies rendered by the County Clerk.

SECTION 7. The City Manager is authorized to execute all documents and to perform all necessary acts to enter into one or more agreements for the provisions of election services consistent with this Resolution.

SECTION 8. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 9. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney and directs the City Attorney to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280 in the manner required by law. Any person or persons may file an argument either for or against the ballot measure. An argument for or against the measure shall not exceed 300 words in length. If more than one argument is submitted for the measure, or more than one argument against the measure, the City Clerk shall select the argument to be included with the ballot materials. Rebuttal arguments shall be permitted pursuant to applicable law.

SECTION 10. In all particulars not recited in this Resolution, the election shall be held and conducted in the manner required by law.

SECTION 11. The City Council shall meet to declare the results of the election called for by this Resolution at its first regular meeting following the certification of election results.

SECTION 12. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk.

SECTION 13. The City Clerk shall publish a copy of this Resolution in a newspaper of general circulation once within fifteen (15) days after the adoption of this Resolution.

PASSED AND ADOPTED THIS 5th day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________

Tim Flynn, Mayor

ATTEST:

________________________________

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

________________________________

Stephen M. Fischer, City Attorney

# Exhibit A
# Ordinance

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA IMPOSING THE TRANSIENT OCCUPANCY TAX ON SHORT-TERM RENTALS WITHIN THE CITY BY AMENDING OXNARD CITY CODE SECTIONS 13-15 AND 13-16

The People of the City of Oxnard do hereby ordain as follows:

Section 1. Section 13-15 of the Oxnard City Code is hereby amended to read as follows:

"Section 13-15. DEFINITIONS.

For the purpose of this article, the following words shall have the following meanings:

(A) CAMPING SITE - A space designed and promoted for the purpose of locating a trailer, tent, tent trailer, pickup camper, or other similar device used for camping.

(B) HOTEL - Any commercial establishment or any portion of any commercial establishment that provides for the occupancy of transients for dwelling, lodging or sleeping purposes, whether by the day, week or month, and includes any hotel, inn, bed and breakfast facility, motel or commercial establishment of similar nature.

(C) OCCUPANCY - The use or possession or the right to the use or possession of a room or rooms or other living space thereof in any hotel, short-term rental or other lodgings for dwelling, lodging or sleeping purposes.

(D) OPERATOR - The proprietor or managing agent of a hotel, short-term rental or other lodgings whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee or any other capacity.

(E) OTHER LODGINGS - A camping site or a space at a campground or recreational vehicle park not including any facilities operated by a local government entity or any campsite owned and operated by the State.

(F) PERSON - Any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

(G) RECREATIONAL VEHICLE PARK - A property that is designed and promoted for the purpose of locating a recreational vehicle whether for a day, week or month.

(H) RENT - The consideration charged, whether or not received, for the occupancy of space in a hotel, short-term rental or other lodgings valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deductions therefrom whatsoever.

(I) SHORT-TERM RENTAL – The rental of a dwelling unit or a portion thereof for occupancy, dwelling, lodging or sleeping purposes for a period of 30 consecutive days or less in a zoning district where residential uses are allowed, including, but not limited to, detached single-family dwellings, condominiums, duplexes, triplexes, townhomes and multiple-family dwellings.

(J) TAX COLLECTOR - The finance director of the city or designee.

(K) TIMESHARE ESTATE - A right of occupancy in a timeshare project which is coupled with an estate in the real property. For purposes of this Article, the definition of "timeshare estate" shall only include timeshare projects that existed as of May 1, 1985.

(L) TIMESHARE ESTATE RENTAL - The renting of any timeshare estate to transients, unaccompanied by the timeshare estate owner, for dwelling, lodging or sleeping purposes, whether by day, week or month.

(M) TRANSIENT - A person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 30 consecutive days or less, counting portions of calendar days as full days unless there is an agreement in writing between the operator and the occupant providing for a period of occupancy longer than 30 days.

Section 2. Section 13-16 of the Oxnard City Code is hereby amended to read as follows:

"Section 13-16. AMOUNT OF TAX.

For the privilege of occupancy in any hotel, timeshare estate rental, short-term rental or other lodgings in the city, each transient is subject to and shall pay a tax in the amount of 10 percent of the rent charged by the operator. This tax constitutes a debt owed by the transient to the city that is extinguished by payment to the operator."

Section 3. Severability.

If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

Section 4. Effective Date.

Pursuant to California Elections Code Section 9217, this Ordinance shall take effect ten days after City Council certification of the results of the election at which it is adopted.

Section 5. Certification.

The Mayor is hereby authorized to subscribe this Ordinance where indicated below to evidence its adoption by the voters of the City and upon that subscription, the City Clerk shall certify to the passage and adoption of this ordinance and shall cause it to be posted according to law.

This Ordinance was approved and adopted by the People of the City of Oxnard at the City's November 6, 2018 election.

________________________________
Mayor

ATTEST:

________________________________
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

________________________________
Stephen M. Fischer, City Attorney

# Exhibit B
# Request for Services

**Exhibit B**
**Request for Services**

**MARK A. LUNN**
**Clerk-Recorder, Registrar of Voters**
**Elections Division**

# VENTURA COUNTY
# REQUEST FOR SPECIFIED ELECTION SERVICES
# MEASURES

TO: **MARK A. LUNN**, Clerk-Recorder, Registrar of Voters

FROM: City of Oxnard ______________________
City, School District or Special District Name — Signature of Authorization

ELECTION: Statewide General Election DATE: November 6, 2018
(For Transient Occupancy Tax ballot measure)

**SERVICES REQUESTED:** Place a mark next to the desired services.

**ITEM #1 PUBLICATIONS**

☑ A. County elections official is requested to publish: Notice of Election of Measure, Election Officers and Polling Places.

☐ B. City/District will publish.

**ITEM #2 COUNTY VOTER INFORMATION GUIDE PUBLICATION**

☑ A. Print Full Measure Text.

☐ B. Full Measure Text will not be printed in the County Voter Information Guide.

**ITEM #3 MEASURE/INITIATIVE PROPONENT FILINGS**

☐ A. Random sample of 500 signatures.

☐ B. Full check of all signatures submitted.

**ITEM #4 ELECTION NIGHT RESULTS**

☑ On-line results

☐ E-mail ______________________

**PERCENTAGE OF VOTES REQUIRED FOR PASSAGE OF MEASURE:**

______________________

**ELECTIONS DIVISION SERVICES PROVIDED:**

**SIGNATURE CHECKING –** County elections to prepare the set-up and verification of signatures submitted on an initiative, recall or referendum attempting to qualify for the ballot.

**OFFICIAL FILING** – County elections to serve as filing official for all measure document filings, i.e. deadline filing dates, maximum number of words, forms, and format.

**MEASURE FORMS/CAMPAIGN REPORTING MATERIAL** – Ventura County Elections Division to provide one master set for copying.

**SPANISH TRANSLATIONS –** County elections official will arrange for all translations pursuant to Elections Code Section 13307.

**PRINTING OF COUNTY VOTER INFORMATION GUIDES –** County elections official will arrange for all printing of arguments/analyses in the County Voter Information Guide for each election.

**VOTE BY MAIL BALLOTS –** County elections official will handle all Vote By Mail ballots, including the checking of applications and ballot mailing. Applications and envelopes will be provided to City Clerks.

The undersigned requests the above election services to be performed by the County Elections Official and pursuant to Elections Code Section 10002, agrees to reimburse the County in full for services requested upon presentation of a bill.

Name of
School District: ______________________________

Signature & Title: ______________________________ Michelle Ascencion, City Clerk

Date: June 19, 2018 ______________________________

Rev. 10/04/17