

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.



AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Council Chambers, 305 West Third Street
February 20, 2018
Regular Meeting - 6:00 PM
Closed Session - 4:30 PM
Appointment Item - 5:00 PM

A. ROLL CALL/POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes

C. CLOSED SESSION

1. Conference with Labor Negotiators

CC Agency designated representatives:

Steve Naveau, Director of Human Resources; and Burke Dunphy, City's labor attorney.

Employee organization: Oxnard Public Safety Management Employees' Association (Fire Unit).

The Human Resources Director requested that this item be discussed in closed session pursuant to Government Code section 54957.6(a). The purpose of the closed session is for the City Council to review the status of negotiations and to provide instructions to the City's negotiators regarding salaries, salary schedules and compensation paid in form of fringe benefits for employees represented by the employee organization identified and other matters within the scope of representation for those represented employees.

D. OPENING CEREMONIES

Pledge of allegiance to the flag of the United States.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

City of Oxnard internet address: www.oxnard.org.

E. APPOINTMENT ITEM

Finance Department

1. SUBJECT: Mid-Year Budget Review and Update. (20/20/20)

RECOMMENDATION: That City Council:

1. Accept the General Fund Mid-Year Status; and
2. Approve the recommended supplemental budget appropriation; and
3. Approve a resolution amending Resolution No. 15,029 authorizing and approving classification and salary schedules; and
4. Approve a resolution amending Resolution No. 15,028 authorizing full-time equivalent positions.

Legislative Body: CC

Contact: Jim Throop

Phone: 385-7475

F. 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.

G. 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.

H. 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.

I. 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.

J. 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.

K. INFORMATION CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the November 28, 2017 Regular Meeting (corrected), January 23, 2018 Regular Meeting, and January 29, 2018 Special Meeting as presented.

Legislative Body: CC

Contact: Michelle Ascencion

Phone: 385-7805

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 Interim 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. Coastal Architects (8157-17-DS) for on-call design and planning project management services (\$150,000).

B. Sargent Town Planning, Inc. (7747-17-DS) to amend the scope of work to include on-call design and planning project management services. This Amendment is for additional scope of work and will not increase the contract amount.

Legislative Body: CC

Contact: Scott Whitney

Phone: 385-7624

Development Services Department

3. SUBJECT: Agreement for On-Call Design and Planning Project Management Services.

RECOMMENDATION: That City Council award and authorize the Interim City Manager to execute the first amendment to Agreement 7746-17-DS with Johnson & Muller Architects for On-Call Design and Planning Project Management Services to increase the total contract amount to \$300,000 and extend the contract term to three years and 11-months.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

Public Works Department

4. SUBJECT: Agreement No. A-8028 with UniFirst Corporation for Staff Uniform Purchase, Rental and Cleaning.

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute Agreement Number A-8028 with UniFirst

Corporation for a three (3) year agreement at a cost not to exceed \$786,250; and

2. Authorize the Purchasing Agent to execute an amendment to Agreement Number A-8028, if needed, for no more than \$78,625 (10%) in order to account for potential variance of actual use versus planned use.

Legislative Body: CC

Contact: Rosemarie Gaglione

Phone: 385-8055

L. PUBLIC HEARINGS

Development Services Department

1. 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").

RECOMMENDATION: Open Public Hearing and Continue the Public Hearing to March 20, 2018.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

City Attorney Department

2. SUBJECT: Public Hearing Regarding Draft Maps for Possible City Council Districts and Sequencing of Elections. (10/20/20)

RECOMMENDATION: That City Council:

1. Approve a motion selecting the district map that will be included in the ordinance to be considered for first reading on February 27, 2018; and
2. Once the map has been selected, approve a motion selecting the sequencing of the elections in each of the districts to be included in the ordinance to be considered for first reading on February 27, 2018.

Legislative Body: CC

Contact: Stephen M. Fischer

Phone: 385-7483

M. REPORTS

City Treasurer Department

1. SUBJECT: Investment Policy and Annual Delegation of Investment Authority. (5/5/5)

RECOMMENDATION: That City Council adopt a resolution:

1. Adopting the 2018 Investment Policy for the City of Oxnard; and
2. Delegating investment authority to the City Treasurer.

Legislative Body: CC

Contact: Phillip S. Molina

Phone: 385-7808

Public Works Department

2. SUBJECT: Third Amendment to Agreement with Ecology Auto Parts, Inc. for Supplemental Waste Transfer Hauling Services (Agreement No. A-7766) (5/5/5)

RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Third Amendment to the Agreement with Ecology Auto Parts, Inc. to extend the expiration from the date of February 15, 2018, to April 27, 2018, and increase the total amount by \$600,000 for a total amount not to exceed \$3,500,000, for a contract term total of three years and two months for supplemental waste transfer hauling services (Agreement No. A-7766).

Legislative Body: CC

Contact: Rosemarie Gaglione

Phone: 385-8055

3. SUBJECT: Biosolids Hauling Agreement - Finish Line Transport.

RECOMMENDATION: That the City Council:

1. Adopt a resolution creating a one-time exemption from Resolution No. 13,932's requirement to obtain three (3) price quotations for biosolids hauling.

2. Award and authorize the Interim City Manager to execute a First Amendment to an agreement with Finish Line Transport (dba Central Coast Transports) for the period of December 5, 2017, through June 30, 2018, in an amount of \$185,000 for a total not to exceed agreement price of \$210,000.

Legislative Body: CC

Contact: Rosemarie Gaglione

Phone: 385-8055

N. ADJOURNMENT

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report
AGENDA ITEM NO.: 1

DATE: February 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

FROM: Jim Throop
Chief Financial Officer

SUBJECT: Mid-Year Budget Review and Update. (20/20/20)

CONTACT: Jim Throop, Chief Financial Officer
Jim.Throop@oxnard.org, 385-7475

RECOMMENDATION:

That City Council:

1. Accept the General Fund Mid-Year Status; and
2. Approve the recommended supplemental budget appropriation; and
3. Approve a resolution amending Resolution No. 15,029 authorizing and approving classification and salary schedules; and
4. Approve a resolution amending Resolution No. 15,028 authorizing full-time equivalent positions.

BACKGROUND

The mid-year budget review gives City Council the opportunity to amend current year appropriations. City budgets are developed in April and May, months before the start of the new fiscal year and are by necessity built on projected fund balances (at year-end) and revenue and expenditure estimates. The annual independent audit verifies actual revenues and expenditures at year-end and the comprehensive annual financial report states the resulting fund balances for each major fund.

This mid-year report will address mostly the General Fund (including Measure O) because most of the amendments affect the General Fund. Smaller amendments are proposed for the other

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funds. All major amendments are described in this agenda report. All amendments, minor and major, are included in the Attachment C - Budget Appropriation FY17-18 Mid-Year.

The City Council adopted an annual budget of \$414.2 million for Fiscal Year (FY) 2017-18 that added 154.35 positions to the workforce, of which 135 were LBE conversions. The adopted General Fund budget of \$125.5 million has been amended nine (9) times since July 1st for total additions of \$1.55 million. The current General Fund budget at mid-year (December 31, 2017) totals \$127.04.

GENERAL FUND SUMMARY

CITY OF OXNARD, CA		
GENERAL FUND SUMMARY - FY 17-18		
Beginning Fund Balance:	\$	25.01
Revenues	\$	124.91
Total Financing Available:	\$	149.92
Estimated Expenditures	\$	130.53
Mid-Year Augmentations	\$	4.22
Total Expenditures:	\$	134.75
Ending Fund Balance:	\$	15.17
Ending Fund Balance Percent:		11%

A review of expenditures by department shows budget variances at mid-year. Public safety overtime is trending high for both fire and police but will be managed over the remaining five months (Feb-Jun). Currently the expectation is that Police and Fire will exceed their annual budget. Fire overtime reimbursements from the recent wildland fires are expected but the full reimbursement will likely not be received until after the close of the fiscal year. Police overtime has been driven primarily by the need to backfill behind vacancies and industrial injuries.

The independent internal auditors are also concluding their audit of police and fire overtime costs and will be finalizing their study soon. A report to the Council with findings and recommendations are expected.

Public Works - Parks is also expected to exceed their budget appropriation due to a large increase in their water payments for landscaped areas that were formerly considered part of the city's landscape maintenance districts. Water for these general benefit areas is now charged to the Parks Department and reflected in their expenditures. Given the high water use and related costs, xeriscape (use of low-water plants) will be considered in the near future.

Re-Statement of Beginning Balances

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The Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2016-17 (ending June 30, 2017) provided audited financial statements showing revenue growth and savings in General Fund expenditures. Both contributed to an increase in the General Fund balance at year-end. The adopted budget projected a beginning General Fund balance of \$19.2 million on July 1. Actual fund balance was \$25.01 million, an increase of approximately \$6 million.

A financial report on Measure O was presented to the council-appointed oversight committee on February 1, 2018. The presentation included an accounting of the collection and expenditure of the voter-approved half-cent sales tax. At the end of FY 2016-17, the half-cent sales tax account had an ending balance of \$10.53 million.

MEASURE O SUMMARY

CITY OF OXNARD, CA		
MEASURE O SUMMARY - FY 17-18		
Beginning Fund Balance:	\$	10.53
Revenues	\$	15.95
Total Financing Available:	\$	26.48
Approved Expenditures	\$	15.86
Mid-Year Augmentations	\$	3.82
Total Expenditures:	\$	19.68
Ending Fund Balance:	\$	6.80
Ending Fund Balance Percent:		35%

The Measure O sales tax will generate \$15.95 million in new revenues in FY 2017-18 (\$14.03 million in tax receipts, \$1.88 million in annual loan repayments, and \$.04 million in interest earnings). The current budget appropriates \$15.86 million in Measure O funds (\$12.99 million for city operations, \$1.88 for projects approved in prior years awaiting completion, and \$.99 million for one-time appropriations).

The Measure O Oversight Committee also reviewed the request of new Measure O expenditures that were proposed by staff. The committee reminded the staff that Measure O funds were approved for supplemental services and that operations should be weaned from the half-cent tax, especially given a sunset date of 2028.

With FY 2017-18 proposed expenditures totaling \$19.68 million, the estimated balance for Measure O Sales Tax at year-end is \$6.80 million. This amount is also available for one-time uses within the spirit of the half-cent ballot measure.

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The Wastewater fund also showed positive gains from the rate adjustments approved by the Council last year. These represent the Measure M rates. Charges for services produced \$29.07 million in FY2015-16 and \$35.88 million in FY2016-17.

It should be noted that an adverse ruling against the City on the Measure M trial will have a significant impact on the status of the Wastewater Fund.

Short-term Expectations

The expectation for the ensuing budget year is cautious optimism. Anticipated growth is expected to be less than in prior years. Economic indicators remain positive. Unemployment is low at 3.9% as of December 2017, a decrease of 1% compared to 4.9% for December of 2016. Wages have also increased as reported in the press adding to consumer spending. Locally, the development of new commercial space and hotel rooms will add to the tax base.

However, the economic cycle will bring future recessions and it is therefore important to keep a watchful eye on the future and the potential loss of sales, transient occupancy and commercial property taxes that accompany a financial downswing. While staff cannot predict the start of an economic downturn, we know it is coming.

General fund revenue growth is expected in the short term (12 to 18 months), however, the challenge will be to keep operational costs equal to or less than the increase in revenue so as to maintain adequate reserves. Police and Fire labor agreements expire on August 31, 2018.

On the expenditure side, the looming increase in retirement costs due to past changes in retirement plans and the lowering of the CalPERS investment rate of return will place pressure on future budgets. Staff is currently examining the economic impacts that the change in the CalPERS investment rate-of-return will have on budgets in hopes of developing strategies for limiting them on the general fund.

In addition, the need for repairing and modernizing our city assets, from parks and streets to buildings and facilities, will also compete for future budget dollars. The city will adopt a five-year capital improvement plan as part of its budget. The document will show the infrastructure needs of the city and the dollars needed to fix and modernize them.

Recommended Mid-Year Adjustments

A series of mid-year adjustments are proposed for Council consideration. The criteria for recommending these changes are as follows:

1. Unforeseen events or insufficiently funded projects; or
2. Projects that are both high priority and time sensitive; or
3. Position Reclassifications.

The budget amendments are presented by city fund because the budget is adopted at the fund

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level. The City Council has the legal authority to amend the budget of any fund at any time during the fiscal year. The budgetary legal level of control (the level on which expenditures may not legally exceed appropriations) is at the fund level. Budget expenditures may be reallocated within a fund by the City Manager and within a department by the department director.

Most additions are to the General Fund with less than half financed using Measure O funds. There are smaller amendments to the Water, Wastewater, Capital Growth (Development Impact) and Information Technology funds.

The following section of the report will provide an overview of the recommended appropriations. Department directors will be present to answer specific questions at the meeting.

General Fund Mid-Year Amendments

Public Safety – Police

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Police	Police Vehicle Replacement	Replaces 13 patrol vehicles; 4 motorcycles; and 3 Community Service trucks	\$ 793,000	No	\$ -	\$ 793,000
Police	Public Safety Radio Communications Improvements	Cash Payment for Purchase of Dispatch Consoles	\$ 1,000,000	Yes	\$ 1,000,000	\$ -
Police	Recruitment of 4 Public Safety Call Takers	Due to recruitment time, will not have a financial impact on the General Fund during FY 17-18	\$ -			\$ -
Sub-Total Police:			\$ 1,793,000		\$ 1,000,000	\$ 793,000

Police Vehicle Replacement

The purchase of police vehicles will help address the impacts of deferred fleet purchases in prior years. This request is for patrol vehicles, motorcycles for the Traffic Unit, and support vehicles for Community Service Officers (CSO's) and Traffic Service Assistants (TSA's).

Patrol vehicles: Beginning in FY 15-16, efforts were made to restore and maintain the overall health of the patrol fleet. The Police Department requests the purchase of thirteen (13) patrol vehicles. These vehicles would replace eight (8) patrol vehicles with over 100,000 service miles, and five (5) patrol vehicles that are currently over 90,000 service miles. The cost for a fully-outfitted patrol vehicle is \$42,948. The cost to purchase thirteen (13) vehicles is \$558,323. A contingency amount of \$54,816 would be set aside for the likely need to replace and install Mobile Data Computers and their mounting

equipment.

Police motorcycles: The Police Department's Traffic Unit consists of a total of fourteen (14) sworn personnel. Police motorcycles are retired from service when they exceed 55,000 miles. Four (4) of the fourteen (14) motorcycles that are currently in service have exceeded 55,000 miles. The four (4) high-mileage motorcycles that are being replaced will be moved into the reserve/spare/training inventory, which is currently at zero. A fully-outfitted patrol motorcycle currently costs \$29,082. The cost to purchase four (4) motorcycles is \$116,327.

Support vehicles: CSO's and TSA's are assigned mid-sized pickup trucks, which they use for various field services functions. The services that the CSO's and TSA's provide allow patrol officers to more quickly respond to respond to service calls, as well as engage in proactive efforts. There are currently twelve (12) authorized CSO and sixteen (16) TSA positions in the Police Department. The current inventory used by the CSO's and TSA's is twenty-seven (27) vehicles. Of the twenty-seven (27), six (6) of the trucks have mileage in excess of 100,000 and are more than ten (10) years old, and two (2) have over 90,000 miles. The request is to purchase only three (3) pickup trucks at this time. A fully-outfitted pick-up truck costs approximately \$21,178. The cost to purchase three (3) trucks is approximately \$63,534.

The total amount to replace and equip the above police vehicles is \$793,000. Attachment A to this staff report provides additional details.

Public Safety Radio Communications Improvements

This project involves consideration for up to \$1 million in Measure "O" funds to begin a multi-phased upgrade of the City's public safety radio communications infrastructure. This project would start Oxnard's transition from an analog-based radio infrastructure system to a digital-based one. It would also begin the move towards developing an interoperable system, improve communications reliability, and better allow the system to continue functioning in a major power outage or disaster.

This project's first steps consist of: an urgently-needed upgrade of the Police Department's dispatch consoles and call-taking equipment; a purchase of handheld radios, and retaining a consultant to develop a needs assessment for a citywide radio infrastructure upgrade.

The first phase, and most urgent part of the project, is to replace existing dispatcher consoles in the Police Department's Emergency Communications Center. The current consoles have been in service for eighteen (18) years, eight (8) years longer than their typical lifespan. The manufacturer of these consoles stopped producing them in 2013, and by mid-2018, manufacturer support will no longer be available. This phase will consist of establishing new consoles and call taking equipment in the Emergency Communications Center, the Mobile Command Post, and the City's alternate Emergency Operations Center. These locations are critical communications

points, especially in the event of major incident or disaster.

Approximately fifty (50) police portable radios will also be included in this phase of the project. These will replace older, obsolete radios for a portion of the Police Department. Both the communications consoles and portable radios will be adaptable to a digital-based system when the conversion is ready to proceed.

The estimated cost to replace the dispatch consoles and supporting hardware with digital-spectrum capable equipment, approximately fifty (50) portable radios, and the consultant services is approximately \$1,000,000. This is a “not to exceed” amount.

Beyond this first phase, future equipment and infrastructure that are essential to the project would eventually include: additional mobile and portable radios; a plan to integrate the Fire Department and Public Works; antenna arrays, receiver/repeater equipment, computer hardware, cabling, and emergency power systems. It is also possible that the project could require placing communications towers in designated parts of the City. Based upon current information, the estimated amount to implement a new public safety radio infrastructure in Oxnard is between \$6 Million and \$9 Million. A future effort to identify funding for these will be necessary.

Attachment A to this staff report provides additional details.

Public Safety Call Takers (New Classification)

The creation of the Public Safety Call Taker classification will address critical structural staffing shortages in the Police Department’s Emergency Communications Center, mitigate employee attrition, streamline bringing new personnel into the Center, reduce overtime, and provide a lower-cost staffing alternative.

Oxnard’s Emergency Communications Center is the busiest dispatch facility in Ventura County. Its complement of nineteen (19) dispatchers and five (5) supervisors handled over 375,000 telephone calls in 2016. Though the City has grown, Oxnard’s dispatch center has not increased its staff in at least two decades. The Center’s understaffing creates ongoing overtime mandates. The continuous mandatory overtime has increased pressure upon the staff, and has contributed to attrition and an alarmingly high vacancy rate (currently 21% and rising) among dispatchers. The situation is compounded by the amount of time to recruit and train dispatchers (approximately eighteen (18) months). Those trainees who pass the call-taking phase, but cannot demonstrate proficiency with radio operations cannot be retained. Given the vacancy rate, implementing means to address this are both critical and time-sensitive.

Public Safety Call Takers would be tasked with answering 9-1-1 and “ten-digit” emergency calls, and non-emergency calls. They can be trained relatively quickly, with a three to four month training cycle. Successful Public Safety Call Takers will also be more well-suited to become dispatchers, and reduce their amount of time in training. They will also provide relief to overtime shift mandates, and reduce backfill overtime.

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A Public Safety Call Taker's annual cost to the General Fund is approximately \$65,000, including salary and benefits. The ongoing annual cost of four (4) Public Safety Call Takers is approximately \$260,000. Given the time required to recruit them, this will not have a financial impact on the General Fund during FY 17-18.

Attachment A to this staff report provides additional details.

Public Safety – Fire

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Fire	Modernization of Public Safety Fire Fleet	Cash Payment for 2 Fire Engines that are 13 years old	\$ 1,600,000	Yes	\$ 1,600,000	\$ -
Fire	Firefighter Handheld Radios	85 portable radios are requested to replace outdated radios currently in use	\$ 382,500	Yes	\$ 382,500	\$ -
Fire	Addition of 2 Fire Inspectors (Civilian-Non Safety)	Plan is to fully fund them from inspection fees in FY 18-19	\$ 11,000	No	\$ -	\$ 11,000
Fire	Reclassification of Existing Grants Specialist II to Management Analyst II	Increases the duties and responsibilities of the incumbent to include budget, financial analyses and management for Fire	\$ 7,000	No	\$ -	\$ 7,000
Fire	Mandated Hazardous Materials Technician Training	Mandated training formerly funded by grants	\$ 25,000	No	\$ -	\$ 25,000
Sub-Total Fire:			\$ 2,025,500		\$ 1,982,500	\$ 43,000

Modernization of Public Safety Fire Fleet

The acquisition of two (2) fire engines will start a vehicle replacement schedule for the Department. The City of Oxnard does not currently have a vehicle replacement policy for fire engines, however, policies and accepted practices from surrounding agencies suggest three engines are due for replacement at this time; Los Angeles Fire Department replaces frontline apparatus after 10 years of service, and both Ventura County and Ventura City replace apparatus after 12 years. Regardless of the agency, all place strong consideration on safety requirements and maintenance costs. The Oxnard Fire Department is in the process of developing a comprehensive vehicle replacement matrix consisting of nine categories to rate vehicle safety, reliability, mechanical condition, repair cost, mileage, and age to establish an objective decision making process for future apparatus replacement.

The Fire Department has eight (8) frontline fire engines. Three of these engines were manufactured in 2005. The request is to use Measure O to purchase two (2) engines at a cost of \$800,000 per fully-outfitted engine, for a total cost of \$1,600,000. The engines that need to be replaced most urgently have 126,514 and 109,061 miles on the odometers. From the placement of order to receipt of an engine, the build time can take one year.

Attachment A to this staff report provides additional details.

Firefighter Handheld Radios

Approximately eighty-five (85) fire portable radios are requested as part of the modernization of public safety radio network. The portable radios currently in use by the Fire Department were fielded in 2007 and have reached the end of service life. The manufacturer will no longer sell replacement parts nor provide service to the currently issued radios starting, rendering the model obsolete.

Upon transition to the new radios, Oxnard Fire will be using the same radio as the other fire agencies in Ventura County. This greatly enhances interoperability and allows all the agencies to program Oxnard radios similarly, increasing firefighter and civilian safety. This will also allow for an overall cost savings to Oxnard Fire when radio reprogramming is required, as all agencies can collaborate on one programming plan instead of individual plans for Oxnard Fire and the other agencies. The amount needed to purchase eighty-five (85) fire portable radios is \$382,500.

Attachment A to this staff report provides additional details.

Addition of Two (2) Fire Inspectors

To accommodate the growth of the City, the Prevention unit requires additional inspectors. The Department is opting to hire two (2) non-sworn civilian inspectors, which will result in a cost savings compared to sworn inspectors through the benefits package. Sworn Investigators are required for hazardous material and more detailed inspections, arson investigations and enforcement. Non-sworn inspectors will be utilized for routine building inspections and assistance with permitting and plan checks. The salaries of the additional inspectors will be cost neutral once the revised fee schedule is adopted by the City. This recommendation was made through the Standards of Cover/ Risk Assessment study performed by FACETS Consulting.

Reclassification of Existing Grant Specialist II to Management Analyst II

The Department has been utilizing the Grants Specialist in a capacity of a far higher level than the job description since August 2015; responsibilities include development and monitoring of department budget, analyzing financial data, compiling data and preparing reports in addition to managing the financial side of public safety grants.

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City-Wide – Miscellaneous

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
City Wide	Additional Funding for Legal Costs Due To On-Going and Planned Litigation	On-going City Litigation and Specialized Legal Services Requires Supplemental Funds	\$ 1,135,000	No	\$ -	\$ 1,135,000
City Wide	Increase General Fund Contribution to Special District Fund for Water	23 LMDs have a 5% annual utility cap. As a result the General Fund has to pay for the additional cost of water	\$ 180,000	No	\$ -	\$ 180,000
City Wide	Additional Funding for External Independent Auditor Services	Additional Services As Needed To Test and Cure Prior Years Audit Findings	\$ 100,000	No	\$ -	\$ 100,000
City Wide	Additional Funding for Professional Accounting and Financial Consultant Services	Additional Services Needed To Address Prior Years Audit Findings	\$ 100,000	No	\$ -	\$ 100,000
City Wide	Required GASB Actuarial Studies for CalPERS and PARS Retirement Plans and Carman Over-Ride Tax	The Governmental Accounting Standards Board (GASB) requires actuarial studies every two years	\$ 50,000	No	\$ -	\$ 50,000
City Wide	Completion and Reconciliation of Remaining Limited Benefitted Positions	This will fully fund all positions that were converted to full-time status	\$ 130,000	No	\$ -	\$ 130,000
Sub-Total City Wide:			\$ 1,695,000		\$ -	\$ 1,695,000

City Litigation

The City Council provides direction on litigation in closed session. This appropriation reflects the litigation budgets for certain matters, as well as costs of specialized legal services such as bond counsel and employee benefits representation. Additionally, the appropriation includes legal costs and settlement of a lawsuit against the Oxnard Performing Arts Center Corporation by a former OPACC employee. The amount of legal expenses regarding these matters was not known at the time the FY17-18 budget was developed and adopted. Therefore, as these matters progress, the departmental funding for legal services must be augmented.

General Fund Payment for Landscape Maintenance District Utilities

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As part of the reconciliation that occurred in 2017 over the accounting of the city's Landscape Maintenance Districts (LMDs), it was discovered that twenty three (23) LMDs were formed using documents that included a contractual limitation on the amount of landscape maintenance funds that could be used to pay for related utilities (electricity and water). While utilities are an eligible cost, these LMDs can only increase their costs for utilities by 5% annually. Therefore, the General Fund must subsidize the cost of utilities for these 23 LMDs. The majority of the cost is for providing water. The current estimate for this cost is \$180,000.

External Independent Auditor Supplemental Services

The City's external auditor is required to perform additional, supplemental work during the audit year to review changes in procedures, test 'cures' for the prior year audit findings and perform additional analyses as needed. These charges were unknown and unpredicted during the development of the FY2018 budget. They are required in order to complete the clean-up of the City's finances.

Professional Accounting and Financial Consultant Supplemental Services

The City must complete the 'cures' to the FY2015 Audit that had 111 audit findings. Due to staffing constraints, it was decided that having a subject matter expert assist the City in curing the remaining findings would be best. The FY2018 budget included half of the payment needed for finalizing, with the second portion planned to be added at the mid-year budget. This will allow for the audit findings to be completed by June 30, 2018, which is one full-year ahead of the Council's approved plan.

Required GASB Actuarial Studies and Carman Override Tax Analysis

The Governmental Accounting Standards Board (GASB) requires all local governments to perform biennial actuarial studies of its retirement liabilities: the California Public Employees Retirement System (CalPERS); the Public Agency Retirement System Retirement Enhancement Plan (PARS); and, Other Post-Employment Benefits (OPEB - Retiree Medical). The city's Carman Override tax must also be analyzed and calculated. These costs are necessary required expenditures and are therefore recommended for approval.

City Elections – City Clerk's Office

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FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
City Elections	Contractual Services for 2018 Recall Election	Engagement of Elections Consultant Martin & Chapman	\$ 500,000	No	\$ -	\$ 500,000
City Elections	Contractual Services for 2018 Council Districts Demographics	Engagement of National Demographics Corporation	\$ 70,000	No	\$ -	\$ 70,000
City Elections	Elections and Office Supplies Augmentation	Need for Additional Supplies Given Elections	\$ 10,000	No	\$ -	\$ 10,000
City Elections	Part-time Staff Hours for Special Recall Election	Need for Additional Office Assistance with Elections	\$ 10,000	No	\$ -	\$ 10,000
Sub-total City Elections:			\$ 590,000		\$ -	\$ 590,000

Recall Election Costs

Funds are requested at mid-year due to the unbudgeted May 1, 2018 recall special election. The County of Ventura is unable to provide its usual election services due to the special election's close proximity to the Statewide Primary Election on June 5, 2018. Election services for this "stand-alone" election will instead be contracted by a specialty firm and election consultant (Martin & Chapman and Gladwell Governmental Services, respectively). The City Clerk's office will also hire temporary staff and provide the necessary supplies for the polling places.

City Council Redistricting Costs

Following an October 2017 notice of violation letter regarding the California Voting Rights Act, the City of Oxnard engaged the services of National Demographics Corporation (NDC) to assist with the process of transitioning to district based elections. NDC's services have included statistical research, map making, public outreach, expert consultation, and presentations at public hearings to educate the City Council, staff, and the community on the districting process.

Public Works – Parks

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CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Public Works - Parks	Funding for Parks and Recreation Master Plan. Consultant selection process has been completed.	Master Plan is required for development of Oxnard 5-Year Capital Improvements Plan and for securing funds from future State Parks Bonds	\$ 325,000	Yes	\$ 325,000	\$ -
Public Works - Parks	Transfer of 5 Parks Ground Workers from River Park CFD to General Fund (6 month costs)	River Park CFD Maintenance has been transitioned to private contractors	\$ 150,000	No	\$ -	\$ 150,000
Public Works - Parks	Contractual Services: Removal of Dead Trees at City Parks	Begins to fund the removal of dead trees at city parks, targeting most dangerous situations	\$ 50,000	Yes	\$ 50,000	\$ -
Sub-Total Public Works Parks:			\$ 525,000		\$ 375,000	\$ 150,000

Parks and Recreation Master Plan

The City of Oxnard is in need of a Parks and Recreation Master Plan to guide the development of land identified for parks and open space. In addition, with the potential voter approval of a State of California "Parks and Environment Bond" initiative this June 5, 2018, the city needs to be ready to apply and compete for bond funds. The master plan will identify city needs for new parks, community gardens, sport facilities and open space.

On February 1, 2018, the Measure O Citizen's Oversight Committee reviewed a \$325,000 allocation for the update of the Parks and Recreation Master Plan. The consultant selection process has been completed, and upon approval of this budget allocation staff will proceed with bringing a contract to Council for award. The new plan will serve the city for 10 years.

Transfer of five (5) Parks Ground Workers from River Park CFD

As part of the reconciliation work performed on the city's LMDs and CFDs, it was determined that all work associated with an LMD or CFD would be done by a private contractor. The landscape maintenance work for the River Park CFD was to be transitioned from city crews performing the work to a private contractor over a series of six months. On February 12, 2018, the transition was complete and five Parks Grounds Workers were assigned to Parks to augment maintenance services. Additional funding in the amount of \$150,000 is required now that the special district fund will no longer cover their cost.

Removal of Dead Trees at City Parks

On February 1, 2018, the Measure O Citizen's Oversight Committee reviewed a \$50,000

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allocation for the removal of dead trees in city parks. If Council approves the budget adjustment, the Parks Division will work with West Coast Arborists to schedule the tree removals based on risk factors and potential liability. A total of 301 dead trees have been identified in city parks. There are additional trees in the park system that are either dead, dying, or diseased, but staff believes that they can remove these trees as necessary.

The contracted cost for removal will vary, depending on size, location, and species. But a good average cost is between \$750-1,000 per removal. With the limited funding available, staff will look to contract out trees larger than 25 feet in height and trees with a Diameter at Breast Height (DBH) of 12 inch-16 inches or above.

Development Services

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Development Services	Funding for Safe Homes - Safe Families Inspection Program	Provides the funding to implement the City Council Goal	\$ 100,000	Yes	\$ 100,000	\$ -
Development Services	Modernization of Building Inspection Vehicles	Funds the purchase of 3 vehicles for inspection staff	\$ 75,000	No	\$ -	\$ 75,000
Development Services	Funding for the U.S. Local Update of Addresses Operation (LUCA)	The Census Bureau relies on a complete and accurate address list to reach every living quarters with a required 120-day turn around period.	\$ 25,000	No	\$ -	\$ 25,000
Sub-Total Development Services:			\$ 200,000		\$ 100,000	\$ 100,000

Safe Homes – Safe Families Inspection Program

On May 2, 2017 the Council conducted a Study Session on Safe Homes, Safe Families, with a focus on proactive rental inspections. Although there was support for the concept of the rental inspection program, many raised concerns with the cost to start the program, the small percentage of units the staff would be able to inspect, the cost to property owners, especially those that do maintain their properties, and that there were already a number of existing substandard cases that have not yet been resolved. Hearing these concerns, staff took a holistic look at the Council's Quality of Life Strategy and developed an approach to more clearly focus on the elimination of substandard housing and refined the Safe Homes Safe Families Initiative to focus on existing problems properties and owners.

This aspect of the Safe Homes, Safe Families Initiative will deal with "repeat offenders". It focuses on property owners and property managers/responsible parties who have repeated

violations regarding substandard conditions, which will include people living in improper occupancies, unsafe or unpermitted construction, major or hazardous property maintenance issues and/or where the property owner is unresponsive towards compliance. Owners and property managers with 3 or more confirmed violations within 3 years will automatically be enrolled into the program. These violations may be at one location, or different locations with the same responsible person. Preliminary data indicates approximately 325 owners and 550 locations that would be in the program if it were to start today.

For the initial startup additional staffing would include a Code Compliance Inspector, Administrative Technician, Paralegal and Deputy City Attorney, and equipment and supplies for such. The four positions and associated equipment are \$100,000 for the remainder of FY 17-18. Funding would be provided via Measure O. Once the program is in place, additional staff would be required for ongoing enforcement.

U.S. Census – Local Update of Addresses Operation (LUCA)

A series of Census Bureau tasks have started that require local government participation: Boundary and Annexation Survey, Local Update of Census Addresses (see LUCA), Statistical Areas Program, and opening of the first round of Field Offices and recruiting of staff. Public outreach efforts will also be initiated. The LUCA process is the only opportunity offered for our City to review and comment on the Census Bureau's residential address list prior to the 2020 Census. LUCA has a 120-day turn-around period. Kick off will be in early Spring, 2018. Each city receives a confidential address list to compare to City records. An accurate count of addresses is critical to ensure that the City receives formula Federal and State grant monies and fiscally mandated allocations. The requested \$25,000 in funding will be utilized for a consultant to work with GIS and Development Services staff to confirm addresses and complete necessary information within the established deadline.

Cultural and Community Services

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CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
C&CS - Recreation	Completion and Reconciliation of Remaining Limited Benefitted Positions	Cover shortfall of Measure O - LBE conversion	\$ 320,000	Yes	\$ 320,000	\$ -
C&CS - Recreation	Seasonal Temporary Hours	Reinstatement of temp. budget due to shift to cover partial cost of LBE conversion	\$ 112,000	No	\$ -	\$ 112,000
C&CS - Recreation	Limited Benefitted Employee Conversion - Recreation Leader III	Cover shortfall of Measure O - LBE conversion	\$ 26,000	No	\$ -	\$ 26,000
C&CS - Recreation	Site Improvements to Colonia Boxing Gymnasium	Replacement of Concrete Apron and Driveway; New Security Fencing and Shade Structure	\$ 20,000	Yes	\$ 20,000	\$ -
Sub-Total Cultural and Community Services - Recreation:			\$ 478,000		\$ 340,000	\$ 138,000

Reconciliation of Recreation Limited Benefitted Positions

During the FY2018 budget process, the conversion of the LBE positions required that an estimated cost of the conversion be part of the budget. Once the conversions were completed, after the budget adoption, the final conversion costs were created. This additional appropriation will be the final expense related to the conversion of the LBE positions within the Measure O fund.

Seasonal Temporary Hours

The Recreation Division relies heavily on seasonal temporary employees, such as basketball referees, skatepark attendant, etc. to support various recreation programs. During the FY2018 budget process temporary employee funding was appropriated to the direct labor budget to assist in covering the conversion costs for the limited benefit employees. However, the amount of funding that was shift from the temporary budget to offset conversion cost of direct labor budget did not leave enough funding for the temporary employees necessary to support the recreation programs. The requested funding will not be used for additional staff. The funding is to fill the void resulting from the conversion of LBE positions to full time employees. This appropriation will allow the Recreation Division to continue funding those necessary temporary positions.

Site Improvements to Colonia Boxing Gymnasium

This appropriation will fund a new concrete driveway and apron, a new sliding gate to access the property, and a sun screen in the back portion of the property. The improvements were approved by the former city manager to help improve the gymnasium property.

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Financial Services

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Financial Services	Provides a portion of the funding needed to upgrade and remodel the third floor at 300 West 3rd	The remaining portion will be appropriated in the ensuing FY18-19 budget	\$ 310,000	No	\$ -	\$ 310,000
Financial Services	Additional Accounting Staff	Partially funded through the General Fund with cost recovery through the allocation methodology	\$ 35,000	No	\$ -	\$ 35,000
Financial Services	Reclassification of Administrative Secretary to Administrative Assistant (Confidential)	Administrative Assistant (Confidential) is the required classification for this position based on work performed for Department Director	\$ 5,000	No	\$ -	\$ 5,000
Sub-Total Financial Services:			\$ 350,000		\$ -	\$ 350,000

City Hall Third Floor Remodel and Modernization

The Finance Department is housed on the third floor of the 300 W. 3rd Street building. The current floor space is the remnants of prior city offices and does not allow for enough work space for finance staffing. An 'open floor plan', with the majority of space being cubicles, allows for maximum flexibility within the existing floor space, while creating a more efficient workflow will be constructed.

The total cost of the project is approximately \$1 million. The current budget contains \$340,000. The proposed appropriation adds an additional \$310,000. The remaining \$350,000 will be included in the ensuing budget.

Economic Development - Downtown

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CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Economic Development - Downtown	Repair City-owned buildings at Heritage Square	Two city-owned buildings require repairs:	\$ 125,000	No	\$ -	\$ 125,000
Economic Development - Downtown	Additional 40 hours per week of Downtown Security	Funds the additional 40 hours per week from March 1 through June 30, 2018	\$ 17,332	No	\$ -	\$ 17,332
Sub-Total Economic Development - Downtown:			\$ 142,332		\$ -	\$ 142,332

Repairs to City Owned Buildings at Heritage Square

In 2016, through the dissolution of redevelopment, the City took ownership of two properties at the Heritage Square: Heritage Hall (731 South A Street) and the Pump House (715 South A Street). The Heritage Square Property Owners Association (HSPOA) requires all property owners to maintain their properties.

The HSPOA has notified the City that the properties need to be maintained in accordance with the Declaration of Covenants, Conditions, and Restrictions (CC&Rs), and therefore, there is an immediate need to repair the buildings. The estimated cost to repair Heritage Hall is approximately \$100,000 and \$25,000 for the Pump House. Both properties should also be inspected for termites and mold.

Additional Hours for Downtown Security

This item is based upon requests from the Oxnard Downtown Improvement District, and refers specifically to uniformed, private security that patrols Downtown. This budget was reduced in September of 2015 by 50% (\$118,000) due to budget cuts. By adding funding for Downtown security, this would be restoring what had been reduced. The addition of forty (40) security officer hours/week for the remainder of FY 17-18 is \$17,332. The ongoing, annual cost for an additional forty (40) CBD security officer hours/week is \$51,210.

Carnegie Art Museum

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CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Carnegie Art Museum	Funding Augmentation to Cover Cost Allocation and In-Direct Charges to Budget	Additional funds are needed for the Carnegie Museum to pay for city imposed charges	\$ 86,000	No	\$ -	\$ 86,000
Sub-Total Carnegie Museum:			\$ 86,000		\$ -	\$ 86,000

Supplemental Funding for Carnegie Museum of Art

In May 2010, the City Council approved an Operation, Maintenance, and Management agreement for the Carnegie Art Museum. Per the term of the agreement, the City must appropriate sufficient funds each year to fulfill the funding requirements of the museum. If funds are not appropriated, the agreement will automatically terminate on the date any funds previously appropriated are fully expended. The estimated City costs for staffing and the facility's operations and maintenance exceed the appropriated FY 2017-18 budget. The FY 2017-18 budget appropriation was \$464,218, while the projected expenses are \$549,636; leaving a funding gap of \$86,000. The cost drivers for the increased operating costs include salaries and benefits, internal service support charges, and utilities. This additional appropriation will close the funding gap to operate the museum.

Housing

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Housing	Funding Augmentation to Fully Fund Mobile Home Activities	To provide additional funding based on staff reallocation to Mobile Home	\$ 81,000	No	\$ -	\$ 81,000
Sub-Total Housing:			\$ 81,000		\$ -	\$ 81,000

Mobile Home Rent Stabilization Program

This funding is being proposed to cover anticipated shortfall in the City's Mobile Home Rent Stabilization based on staff redistribution to Mobile Home Rent Activities.

Utility Billing and Licensing

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CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Utility Billing & Licensing	Funding Augmentation for purchase of a vehicle for use by Code Compliance Staff	Code Compliance staff currently using a vehicle on loan from another department	\$ 27,000	No	\$ -	\$ 27,000
Utility Billing & Licensing	Funding for Account Recovery Services	Currently Unfunded	\$ 6,000	No	\$ -	\$ 6,000
Sub-Total Utility Billing & Licensing:			\$ 33,000		\$ -	\$ 33,000

Purchase of Vehicle for Code Staff

The Code Compliance inspector assigned to Business License enforcement currently uses a 2002 Chevrolet S-10 truck, with mileage of 67,040 that is on loan from Development Services. The inspector requires a vehicle to perform their work of enforcing the City Code.

City Manager's Office

CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
City Manager's Office	Funding Augmentation for Summer at City Hall Student Stipends	High School Students participating in the 2018 Summer at City Hall will receive a paid stipend. Amount to be determined	\$ 25,000	Yes	\$ 25,000	\$ -
Sub-Total City Manager's Office			\$ 25,000		\$ 25,000	\$ -

Summer at City Hall Stipends

Students participating in the annual Summer at City Hall will receive a stipend of \$660 for their participation in the internship program for high school students. The city will work with the Ventura County Civic Alliance to select students and a third-party organization that will serve as the employer of record and be responsible for managing employees, time sheets and for paying employer taxes and workers compensation insurance. The city will act as a host agency.

City Attorney's Office

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CITY OF OXNARD, CA						
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS						
General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
City Attorney's Office	Funding to Construct Office Space for Deputy City Attorney	Deputy City Attorney currently has a cubicle in the lobby of the City Attorney's Office	\$ 15,000	No	\$ -	\$ 15,000
Sub-Total City Attorney's Office:			\$ 15,000		\$ -	\$ 15,000

Office Space for Deputy City Attorney

One of the Deputy City Attorneys currently sits in the cubicle in the lobby of the City Attorney's Office. The office space is not conducive to confidential discussions or conversations between the deputy attorney and other staff or visitors. Funding is needed to construct an office for the attorney that provides the necessary privacy to meet with clients and perform work in a suitable professional environment.

Other Funds (Non-General Fund)**Landscape Maintenance Districts Fund**

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CITY OF OXNARD, CA		
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS		
Other Funds (Non-General Fund)		
Landscape Maintenance Districts Fund		
Reclassification of Administrator to Manager	Clean-Up Item Included In Adopted Budget	\$ -
Reclassification of Parks Maintenance Supervisor to Landscape Inspector	Clean-Up Item Included In Adopted Budget	\$ -
Elimination of 2 Groundworkers. Positions were converted to Landscape Inspectors.	Clean-Up Item Included In Adopted Budget	\$ -
Increase General Fund Contribution to Special District Fund for Water	23 LMDs have a 5% annual utility cap. As a result, the General Fund has to pay for the additional cost of water	\$ 180,000
Special Districts Fund Total:		\$ 180,000

Approved Staffing for Landscape Maintenance Districts

The reclassification of the landscape administrator to manager; of the parks maintenance supervisor to landscape inspector and the conversion of two parks groundworkers to landscape inspectors was approved in the current budget. However the city's classification and salary schedule needs to be updated to reflect the new staffing.

Water Fund

CITY OF OXNARD, CA		
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS		
Other Funds (Non-General Fund)		
Water Fund		
Increase In Operational Costs at the Advanced Water Purification Facility	Demand for Recycled Water Expected To Increase	\$ 340,000
Water Fund Total:		\$ 340,000

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Augmentation of Operational Cost for AWPF

Additional funds are required to fully fund the increase in operational costs associated with the planned increase in demand for recycled water.

Wastewater Fund

CITY OF OXNARD, CA		
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS		
Other Funds (Non-General Fund)		
Wastewater Fund		
Increase in Measure M Litigation Costs	Costs Related to the City Lawsuit Defending Council Approved Rates	\$ 175,000
Wastewater Fund Total:		\$ 175,000

Measure M Litigation Expenses

Additional funds are needed to cover the anticipated costs of the city's lawsuit defending the City Council approved wastewater rates. The trial portion of the lawsuit has been concluded. A decision on the matter is expected in the next 60 to 90 days.

Capital Growth Fee Funds (Development Impact Fee Funds)

CITY OF OXNARD, CA		
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS		
Other Funds (Non-General Fund)		
Capital Growth Fees Residential Fund - 355		
Development Impact Fees Update Study - Phase 2	Harris & Associates was contracted to undertake a comprehensive Development Impact Fee Study	\$ 500,000
Total Capital Growth Fees Fund:		\$ 500,000

Phase II Development Impact Fee Study

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Funds are recommended to be appropriated from the various city capital growth funds to pay for the cost of updating the city's development impact fees. Harris & Company is the selected contractor. The contract for services is under the auspices of the City Attorney's Office and the project is managed by Assistant City Manager Jesús Nava. The goal is have current development impact fees that reflect the cost of providing new infrastructure due to city development.

Information Technology Fund (Internal Service Fund)

CITY OF OXNARD, CA		
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS		
Other Funds (Non-General Fund)		
Information Services Fund - 731		
"Dig-Alert" Marking of City Owned Fiber Optic Network System	Marking of Location of Fiber Optic Network is needed to prevent accidental damage from construction. Funding comes from IS Fund balance.	\$ 60,000
Total Information Services Fund:		\$ 60,000

Marking of City Owned Fiber Optic Network

The City of Oxnard has invested approximately \$12 million in the construction of its fiber optic network that must be protected from damage due to construction work. The network spans 38.45 miles of underground conduit with fiber running through 31.81 miles of that conduit and twisted wire pair running through 6.56 miles. In addition, the City maintains thirty-eight fixed wireless links between traffic signal locations. There is an additional 6.64 miles of conduit and fiber optic cable designed and planned for the expansion of the traffic signal network and future SCADA system. The network serves as the communications link between the City's traffic signal system and Traffic Management Center (TMC). The fiber network also serves as a network backbone between City facilities such as fire stations, IT data centers, remote Police locations and other city facilities.

Concluding Remarks

The proposed mid-year budget adjustments represent the city staff's best recommendations for additional appropriations that are needed at this point in time. A thorough vetting of each recommendation occurred and only those recommendations that were truly necessary were brought forth for Council consideration.

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There are other financial needs looming on the horizon that are not addressed as part of this report. They include funding for a new Enterprise Resource Planning system (city financial software and related software for city operating departments); funding for the maintenance and upkeep of city buildings and facilities; funding for a comprehensive streets and alleyways maintenance program; funding for the upgrade of existing parks and development of new parks (Campus Park and Sports Park); funding for maintenance of all city medians, city trees, and city rights-of-way considered areas of general benefit.

Staff will develop funding proposals to begin work in these areas. They will be presented as part of the upcoming budget.

FINANCIAL IMPACT

The attached Budget Appropriation outlines the supplemental augmentation by fund for each department.

ATTACHMENTS:

Attachment A - Public Safety Memorandums

Attachment B - FY 2017-18 Mid-Year Tables - Augmentation

Attachment C - Budget Appropriation FY17-18 Mid-Year

Attachment D - Resolution Amending Resolution No. 15,029

Attachment E - Resolution Amending Resolution No. 15,028



Police Department

Scott Whitney, Chief of Police

Date: February 12, 2018

To: Mayor and City Council

From: Scott Whitney, Chief of Police

Subject: Police Vehicle Replacement: Attachment to Midyear Budget Staff Report

The purpose of this memo is to provide details related to the request to replace Police Department vehicles during FY 17-18. The vehicle replacement request consists of thirteen (13) patrol vehicles, four (4) police motorcycles, and three (3) mid-sized pickup trucks.

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) 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 Department's patrol fleet consisted of a large percentage of patrol vehicles that were well past the *City of Oxnard Vehicle Purchasing Guidelines* recommended service life of 100,000 miles. Once patrol vehicles surpass the recommended 100,000 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 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. This round of patrol vehicle replacements also a time-sensitive item, since Ford ceases taking orders in the mid to late spring. If the order is not placed before then, this will add approximately three (3) months to the

six (6) month time that spans from ordering to deployment.

The last purchase of eleven (11) patrol vehicles was authorized by the City Council on March 6, 2017.

Three-Year Patrol Vehicle Replacement Schedule

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.

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 reserve/spare motorcycles deprive Traffic Unit officers of the use of a motorcycle when service or repairs are being performed. There have been several occasions during 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 which 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 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. Two (2) of the high-mileage motorcycles would be held in reserve for use as "spare/pool" motorcycles that would be used while others are being serviced or repaired.

Support Vehicles

There are currently twelve (12) Community Service Officer ("CSO") and sixteen (16) Traffic Service Assistant ("TSA") positions in the Police Department. CSO's and TSA's mainly use mid-sized pickup trucks, used for various field support functions. Two (2) Toyota Prius compact sedans are assigned to the TSA Unit. The services that the CSO's and TSA's provide for patrol

officer 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 CSO's and TSA's 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.

Financial Impact

The below costs include equipment upfitting:

A fully-outfitted patrol Ford Utility Vehicle currently costs \$42,947.90. The cost to purchase thirteen (13) vehicles is \$558,322.70. A contingency amount of \$54,816 would be set aside for the likely need to replace and install Mobile Data Computers and their mounting equipment.

A fully-outfitted patrol motorcycle currently costs \$29,081.84. The cost to purchase four (4) motorcycles is \$116,327.36.

A fully-outfitted TSA/CSO Nissan Frontier pick-up truck costs \$21,178.00. The cost to purchase three (3) trucks is \$63,534.00.

The total amount for all of the above vehicles is \$793,000.



Police Department

Scott Whitney, Chief of Police

Date: February 12, 2018

To: Mayor and City Council

From: Scott Whitney, Chief of Police

Subject: Public Safety Radio Communications Improvements: Attachment to Midyear Budget Staff Report

This project involves consideration for up to \$1 million in Measure “O” funding for the first part of a multi-phased upgrade of the City’s existing public safety radio communication infrastructure. This project would start the process of Oxnard’s transition from having an analog-based radio infrastructure system to a digital-based one. It would also work towards establishing an interoperable system that allows Oxnard to communicate with other agencies, improve communications reliability, and better allow the system to continue functioning in a major power outage or disaster.

This project’s steps consist of: 1) addressing a high-priority upgrade/replacement of the Police Department’s dispatch consoles and call-taking equipment, 2) a limited purchase of handheld radios, and 3) retaining a consultant to develop a needs assessment for a citywide radio infrastructure upgrade.

Dispatcher Consoles and Call-Taking Equipment

The first and most urgent part of the project is to replace the obsolete dispatcher consoles in the Police Department’s Emergency Communications Center. Ten (10) dispatch consoles would be purchased, adding one (1) in the Emergency Communications Center, one (1) to the Police Department’s Mobile Command Post, and one (1) in the City’s alternate Emergency Operations Center. These locations are critical communications points, especially in the event of major incident or disaster. Up to four (4) additional call-taking workstations would also be set up in the Emergency Communications Center.

For the past eighteen (18) years, Oxnard’s Emergency Communications Center has been operating with the same Motorola Gold Elite radio console stations, which are used by dispatchers to perform critical job functions, mostly call-taking and dispatching first responders. These are eight (8) years past their expected ten (10) year service lives. Motorola ceased manufacturing Gold Elite radio consoles in June of 2013. As of June of 2018, Motorola will no

longer manufacture and distribute replacement parts. This means that if a radio console was to go out of service after June of 2018, this would severely impair the Police Department's ability to fix or replace the radio console. Having fewer operating consoles would negatively impact service delivery to the public, and the ability to effectively (and safely) dispatch resources.

The Motorola Gold Elite is also becoming obsolete. The Gold Elite is an analog-based product, and contemporary radio consoles are moving to digital. These analog system radios are antiquated, as they are not capable of meeting the Association of Public-Safety Communications Officials ("APCO") Project 25 ("P25") capabilities. P25 mandates that all new radio systems are interoperable, able to work together regardless of manufacturer. P25 also requires that all radios, (console, mobile, and portable systems) be programmable to support both analog and digital signals, and have encryption capability.

Of note, two agencies in Ventura County, Simi Valley and neighboring Port Hueneme, have already switched to P25 capable platforms. Though a timeline has not yet been set, the Ventura County Sheriff's Office and the Ventura Police Department will eventually do the same.

The estimated cost to upgrade the current dispatch radio consoles, call-taking stations, and supporting hardware is approximately \$800,000.

Handheld Radios

By the time of the transition to a digital-based platform, all mobile and portable radios that are not P25 capable will need to be replaced. It is more efficient to purchase this equipment in phases, as this spreads the cost over time, and better accommodates an ongoing equipment replacement plan. The Police Department has approximately 300 portable (handheld) radios in its inventory, and approximately 160 mobile (vehicle-based) radios. Each sworn officer in the Police Department receives an issued portable radio. Many handheld radios, such as the Motorola HT1250, have been in service for about two decades. Currently, less than two dozen handheld radios are P25 capable, and none of the mobile radios meet P25 requirements. A plan to begin phasing in P25 capable handheld radios has begun, and at this point has been very slow due to limited funding, which has been largely through annual Justice Assistance Grant funding, which is expected to support the purchase of approximately forty (40) handhelds this year.

This proposed phase would fund approximately fifty (50) police portable radios. These will replace older, obsolete radios for a portion of the Police Department, starting with the Patrol Division. The purchase of fifty (50) handheld radios has an estimated cost of \$100,000. Additional mobile and portable radios will need purchasing in subsequent project phases.

Of note, the selected communications consoles and portable radios will be P25 adaptable, and can be reprogrammed when the conversion to a digital-based system is ready to proceed.

Comprehensive Assessment of Radio Infrastructure Needs

As stated above, the radio infrastructure project's strategic objective is to transition and upgrade Oxnard's radio communications platform from an analog-based system to a digital-based one, improve communications reliability, and better allow the system to continue functioning in a major power outage or disaster. This effort has many stakeholders, involves a number of City

departments, as well as outside public safety agencies. It is strongly recommended that Oxnard develop a comprehensive plan for the P25 transition.

The long-term project must address the need to upgrade the radio infrastructure across the entire city, and increase coverage reliability. Oxnard's existing radio communications infrastructure was established years ago, and for a smaller city. There are currently numerous "dead spots" in the City where dispatch and field units cannot communicate with each other. Some notable areas of concern include the Collection / RiverPark area, South Oxnard, the Lemonwood area, as well as inside larger buildings and structures throughout the city.

A multi-departmental committee recently formed to examine what a project of this magnitude will require. Staff determined that a comprehensive fit-gap assessment is needed to determine the scope and extent of what equipment and infrastructure is necessary to upgrade Oxnard's citywide radio communications platform. The technical expertise of a radio communications consultant will be required to determine the longer-term needs. Funding from this request would be used for this assessment.

The end goal is to establish a radio infrastructure system in the City that will allow interoperability between agencies, increase communication system reliability, and be able to continue operating during a major power failure or disaster. Beyond this project phase, future equipment and infrastructure that are essential to the project would eventually include additional mobile and portable radios; a plan to integrate the Fire Department and Public Works; antenna arrays, receiver/repeater equipment, computer hardware, cabling, and emergency power systems. It is also possible that the project would require erecting communications towers in designated parts of the City. A future effort to identify funding for these will be necessary.

The estimated cost to replace the consoles and supporting hardware with digital-spectrum capable equipment, portable radios, and the consultant services is approximately \$1,000,000. This is a "not to exceed" amount.



Police Department

Scott Whitney, Chief of Police

Date: February 12, 2018

To: Mayor and City Council

From: Scott Whitney, Chief of Police

Subject: Public Safety Call Takers: Attachment to Midyear Budget Staff Report

The purpose of this memorandum is to provide an overview of the Police Department's Emergency Communications Center's staffing situation, the demands being placed upon it, and provide information in support of a new classification: Public Safety Call Taker. The creation of the Public Safety Call Taker classification is a lower-cost staffing alternative, intended to address critical staffing shortages, mitigate employee attrition, streamline bringing new personnel into the Center, and reduce overtime. The Police Department requests the authorization of four (4) Public Safety Call Taker positions.

Overview

The Emergency Communications Center ("the Center") operates 24 hours a day, 365 days per year. Although the Center no longer dispatches for the Fire Department, it still receives all 9-1-1 calls for the City, as it is a designated primary public safety answering point. Dispatchers are responsible for determining if the caller is reporting a police, fire, or medical emergency, then routing the call as needed.

The Center has twenty-five (25) authorized full time equivalent positions:

- One (1) Public Safety Communications Manager
- Five (5) Public Safety Dispatcher III ("PSD III")
- Nineteen (19) Public Safety Dispatcher II ("PSD")

During 2016, Oxnard's Center handled 375,854 phone calls, including incoming, outgoing, abandoned, and 9-1-1 calls. By comparison, the Ventura County Sheriff Emergency Communications Division's thirty-one (31) dispatchers and six (6) dispatch supervisors handled 284,226 calls during 2016.

Workload versus Staffing

As Oxnard has grown, the Center has faced a steady increase in workload. For example, the Center processed 337,306 calls in 2010 as compared to 375,854 calls in 2016 - an increase of 11.4%. It is foreseeable that the Center will also take on the processing of “text to 9-1-1” calls as soon as 2019. The authorized staffing in the Center has not grown in proportion with the City’s growth, nor with call volume increases. The current authorized staffing level has one (1) less authorized FTE than in FY 1999-2000, when Oxnard’s population had approximately 36,000 less residents.¹ A PSD III position, a Dispatch Training Coordinator, which had been vacant for several years for cost savings, was eliminated during FY 15-16. Also of note, two additional “part time” dispatchers were not replaced when they vacated their positions over the past several years.

Given a static number of staff and a rising number of calls, dispatchers are becoming increasingly stretched. As a result, callers become more likely to being placed on hold, and less time can be spent with them during peak hours. This can have an impact upon the quality of delivered service.

Overtime

Because of the Center’s staffing levels, overtime becomes necessary whenever an employee is out. If a PSD goes to training, backfill overtime becomes necessary, as there is no staffing cushion. If a PSD goes on vacation, or is out on injury leave, backfill overtime also becomes necessary. If an employee calls in sick, someone must be held over.

Mitigating overtime in the Center has been a challenge. In 2017, the Center used 5,191 hours of overtime, a 7.2% increase from 4,815 hours in 2016. The predominant overtime type is backfill-related, and vacant positions compound this. Factors that contributed to the increase included:

- Vacancies throughout the year. By the end of 2017, four (4) of nineteen (19) PSD positions were vacant.
- Most, if not all, authorized time off created a need for backfill overtime. This was necessary to maintain minimum staffing levels.
- A delay in the applicant testing process, combined with the typical length of time needed to test and screen applicants.
- The staffing level for call intake was set to ensure the Center meets California State 9-1-1 Office standards. These standards require that dispatchers answer 90% of all 9-1-1 calls within 10 seconds. (In 2017, 95.24% of calls met this standard).

Overtime and Attrition

With mandatory overtime having become a standard, ongoing practice in the Center for as long as it has, the demand places increased pressure on employees. Fatigue levels rise, as does the possibility of physical repetitive-motion injuries (e.g. such as wrist and hand injuries). There are few other personnel resources that can assist in the Center; a few police officers that were on modified duty were placed on call-taking duties while they recovered. However, it is required that they are trained in call-taking procedures, and their time in the Center is usually limited.

¹ Oxnard 1999-2000 Adopted Budget: Resolutions, pg. 284. Twenty-six (26) positions are authorized for the Emergency Communications Center (a manager, six PSD III, 11 PSD II, and 8 PSD I).

The increase in mandated overtime has impacted dispatcher attrition. The vacancy rate among PSD's in the Center is currently at a critical 21%, and will be at 26% in two weeks (four of the nineteen PSD positions are vacant, and a fifth vacancy will exist as of February 24th). A common theme that departing employees have mentioned involves the impact of overtime mandates, and that it is fueling attrition. For example, two (2) PSD's recently left to work for another agency during the latter months of 2017, and both cited the staffing levels and overtime mandates as being factors in their decisions to leave.

Recruiting and Training

Replacing PSD's is currently a slow process. In addition to a recruiting and hiring process that takes several months, PSD's must successfully complete a one-year training program, which focuses on call-taking and radio operation. Efforts to retain PSD trainees are made to the best possible extent, but there are some who cannot pass beyond call-taking proficiency. If a trainee does well on call-taking, but cannot demonstrate proficiency with radio operations, they do not pass probation and are terminated, since they cannot meet PSD job requirements.

Public Safety Call Taker

The creation of the Public Safety Call Taker classification will address critical structural staffing shortages in the Center, mitigate employee attrition, streamline bringing new personnel into the Center, reduce overtime, and provide a lower-cost staffing alternative.

Call Takers would be primarily tasked with answering 9-1-1, ten-digit emergency calls, and non-emergency calls. With the added staff, more time could be spent interacting with callers, and even re-contacting them when necessary, which lends to better service to the public.

Call Takers can be implemented quickly to address the staffing issue. Following a recruitment period, training Public Safety Call Takers would require only three (3) to four (4) months. This would provide relief to the PSD's, mitigate attrition, as well as reduce overtime. Successful Public Safety Call Takers would also be well-suited dispatcher candidates, speeding up the recruitment as well as shortening their training period by about four (4) months if they became a PSD.

The proposed Public Safety Call Taker position is a lower-cost staffing option than a PSD. A PSD costs approximately \$90,000 per year, including salary and benefits. A Public Safety Call Taker classification would have an annual cost of \$65,000. The ongoing annual costs for four (4) Public Safety Call Takers is approximately \$260,000.

If authorized by the City Council, there would not be any financial impact during FY 17-18.



Fire Department

Darwin Base, Fire Chief

Date: February 12, 2018

To: Mayor and City Council

From: Darwin Base, Fire Chief

Subject: Firefighter Handheld Radios: Attachment to Midyear Budget Staff Report

The purpose of this memo is to provide details related to the request to purchase eighty-five (85) handheld radios during FY17-18.

Current Portable Radio

Oxnard Fire currently used Motorola XTS2500i portable radios. These radios were fielded in 2010, and no longer available for purchase through Motorola or its distributors.

Replacement Portable Radio

Oxnard Fire will transition to Motorola APX6000se radios, either through a wholesale changeover or incrementally as funding allows.

The benefits of this transition are as follows:

Personal Issue: The new radios will allow OFD to begin issuing personal portable radios to all members, similar to how Oxnard PD operates. This allows for greater firefighter safety because the dispatch center can identify individual fire department members anytime their radio is transmitting. Even more importantly, when a firefighter presses their “emergency trigger” on their radio when they experience a life threatening event, this new radio allows the dispatch center to immediately identify that firefighter by name AND GPS location. This is vital for both firefighter and civilian safety.

If a firefighter rescues a civilian, from any type of threat, but is unable to radio his/her location or need for assistance, personal issue radios with GPS capability will allow that firefighter to press the “emergency trigger” on his/her radio. This will immediately inform Dispatch and the

Incident Commander of that firefighter/civilian's need for assistance and exactly where they are located.

OFD currently uses portable radios that are assigned to a fire engine or ladder truck only, and those radios don't identify the actual firefighter using that radio. During an emergency event it takes longer for the dispatch center and/or Incident Commander to identify the firefighter involved in an emergency or whose life is in danger.

Disaster Resilience: The new radios will allow for personal issue to all members of the fire department. During natural or manmade disasters that require a general recall of all fire department personnel, the firefighters who respond to the disaster from off duty will have their own radio to use, regardless of the incident location they respond to. If a firefighter responds to an incident where no fire engines or ladder trucks are operating yet, that firefighter can use his/her personal issue radio to coordinate operations of CERT members, and to report those operations back to the City EOC or other Incident Command elements in the city. In effect, personal issue radios will act as a force multiplier by allowing individual firefighters to operate independently with CERT teams throughout the city until formal rescue/fire operations can be established. This is a capability that is even more important in lower income areas of the city where overcrowding and less than ideal living conditions can result in a larger number of incidents requiring fire or CERT resources. If OFD's limited fire resources are already stretched thin and committed to other incidents, these off duty firefighters and CERT teams could/will play a much larger role in disaster response.

This is a capability we currently do not have.

In the event of a major natural or manmade disaster in the city, state or federal Incident Management Teams (IMT) could be called in to manage disasters. This can occur at a county wide level, or city wide level. When an IMT is called in manage a major incident, they bring their own communications units and generally use channels that are foreign to local fire department. The new personal issue radios will have the capability to use a "dynamic zone" that allows Oxnard Fire to program and operate on those potentially foreign channels. This will greatly increase Oxnard Fire's efficiency during major natural or manmade disasters.

County Wide Interoperability: Upon transition to the new Motorola APX6000se radios Oxnard Fire will be using the same radio as the other fire agencies in Ventura County. This greatly enhances our interoperability and allows all the agencies to program our radios similarly, thus increasing firefighter and civilian safety. This will also allow for an overall cost savings to Oxnard Fire when radio reprogramming is required, as all agencies can collaborate on one programming plan instead of individual plans for Oxnard Fire and the other agencies.

Firefighter Safety: The new Motorola APX6000se radios increase firefighter safety on all types of incidents in the following ways:

Oxnard Fire currently does not have these capabilities or features

- Noise cancelling front/back speakers and microphones allow firefighters to clearly transmit and receive vital radio transmissions during noisy fire ground operations. The

National Fire Administration, NIOSH, and OSHA have identified a lack of clear radio transmission as a major factor in every firefighter fatality at structure and wildland fires.

- Wind noise is cancelled out by a third microphone, allowing for clear transmissions. This is vital when working at windy brush fires, ocean rescues on a windy beach, or during any incident where wind is factor.
- Top and front information screens allow firefighters to see what channels and zones they are operating on without the necessity to remove the radio from their turnout coat pocket. This eliminates the possibility of dropping and losing their radio in low visibility environments when channel changes are needed.
- GPS tracking capability allows the dispatch center and/or Incident Commander to have real time knowledge of firefighter's locations if they experience any type of emergency during an incident.
- 6 Watt transmitting power allows for stronger transmissions from individual firefighters on an incident. This provides more power for transmissions to get into and out of buildings during structure fires. It also allows for greater transmission distance during a natural disaster or brush fire.

Financial Impact

The cost per radio with microphone, chargers, and required accessories is \$4,500 for a total request of \$382,500.



Fire Department

Darwin Base, Fire Chief

Date: February 12, 2018

To: Mayor and City Council

From: Darwin Base, Fire Chief

Subject: Modernization of Public Safety Fleet: Attachment to Midyear Budget Staff Report

The Fire Department's engine fleet currently consists of eight (8) frontline engines and six (6) reserve engines.

The City of Oxnard does not currently have a vehicle replacement policy for fire engines, however policies and accepted practices from surrounding agencies suggest three (3) engines are due for replacement at this time; Los Angeles Fire Department replaces frontline apparatus after 10 years of service, and both Ventura County and Ventura City replace apparatus after 12 years. Regardless of the agency, all place strong consideration on safety requirements and maintenance costs. The Oxnard Fire Department is in the process of developing a comprehensive vehicle replacement matrix consisting of nine categories to rate vehicle safety, reliability, mechanical condition, repair cost, mileage, and age to establish an objective decision making process for future apparatus replacement.

In order to maintain a safe and dependable patrol vehicle fleet, it is critical that the Fire Department maintains a comprehensive vehicle replacement plan. Three (3) engines were manufactured in 2005, of these two (2) exceed 100,000 miles and are costing twice as much in repairs annually as some newer engines in the fleet. The two (2) engines (Engine 61 and Engine 66) will be placed in reserve status, allowing the current reserve engines 161 and 167 to be taken out of service. The engines are 27 and 25 years old respectively, which have reached the end of their service life according to the National Fire Protection Association 1901 *Standard for Automotive Fire Apparatus* suggestion that a fire engine service life not to exceed 25 years .

Fire engines are customized vehicles that may take up to one year to assemble. Engine 61 responded to 3,581 calls for service in 2017, with Engine 66 responding to 2,175, which result in upwards of an additional 10,000 miles placed on each engine prior to replacement vehicle delivery. It is imperative for the Fire Department to order two (2) replacement engines in FY17-

18 to ensure reliable and safe response to incidents in the City of Oxnard.

Fire Department Engine Inventory

Engine	Model Year	Age	Mileage	Engine Hours	Pump Hours	FY15 Repair	FY16 Repair	FY17 Repair	Average annual cost for repair	FY18 To Date Repair	Calls for service calendar year 2017
61	2005	13	126,514	12,010	680	41,050	40,596	57,096	46,247	36,617	3,581
66	2005	13	109,016	7,980	504	37,099	31,301	44,109	37,503	26,206	2,175
67	2005	13	89,489	6,969	430	33,024	43,089	21,117	32,410	9,014	1,070
64	2009	9	97,800	7,840	483	35,025	38,326	33,358	35,570	14,935	3,254
62	2009	9	91,231	8,093	422	20,471	31,354	21,170	24,332	18,680	2,094
63	2010	8	75,698	6,345	361	20,357	32,334	28,470	27,054	17,354	2,927
65	2010	8	65,813	4,723	297	33,064	26,633	22,894	27,530	10,382	3,021
68	2014	4	28,428	2,357		4,683	23,558	16,764	15,002	25,637	2,178
Reserve Engines											
161	1991	27	132,067	9,431	1,003	8,927	13,809	7,301	10,012	4,969	
167	1993	25	132,256		733	6,857	5,701	8,198	6,919	6,146	
162	1997	21	142,971	5,942		28,675	20,161	11,961	20,266	14,006	
163	1997	21	184,135	9,431		20,291	12,441	13,654	15,462	16,123	
168	1997	21	117,317	10,153		11,191	9,687	17,098	12,659	13,966	
165	1997	21	157,965	3,278	797	33,058	15,859	12,192	20,370	8,384	

Financial Impact

The cost of one (1) fully outfitted fire engine is \$800,000, a total of \$1,600,000 for two engines.

CITY OF OXNARD, CA
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS

General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Police	Police Vehicle Replacement	Replaces 13 patrol vehicles; 4 motorcycles; and 3 Community Service trucks	\$ 793,000	No	\$ -	\$ 793,000
Police	Public Safety Radio Communications Improvements	Cash Payment for Purchase of Dispatch Consoles	\$ 1,000,000	Yes	\$ 1,000,000	\$ -
Police	Recruitment of 4 Public Safety Call Takers	Due to recruitment time, will not have a financial impact on the General Fund during FY 17-18	\$ -			\$ -
Sub-Total Police:			\$ 1,793,000		\$ 1,000,000	\$ 793,000
Fire	Modernization of Public Safety Fire Fleet	Cash Payment for 2 Fire Engines that are 13 years old	\$ 1,600,000	Yes	\$ 1,600,000	\$ -
Fire	Firefighter Handheld Radios	85 portable radios are requested to replace outdated radios currently in use	\$ 382,500	Yes	\$ 382,500	\$ -
Fire	Addition of 2 Fire Inspectors (Civilian-Non Safety)	Plan is to fully fund them from inspection fees in FY 18-19	\$ 11,000	No	\$ -	\$ 11,000
Fire	Reclassification of Existing Grants Specialist II to Management Analyst II	Increases the duties and responsibilities of the incumbent to include budget, financial analyses and management for Fire	\$ 7,000	No	\$ -	\$ 7,000
Fire	Mandated Hazardous Materials Technician Training	Mandated training formerly funded by grants	\$ 25,000	No	\$ -	\$ 25,000
Sub-Total Fire:			\$ 2,025,500		\$ 1,982,500	\$ 43,000
City Wide	Additional Funding for Legal Costs Due To On-Going and Planned Litigation	On-going City Litigation and Specialized Legal Services Requires Supplemental Funds	\$ 1,135,000	No	\$ -	\$ 1,135,000
City Wide	Increase General Fund Contribution to Special District Fund for Water	23 LMDs have a 5% annual utility cap. As a result the General Fund has to pay for the additional cost of water	\$ 180,000	No	\$ -	\$ 180,000
City Wide	Additional Funding for External Independent Auditor Services	Additional Services As Needed To Test and Cure Prior Years Audit Findings	\$ 100,000	No	\$ -	\$ 100,000

CITY OF OXNARD, CA
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS

General Fund 101

Measure "O"

General Fund

Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
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City Wide	Additional Funding for Professional Accounting and Financial Consultant Services	Additional Services Needed To Address Prior Years Audit Findings	\$ 100,000	No	\$ -	\$ 100,000
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City Wide	Required GASB Actuarial Studies for CalPERS and PARS Retirement Plans and Carman Over-Ride Tax	The Governmental Accounting Standards Board (GASB) requires actuarial studies every two years	\$ 50,000	No	\$ -	\$ 50,000
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City Wide	Completion and Reconciliation of Remaining Limited Benefitted Positions	This will fully fund all positons that were converted to full-time status	\$ 130,000	No	\$ -	\$ 130,000
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Sub-Total City Wide:

\$ 1,695,000

\$ -

\$ 1,695,000

City Elections	Contractual Services for 2018 Recall Election	Engagement of Elections Consultant Martin & Chapman	\$ 500,000	No	\$ -	\$ 500,000
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City Elections	Contractual Services for 2018 Council Districts Demographics	Engagement of National Demographics Corporation	\$ 70,000	No	\$ -	\$ 70,000
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City Elections	Elections and Office Supplies Augmentation	Need for Additional Supplies Given Elections	\$ 10,000	No	\$ -	\$ 10,000
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City Elections	Part-time Staff Hours for Special Recall Election	Need for Additional Office Assistance with Elections	\$ 10,000	No	\$ -	\$ 10,000
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Sub-total City Elections:

\$ 590,000

\$ -

\$ 590,000

Public Works - Parks	Funding for Parks and Recreation Master Plan. Consultant selection process has been completed.	Master Plan is required for development of Oxnard 5-Year Capital Improvements Plan and for securing funds from future State Parks Bonds	\$ 325,000	Yes	\$ 325,000	\$ -
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Public Works - Parks	Transfer of 5 Parks Ground Workers from River Park CFD to General Fund (6 month costs)	River Park CFD Maintenance has been transitioned to private contractors	\$ 150,000	No	\$ -	\$ 150,000
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Public Works - Parks	Contractual Services: Removal of Dead Trees at City Parks	Begins to fund the removal of dead trees at city parks, targeting most dangerous situations	\$ 50,000	Yes	\$ 50,000	\$ -
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Sub-Total Public Works Parks:

\$ 525,000

\$ 375,000

\$ 150,000

CITY OF OXNARD, CA
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS

General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Development Services	Funding for Safe Homes - Safe Families Inspection Program	Provides the funding to implement the City Council Goal	\$ 100,000	Yes	\$ 100,000	\$ -
Development Services	Modernization of Building Inspection Vehicles	Funds the purchase of 3 vehicles for inspection staff	\$ 75,000	No	\$ -	\$ 75,000
Development Services	Funding for the U.S. Local Update of Addresses Operation (LUCA)	The Census Bureau relies on a complete and accurate address list to reach every living quarters with a required 120-day turn around period.	\$ 25,000	No	\$ -	\$ 25,000
Sub-Total Development Services:			\$ 200,000		\$ 100,000	\$ 100,000
C&CS - Recreation	Completion and Reconciliation of Remaining Limited Benefitted Positions	Cover shortfall of Measure O - LBE conversion	\$ 320,000	Yes	\$ 320,000	\$ -
C&CS - Recreation	Seasonal Temporary Hours	Reinstatement of temp. budget due to shift to cover partial cost of LBE conversion	\$ 112,000	No	\$ -	\$ 112,000
C&CS - Recreation	Limited Benefitted Employee Conversion - Recreation Leader III	Cover shortfall of Measure O - LBE conversion	\$ 26,000	No	\$ -	\$ 26,000
C&CS - Recreation	Site Improvements to Colonia Boxing Gymnasium	Replacement of Concrete Apron and Driveway; New Security Fencing and Shade Structure	\$ 20,000	Yes	\$ 20,000	\$ -
Sub-Total Cultural and Community Services - Recreation:			\$ 478,000		\$ 340,000	\$ 138,000
Financial Services	Provides a portion of the funding needed to upgrade and remodel the third floor at 300 West 3rd	The remaining portion will be appropriated in the ensuing FY18-19 budget	\$ 310,000	No	\$ -	\$ 310,000
Financial Services	Additional Accounting Staff	Partially funded through the General Fund with cost recovery through the allocation methodology	\$ 35,000	No	\$ -	\$ 35,000
Financial Services	Reclassification of Administrative Secretary to Administrative Assistant (Confidential)	Administrative Assistant (Confidential) is the required classification for this position based on work performed for Department Director	\$ 5,000	No	\$ -	\$ 5,000
Sub-Total Financial Services:			\$ 350,000		\$ -	\$ 350,000

CITY OF OXNARD, CA
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS

General Fund 101					Measure "O"	General Fund
Department	Appropriation	Reason for Appropriation	Amount	Measure "O"	Amount	Amount
Economic Development - Downtown	Repair City-owned buildings at Heritage Square	Two city-owned buildings require repairs:	\$ 125,000	No	\$ -	\$ 125,000
Economic Development - Downtown	Additional 40 hours per week of Downtown Security	Funds the additional 40 hours per week from March 1 through June 30, 2018	\$ 17,332	No	\$ -	\$ 17,332
Sub-Total Economic Development - Downtown:			\$ 142,332		\$ -	\$ 142,332
Carnegie Art Museum	Funding Augmentation to Cover Cost Allocation and In-Direct Charges to Budget	Additional funds are needed for the Carnegie Museum to pay for city imposed charges	\$ 86,000	No	\$ -	\$ 86,000
Sub-Total Carnegie Museum:			\$ 86,000		\$ -	\$ 86,000
Housing	Funding Augmentation to Fully Fund Mobile Home Activities	To provide additional funding based on staff reallocation to Mobile Home	\$ 81,000	No	\$ -	\$ 81,000
Sub-Total Housing:			\$ 81,000		\$ -	\$ 81,000
Utility Billing & Licensing	Funding Augmentation for purchase of a vehicle for use by Code Compliance Staff	Code Compliance staff currently using a vehicle on loan from another department	\$ 27,000	No	\$ -	\$ 27,000
Utility Billing & Licensing	Funding for Account Recovery Services	Currently Unfunded	\$ 6,000	No	\$ -	\$ 6,000
Sub-Total Utility Billing & Licensing:			\$ 33,000		\$ -	\$ 33,000
City Manager's Office	Funding Augmentation for Summer at City Hall Student Stipends	High School Students participating in the 2018 Summer at City Hall will receive a paid stipend. Amount to be determined	\$ 25,000	Yes	\$ 25,000	\$ -
Sub-Total City Manager's Office			\$ 25,000		\$ 25,000	\$ -
City Attorney's Office	Funding to Construct Office Space for Deputy City Attorney	Deputy City Attorney currently has a cubicle in the lobby of the City Attorney's Office	\$ 15,000	No	\$ -	\$ 15,000
Sub-Total City Attorney's Office:			\$ 15,000		\$ -	\$ 15,000
Grand Total General Fund:			\$ 8,038,832		\$ 3,822,500	\$ 4,216,332

CITY OF OXNARD, CA		
FISCAL YEAR 2017-18 MID-YEAR APPROPRIATIONS		
Other Funds (Non-General Fund)		
Landscape Maintenance Districts Fund		
Reclassification of Administrator to Manager	Clean-Up Item Included In Adopted Budget	\$ -
Reclassification of Parks Maintenance Supervisor to Landscape Inspector	Clean-Up Item Included In Adopted Budget	\$ -
Elimination of 2 Groundworkers. Positions were converted to Landscape Inspectors.	Clean-Up Item Included In Adopted Budget	\$ -
Increase General Fund Contribution to Special District Fund for Water	23 LMDs have a 5% annual utility cap. As a result, the General Fund has to pay for the additional cost of water	\$ 180,000
Special Districts Fund Total:		\$ 180,000
Water Fund		
Increase In Operational Costs at the Advanced Water Purification Facility	Demand for Recycled Water Expected To Increase	\$ 340,000
Water Fund Total:		\$ 340,000
Wastewater Fund		
Increase in Measure M Litigation Costs	Costs Related to the City Lawsuit Defending Council Approved Rates	\$ 175,000
Wastewater Fund Total:		\$ 175,000
Capital Growth Fees Residential Fund - 355		
Development Impact Fees Update Study - Phase 2	Harris & Associates was contracted to undertake a comprehensive Development Impact Fee Study	\$ 500,000
Total Capital Growth Fees Fund:		\$ 500,000
Information Services Fund - 731		
"Dig-Alert" Marking of City Owned Fiber Optic Network System	Marking of Location of Fiber Optic Network is needed to prevent accidental damage from construction. Funding comes from IS Fund balance.	\$ 60,000
Total Information Services Fund:		\$ 60,000

REQUEST FOR BUDGET APPROPRIATION

Department: Finance
Project/Program
Manager: Jim Throop

Date: February 20, 2018
Phone: 385-7612

Reason for Appropriation:

FY17-18 Mid-year appropriations

Accounts and Descriptions

AMOUNT

Fund: 101- GENERAL FUND

Expenditures/Transfers Out

RESERVES AND TRANSFERS (1002)

101-1002-808.87-12	TRANSFER TO CAPITAL OUTLAY FUND	1,228,000
101-1002-808.87-14	TRANSFERS - OUT / TSFR TO ASSESSMENT DISTR	180,000
101-1002-808.87-29	TRANSFERS - OUT / TSFR TO PERF.ARTS CONV.CN	230,000

UTILITY/CUSTOMER SERVICES (1211)

101-1211-801.82-09	SVCS-OTHER PROF/CONTRACT	6,000
101-1211-801.86-06	CAPITAL OUTLAY / MACHINERY AND EQUIP NEW	27,000

ELECTIONS (1302)

101-1302-801.80-02	DIRECT LABOR-TEMPORARY	10,000
101-1302-801.81-02	MATERIALS AND SUPPLIES / SUPPLIES - OFFICE	10,000
101-1302-801.82-09	SVCS-OTHER PROF/CONTRACT	70,000
101-1302-801.84-77	OTHER SERVICES / CONTRACT ELECTIONS EXPNS	500,000

PUBLIC INFORMATION OFFICE (1405)

101-1405-801.80-01	DIRECT LABOR-REGULAR	5,138
101-1405-801.80-41	EMPLOYEE BENEFITS	2,202

CITY ATTORNEY (1501)

101-1501-801.83-01	MAINTENANCE SERVICES / MAINTENANCE-BUILDING	15,000
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FINANCE ADMINISTRATION (1600)

101-1600-801.80-01	DIRECT LABOR-REGULAR	5,000
101-1600-801.82-04	SERVICES-LEGAL SERVICES	200,000
101-1600-801.82-09	SVCS-OTHER PROF/CONTRACT	350,000

AUDITOR LITIGATION (PROJECT 18IN04)

101-1600-801.82-04	SERVICES-LEGAL SERVICES	500,000
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GENERAL ACCOUNTING (1601)

101-1601-801.80-01	DIRECT LABOR-REGULAR	24,500
101-1601-801.80-41	EMPLOYEE BENEFITS	10,500
101-1601-801.82-03	SERVICES-AUDIT	100,000
101-1601-801.82-04	SERVICES-LEGAL SERVICES	5,000

COMMUNITY PATROL (2101)

101-2101-802.84-87	OTHER SERVICES / CONTRACTUAL/SECURITY	17,332
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FIRE SUPPRESSION (2201)

101-2201-802.80-01	DIRECT LABOR-REGULAR	4,900
101-2201-802.80-41	EMPLOYEE BENEFITS	2,100
101-2201-802.83-43	TRAINING/WORKSHOP/MTNGS	25,000

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FIRE PREVENTION (2202)

101-2202-802.80-01	DIRECT LABOR-REGULAR	7,700
101-2202-802.80-41	EMPLOYEE BENEFITS	3,300

PLANNING (4101)

101-4101-804.82-09	SVCS-OTHER PROF/CONTRACT	25,000
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DEVELOPMENT SERVICES (4301)

101-4301-804.86-06	CAPITAL OUTLAY / MACHINERY AND EQUIP NEW	75,000
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MOBILEHOME RENT STABIL. (5106)

101-5106-804.80-01	DIRECT LABOR-REGULAR	56,700
101-5106-804.80-41	EMPLOYEE BENEFITS	24,300

LIBRARY CIRCULATION SERVICES (5402)

101-5402-805.80-01	DIRECT LABOR-REGULAR	10,013
101-5402-805.80-41	EMPLOYEE BENEFITS	4,291

COMMUNITY SERVICES (5501)

101-5501-805.80-01	DIRECT LABOR-REGULAR	18,200
101-5501-805.80-41	EMPLOYEE BENEFITS	7,800

YOUTH DEVELOPMENT (5502)

101-5502-805.80-01	DIRECT LABOR-REGULAR	26,710
101-5502-805.80-02	DIRECT LABOR-TEMPORARY	100,000
101-5502-805.80-41	EMPLOYEE BENEFITS	11,447

SENIOR SERVICES (5503)

101-5503-805.80-01	DIRECT LABOR-REGULAR	21,840
101-5503-805.80-41	EMPLOYEE BENEFITS	9,360

CITYCORP (5511)

101-5511-805.80-01	DIRECT LABOR-REGULAR	15,288
101-5511-805.80-02	DIRECT LABOR-TEMPORARY	12,000
101-5511-805.80-41	EMPLOYEE BENEFITS	6,552

PARKS & PUB. GROUNDS (5701)

101-5701-805.80-01	DIRECT LABOR-REGULAR	105,000
101-5701-805.80-41	EMPLOYEE BENEFITS	45,000

GRAFFII REMOVAL (5703)

101-5703-805.80-01	DIRECT LABOR-REGULAR	5,513
101-5703-805.80-41	EMPLOYEE BENEFITS	2,363

PARKS/FACILITY DEVELOPMENT (5751)

101-5751-805.80-01	DIRECT LABOR-REGULAR	6,498
101-5751-805.80-41	EMPLOYEE BENEFITS	2,785

OTHER COMMUNITY SERVICES (5905)

101-5905-805.83-75	MAINTENANCE SERVICES / REIMB TO OTHER AGENCIES	86,000
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Sub-total Expenditures	4,216,332
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Net Change to Fund Balance	(4,216,332)
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Fund: 104- HALF CENT SALES TAX FUND**Expenditures/Transfers Out****SUMMER INTERNSHIP PROG (MO1402)**

104-1410-801.82-09	SVCS-OTHER PROF/CONTRACT	25,000
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DISPATCH CONSOLES (MO2108)

104-2107-802.86-06	CAPITAL OUTLAY / MACHINERY AND EQUIPT.-NEW	1,000,000
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FIRE TRUCKS - (2) (Project MO2207)

104-2260-826.86-06	CAPITAL OUTLAY / MACHINERY AND EQUIPT.-NEW	1,600,000
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HANDHELD RADIOS - (Project MO2208)

104-2270-821.86-06	CAPITAL OUTLAY / MACHINERY AND EQUIPT.-NEW	382,500
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SAFE HOMES SAFE FAMILY PROG (Project MO4301)

104-4305-804.80-01	DIRECT LABOR-REGULAR	56,250
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104-4305-804.80-41	EMPLOYEE BENEFITS	18,750
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104-4305-804.86-06	CAPITAL OUTLAY / MACHINERY AND EQUIP NEW	25,000
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COL GYM CONCRETE & FENCING (Project MO5512)

104-5502-805.83-01	MTNCE SVC-BUILDING IMPROV	20,000
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CITI CORPS TOWNKEEPER (Project MO5507)

104-5511-805.80-01	DIRECT LABOR-REGULAR	224,000
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104-5511-805.80-41	EMPLOYEE BENEFITS	96,000
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PARKS MASTER PLAN (Project MO5708)

104-5759-826.82-09	SVCS-OTHER PROF/CONTRACT	325,000
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DEAD TREE REMOVAL-CITY PARKS (Project MO5709)

104-5770-805.82-09	SVCS-OTHER PROF/CONTRACT	50,000
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Sub-total Expenditures	3,822,500
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Net Change to Fund Balance	(3,822,500)
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Fund: 172- SPECIAL DISTRICTS ADMIN FUND**Revenues/Transfers In****SPECIAL DISTRICTS (1606)**

172-1606-711-7901	TRANSFER FROM GENERAL FUND	180,000
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Sub-total Revenues	180,000
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Expenditures/Transfers Out**SPECIAL DISTRICTS (1606)**

172-1606-805.82-67	CONTRACTS & SERVICES / UTILITY EXPENSE-WATER	180,000
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Sub-total Expenditures	180,000
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Net Change to Fund Balance	0
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Fund: 301- CAPITAL OUTLAY FUND**Revenues/Transfers In****COMMUNITY PATROL**

301-2110-711-7901	TRANSFER FROM GENERAL FUND	793,000
301-1600-711-7901	TRANSFER FROM GENERAL FUND	310,000
301-8150-711-7901	TRANSFER FROM GENERAL FUND	125,000

Sub-total Revenues	1,228,000
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Expenditures/Transfers Out**PUBLIC SAFETY VEHICLE REPLACEMENT (Project 182101)**

301-2110-826-8606	CAPITAL OUTLAY/ MACHINERY AND EQUIP NEW	793,000
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FINANCE REMODEL 3RD FLR (Project 171601)

301-1600-826.83-01	MTNCE SVC-BLDG & IMPROV	310,000
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HERITAGE SQUARE BLDG REPAIRS (Project 188102)

301-8150-826.86-03	CAPITAL OUTLAY / BUILDING-MAJOR REPAIR	125,000
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Sub-total Expenditures	1,228,000
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Net Change to Fund Balance	0
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Fund: 355- CAPITAL GROWTH FEES RESIDENTIAL FUND**Expenditures/Transfers Out****NON-DEPARTMENTAL**

355-1001-801.82-09	SVCS-OTHER PROF/CONTRACT	500,000
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Sub-total Expenditures	500,000
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Net Change to Fund Balance	(500,000)
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Fund: 601- WATER OPERATING FUND**Expenditures/Transfers Out****RECYCLE WATER (6012)**

601-6012-843.81-06	OPERATING SUPPLIES / CHEMICALS	120,000
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601-6012-844.82-61	UTILITIES EXPENSE / ELECTRICITY	160,000
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601-6012-844.82-69	UTILITIES EXPENSE / OTHER UTILITIES	60,000
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Sub-total Expenditures	340,000
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Net Change to Fund Balance	(340,000)
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Fund: 611- WASTEWATER COLLECTION OPERATING FUND**Expenditures/Transfers Out****COL SYSTEM MAINT & UPGRADE (6103)**

611-6103-842.82-04	SERVICES-LEGAL COUNSEL	175,000
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Sub-total Expenditures	175,000
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Net Change to Fund Balance	(175,000)
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Review

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Fund: 641- PERFORMING ARTS CNTR FUND**Revenues/Transfers In****PERFORMING ARTS CENTER (5601)**

641-5601-711.79-01	TRANSFER FROM GENERAL FUND	230,000
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Sub-total Revenues	230,000
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Expenditures/Transfers Out**PERFORMING ARTS CENTER (5601)**

641-5601-842.82-04	SERVICES-LEGAL COUNSEL	230,000
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Sub-total Expenditures	230,000
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Net Change to Fund Balance	0
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Fund: 731- INFORMATION SERVICES FUND**Expenditures/Transfers Out****COMPUTER/NETWORK SERVICES (7304)**

731-7304-852.82-09	SVCS-OTHER PROF/CONTRACT	60,000
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Sub-total Expenditures	60,000
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Net Change to Fund Balance	(60,000)
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Net Appropriation Change	10,751,832
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Approvals

Department Director	
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Chief Financial Officer	
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City Manager	
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CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING
RESOLUTION NO. 15,029 AUTHORIZING AND APPROVING CLASSIFICATION AND SALARY
SCHEDULES PURSUANT TO CHAPTER 4 OF THE CITY PERSONNEL RULES AND
REGULATIONS

WHEREAS, Chapter 4, Article 4.5 of the City of Oxnard Personnel Rules and Regulations requires that the City of Oxnard classification listing all classes of positions in the general city service be established by resolution of the City Council; and,

WHEREAS, Chapter 4, Article 4.7 of the City of Oxnard Personnel Rules and Regulations provides that the City Manager from time to time may revise the number of positions in each classification as necessary to perform the work of the classification, provided that the total expense to be incurred for such work shall be limited to the amount appropriated by the City Council for the classification; and,

WHEREAS, Chapter 4, Article 4.8 of the City of Oxnard Personnel Rules and Regulations provides that the City Manager shall recommend to the City Council the creation of a new or additional position allocated to an existing class whenever possible; otherwise, the City Manager shall recommend to the City Council the creation of a new classification; and,

WHEREAS, Chapter 4, Article 4.9 of the City of Oxnard Personnel Rules and Regulations requires City Council approval to establish a new classification title and salary range.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to amend Exhibit “A” of Resolution No. 15,029 in accordance with Chapter 4, Articles 4.5, 4.7, 4.8 and 4.9 of the City of Oxnard Personnel Rules and Regulations, by adding the following seven (7) classifications and establishing salary ranges for those classifications effective February 20, 2018:

Salary Grade	Classification Title	FLSA Status	Union Code	Compensation Frequency	Hourly (H)/ Salary (S) Range
M62	Special Districts Manager	E	OMMA	Salaried	\$ 81,319.78 – 140,702.81 (S)
A10	City Corp Leader Trainee I	NE	SEIU	Hourly	\$ 12,9156 – 17.3081 (H)
TBD	City Corps Student Trainee	NE	SEIU	Hourly	\$9.35 (H)
A14	City Corp Leader Trainee II	E	SEIU	Hourly	\$ 14,3551 – 22.2695 (H)
BFO96	Fire Inspector I	NE	IUOE	Hourly	\$ 50,160.14 – 67,609.03 (S)
BGP106	Fire Inspector II	NE	IUOE	Hourly	\$ 55,407.92 – 74,682.02 (S)
A15	Police Call Taker	NE	SEIU	Hourly	\$15.5610 - 24.1403 (H)

PASSED AND ADOPTED this 20th day of February, 2018, by the following vote:

YES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascension, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING
 RESOLUTION NO. 15,028 AUTHORIZING FULL-TIME EQUIVALENT POSITIONS
 PURSUANT TO CHAPTER 4 OF THE CITY PERSONNEL RULES AND REGULATIONS

WHEREAS, Chapter 4, Section 4.7 of the City of Oxnard Personnel Rules and Regulations provides that the City Manager from time to time may revise the number of positions in each classification as necessary to perform the work of the classification, provided that the total expense to be incurred for such work shall be limited to the amount appropriated by the City Council for the classification; and

WHEREAS, the City Council has reviewed the revisions and finds that they are desirable and in the interest of maintaining an efficient municipal organization.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to amend Exhibit "A" of Resolution No. 15,028 with the following changes to the adopted FY17/18 position allocations as specified, subject to approval of a budget appropriation for the revised allocation:

<u>Department</u>	<u>Title</u>	Adopted 17/18	Proposed Change	New Allocation
Economic Development	Administrative Assistant	1	-1	0
	Management Analyst II	0	1	1
Development Services	Code Compliance Inspector	4	1	5
	Administrative Technician	1	1	2
Cultural & Community Services	Literacy Coordinator	1	-1	0
	Librarian I	6.5	1	7.5
	Office Assistant II	2	-0.25	1.75
	Recreation/Human Serv Leader III	4.75	1	5.75
	Recreation/Human Serv Coord	7	1	8
City Attorney	Deputy City Attorney I	1	1	2
	Paralegal	1	1	2
Finance Department	Administrative Assistant (C)	0	1	1
	Landscape Inspector II	2	1	3
	Financial Analyst I	4	-1	3
	Management Accountant/Auditor	1	1	2
	Maintenance District Administrator	1	-1	0
	Parks Maintenance Supervisor	1	-1	0
	Special Districts Manager	0	1	1

	Sr. Groundsworker	2	-2	0
	Sr. Administrative Secretary	1	-1	0
Fire Department	Fire Inspector	4	-4	0
	Fire Inspector II (Non-sworn)	0	2	2
	Fire Engineer	30	4	34
	Grants Specialist II	1	-1	0
	Management Analyst II	0	1	1
Housing Department	Account Clerk III	2	-1	1
	Accounting Technician	0	1	1
Police Department	Police Records Technician II	4	1.25	5.25
	Police Word Processor II	7.5	-0.5	7
	Community Services Officer	12	1	13
	Police Call Taker	0	4	4
GRAND TOTAL		101.75	11.5	113.25

PASSED AND ADOPTED this 20th day of February, 2018, by the following vote:

YES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascension, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 1

DATE: February 20, 2018

TO: City Council

FROM: Michelle Ascencion
City Clerk

SUBJECT: Approval of Minutes.

CONTACT: Michelle Ascencion, City Clerk
Michelle.Ascencion@oxnard.org, 385-7805

RECOMMENDATION:

That the City Council approve the minutes of the November 28, 2017 Regular Meeting (corrected), January 23, 2018 Regular Meeting, and January 29, 2018 Special 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 11.28.2017 CC,HA regular meeting

Approval of Minutes.
February 20, 2018
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Attachment B: Minutes 01.23.2018 CC regular meeting

Attachment C: Minutes 01.29.2018 CC special meeting

MINUTES
 OXNARD CITY COUNCIL
 Regular Meeting
 November 28, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:08 p.m., Mayor Flynn 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, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 5:42 p.m.). Housing Commissioner Francisco Vega arrived at 6:00 p.m.; Commissioner Jose Andrade was absent.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

(Item C-1 was removed from the agenda.)

The Mayor read the following closed session statement:

“The City Council will recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.”

At 5:10 p.m., the City Council recessed to a closed session. At 6:03 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.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Darwin Base, Fire Chief; Arturo Casillas, Housing Director; Ashley Golden, Development Services Director; Thien Ng, Interim Public Works Director; Mark Alvarado, Homeless Assistance Services Coordinator; Jason Benites, Assistant Police Chief; Carri Karuhn, Media and Community Relations Manager; Karl Lawson, Housing Compliance Services Manager; Kathleen Mallory, Planning Division Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Resolution to Margaret Tobin for Thirty-Four Years of Outstanding Service to the City of Oxnard.

(This item was postponed.)

2. SUBJECT: Presentation of a Commendation to Samuel Foster and Officer Hayley Bracken for Their Selfless Act of Heroism.

The Fire Chief gave a synopsis of the event and Mayor Flynn read the certificate of commendation and presented it to Officer Bracken (Mr. Foster was unable to attend). Officer Bracken made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Stanley Block (commissioning of the USS Tulsa), Pete Plascencia (La Colonia Boxing Gym), Ozzie Lopez (Thanksgiving homeless feeding at Casa Lopez), Kitty Merrill (joining the Los Angeles Community Choice Energy aggregate), Ron Whitehurst (Los Angeles Community Choice Energy), Karina Kaye (Los Angeles Community Choice Energy), Alice Sweetland (Senior Services Commission), Al Velasquez (renewable energy structures and blight), and Pastor Raul Arce (caring for the homeless).

G. REPORT OF CITY MANAGER

The City Manager reported on the upcoming Oxnard Christmas Parade and other holiday activities. He stated that he, the Police Chief, and Assistant Police Chief recently toured the Halaco homeless encampment and several neighborhood parks to assess the homeless issue. He announced that the first special meeting regarding City Council districts will be held on December 12, 2017. He reported that a new Downtown Revitalization Manager has been recently hired. He encouraged people to donate funds to support the winter warming shelter.

H. CITY COUNCIL REPORTS

Councilmember Madrigal reported on attending the recent Rose Park Neighborhood Council meeting and serving at the Rescue Mission for Thanksgiving. He congratulated the Rio Mesa High School and Santa Clara High School varsity football teams for making it to the CIF semifinals. He commented on the "Stay Classy Oxnard" Facebook page.

Mayor Pro Tem Ramirez requested a discussion on campaign finance reform in the wake of the Council Districts discussion. She requested a future agenda item on the Los Angeles County Community Choice Energy aggregate. She encouraged the community to donate to the winter warming shelter.

Councilman MacDonald invited the community to the upcoming Christmas Tree Lighting and Downtown Christmas Parade.

Councilmember Perello reported on helping to feed the homeless on Thanksgiving at Casa Lopez. He commended the Rio Mesa High School football team and Luna Trucking for donating its services for the Christmas Parade. He commented on the recent cleanup of the burned down property at Lantana and Gonzales Road. He requested a future agenda item on the Los Angeles County Community Choice Energy aggregate. He encouraged people to be generous to those in need this holiday season.

Mayor Flynn reported on helping to feed the homeless at the Rescue Mission for Thanksgiving. He commented on homelessness in the city, requested a formal declaration of a homeless emergency,

advocated for finding longer-term solutions beyond the winter warming shelter, and the need for a regional approach to the mental health crisis.

The Council and City Manager discussed holding a study session regarding the Los Angeles Community Choice Energy aggregate. Assistant City Manager Nava introduced the new Media and Community Relations Manager, who made some remarks.

The Council decided to hear item M-1 next.

M. REPORTS

City Manager Department

1. SUBJECT: Halaco Property.

RECOMMENDATION: That the City Council:

1. Authorize the City Manager to approve a budget appropriation of \$400,000 to abate the Halaco property site to be funded by the General Fund Undesignated Reserve Fund Balance;
2. Approve the cost of abating the Halaco property in the amount of up to \$200,000;
3. Authorize the City Manager to execute an agreement in an amount not to exceed \$100,000 with the winning bidder of the Request for Bids (RFB) process for the proposed abatement work on the Halaco site in standard city form contingent upon final review and approval of the City Attorney; and
4. Ratify the City Manager's approval of an amendment to the existing agreement with Professional Security Consultants (PSC) in an amount not to exceed \$100,000 to provide security services at the Halaco site. This amendment will increase the contract with PSC to \$315,000.

Assistant City Manager Osuna, the Development Services Director, and Assistant Police Chief gave a report.

Public comments were received from Faustino Zuniga, Raymond Mendez, Frank Mendez, Diana Larios, Peggy Larios, Guadalupe Celedon, Lucy Cartagena, Al Velasquez, Manuel Contreras, Tom Garcia, Michael Hill, J. Ruiz, Cindy Hulsey, Dan Pinedo, George Gonzalez, Albert Rivera, Michael Collazo, and Candida Mobley. 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, Perello, and Ramirez voted in favor; Madrigal voted against. The motion carried 4-1.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Senior Services Commission Chair Alice Sweetland gave a brief report on item K-3. Comments were received from Senior Services Commissioners Jeffrey Nevitt and Kay Brainard. Discussion ensued among the Council and staff.

Items K-2(C) and K-4 were pulled for discussion. Discussion ensued among the Council and staff.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Jackie Tedeschi.

K. INFORMATION/CONSENT AGENDACity Clerk Department

1. SUBJECT: Minutes of the October 3, 2017, October 10, 2017, and October 17, 2017 Regular Meetings.
RECOMMENDATION: That the City Council approve the Minutes as presented.

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. Aqua Tech Services, Inc. (8110-17-PW) for on-call backflow assemblies testing, maintenance, repair and replacement services (\$180,000).
 - B. Brownstein Hyatt Farber Schreck, LLP. (5373-11-CA) for legal services in connection with the GREAT Program, participation in Regional Water Policy meetings and other development related water issues (\$125,000).
 - C. Ephonation.com, Inc. dba Ansafone Contact Centers (7870-17-PW) for telephone answering services for the Public Works Department until a new agreement is awarded (\$35,000).
 - D. All American Asphalt (7949-14-PW) to repair and replace all unsafe sidewalks, spandrels and curb and gutters (\$40,211).
 - E. Sam Hill & Sons, Inc. (A-7721) to repair damage breaker in the main switchgear building located at the Wastewater Treatment Plant (\$38,159).
 - F. Sam Hill & Sons, Inc. (A-7721) to repair a street subsidence developed near an abandoned City sewer line on Pleasant Valley Road (\$29,835).
 - G. Summit Air Conditioning (Purchase Order No. 6587) to purchase five HVAC units for the Wastewater Treatment Plant.

Cultural and Community Services Department

3. SUBJECT: Senior Services Contribution Awards to Agencies.
RECOMMENDATION: That City Council:
 1. Approve the Senior Services Commission's (SSC) recommended distribution of \$44,600 from the General Fund for Senior Services Contribution Awards to eleven agencies providing services to seniors. These funds were previously appropriated in the FY2017-18 General Fund Operations budget.
 2. Direct the Recreation Supervisor to notify recipients of Senior Services Contribution Awards.
 3. Authorize the Recreation Supervisor to execute a letter of agreement for each recipient.
 4. Authorize the Chief Financial Officer to make disbursements in accordance with the letter of agreement.

Housing Department

4. SUBJECT: Award of Contract for Wall Insulation Improvement for 74 Public Housing Units.

RECOMMENDATION: That the City of Oxnard Housing Authority Board of Commissioners approve and authorize the Chairman to execute a firm-fixed price contract in the amount of \$262,100 with A. Bates G.C. Inc. (Agreement number A-8023), using funds previously appropriated from the 2016 Capital Fund grants, for the insulation improvement in the walls of 74 public housing units at Pleasant Valley Village located at Squires Drive and Trevino Terrace in Oxnard. No General Fund monies are being used for this project.

5. SUBJECT: Appropriation for Winter Warming Shelter.

RECOMMENDATION: That the City Council:

1. Approve a budget appropriation of \$56,673 from General Funds Reserve for the 2017–2018 Western Ventura County Winter Warming Shelter for the Homeless; and authorize the Housing Director to execute the necessary agreements with the City of San Buenaventura and the Downtown Ventura Organization to fund the operation of the Shelter.
2. Authorize that 90% of these resources be made available in advance to cover start-up and operations costs at the Winter Warming Shelter.
3. Authorize the City Manager or designee to execute any additional agreements and carry out all authorized expenditures related to implementation of the Winter Warming Shelter.

Public Works Department

6. SUBJECT: Wastewater Treatment Plant (OWTP) Flow Equalization Basin Pump Replacement (Purchase Order No. 6519).

RECOMMENDATION: That City Council:

1. Approve and authorize the City Manager to execute Purchase Order No. 6519 in the amount of \$90,309.12 to replace in the Wastewater Treatment Plant (OWTP) an existing Flow Equalization Basin (FEB) pump.
2. Approve a Budget Appropriation in the amount of \$90,309.12 for the purchase of the FEB pump in Wastewater Operations Fund account number 621-6205-891.86-06.

7. SUBJECT: Elm Street School Sewer Connection Project.

RECOMMENDATION: That the City Council:

1. Authorizes the City Manager to execute Agreement A-8021 (at no cost to the City) with the Oxnard School District for the Elm Street School Sewer Connection Project.
2. Approve a Budget Appropriation in the amount of \$124,525 to Project No. 18IN01 Elm Street School Sewer Connection Project. This amount to be from the Wastewater Capital Improvement Fund.

8. SUBJECT: Green Business Program Budget Appropriation.

RECOMMENDATION: That City Council authorizes the recognition and appropriation of grant award in the total amount of \$20,000 to initiate the City of Oxnard Green Business Certification Program. An in-kind match of \$22,873 is already part of the FY2017-18 budget.

9. SUBJECT: Clean Harbors Household Hazardous Waste Management Services.
RECOMMENDATION: That City Council approve the Third Amendment between the City of Oxnard, the City of Port Hueneme and Clean Harbors Environmental Services, Inc. in an amount not-to-exceed \$80,000 for a total contract amount of \$400,000 to provide permitted disposal of non-recyclable and Class II Household Hazardous Waste (HHW) program drop-off services, thereby extending the term from October 4, 2017, to June 30, 2019. Funds will be from the Environmental Resources Enterprise fund.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez, and Vega voted in favor. The motion carried 6-0 on item K-4 (Housing Authority item), and 5-0 on the remaining items (City Council items).

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 17-550-03 (Major Modification to a Special Use Permit), for Property Located at 161 West Stroube Street (Vineyard Gardens Apartments).
RECOMMENDATION: That the City Council:
1. Approve the first reading by title only and waive further reading of an amendment to Ordinance No. 2481 to delete the requirement that the existing 62 affordable housing units be converted to condominium or cooperative ownership; and
 2. Adopt **Resolution No. 15,070** modifying City Council Resolutions No. 11,490 and 11,491 to delete the requirement that the existing 62 affordable housing units be converted to condominium or cooperative ownership.

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. No one requested to speak. 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: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Housing Department

2. SUBJECT: Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Many Mansions.
RECOMMENDATION: That the City Council:
1. Hold a public hearing regarding the issuance of up to \$15,000,000 of multifamily housing revenue bonds by the California Municipal Finance Authority to finance

acquisition and construction of Vista Pacifica (also known as Ormond Beach Villas), a 40-unit multi-family rental housing project located at 5527 and 5557 S. Saviers Road, of which no General Fund monies will be used; and

2. Adopt **Resolution No. 15,071** approving the issuance of bonds.

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

The Housing Director made some remarks and introduced the Housing Compliance Services Manager, who gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Pat Brown. Discussion ensued among Council, staff, and developer Alex Russell.

Without objection, the Council approved closing the public testimony portion of the public hearing. Further discussion ensued.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, 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 9:32 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor

MINUTES
 OXNARD CITY COUNCIL
 Regular Meeting
 January 23, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:04 p.m., Mayor Flynn 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, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal was absent (arrived at 6:04 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; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None)

C. CLOSED SESSION

The Mayor read the following closed session statement:

“The City Council will recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.”

At 5:05 p.m., the City Council recessed to a closed session. At 6:06 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 Rosemarie Gaglione, Public Works Director; Kymberly Horner, Economic Development Director; Steve Naveau, Human Resources Director; Jim Throop, Chief Financial Officer; Sandra Burkhart, Special Districts Administrator; Thien Ng, Assistant Public Works Director; and Kenneth Rozell, Assistant City Attorney.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jackie Tedeschi (INCO meetings and safe sharps disposal), Daniel Chavez Jr. (street maintenance and road conditions, city council districts), Martin Jones (city council districts), Bruce Boyer (candidate for Ventura County Sheriff), Robert Franks (city council districts), Petra Montes (facing eviction, needs housing assistance), Christopher Camacho (criminal activity near his business), Pat Brown (recall election, city council districts, wastewater litigation, homelessness), and Samuel Thompson (affordable housing solutions).

F. REPORT OF CITY MANAGER

The Interim City Manager reported on upcoming city meetings and public hearings on City Council districts, the deadline for claiming unclaimed funds from the City Treasurer, Restaurant Week in Oxnard, upcoming/in progress street projects in La Colonia, the utility rate assistance program, and the progress of the Halaco homeless encampment cleanup. He also announced the appointment of the Development Services Director as Interim Assistant City Manager, and introduced the newly appointed Assistant Public Works Director and Public Works Director, who both made remarks.

G. CITY COUNCIL REPORTS

Councilmember Madrigal announced the upcoming Oxnard Downtown Improvement District meeting and an upcoming book presentation at the Performing Arts Center, and wished his father a happy birthday.

Mayor Pro Tem Ramirez commended staff for the cleanup of the Halaco site and emphasized the need for affordable housing. She congratulated the Police Department for peacefully resolving a recent barricade situation. She asked the Police Chief to comment about recent service of warrants by the Sheriff's Department, that some members of the public mistook for ICE (immigration) raids.

Councilman MacDonald announced that he will miss Monday's special meeting due to a previously scheduled LOSSAN meeting, and he commended on various transportation agencies' efforts to assist the public during the recent mudslides that closed the 101 Freeway.

Councilmember Perello thanked Assistant Chief Sonstegard for providing special assistance to a resident. He recommended the use of reflective paint on the medians. He reported on attending a recent community workshop on City Council districts. He commented on the sheriff's raid and overcrowding in some residences. He cautioned people against spreading falsehoods and attacks on social media. He urged witnesses to a recent hit and run on Ventura Road to talk to police. He commended John Canley, an Oxnard resident who will be receiving the Medal of Honor for his service in the Vietnam War.

Mayor Flynn announced that it is also his father's birthday. He reported on visiting the homeless encampment at Halaco where the people shared stories of mental health issues and personal tragedies. He announced that he will be meeting with San Diego Mayor Kevin Faulkner to discuss homelessness solutions. He commented on the City Council districts and overcrowding in rentals, and announced that a safe housing program will be introduced in spring

Mayor Flynn announced that the Council will hear item L-1 next.

L. REPORTS

Finance Department

1. SUBJECT: Comprehensive Annual Financial Report.

RECOMMENDATION: That City Council:

1. Receive and file the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2017, as recommended by the Fiscal Policy Task Force; and

2. Ratify and approve budgeted payrolls and demands paid by warrants or checks for the fiscal year ended June 30, 2017, as provided in Government Code section 37208.

The Chief Financial Officer gave a report and introduced Eden Casareno of Eadie & Payne, who also gave a report.

Public comments were received from Lawrence Stein, Aaron Starr, and Alicia Percell. Discussion ensued among the Council and staff.

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

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-3 and J-4 were discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None.)

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Appointment of Members to Serve on the Mobile Home Park Rent Review Board Citizen Advisory Group.
RECOMMENDATION: That the City Council appoint Cynthia Daniels, Felipe Flores, and Martin Lee Remmen to the Mobile Home Park Rent Review Board to serve a three year term ending November 30, 2020.

City Manager Department

2. SUBJECT: Termination of the Emergency Bidding Resolution.
RECOMMENDATION: That City Council adopt **Resolution No. 15,080** terminating the emergency action due to the Thomas Fire throughout Ventura County, making findings therefor, and ordering that the remainder of the emergency action at the City's facilities be completed by bidding.

Human Resources Department

3. SUBJECT: Oxnard Police Officers Association Classification and Salary Schedules and Side Letter Agreement.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,081** approving the attached Classification and Salary Schedules and Side Letter Agreement with the Oxnard Police Officers Association.

Public Works Department

4. SUBJECT: Award Contract for Pump Repair and Well Maintenance Project Wells Nos 29 and 34 PW 17-38.

RECOMMENDATION: That City Council:

1. Award Agreement to General Pump Company, Inc. in the amount of \$603,600.40 for the Pump Repair and Well Maintenance Project Wells Nos. 29 and 34 PW 17-38 and authorize the Mayor to execute Agreement A-8041 when it is ready for signature; and
2. Approve \$120,721 for contingency and overhead for the Pump Repair and Well Maintenance Project Wells No. 29 and 34 PW 17-38.

5. SUBJECT: Second Amendment to Agreement No. 7167-15-CM.RECOMMENDATION: That City Council:

1. Authorize the Mayor to execute the Second Amendment to Agreement No. 7167-15-CM with the Ventura Regional Sanitation District to extend the term of the Agreement until June 30, 2018 and to add \$188,771.91 for a cumulative not to exceed compensation amount of \$318,228.91; and
2. Approve the transfer of \$52,000 from the General Fund (101) to the Golf Course Operating Fund (651).

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.

K. PUBLIC HEARINGSHousing Department

1. SUBJECT: Extremely Low & Low-Income Needs Assessment FY 2018-19 Annual AAP & FY 2018-23 Consolidated Plan.
RECOMMENDATION: Open the Public Hearing and Continue the Public Hearing to January 30, 2018.

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

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

Development Services Department

2. 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). 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").
RECOMMENDATION: Open Public Hearing and Continue the Public Hearing to February 20, 2018.

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

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.

L. REPORTS

Economic Development Department

2. SUBJECT: Disposition of Successor Agency Owned Property Located at 720 South B Street.

RECOMMENDATION: That the City Council:

1. Adopt **Resolution No. 15,082** entitled "A Resolution of the City Council of the City of Oxnard approving, the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Non-Residential), by and between the Successor Agency, as Seller, and the City of Oxnard, as Buyer, with regard to real property located at 720 South B Street"; and
2. Authorize the City Manager (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the City Attorney and City Special Counsel; and
3. Authorize the City Manager (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the City's obligations, responsibilities and duties thereunder; and
4. Authorize a budget appropriation in the amount of \$50,000 for the purchase of 720 South B Street property from General Fund, \$25,000 for repairs to 720 South B Street property, and \$1,122 (\$187.00 per month) for 6 (six) months of Heritage Square Property Owners Association ("HSPOA") assessment for a total budget appropriation of \$76,122 from General Fund.

That the Successor Agency:

1. Adopt **Resolution No. 26** entitled "A Resolution of the Board of Directors of the Oxnard Community Development Commission Successor Agency, approving, and recommending to its Oversight Board approval of, the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate (Non-Residential), by and between the Successor Agency, as Seller, and the City of Oxnard, as Buyer, with regard to real property located at 720 South B Street"; and
2. Authorize the Executive Director (or designee) to execute the agreement with such non-substantive changes as may be acceptable to the Successor Agency General Counsel and Successor Agency Special Counsel; and
3. Authorize the Executive Director (or designee) to prepare, revise and execute all associated documents necessary to carry out and implement the agreement, and to administer the Successor Agency's obligations, responsibilities and duties thereunder.
4. Approve option 2 under redevelopment dissolution law whereby net proceeds from the sale of Property be transferred to the Ventura County Auditor-Controller for distribution to the other taxing entities (the City's share of which would be an estimated 19.6% of any sales proceeds).

The Economic Development Director gave a report. Public comments were received from Daniel Chavez Jr. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve staff's recommendation as presented. VOTE: Flynn, MacDonald, and Ramirez voted in favor; Madrigal and Perello voted against. The motion carried 3-2.

3. SUBJECT: Recognized Obligation Payment Schedule 2018-2019.
RECOMMENDATION: That the Community Development Commission Successor Agency ("Successor Agency") adopt **Resolution No. 27** approving the Annual Recognized Obligation Payment Schedule ("ROPS") 18-19 covering the period of July 1, 2018 - June 30, 2019.

The Economic Development Director gave a report. No public comments were received. 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, Perello, and Ramirez voted in favor; the motion carried 5-0.

City Clerk Department

4. SUBJECT: Resolutions Ordering Recall Election.
RECOMMENDATION: That the City Council:
 1. Select a date for the special election and adopt **Resolution No. 15,083** calling and giving notice of a Special Municipal Election for the recall and election of candidates to fill vacancies should the recall prevail; and
 2. Adopt **Resolution No. 15,084** establishing regulations for Candidate Statements to be printed in the Voter Information Guide.

The City Clerk gave a report. Public comments were received from Edward Sierra, Lawrence Stein, Alicia Percell, Aaron Starr, Peggy Rivera, Pat Brown, Soledad Trevino, and Jeff Burum. 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, setting May 1, 2018 as the date to hold the Special Election, with an amendment by Councilmember Perello that the City Clerk provides a weekly update to the Council on any changes or additional information. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Finance Department

5. SUBJECT: Award of a 29 Month Contract for Riverpark Landscape Maintenance.
RECOMMENDATION: That City Council:
 1. Approve and authorize the Mayor to execute Agreement A-8037 with BrightView Landscape Services, Inc. to provide landscape maintenance services to Riverpark CFD #5 in the total amount of \$1,054,005; and
 2. Approve a 10 percent contingency amount of \$105,400 for Agreement A-8037 for maintenance services with BrightView Landscape Services, Inc.

The Special Districts Administrator gave a report. Discussion ensued among the Council and staff. Public comments were received from Jackie Tedeschi.

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.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 10:00 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor

MINUTES
 OXNARD CITY COUNCIL
 Special Meeting
 January 29, 2018

A. ROLL CALL/POSTING OF AGENDA

At 6:35 p.m., Mayor Flynn called to order the special 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 Oscar Madrigal, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilman 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; Karen Moore, Assistant City Clerk; Kenneth Rozell, Assistant City Attorney; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. PUBLIC HEARINGS

City Attorney Department

1. SUBJECT: Public Hearing Regarding Draft Maps for Possible City Council Districts.

RECOMMENDATION: That the City Council:

1. Hold the fourth public hearing to review the districting process for City Council elections and receive public input regarding the draft district maps; and
2. Provide direction to staff regarding the specific number of Council districts (four, six, or eight) that the City Council wants to consider when determining whether to adopt an ordinance that would approve City Council districts and the sequencing of elections in each of the districts.

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

The Assistant City Attorney gave a brief report and introduced Douglas Johnson of National Demographics Corporation, who gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Jon Huycke, Lawrence Stein, Eileen Tracy, Fatima Contreras, Ruby Rivera, Alejandra Ayala, Natalie Leon, Arthur Valenzuela Jr., Jackie Tedeschi, Dick Jaquez, Lucas Zucker, Pat Brown, Barbara Macri-Ortiz, Steve Nash, Lupe Anguiano, and Richard Wrenn.

Without objection, the Council approved closing the public testimony portion of the public hearing.

Discussion ensued among the Council. The Councilmembers stated their preferences for the number of districts and proposed maps as follows:

Madrigal – prefers a six-member council and Map #s 635, 627, 626, 616.

Ramirez – prefers a six-member council and Map #635.

Perello – stated that he would prefer an eight-district council, but six districts would also be acceptable.

Flynn – prefers keeping a four-member council and Map #422, but Map #617 would also be acceptable if the consensus is for a six-member council.

Further discussion ensued among the Council, staff, and Mr. Johnson. No action was taken.

E. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 8:13 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 2

DATE: February 20, 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, 385-7624

RECOMMENDATION:

That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the Interim 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. Coastal Architects (8157-17-DS) for on-call design and planning project management services (\$150,000).
- B. Sargent Town Planning, Inc. (7747-17-DS) to amend the scope of work to include on-call design and planning project management services. This Amendment is for additional scope of work and will not increase the contract amount.

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

Agreements for City Council Review.
February 20, 2018
Page 2

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 February 20, 2018

City Manager Contract List for 02/20/2018

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

A On-Call Design and Planning Project Management Services Contract

Vendor: Coastal Architects
Type: Original Agreement
Agreement No.: 8157-17-DS
Amendment No.: N/A
Purchase Order No.:
Begin Date: 02/01/2018
End Date: 01/31/2021
Term: Three Years

Amount to be Approved: \$150,000
Current FY Amount: \$45,000
Total Contract Amount: \$150,000
Funding Source: Various-General Fund, PW funds
Vendor Selection Process: Request for Qualifications (RFQ)
of Bids/Proposals/Quotes: 7
Project Manager: Kathleen Mallory
Department: Development Services Department
Telephone: (805) 385-7858
Email: kathleen.mallory@oxnard.org

Purpose:

Staff is requesting authorization to enter into an Agreement with Coastal Architects (8157-17-DS) in an amount not to exceed \$150,000 through January 31, 2021 for on-call design and planning project management services.

Coastal Architects will assist the Planning Division by providing architectural input on development projects as part of the Development Advisory Committee (DAC). The Public Works Department may also use Coastal Architects to provide architectural design and project management services associated with public projects and public works construction projects.

On August 22, 2017, the Planning Division issued a Request For Qualifications (RFQ) for On-Call Design and Planning/Architectural Project Management Services. The RFQ was distributed to 58 architectural and planning firms and was also advertised on the City's website. Ultimately, seven firms submitted a qualifications package and the City is seeking authorization to enter into contract with three of the seven firms (Coastal Architects, Sargent Town Planning, Inc., and Johnson & Muller). Coastal Architects is one of three vendors determined to be qualified to perform the scope of work.

Architectural review services provided to the Planning Division are completely reimbursed through development fees and as a result of the DAC review.

City Manager Contract List for 02/20/2018

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

B On-Call Design and Planning Project Management Services Contract

Vendor:	Sargent Town Planning, Inc	Amount to be Approved:	\$0
Type:	Amendment	Current FY Amount:	\$80,000
Agreement No.:	7747-17-DS	Total Contract Amount:	\$100,000
Amendment No.:	1	Funding Source:	Various - Downtown funds, General Fund
Purchase Order No.:	6246	Vendor Selection Process:	Request for Qualifications (RFQ)
Begin Date:	03/01/2017	# of Bids/Proposals/Quotes:	7
End Date:	01/31/2021	Project Manager:	Kathleen Mallory
Term:	Three Years 10 months	Department:	Development Services Department
		Telephone:	(805) 385-7858
		Email:	kathleen.mallory@oxnard.org

Purpose:

Staff is requesting authorization to enter into a First Amendment with Sargent Town Planning, Inc. (7747-17-DS) to amend the scope of work to include on-call design and planning project management services through January 31, 2021.

Sargent Town Planning, Inc. will assist the Planning Division by providing architectural input on development projects as part of the Development Advisory Committee (DAC). Sargent Town Planning, Inc. will also assist with preparing updates to the general plan and zoning code in support of downtown revitalization efforts. The Public Works Department may also use Sargent Town Planning, Inc., to provide architectural design and project management services associated with public projects and public works construction projects.

On February 14, 2017, City Council approved the agreement with Sargent Town Planning, Inc. in an amount not to exceed \$100,000 for architectural review services. On August 22, 2017, the Planning Division issued a Request For Qualifications for On-Call Design and Planning/Architectural Project Management Services. The RFQ was distributed to 58 architectural and planning firms and was also advertised on the City's website. Ultimately, seven firms submitted a qualifications package and the City is seeking authorization to enter into contract with three of the seven firms (Coastal Architects, Sargent Town Planning, Inc., and Johnson & Muller).

The proposed First Amendment to Agreement will amend the scope of work of the existing contract to include the additional City needs identified in the August 22, 2017 RFQ. The 2017 scope of work incorporates all elements from the already approved 2016 scope and expands the scope to accommodate the additional services, such as professional architectural design services and construction management. This Amendment will not increase the contract amount.

Architectural review services provided to the Planning Division are reimbursed through development fees and as a result of the DAC review. Planning services to update the downtown design guidelines are funded through the Downtown Improvement Program Settlement funds authorized at the April 4, 2017 City Council meeting.



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 3

DATE: February 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

FROM: Ashley Golden
Development Services Director

SUBJECT: Agreement for On-Call Design and Planning Project Management Services.

CONTACT: Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, 385-7882

RECOMMENDATION:

That City Council award and authorize the Interim City Manager to execute the first amendment to Agreement 7746-17-DS with Johnson & Muller Architects for On-Call Design and Planning Project Management Services to increase the total contract amount to \$300,000 and extend the contract term to three years and 11-months.

BACKGROUND

The City of Oxnard currently has a \$100,000 on-call contract (Agreement No. 7746-17-DS) with Johnson & Muller as the result of a 2016 Request for Qualifications (RFQ). Johnson & Muller primarily reviews and provides comments on development projects through the City's Development Advisory Committee (DAC).

Due to city-wide pending projects and needs, in August 2017, the Planning Division issued a new RFQ for On-Call Design and Planning/Architectural Project Management Services. This RFQ was distributed to 58 architectural and planning firms and was also advertised on the City's website. Ultimately, seven firms submitted a qualifications package and three firms were selected (including Johnson & Muller Architects).

Staff's selection of Johnson & Muller Architects is based on the firm's previous work with the

Agreement for On-Call Design and Planning Project Management Services

February 20, 2018

Page 2

City performing architectural review and design services, as well as their general experience as a diverse, full-service architectural design and project management firm. Two other firms, Coastal Architects and Sargent Town Planning, will appear on the City Manager's contract list on February 20, 2018 and are proposed to also be utilized for projects within the approved scope of work.

Johnson & Muller's proposed first amendment to Agreement will amend the 2016 scope of work and include the additional city needs identified in the August 2017 RFQ. The 2017 scope of work incorporates all elements from the already approved 2016 scope and expands the scope to accommodate the additional services, such as professional architectural design services and construction management. These new services will primarily serve the Public Works Department. Services to the Planning Division will continue to include providing architectural review and comments on proposed development applications.

The amended contract with Johnson & Muller Architects is expected to serve the needs of the Public Works Department and Planning Division, but other City departments will be able to utilize the contract for work identified within the scope of work and within contract limits. With the increase in scope and additional departments utilizing the contract, the contract amount will increase from \$100,000 to \$300,000 over a three-year and 11-month period.

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 4. Ensure proper construction and maintenance of infrastructure to provide maximum benefit with lowest life cycle cost following CIP plans.

Objective 4a. Implement CIP plans.

Objective 4b. Catch up on deferred maintenance for City facilities.

This agenda item also 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.

FINANCIAL IMPACT

This is an on-call agreement. The cost of this agreement is not to exceed \$300,000 over a three-year and 11-month period. The specific funding sources will be identified with each proposed task based on department's operational funds, e.g., General Fund or Public Works. Based on the services rendered, expenses will be charged to corresponding operating budgets or deposit accounts. Architectural review services provided to the Planning Division are completely reimbursed through development fees and as a result of the DAC review.

ATTACHMENTS:

Attachment A: First Amendment to Agreement No. 7746-17-DS

FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

This First Amendment ("First Amendment") to the Agreement for Professional Services ("Agreement") is made and entered into in the County of Ventura, State of California, this _____ day of _____, 2018, by and between the City of Oxnard, a municipal corporation ("City"), and Johnson & Muller Architects, a California professional corporation ("Consultant"). This First Amendment amends the Agreement entered into on February 14, 2017, by City and Consultant.

City and Consultant agree as follows:

1. Section 1 of the Agreement, Scope of Services, is amended to include the services set forth in Exhibit A1, attached hereto and incorporated in full herein by this reference.
2. In Section 12 of the Agreement, Term of Agreement, the date "June 30, 2019" is replaced by the date "January 31, 2021".
3. Subsection a. of section 14 of the Agreement is amended as follows:
 - a. The figure "\$100,000" is replaced by the figure "\$300,000".
 - b. Exhibit B is replaced by Exhibit B1, attached hereto and incorporated in full herein by this reference.
4. Section 21 of the Agreement, Indemnity, is deleted in its entirety and replaced with the following:

"Hold Harmless, Indemnity and Defense.

(1) To the extent that claims against the City arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of Consultant or its employees, agents or subcontractors ("Claims"), then to the maximum extent permitted under the provisions of California Civil Code Section 2782.8, Consultant shall indemnify, hold harmless, and defend (with counsel approved by City) City and its officials, directors, officers and employees ("Indemnified Parties") against all Claims and from (i) all losses, damages, fines, penalties, judgments and other liabilities arising from or in connection with any Claim and (ii) all reasonable attorney's fees, investigative costs, administrative expenses, court costs, expert witness fees and other defense costs of any nature or kind and costs of any elected or mandatory alternative resolution proceedings arising from or in connection with any Claim.

(2) The duty to defend the Indemnified Parties is independent of the duty to indemnify and is a separate and distinct obligation. To the maximum extent permitted under California Civil Code Section 2782.8, the duty to defend a Claim shall apply to all proceedings, whether administrative, judicial, equitable, special or

alternative and such duty shall be triggered immediately upon tender by an Indemnified Party of the Claim to Consultant and at any stage of the proceedings. The obligation to defend extends through final judgment and exhaustion of any appeals. The defense obligation includes the obligation to provide independent defense counsel if Consultant asserts that the liability is caused in whole or in part by the negligence or willful misconduct of the Indemnified Party.

5. As so amended, the Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be duly executed and delivered as of the day and year first above written.

CITY OF OXNARD

Tim Flynn, Mayor

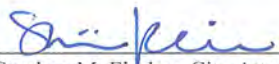
Date

ATTEST:

Michelle Ascencion, City Clerk

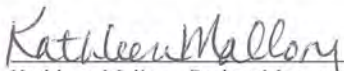
Date

APPROVED AS TO FORM:


Stephen M. Fischer, City Attorney

2/12/18
Date

APPROVED AS TO CONTENT:


Kathleen Mallory, Project Manager

2/12/18
Date


Ashley Golden, Department Head

2/12/18
Date

APPROVED AS TO AMOUNT:

Scott Whitney, Interim City Manager

Date

APPROVED AS TO INSURANCE:

Mike More, Risk Manager

Date

CONSULTANT

John A. Muller, AIA, Principal

Date

Nils C. Johnson, AIA, Principal

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.

PLEASE DO NOT
REMOVE THIS BOX

EXHIBIT A1

SCOPE OF SERVICES

Consultant will provide on-call design and planning project management services and other related services, including:

- a. Participate as a member of the Development Advisory Committee (up to three meetings per month) to provide timely review and comments on proposed development applications. Such review will be at the direction of the Planning Division, and may include site planning, but would be focused on architectural design concerns, including appropriateness of proposed design to surrounding structures/communities and conformance with the zoning code and specific plan requirements, as appropriate.
- b. Participate in meetings with City Staff to review and comment on architectural, site planning, and sign design applications.
- c. Provide written comments on development projects as requested by City staff.
- d. Analyze, revise, and update City General Plan, Zoning Code, long-range planning studies, development standards, and other programs.
- e. Prepare planning studies and analyses.
- f. Provide architectural and site design expertise on conceptual or long-range planning studies (which may include specific plans, master plans, transportation plans).
- g. Make presentations before the Planning Commission, City Council, outside agencies, board, community groups and public at-large.
- h. Provide architectural design services for public projects and public works construction projects. This includes preparation of conceptual plans and studies, space planning, planning entitlement packages, and construction drawings.
- i. Provide project management services for public projects and public works construction projects including construction documentation, building permit processing, specification/bid procurement assistance, and construction administration.
- j. Provide quality control.
- k. Maintain complete and accurate project files including correspondence with Staff.
- l. Provide a scope, schedule and budget for each project in review.
- m. Other duties related to those above, as assigned by City staff.

EXHIBIT B1

COMPENSATION RATES

1. Compensation for Professional Services

1.1. Standard Hourly Rates:

Principal	\$180.00
Architect	\$160.00
Project Manager	\$130.00
Senior Draftsman.....	\$100.00
Drafting	\$85.00
Clerical	\$65.00

All hourly rates are subject to a six percent (6%) rate increase effective January 1st of each year.

All hourly rates shall be subject to a one point five (1.5) multiplier for all hours other than the standard work day of 7:00 a.m. to 6:00 p.m., Monday through Friday (excluding holidays), and for time in excess of eight (8) hours per day.

- 1.2. For services of outside Consultants, including but not limited to Structural, Mechanical and Electrical Engineers, Landscape Architects and Interior Designers, compensation shall be a multiple of one point one five (1.15) times the amount billed to the Architect for such services.
- 1.3. For reimbursable expenses, including but not limited to document reproduction, photography, express delivery and handling of documents and fees advanced, on the Client's behalf, compensation shall be a multiple of one point one five (1.15) times the amount expended by the Architect and his Consultants in the interest of the Project.
- 1.4. Should the Scope of Professional Services be expanded or revised to include additional work, or should plan revisions be requested by the Client after Architect has completed that plan or pertinent portion thereof, all related work will be considered as extra services, except as noted otherwise herein. Extra services will be performed and billed at the Architect's hourly rate fees as listed in Architect's Fee Schedule.
- 1.5. Architect's invoicing policy is to invoice on the last Friday of each month in proportion to the work completed during and through that month. Payment is due within thirty (30) days after the invoice date. A service charge of one percent (1%) per month is charged for all accounts outstanding beyond thirty (30) days. In addition, Consultant may suspend services under this Agreement until Consultant has been paid in full for all amounts due to Consultant. Payment to Consultant shall not be contingent upon Client's ability to collect from others.
- 1.6. If Client objects to any invoice submitted by Architect, he shall so advise the Architect in writing, giving his reasons, within fourteen (14) calendar days of the invoice date.

alternative and such duty shall be triggered immediately upon tender by an Indemnified Party of the Claim to Consultant and at any stage of the proceedings. The obligation to defend extends through final judgment and exhaustion of any appeals. The defense obligation includes the obligation to provide independent defense counsel if Consultant asserts that the liability is caused in whole or in part by the negligence or willful misconduct of the Indemnified Party.

5. As so amended, the Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be duly executed and delivered as of the day and year first above written.

CITY OF OXNARD

Tim Flynn, Mayor

Date

CONSULTANT

John A. Muller, AIA, Principal

Date

Nils C. Johnson, AIA, Principal

Date

ATTEST:

Michelle Ascencion, City Clerk

Date

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

Date

APPROVED AS TO CONTENT:

Kathleen Mallory, Project Manager

Date

Ashley Golden, Department Head

Date

APPROVED AS TO AMOUNT:

Scott Whitney, Interim City Manager

Date

APPROVED AS TO INSURANCE:

Mike More, Risk Manager

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.

PLEASE DO NOT
REMOVE THIS BOX



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent
AGENDA ITEM NO.: 4

DATE: February 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

FROM: Rosemarie Gaglione
Public Works Director

Rosemarie Gaglione

SUBJECT: Agreement No. A-8028 with UniFirst Corporation for Staff Uniform Purchase, Rental and Cleaning.

CONTACT: Rosemarie Gaglione, Public Works Director
rosemarie.gaglione@oxnard.org, 385-8055

RECOMMENDATION:

That City Council:

1. Award and authorize the Mayor to execute Agreement Number A-8028 with UniFirst Corporation for a three (3) year agreement at a cost not to exceed \$786,250; and
2. Authorize the Purchasing Agent to execute an amendment to Agreement Number A-8028, if needed, for no more than \$78,625 (10%) in order to account for potential variance of actual use versus planned use.

BACKGROUND

The Public Works Department supplies uniforms for employees in the Environmental Resources, Wastewater, Streets, Water, Parks, Facilities and Fleet Divisions. Approximately 345 employees receive work pants and work shirts specific to the type of work being performed. Jackets, coveralls, floor mats, sweatshirts are also sourced through this agreement. The City's uniform agreement also includes laundry service for employees at the wastewater treatment plant.

On July 6, 2017, staff released a request for bids (RFB) for the rental, purchase and laundry service of City uniforms. Four (4) bids were received by the August 10, 2017, deadline. The RFB listed some common items that the City would likely purchase, and each bidder was required to list the unit cost for each of those items. The lowest bidder was determined by adding up all of

Agreement No. A-8028 with Unifirst for Staff Uniform Purchase, Rental and Cleaning

February 20, 2018

Page 2

the listed items; this number will not be used in any way other than to determine the lowest bidder. The following table shows the cumulative bid amounts for all bid line items presented by each vendor.

Vendor	Bid Amount
Aramark	\$1,241.49
UniFirst	\$1,330.15
Ameripride	\$2,210.46
Mission Linen	\$3,123.04

Based on the bids provided, Aramark was selected as the lowest responsive bidder. Aramark was notified on August 23, 2017, that it was the successful bidder. However, Aramark would not agree to sign the City's standard agreement, in large part because Aramark was not willing to adhere to the City's living wage requirements. Despite efforts to resolve this issue, Aramark ultimately declined to sign the agreement.

With advice from the Assistant City Attorney, staff began negotiations with the next lowest bidder. Staff initiated negotiations with UniFirst Corporation to establish a "best and final" pricing for each of the items identified in the bid document. Through this process, staff was able to negotiate UniFirst's cumulative bid amount for all bid items amount down to \$1,316.09.

The proposed agreement is a three (3) year trade services agreement that will expire January 31, 2021. The approximate cost of the agreement per fiscal year is \$262,083; however, since the contract will become effective in the second half of fiscal year 17/18 and only last through the first half of fiscal year 20/21, the activity is a pro-rated estimate for those years. Additionally, since actual use may vary from the original bid quantities, staff is recommending allowing the Purchasing Agent to amend this agreement, if needed, to add up to an additional ten percent (10%) of the agreement's value in order to account for the potential variance between actual use versus planned use.

The table below identifies anticipated uniform costs per division for the term of the contract.

<u>Division/Function</u>	<u>FY 17/18</u>	<u>FY 18/19</u>	<u>FY 19/20</u>	<u>FY 20/21</u>
Environmental Resources	\$50,000	\$100,000	\$100,000	\$50,000
Wastewater	\$33,500	\$67,000	\$67,000	\$33,500
Streets	\$1,500	\$3,000	\$3,000	\$1,500
Source Control	\$1,167	\$2,333	\$2,333	\$1,167
Water	\$9,000	\$18,000	\$18,000	\$9,000
Survey	\$1,125	\$2,250	\$2,250	\$1,125
Parks	\$10,250	\$20,500	\$20,500	\$10,250
Facilities	\$4,000	\$8,000	\$8,000	\$4,000
Fleet	\$18,000	\$36,000	\$36,000	\$18,000
Fire (floor mats only)	\$2,500	\$5,000	\$5,000	\$2,500
Total:	<u>\$131,042</u>	<u>\$262,083</u>	<u>\$262,083</u>	<u>\$131,042</u>

Agreement No. A-8028 with Unifirst for Staff Uniform Purchase, Rental and Cleaning
February 20, 2018
Page 3

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

Funds for employee uniforms are included in the FY 2017/18 Division budgets and will be included in future budgets.

ATTACHMENTS:

Attachment A - Agreement No. A-8028

**AGREEMENT FOR TRADE SERVICES
(INCLUDES LIVING WAGE REQUIREMENTS EFFECTIVE FROM 7/1/17)**

THIS AGREEMENT FOR TRADE SERVICES (“**Agreement**”) is entered into in Ventura County, California, this 13th day of February, 2018, by and between the City of Oxnard (“**City**”) and UniFirst Corporation (“**Vendor**”), subject to the following terms and conditions:

1. Vendor shall provide to City the following services: Uniform rental, purchase and laundry services as more particularly set forth in **Exhibit B** attached hereto and incorporated by this reference in full herein (the “**Services**”).
2. Vendor shall provide the Services during the term of this Agreement, as set forth in Section 3 below. Vendor shall be excused for delays resulting from causes beyond the control of Vendor.
3. This Agreement shall begin on _____, _____, and shall end on January 31, 2021. City may terminate this Agreement at any time, with or without cause, by giving written notice to Vendor, specifying the effective date of termination. Unless City asserts that Vendor has breached the Agreement, City agrees to pay Vendor in full for the Services satisfactorily performed as of the effective date of termination, including any expenditures incurred on City’s behalf, whether for the employment of third parties or otherwise. If City pays for any materials, City shall be entitled to the title and possession of such materials.
4. City shall pay Vendor for the Services performed during the term of this Agreement in amounts not to exceed the costs in **Exhibit C** attached hereto and incorporated by this reference in full herein. The costs for each Division shall not exceed the amounts listed below:

Division	Amount
Environmental Resources Division	\$300,000
Wastewater Division	\$201,000
Streets Division	\$9,000
Source Control Division	\$7,000
Water Division	\$54,000
Survey Division	\$6,750
Parks Division	\$61,500
Facilities Division	\$24,000
Fleet Division	\$108,000
Fire Division	\$15,000
Total	\$786,250

5. Vendor’s acceptance of final payment made pursuant to this Agreement shall constitute a release of City from all claims and liabilities for compensation to Vendor for

anything completed, finished or relating to the Services. Vendor agrees that payment by City shall not constitute nor be deemed a release of the responsibility and liability of Vendor or its employees, subcontractors, agents and sub-vendors for the accuracy and competency of the information provided and/or the Services performed hereunder, nor shall such payment be deemed to be an assumption of responsibility or liability by City for any defect or error in the Services performed by Vendor, its employees, subcontractors, agents and sub-vendors. Vendor shall provide City with a completed Request for Taxpayer Identification Number and Certification, as issued by the Internal Revenue Service. If any sales tax is due for the Services performed by Vendor or materials or products provided to City by Vendor, Vendor shall pay the sales tax. City shall not reimburse Vendor for sales taxes paid by Vendor.

6. a. Vendor shall compensate any employee of Vendor who provides services under this Agreement in accordance with the Living Wage Policy, attached hereto and incorporated herein by reference as **Exhibit A**. While this Agreement is in effect, Vendor shall pay such employee no less than \$15.51 per hour for each hour that such employee provides services under this Agreement. This hourly rate shall be adjusted on July 1, 2018, and each July 1 thereafter, according to the percentage change in the Consumer Price Index, all items, prepared by the Bureau of Labor Statistics for the Los Angeles, Riverside, Orange County area relating to all urban consumers (CPI-U), index base 1967 + 100, comparing May of the previous year to May of the current year. In addition, while this Agreement is in effect, Vendor shall provide to such employee no less than 96 hours of paid leave per calendar year.

b. Vendor agrees to post, at a location readily accessible to those employees providing services to the City, a copy of the Living Wage Policy adopted by the Oxnard City Council on July 9, 2002, and effective October 1, 2002.

c. If Vendor fails to compensate such employee pursuant to the Living Wage Policy, the City Manager or designee shall terminate this Agreement on written notice to Vendor, effective immediately.

d. In addition, if Vendor fails to comply with the Living Wage Policy in any manner, Vendor shall pay to City a fine of \$500 and shall pay to any employee providing services under this Agreement a penalty of three times the amount or value of the compensation owed to such employee under the Living Wage Policy. Vendor shall pay such fine and penalty within 15 days after the City Manager or designee provides written notice to Vendor of the amount owed.

7. a. To the fullest extent permitted by law, Vendor shall (1) immediately defend; (2) indemnify; and (3) hold harmless City, 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 Vendor's performance of this Agreement or Vendor'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 judgments; associated investigation and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. Vendor's obligation to indemnify applies unless it is adjudicated that any of the liabilities

covered by this Section are the result of the sole active negligence or sole willful misconduct of the Indemnified Party. If it is finally adjudicated that liability is caused by the comparative negligence or willful misconduct of the Indemnified Party, Vendor's indemnification obligation shall be reduced in proportion to the established comparative liability of the Indemnified Party.

b. The duty to defend is a separate and distinct obligation from Vendor's duty to indemnify. Vendor shall be obligated to defend, in all legal, equitable, administrative, or special proceedings, with counsel approved by the Indemnified Party immediately upon tender to Vendor of the claim in any form or at any stage of an action or proceeding, whether or not liability is established. An allegation or determination of negligence or willful misconduct by the Indemnified Party shall not relieve Vendor from its separate and distinct obligation to defend the Indemnified Party. The obligation to defend extends through final judgment, including exhaustion of any appeals. The defense obligation includes the obligation to provide independent defense counsel if Vendor asserts that liability is caused in whole or in part by the negligence or willful misconduct of the Indemnified Party. If it is finally adjudicated that liability was caused by the sole active negligence or sole willful misconduct of the Indemnified Party, Vendor may submit a claim to City for reimbursement of reasonable attorneys' fees and defense costs.

c. The review, acceptance or approval of Vendor's work or work product by the Indemnified Party shall not affect, relieve or reduce Vendor's indemnification or defense obligations. This Section shall survive completion of the Services or termination of this Agreement. The provisions of this Section shall not be restricted by and do not affect the provisions of this Agreement relating to insurance.

8. Vendor shall continuously maintain adequate protection of all of Vendor's work from damage and shall protect the City's property from any and all injury or loss arising in connection with this Agreement. Vendor shall take all necessary precaution for the safety of employees on the job and shall comply with all applicable provisions of federal, state and municipal safety laws and building codes to prevent accidents or injury to persons on, about or adjacent to any premises where the work is being performed.

9. a. Vendor shall obtain and maintain during the performance of the Services under this Agreement the insurance coverages specified in **Exhibit INS-I**, attached hereto and incorporated herein by reference, 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 coverages.

b. Vendor shall, prior to performance of the Services, file with the Risk Manager evidence of insurance coverage as specified in **Exhibit INS-I**.

c. Maintenance of insurance coverages by Vendor is a material element of this Agreement. Vendor's failure to maintain or renew insurance coverages or to provide evidence of renewal may be considered a material breach of this Agreement.

10. In performing the Services under this Agreement, Vendor is an independent contractor. Vendor and Vendor's agents, employees, subcontractors and other persons acting on Vendor's behalf are not officers or employees of City.

11. Vendor shall not, without the written consent of City's Purchasing Officer, assign this Agreement, or any interest therein, or any money due thereunder.

12. In performing the Services under this Agreement, Vendor shall comply with all applicable laws, ordinances and regulations. Before performing the Services under this Agreement, Vendor shall obtain all required licenses and permits, including a City business tax certificate.

13. This Agreement may be amended only by a written document signed by both City and Vendor.

14. Any notices to Vendor may be delivered personally or by mail addressed to: Carmelo Colon, Sales Manager, UniFirst Corporation, 10244 Norris Avenue, Pacoima, CA 91331. Any notices to City may be delivered personally or by mail addressed to: Regina Cuevas, Public Works Administration, 305 West Third Street, East Wing, Third Floor, Oxnard, CA 93030.

15. This Agreement constitutes the entire agreement of City and Vendor regarding the subject matter described herein and supersedes all prior communications, agreements and promises, either oral or written.

16. Vendor agrees that City or its auditors shall have access to and the right to audit and reproduce any of Vendor's relevant records to ensure that City is receiving all the Services to which City is entitled under this Agreement or for any other purpose relating to the Agreement. Vendor shall maintain and preserve all such records for a period of at least three years after the expiration of this Agreement, or until an audit has been completed and accepted by City. Vendor agrees to maintain all such records in City or to promptly reimburse City for all reasonable costs incurred in conducting the audit at a location other than in City, including but not limited to expenses for personnel, salaries, private auditor, travel, lodging, meals and overhead.

17. 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.

[Signatures on next page]

Agreement No. A-8028

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

CITY OF OXNARD

UNIFIRST CORPORATION

☒ Tim Flynn, Mayor Date

David DiFillippo 12/29/17
David DiFillippo, Sr. Vice President Date

(if agreement is \$250,000.01 or more)
☐ Greg Nyloft, City Manager (if agreement is \$25,000.01-\$250,000.00)
☐ James Throop, Purchasing Agent (if agreement is up to \$25,000.00)

ATTEST:

William Matson 12/29/17
William Matson, Regional Vice President Date

Michelle Asencion, City Clerk Date
(if agreement is \$250,000.01 or more)

APPROVED AS TO FORM:

Stephen M. Vischer 12/14/17
Stephen M. Vischer, City Attorney Date
(required for any agreement amount)

APPROVED AS TO CONTENT:

Thien Ng 1/17/18
Thien Ng, Project Manager Date
Department Head
(required for any agreement amount)

Ruth Osuna 1/17/18
Ruth Osuna, Assistant City Manager Date
(if agreement is \$25,000.01 or more)

Rosemarie Gaglione, Public Works Director

APPROVED AS TO AMOUNT:

Greg Nyloft Date
(if agreement is \$250,000.01 or more)

Scott Whitney, Interim City Manager

APPROVED AS TO INSURANCE:

Mike Mora 1/19/18
Mike Mora, Risk Manager Date
(required for any agreement amount)

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.

PLEASE DO NOT
REMOVE THIS BOX

Jesus Nava Date
Jesus Nava, Assistant City Manager

AGREEMENT FOR PROFESSIONAL SERVICES (VOL/29/15)

EXHIBIT A**LIVING WAGE POLICY**

The Living Wage Policy of the City of Oxnard is hereby adopted by the City Council on July 9, 2002 to be effective October 1, 2002.

1. Pursuant to this Living Wage Policy, a service contractor shall pay those employees who provide services to the City under contract:
 - (a) Effective October 1, 2002, at least \$9.00 an hour for the time during which the employee is providing services to the City;
 - (b) Effective July 1, 2003, at least \$9.25 an hour for the time during which the employee is providing services to the City and 32 hours of paid leave per every calendar year in which an employee provides services to the City;
 - (c) Effective July 1, 2004, at least \$10.59 an hour for the time during which the employee is providing services to the City and 64 hours of paid leave per every calendar year in which an employee provides services to the City; and
 - (d) Effective July 1, 2005, at least \$12.22 an hour for the time during which the employee is providing services to the City and 96 hours of paid leave per every calendar year in which an employee provides services to the City.
2. The hourly rates established in Section 1 shall be adjusted July 1, 2006 and, each July 1 thereafter, according to the percentage change since July 1, 2005 in the Consumer Price Index prepared by the Bureau of Labor Statistics for the Los Angeles, Anaheim, Riverside area relating to all urban consumers.
3. A service contractor executing a service contract with the City for which the City will pay the contractor \$25,000 or more during the contract term shall be subject to the Living Wage Policy.
4. A service contractor executing more than one service contract with the City, and the combined monetary total of the payments by the City pursuant to such contracts is \$25,000 or more for the combined contract terms shall be subject to the Living Wage Policy.
5. This Living Wage Policy shall not govern the following types of contracts for: (a) the purchase, rental or lease of goods, products, equipment, supplies or other personal property; (b) public works projects as defined in State or local law; and (c) professional services.

Agreement No. A-8028

6. This Living Wage Policy shall not govern the following service contractors: (a) nonprofit entities organized under IRS Code section 501(c)(3); (b) public entities such as cities, counties, special districts, states and the federal government; and (c) businesses employing fewer than five persons.
7. The City Attorney is directed to include in all standard trade services contracts and all contracts involving unique trade services, the language set forth in **Exhibit 1** attached hereto and incorporated herein by this reference.
8. If a service contractor fails to comply with this Living Wage Policy, the City Manager is directed to terminate the subject service contract immediately and to impose appropriate fines and penalties as set forth in the service contract.
9. The City Manager and the City Attorney are responsible for the administration and enforcement, respectively, of the Living Wage Policy. If an employee of a service contractor governed by the Living Wage Policy concludes that he/she has been retaliated against for the exercise of rights under the Living Wage Policy, the employee should contact the City Manager at 385-7430.
10. The City Manager shall reasonably cooperate with representatives of the Ventura County Living Wage Coalition to ensure the effective administration and enforcement of the Living Wage Policy.
11. This Living Wage Policy may be changed only by City Council and only after a duly noticed public hearing.
12. The City Manager is directed to ensure that the City Council will review the Living Wage Policy as part of the FY 2003-2004/05 budget process.

Exhibit 1**Living Wage Policy**

Pursuant to the Living Wage Policy adopted July 9, 2002 by the City Council and effective October 1, 2002, the City Manager and City Attorney are directed to include the following language in all standard trade services contracts and all unique trade services contracts governed by the Living Wage Policy.

- A. Vendor shall compensate any employee of Vendor who provides services under this Agreement in accordance with the Living Wage Policy, attached hereto and incorporated herein by reference as Exhibit A. While this Agreement is in effect, Vendor shall pay such employee no less than \$15.51 per hour for each hour that such employee provides services under this Agreement. In addition, while this Agreement is in effect, Vendor shall provide to such employee no less than 96 hours of paid leave per calendar year.
- B. Vendor agrees to post, at a location readily accessible to those employees providing services to the City, a copy of the Living Wage Policy adopted by City Council on July 9, 2002 and effective October 1, 2002.
- C. If Vendor fails to compensate such employee pursuant to the Living Wage Policy, the City Manager or designee shall terminate this Agreement on written notice to Vendor, effective immediately.
- D. In addition, if Vendor fails to comply with the Living Wage Policy in any manner, Vendor shall pay to City a fine of \$500 and shall pay to any employee providing services under this Agreement a penalty of three times the amount or value of the compensation owed to such employee under the Living Wage Policy. Vendor shall pay such fine and penalty within 15 days after the City Manager or designee provides written notice to Vendor of the amount owed.

**CITY OF OXNARD LIVING WAGE REQUIREMENTS
EFFECTIVE JULY 1, 2017**

- a. Vendor shall compensate any employee of Vendor who provides services under this Agreement in accordance with the Living Wage Policy, attached hereto and incorporated herein by reference as Exhibit 1. While this Agreement is in effect, Vendor shall pay such employee no less than **\$15.51 per hour** for each hour that such employee provides services under this Agreement. **This hourly rate shall be adjusted on July 1, 2018, and each July 1 thereafter, according to the percentage change in the Consumer Price Index**, all items, prepared by the Bureau of Labor Statistics for the Los Angeles, Riverside, Orange County area relating to all urban consumers (CPI-U), index base 1967 + 100, comparing May of the previous year to May of the current year. In addition, while this Agreement is in effect, Vendor shall provide to such employee no less than 96 hours of paid leave per calendar year.
- b. Vendor agrees to post, at a location readily accessible to those employees providing services to the City, a copy of the Living Wage Policy adopted by the Oxnard City Council on July 9, 2002 and effective October 1, 2002.
- c. If Vendor fails to compensate such employee pursuant to the Living Wage Policy, the City Manager or designee shall terminate this Agreement on written notice to Vendor, effective immediately.
- d. In addition, if Vendor fails to comply with the Living Wage Policy in any manner, Vendor shall pay to City a fine of \$500 and shall pay to any employee providing services under this Agreement a penalty of three times the amount or value of the compensation owed to such employee under the Living Wage Policy. Vendor shall pay such fine and penalty within 15 days after the City Manager or designee provides written notice to Vendor of the amount owed.
- e. The foregoing requirements are restated on pages 1 and 2 of the Agreement for Trade Services.

EXHIBIT B
SCOPE OF SERVICES & VENDOR RESPONSIBILITIES

1.0 GENERAL REQUIREMENTS

1.1 Supplies and Equipment

The City must approve all supplies and equipment used by Vendor. Non-complying equipment and supplies shall be replaced at the request of the City at no extra cost to the City.

1.2 Staffing

A fully qualified workforce shall be maintained throughout the period of the contract with a sufficient number of workers to perform all required services between the hours of 8:00 a.m. to 5:00 p.m. Monday through Thursday. These workers shall be thoroughly instructed by their supervisors as to required duties and methods of performance. All personnel will receive close and continuing first line supervision. Additionally, all personnel shall maintain a courteous and respectful attitude toward the public at all times.

1.3 Employee Conduct

Employees of the Vendor while performing work under this contract will not:

1. Be accompanied in their work area by acquaintances, family members, assistants, or any other person unless such person is an on-duty authorized Vendor employee.
2. Remove any City property or personal property, equipment, monies, or any other item from the facilities.
3. Engage in horseplay or loud boisterous behavior.
4. Be under the influence of alcohol or drugs.
5. Gamble.
6. Smoke in any building.
7. Use any City telephone except those designated by the City for purposes of business under this contract, except to report need of medical aid, fire, or need of law enforcement (dial 911).
8. Open any desk, file cabinet or storage cabinet.
9. Remove any articles from desks.
10. Consume any food or beverage, other than that brought with or purchased by the employee, and only in areas designated as break or lunchrooms.

1.4 Employee Removal

The City reserves the right to reject any representative of the Vendor's work force. It shall be the Vendor's responsibility to replace such rejected workers in a manner that will not affect the execution of the contract responsibilities as specified in the contract document. Vendor shall in no way interpret such removal to require dismissal or other disciplinary action of the employee.

1.5 Employee Appearance and Identification

Vendor personnel shall present a neat appearance and be easily recognized as Vendor employees. The Vendor shall provide each employee with an identification badge and/or uniform. Identification badges may be worn on collared shirts or tee shirts with company logos. Long pants are required. No shorts, skirts, or open-toed shoes are allowed.

1.6 Security

Only authorized employees of the Vendor are allowed in the facilities at any time.

1.7 Quality Control Program

Vendor shall provide and maintain a Quality Control program for all work specified. Vendor shall provide a copy of Quality control procedures, safety procedures, and improvement programs currently in place.

1.8 Employment Practices

Vendor shall provide the firm's employment policies and procedures, as well as any equal employment opportunity and affirmative action policies. In addition, include a summary of the firm's training and injury/illness prevention programs.

1.9 Property Damages

The Vendor will be responsible for any damage to facilities or contents during the performance of the contract. In the event that there is damage to City property, the Vendor's supervising employee will immediately report the incident to the appropriate Manager in writing. Any such damage will be repaired by the Vendor at his/her expense and to the satisfaction of the City.

1.10 Missed Cleanings

Should the Vendor fail to provide clean and pressed uniforms, the City will automatically remove payment for that laundry service and rental charge from the invoice. Continued failure to provide the appropriate laundry service on schedule may result in termination of the contract.

1.11 Special Requests

The Vendor will be allowed to charge additional fees for special requests not specified under the contract. The City will notify Vendor of these special needs in writing.

1.12 Labor Strike

It is the Vendor's responsibility to provide continuous maintenance services, without interruption, to all building and facilities specified herein. In the event of a labor action, the Vendor shall provide other means, at the Vendor's expense, to provide continuous and comparable service. Failure to do so will cause the City to take whatever action is necessary to provide the service, with any cost above and beyond the Vendor normal rates (which will be deducted from the Vendor's payment) to the City being borne by the Vendor.

2.0 VENDOR RESPONSIBILITIES

2.1 Rental

At initiation of the contract, all uniform items are to be supplied new and unused.

Uniform rentals, purchases and laundry service items are provided to locations/divisions as follows:

ENVIRONMENTAL COMPLIANCE: 251 S. HAYES AVE., OXNARD, CA 93033

Source Control

WATER CAMPUS: 251 S. HAYES AVENUE, OXNARD, CA 93030

Distribution

Meter Shop

Treatment

WASTEWATER: 6001 S. PERKINS RD., OXNARD, CA 93033

Collection System Maintenance

Treatment System Maintenance

Treatment Operations

Laboratory Services

GENERAL SERVICES DIVISION: 1060 PACIFIC AVE., OXNARD, CA 93030

Facility Maintenance

Custodial Services

Graffiti Action Program

STREETS DIVISION: 1060 PACIFIC AVE., OXNARD, CA 93030

Traffic Signals

FLEET SERVICES: 2 LOCATIONS FOR DELIVERIES: 1060 PACIFIC AVE., OXNARD, CA 93030 AND 111 S. DEL NORTE BLVD., OXNARD, CA 93030

PARKS DIVISION: 1060 PACIFIC AVE., OXNARD, CA 93030

ENVIRONMENTAL RESOURCES: 111 S. DEL NORTE BLVD., OXNARD, CA 93030

SURVEY DEPARTMENT: 305 W. 3RD ST., EAST WING, 2ND FL, OXNARD, CA 93030

FIRE ADMINISTRATION OFFICE: 360 W. SECOND STREET, OXNARD, CA 93030

FIRE STATION ONE: 491 S. K ST., OXNARD, CA 93030

FIRE STATION TWO: 531 E. PLEASANT VALLEY RD., OXNARD, CA 93033

FIRE STATION THREE: 150 HILL ST., OXNARD, CA 93033

FIRE STATION FOUR: 230 WEST VINEYARD AVE., OXNARD, CA 93036

FIRE STATION FIVE: 1450 COLONIA RD., OXNARD, CA 93030

FIRE STATION SIX: 2601 PENINSULA RD., OXNARD, CA 93035**FIRE STATION SEVEN: 3300 TURNOUT PARK CIRCLE, OXNARD, CA 93036****FIRE STATION EIGHT: 3000 SOUTH ROSE AVE., OXNARD, CA 93033****3.0 LAUNDER**

Vendor shall launder rented or purchased garments.

Uniforms shall be delivered on hangers, pressed, wrinkle free and ready to wear. Any uniform delivered otherwise will be rejected and no rental or laundering fee paid. Vendor shall replace garments not properly washed or ironed within two (2) working days.

Division supervisors, or approved point of contact, may order additional new uniforms throughout the term of the contract, in which case these provisions shall apply.

Vendor is required to meet all OSHA requirements.

4.0 MEASUREMENTS OF INDIVIDUALS

At the start of the contract, Vendor shall take employee measurements on-site at each location. Vendor shall work with the Division Supervisor, or approved point of contact, to coordinate dates and times for measurements. Alterations may be required for certain individuals and Vendor shall supply cost associated with each uniform alteration.

Vendor shall supply a female worker to take measurements of female city employees.

Additionally, Vendor shall be responsible for individual measurements and resultant fit of the uniforms. Vendor should allow for shrinkage on rental garments of about three (3) to five (5) inches. Also, an employee shall be able, at no additional charge to the City, to switch sizes if his/her shirt or pant size increases or decreases.

Vendor shall maintain a record of the size of each uniform item for each employee that has been issued a uniform. Vendor shall add or delete items and quantities, as required, to meet the City's needs.

5.0 INVENTORY TRACKING

Vendor shall issue new rental uniforms to employees at the beginning of the contract period as specified. The inventory per person per week will be determined by the City and is subject to change to meet changing requirements of the City operations. Thereafter, Vendor shall maintain sufficient stock to provide complete new uniform sets within one (1) to two (2) weeks for newly hired employees. The City reserves the right to add and remove employees at the per uniform item costs listed in this agreement.

Contractor shall track inventory of City-owned garments submitted for laundry, repair or replacement.

6.0 PICK UP/DELIVERY

Vendor is responsible for pick-up and delivery of all uniform items (rental and City-owned).

Vendor shall pick up soiled garments once a week from each unit location and deliver on hangers to the same location within one (1) week. Vendor shall pickup and deliver uniforms once per week for fifty-two (52) weeks per year.

Vendor shall complete an itemized list of the rental or City-owned uniform items and quantity being picked up for laundering. Vendor shall submit a copy of the itemized list to the unit for reconciliation when the clean garments are returned. Vendor shall remain at the delivery site while the garments are checked in. Vendor shall correct any discrepancy (missing items, damaged items, garments not properly washed, etc.) within two (2) days and issue a revised itemized list of reconciliation.

Each uniform will be individually packaged per employee to identify owner of uniform and garments.

All current uniforms and garments will be replaced with new uniforms and garments at no charge to the City. The City shall return all current uniforms to UniFirst at time of replacement.

7.0 DAMAGED/REPAIR ITEMS

All uniform items supplied will be in good condition and will be maintained and repaired as needed. Uniform items must be clean and free of holes, rips and/or tears. New garments will be supplied when uniforms are beyond reasonable repair, at no additional fee to the City.

The City recognizes its financial obligation for any uniform items that are ruined by actions of the employee or those items that have lasted the life of the uniform item. The life of the uniform, or "wear and tear" period, shall be determined by the Vendor and requires written approval by the City. Such obligations will be negotiated between Vendor and the City to a mutually acceptable and fair arrangement consistent with the request for proposal bid documents.

8.0 DEFINITIONS OF GARMENT WEAR AND TEAR

8.1 Normal wear and tear: Any garment that has met the standard life expectancy of the garment (18-24 months). All garments that have met the standard life expectancy will be replaced at no cost. The replacement of buttons and zippers will also be considered normal wear and tear. These will be replaced at no cost.

8.2 Damaged: Any garment that was intentionally or unintentionally misused or damaged by the wearer. This will include any rips, tears, and or possible stains caused during the life of the garment. These garments will be replaced at the negotiated replacement cost.

8.3 Lost: Any garment that has not been returned to UniFist by the wearer upon termination/cancelation of uniform service for the wearer. These garments will be replaced at the negotiated replacement cost.

9.0 LOST/MISSING ITEMS

New garments will be supplied if uniform items are lost by the Vendor, at no additional fee to the City. The City recognizes its financial obligation for any uniform items that are lost by the employee. Such obligations will be negotiated between Vendor and the City to a mutually acceptable and fair arrangement consistent with the request for proposal bid documents.

10.0 UNIFORM PROVISIONS

The City will not allow miscellaneous charges to the quoted weekly uniform price including, but not limited to:

- a) Route bag charges
- b) Make-up charges
- c) Name emblems
- d) Shipping and handling charges
- e) Large and/or tall sizes

Vendor shall have a laundering charge separate from the rental charge. The City will only pay to launder items that are submitted for cleaning each week.

Vendor shall mark or label each rental item of clothing clearly, but inconspicuously, to permit employee (user) identification. Patching and threading on rental garments must be of the same material as the rental garment.

Vendor shall provide name label logos for each shirt, jacket, coverall, lab coat, safety vest and rain suit and any other product as requested by Division and include any charge as listed in the contract Exhibit C. There will be no additional charge to the City for the labels and logos. Logos and labels can be embroidered, or ironed on.

Employee names will appear as first initial of first name, then last name on the right hand side with the City logo on the left hand side of shirt, coveralls, jacket or sweater.

Also, City logos, provided by Vendor, shall be placed on every cap and knit cap. The City logo will be placed in the center of the front of each cap and knit cap.

Embroidery must meet the standards of the City's logo requirements.

Vendor shall guarantee that, during the term of the contract, all new employee uniform items and replacement items for existing employees will be delivered within one (1) to two (2) weeks of the order.

11.0 MISCELLANEOUS ITEMS PROVISIONS

The City will not pay any soiled “minimum guarantee” quantities for mats, terry towels or bath towels. The City will only pay for the actual quantity of soiled items exchanged.

The quantity of work to be performed and materials to be furnished are approximations only. The City does not guarantee that the actual amounts required will correspond with those shown. The City may increase or decrease the amount of any item or portion of work to be performed or materials to be furnished, or the City may omit any such item or portion.

The City recognizes its financial obligation for any miscellaneous items that are lost by the City. Such obligations will be negotiated between Vendor and the City to a mutually acceptable and fair arrangement consistent with the Request for Proposal Bid Documents.

EXHIBIT C
DESCRIPTION OF PRODUCTS AND SCHEDULE OF FEES

Item No.	1	2
Item	Long Polyblend Work Pants	Long Denim Jean Pants
Material	35% cotton, 65% polyester	100% cotton
Weight	Minimum 7.75 oz	Minimum 14.5 oz
Style/Specifications	Men's & Women's sizes required 2 back pocket 2 set-in hip pockets Heavy-duty brass zipper Button-front closure Belt loops No cuffs Boot-cut Relaxed fit Plain/flat front Slack style	Men's & Women's sized required 5 pockets Heavy-duty brass zipper Metal Button-front closure Belt loops No cuffs Boot-cut Relaxed fit Blue denim
Color	Any	Any
City Logo requirements	N/A	N/A
Provide as Specified?	Yes ☐ No ☐	Yes ☐ No ☐
Noted Deviation(s)		
Rental Cost: Per Unit Per Week	\$.16	\$.26
Laundry Cost: Rental Item - Per Item Per Week	Included in rental cost	Included in rental cost
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. \$16.00	1. \$18.00
2. 2XL/Waist 42	2. \$16.00	2. \$18.00
3. 3XL/Waist 44	3. \$18.00	3. \$19.00
4. 4XL/Waist 46	4. \$18.00	4. \$19.00
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	\$12.99	\$14.99
Normal Wear & Tear Period (specify your wear & tear period expectation)	24 Months	24 Months

Item No.	3	4
Item	Short Sleeve Poly/Cotton Work Shirt	Long Sleeve Poly/Cotton Work Shirt
Material	35% cotton, 65% polyester	35% cotton, 65% polyester
Weight	Minimum 4.25 oz	Minimum 4.25 oz
Style/Specifications	Men's & Women's sizes required 2-piece back yoke 2 button-through chest pockets Short sleeve—double-turned hems Banded dress-shirt style collar 6- or 7-button front Full-cut/Relaxed Fit	Men's & Women's sized required 2-piece back yoke 2 button-through chest pockets Long sleeve—lined cuffs, button closure Banded dress-shirt style collar 6- or 7-button front Full-cut/Relaxed Fit
Color	Any	Any
City Logo requirements	Patch – sewn on, front-left	Patch – sewn on, front-left
Provide as Specified?	Yes ☐ No ☐	Yes ☐ No ☐
Noted Deviation(s)		
Rental Cost: Per Unit Per Week	\$.12	\$.12
Laundry Cost: Rental Item - Per Item Per Week	Included in rental cost	Included in rental cost
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. \$10.00	1. \$10.00
2. 2XL/Waist 42	2. \$10.00	2. \$10.00
3. 3XL/Waist 44	3. \$11.00	3. \$11.00
4. 4XL/Waist 46	4. \$11.00	4. \$10.00
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	\$9.00	\$9.00
Normal Wear & Tear Period (specify your wear & tear period expectation)	24 Months	24 Months

Item No.	5	6
Item	Short Sleeve Polo Shirt	T-Shirts
Material	100% woven/spun polyester	100% Ultra Cotton
Weight	Minimum 4.25 oz	Minimum 7.5 oz
Style/Specifications	One Chest Pocket on top left Hemmed sleeves Collar 3 button Placket	Short sleeves Pocket on top left
Color	Any	Any
City Logo requirements	Patch – sewn on, front-left	Patch – sewn on, front-left
Provide as Specified?	Yes ☒ No ☐	Yes ☐ No ☒
Noted Deviation(s)		This item is direct purchase only.
Rental Cost: Per Unit Per Week	\$.13	N/A
Laundry Cost: Rental Item - Per Item Per Week	N/A	N/A
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. \$13.00	1. \$7.00
2. 2XL/Waist 42	2. \$13.00	2. \$7.00
3. 3XL/Waist 44	3. \$14.00	3. \$7.00
4. 4XL/Waist 46	4. \$14.00	4. \$7.00
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	\$12.00	\$7.00
Normal Wear & Tear Period (specify your wear & tear period expectation)	24 Months	24 Months

Item No.	7	8
Item	Lined Service Jacket	Low-Shrink Hooded Zip-Front Sweatshirt
Material	35% combed cotton, 65% polyester	80% cotton 20% polyester shell
Weight	Minimum 7.5 oz	Minimum 9 oz
Style/Specifications	Button cuffs 2 side slash pockets Quilted permanent lining Midweight Lined Hip-length Heavy Duty Zipper	Fade resistant Shrink resistant Zip front Pouch-front pocket Set-in sleeves Ribbed cover-stitch waist Ribbed cuffs Machine wash, dry
Color	Any	Any
City Logo requirements	Patch – sewn on, front-left	Patch – sewn on, front-left
Provide as Specified?	Yes ☒ No ☐	Yes ☐ No ☒
Noted Deviation(s)		This item is direct purchase only.
Rental Cost: Per Unit Per Week	\$.36	N/A
Laundry Cost: Rental Item - Per Item Per Week	N/A	N/A
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. \$28.00	1. \$22.00
2. 2XL/Waist 42	2. \$28.00	2. \$22.00
3. 3XL/Waist 44	3. \$29.00	3. \$23.00
3. 4XL/Waist 46	4. \$29.00	4. \$23.00
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	\$25.00	N/A
Normal Wear & Tear Period (specify your wear & tear period expectation)	24 Months	24 Months

Item No.	9	10
Item	Lined Water-Resistant Jacket	Long Sleeve Metal Button Front Coveralls
Material	100% polyester or other non-nylon material	100% cotton
Weight		Minimum 8.5
Style/Specifications	Water-resistant Matte polyurethane, or similar finish Adjustable snap cuffs 2 slash side pockets Fold-away lined hood, optional Midweight Fleece or similar lining Hip-length Zipper	Pre-shrunk 100% cotton 8.5 oz. twill Sized to be worn over clothes One-piece topstitched collar Concealed, heavy-duty button front Chest pockets and rule pocket on right leg Two set-in front pockets and two patch hip pockets Industrial launderable
Color	Any	Any
City Logo requirements	Patch – sewn on, front-left	Patch – sewn on, front-left
Provide as Specified?	Yes ☐ No ☐	Yes ☐ No ☐
Noted Deviation(s)		
Rental Cost: Per Unit Per Week	\$.40	\$.40
Laundry Cost: Rental Item - Per Item Per Week	N/A	N/A
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. \$34.00	1. \$27.00
2. 2XL/Waist 42	2. \$34.00	2. \$27.00
3. 3XL/Waist 44	3. \$35.00	3. \$28.00
4. 4XL/Waist 46	4. \$35.00	4. \$28.00
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	\$32.00	\$25.00
Normal Wear & Tear Period (specify your wear & tear period expectation)	24 Months	24 Months

Item No.	11	12
Item	Structured Flexfit Cap	Knit Cap
Material	Cotton	100% acrylic
Weight	N/A	N/A
Style/Specifications	Soil repellant Quick drying Flexfit	Fold-up cuff
Color	Any	Any
City Logo requirements	Embroidered on, front center	Embroidered on, front center
Provide as Specified?	Yes ☒ No ☐	Yes ☐ No ☒
Noted Deviation(s)		This item is direct purchase only.
Rental Cost: Per Unit Per Week	N/A	N/A
Laundry Cost: Rental Item - Per Item Per Week	N/A	N/A
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. \$7.00	1. \$5.00
2. 2XL/Waist 42	2. \$7.00	2. \$5.00
3. 3XL/Waist 44	3. \$7.00	3. \$5.00
4. 4XL/Waist 46	4. \$7.00	4. \$5.00
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	\$7.00	\$5.00
Normal Wear & Tear Period (specify your wear & tear period expectation)	24 Months	24 Months

Item No.	13	14
Item	3' x 5' Floor Mats	3' x 10' Floor Mats
Material	Non-specific	Non-specific
Weight	N/A	N/A
Style/Specifications	3 feet x 5 feet Heavy rubber backing	3 feet x 10 feet Heavy rubber backing
Color	Any	Any
City Logo requirements	N/A	N/A
Provide as Specified?	Yes ☐ No ☐	Yes ☐ No ☐
Noted Deviation(s)		
Rental Cost: Per Unit Per Week	\$1.25	\$2.50
Laundry Cost: Rental Item - Per Item Per Week	N/A	N/A
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. N/A	1. N/A
2. 2XL/Waist 42	2. N/A	2. N/A
3. 3XL/Waist 44	3. N/A	3. N/A
4. 4XL/Waist 46	4. N/A	4. N/A
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	N/A	N/A
Normal Wear & Tear Period (specify your wear & tear period expectation)	N/A	N/A

Item No.	15	16
Item	4' x 6' Floor Mats	Shop Towels
Material	Non-specific	Non-specific
Weight	N/A	N/A
Style/Specifications	4 feet x 6 feet Heavy rubber backing	18 inches
Color	Any	Any
City Logo requirements	N/A	N/A
Provide as Specified?	Yes ☐ No ☐	Yes ☐ No ☐
Noted Deviation(s)		
Rental Cost: Per Unit Per Week	\$2.00	\$.05
Laundry Cost: Rental Item - Per Item Per Week	N/A	N/A
Purchase Price Per Unit		
1. S - XL/Waist 30 – 40	1. N/A	1. \$.35
2. 2XL/Waist 42	2. N/A	2. \$.35
3. 3XL/Waist 44	3. N/A	3. \$.35
4. 4XL/Waist 46	4. N/A	4. \$.35
Laundry Cost: City-Owned Item – Per Item Per Week	N/A	N/A
Replacement Cost (due to City employee actions)	N/A	\$.35
Normal Wear & Tear Period (specify your wear & tear period expectation)	N/A	N/A

BILLING AND CREDITS

Vendor shall submit invoices weekly. The invoice shall include the account number, names of employees, employee unit name, the number and type of garments rented and laundered or the number and type of City-owned items laundered and all associated costs.

Vendor shall submit quarterly reports on individual Division's current existing balance.

There will be no comingling of funds.

11/10/2021

**INSURANCE REQUIREMENTS FOR VENDORS
(WHO DELIVER, INSTALL OR MAINTAIN PRODUCTS)**

1. Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the sale and delivery, installation or maintenance of products by vendor, its agents, representatives, or employees.

a. Commercial General Liability Insurance, including Contractual Liability, 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 CG 0001). If a general aggregate limit is used, that limit shall apply separately to the project or shall be twice the occurrence amount;

b. 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 Insurance Services Office Automobile Liability Coverage (Occurrence Form CA0001) covering Code No. 1, "any auto;"

c. Workers' Compensation Insurance in compliance with the laws of the State of California, and Employer's Liability Insurance in an amount not less than \$1,000,000 per claimant.

2. Vendor shall, prior to performance of any services, file with the Risk Manager certificates of insurance with original endorsements effecting coverage required by this Exhibit INS-I. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on the attached forms or on other forms approved by the Risk Manager. All certificates and endorsements are to be received and approved by the Risk Manager before work commences. City reserves the right to require complete certified copies of all required insurance policies at any time. The certificates of insurance and endorsements shall be sent via email (or fax if necessary) to the Risk Manager, addressed as follows (do not send hard copies):

3.

City of Oxnard
Insurance Compliance
Reference No. _____
P.O. Box 100085 – OX
Duluth, GA 30096
Via Email: cityofoxnard@ebix.com
Via Fax: 678-259-1007

4. Vendor agrees that all insurance coverages shall be provided by a California admitted insurance carrier with an A.M. Best rating of A:VII or better and shall be endorsed to state that coverage may not be suspended, voided, canceled by either party, or reduced in coverage or limits without 30 days' prior written notice to the Risk Manager. The Risk Manager shall not approve or accept any endorsement if the endorsement contains "best effort" modifiers or if the insurer is relieved from the responsibility to give such notice.

5. Vendor agrees that the Commercial General Liability and Business Automobile Liability Insurance policies shall be endorsed to name City, its City Council, officers, employees and volunteers as additional insureds as respects: liability arising out of activities performed by or on behalf of vendor; products and completed operations of vendor; premises owned, occupied or used by vendor; or automobiles owned, leased, hired or borrowed by vendor. The coverage shall contain no special limitations on the scope of protection afforded to City, its City Council, officers, employees and volunteers. **The General Liability Special Endorsement Form and Automobile Liability Special Endorsement Form attached to this Exhibit INS-I or substitute forms containing the same information and acceptable to the Risk Manager shall be used to provide the endorsements (ISO form CG 2010 11/85 or if not available, CG 2010 with an edition date prior to 01/04 and CG 2037).**

6. The coverages provided to City shall be primary and not contributing to or in excess of any existing City insurance coverages (**this must be endorsed**). Additionally, the workers' compensation policy shall include a waiver of all rights of subrogation which the insurer may have against the City. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to City, its City Council, officers, employees and volunteers. The insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

7. Any deductibles or self-insured retentions must be declared to and approved by the Risk Manager. At the option of the Risk Manager, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its City Council, officers, employees and volunteers, or the vendor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

1/18

INSTRUCTION FOR SUBMITTING INSURANCE CERTIFICATES AND ENDORSEMENT FORMS

Certificates of Insurance

The sample accord form on the following page is provided to facilitate your preparation and submission of certificates of insurance. You may use this or any industry form that shows coverage as broad as that shown on the attached sample. **Please note the certificate holder address must be as shown on the attached sample accord form with the contract number and insurance exhibit identification information completed.** Improperly addressed certificates may delay the contract start-up date because the City's practice is to return unidentifiable insurance certificates to the insured for clarification as to the contract number. **Cancellation provisions must be endorsed to the policy. Modifying the certificate does not change coverage or obligate the carrier to provide notice of cancellation.**

Endorsement Forms

Original endorsements are required for commercial general liability and business automobile liability insurance policies and must be attached to the applicable certificate of insurance. City preference is that you use the endorsement forms which are attached. Substitute forms will be accepted, however, as long as they include provisions comparable to the attached.

INS-I.doc

ACORD CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

PRODUCER

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CODE

SUB-CODE

COMPANIES AFFORDING INSURANCE COVERAGE

INSURED

 COMPANY
LETTER A

SPECIFY COMPANY NAMES IN THIS SPACE

 COMPANY
LETTER B

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS MADE ☒ OCCUR ☒ OWNER'S & CONTRACTOR'S PROT				GENERAL AGGREGATE \$1,000,000 PRODUCTS COMP/OP AGG \$1,000,000 PERSONAL & ADV INJURY \$1,000,000 EACH OCCURRENCE \$1,000,000 FIRE DAMAGE (Any one fire) \$ MED. EXPENSE (Any one person) \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS GARAGE LIABILITY				COMBINED SINGLE LIMIT \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
A	EXCESS LIABILITY UMBRELLA FORM OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS EACH ACCIDENT \$1,000,000 DISEASE-POLICY LIMIT \$1,000,000 DISEASE-EACH EMPLOYEE \$1,000,000
A	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER
CITY OF OXNARD
Attn: Insurance Compliance
Reference No. _____
P.O. Box 100085 – OX
Duluth, GA 30096
Via Email: cityofoxnard@ebix.com
Via Fax: 678-259-1007
CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

GENERAL LIABILITY SPECIAL ENDORSEMENT FOR THE CITY OF OXNARD (the "City")		SUBMIT IN DUPLICATE	
		ENDORSEMENT NO.	ISSUE DATE (MM/DD/YY)
PRODUCER		POLICY INFORMATION: Insurance Company: Policy No.: Policy Period: (from) _____ (to) LOSS ADJUSTMENT EXPENSE ☐ Included in Limits ☐ In Addition to Limits	
Telephone:		☐ Deductible ☐ Self-Insured Retention (check which) of \$ _____ with an Aggregate of \$ _____ applies to _____ coverage. ☐ Per Occurrence ☐ Per Claim (which)	
NAMED INSURED		APPLICABILITY This insurance pertains to the operations, products and/or tenancy of the named insured under all written agreements and permits in force with the City unless checked here ☐ in which case only the following specific agreements and permits with the City are covered:	
TYPE OF INSURANCE		CITY AGREEMENTS/PERMITS	
GENERAL LIABILITY ☐ COMMERCIAL GENERAL LIABILITY ☐ Claims Made ☐ COMPREHENSIVE GENERAL LIABILITY Retroactive Date _____ ☐ OWNERS & CONTRACTORS PROTECTIVE ☐ Occurrence		OTHER PROVISIONS	
COVERAGES	LIABILITY LIMITS IN THOUSANDS \$		Underwriter=s representative for claims pursuant to this insurance. CLAIMS: Name: _____ Address: _____ Telephone: () _____
	EACH OCCURRENCE	AGGREGATE	
☐ GENERAL ☐ PRODUCTS/COMPLETED OPERATIONS ☐ PERSONAL & ADVERTISING INJURY ☐ FIRE DAMAGE 			
In consideration of the premium charged and notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any endorsement now or hereafter attached thereto, insurance company agrees as follows:			
1. INSURED. The City, its officers, agents, employees and volunteers are included as insureds with regard to liability and defense of suits arising from the operations, products and activities performed by or on behalf of the named insured. 2. CONTRIBUTION NOT REQUIRED. As respects: (a) work performed by the named insured for or on behalf of the City; or (b) products sold by the named insured to the City; or (c) premises leased by the named insured from the City, the insurance afforded by this policy shall be primary insurance as respects the City, its officers, agents, employees or volunteers; or stand in an unbroken chain of coverage excess of the named insured's scheduled underlying primary coverage. In either event, any other insurance maintained by the City, its officers, agents, employees or volunteers shall be in excess of this insurance and shall not contribute with it. 3. SEVERABILITY OF INTEREST. This insurance applies separately to each insured against whom claim is made or suit is brought except with respect to the company's limits of liability. The inclusion of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included. 4. CANCELLATION NOTICE. With respect to the interests of the City, this insurance shall not be canceled, or materially reduced in coverage or limits except after thirty (30) days prior written notice by receipted delivery has been given to the City. 5. PROVISIONS REGARDING THE INSURED'S DUTIES. Any failure to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the City, its officers, agents, employees or volunteers. 6. SCOPE OF COVERAGE. This policy, if primary, affords coverage at least as broad as: a. Insurance Services Office Commercial General Liability Coverage, "occurrence" form CG0001; or b. If excess, affords coverage which is at least as broad as the primary insurance form CG0001. Except as stated above nothing herein shall be held to waive, alter or extend any of the limits, conditions, agreements or exclusions of the policy to which this endorsement is attached.			
ENDORSEMENT HOLDER			
CITY OF OXNARD Attn: Insurance Compliance Reference No. _____ P.O. Box 100085 – OX Duluth, GA 30096 Via Email: cityofoxnard@ebix.com Via Fax: 678-259-1007		AUTHORIZED REPRESENTATIVE ☐ Broker/Agent ☐ Underwriter _____ I _____ (print/type name), warrant that I have authority to bind the above-mentioned insurance company and by my signature hereon do so bind this company to this endorsement. Signature _____ (original signature required) Telephone: () _____ Date Signed _____	

AUTOMOBILE LIABILITY SPECIAL ENDORSEMENT FOR THE CITY OF OXNARD (the "City")

SUBMIT IN DUPLICATE

ENDORSEMENT NO. _____

ISSUE DATE
(MM/DD/YY) _____

PRODUCER _____

POLICY INFORMATION:

Insurance Company: _____

Policy No.: _____

Policy Period: (from) _____ (to) _____

 LOSS ADJUSTMENT EXPENSE ☐ Included in Limits
☐ In Addition to Limits

Telephone: _____

NAMED INSURED _____

☐ Deductible ☐ Self-Insured Retention (check which) of \$ _____
 with an Aggregate of \$ _____ applies to _____
 coverage. ☐ Per Occurrence ☐ Per Claim (which) _____

APPLICABILITY. This insurance pertains to the operations, products and/or tenancy of the named insured under all written agreements and permits in force with the City unless checked here ☐ in which case only the following specific agreements and permits with the City are covered:

CITY AGREEMENTS/PERMITS _____

TYPE OF INSURANCE

- ☐ COMMERCIAL AUTO POLICY
☐ BUSINESS AUTO POLICY
☐ OTHER

OTHER PROVISIONS
LIMIT OF LIABILITY

\$ _____ per accident, for bodily injury and property damage.

CLAIMS: Underwriter's representative for claims pursuant to this insurance.

Name: _____

Address: _____

Telephone: () _____

In consideration of the premium charged and notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any endorsement now or hereafter attached thereto, insurance company agrees as follows:

- INSURED.** The City, its officers, agents, volunteers and employees are included as insureds with regard to liability and defense of suits arising from the operations, products and activities performed by or on behalf of the named insured.
- CONTRIBUTION NOT REQUIRED.** As respects: (a) work performed by the named insured for or on behalf of the City; or (b) products sold by the named insured to the City; or (c) premises leased by the named insured from the City, the insurance afforded by this policy shall be primary insurance as respects the City, its officers, agents, employees or volunteers; or stand in an unbroken chain of coverage excess of the named insured's scheduled underlying primary coverage. In either event, any other insurance maintained by the City, its officers, agents, employees or volunteers shall be in excess of this insurance and shall not contribute with it.
- SEVERABILITY OF INTEREST.** This insurance applies separately to each insured against whom claim is made or suit is brought except with respect to the company's limits of liability. The inclusion of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included.
- CANCELLATION NOTICE.** With respect to the interests of the City, this insurance shall not be canceled, or materially reduced in coverage or limits except after thirty (30) days prior written notice by receipted delivery has been given to the City.
- PROVISIONS REGARDING THE INSURED'S DUTIES.** Any failure to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the City, its officers, agents, employees or volunteers.
- SCOPE OF COVERAGE.** This policy, if primary, affords coverage at least as broad as:
 - Insurance Services Office Automobile Liability Coverage, "occurrence" form CA0001, code ("any auto"); or
 - If excess, affords coverage which is at least as broad as the primary insurance form referenced in the preceding section (1).

Except as stated above nothing herein shall be held to waive, alter or extend any of the limits, conditions, agreements or exclusions of the policy to which this endorsement is attached.

ENDORSEMENT HOLDER

CITY OF OXNARD

Attn: Insurance Compliance

Reference No. _____

P.O. Box 100085 – OX

Duluth, GA 30096

Via Email: cityofoxnard@ebix.com

Via Fax: 678-259-1007

AUTHORIZED REPRESENTATIVE
☐ Broker/Agent☐ Underwriter

I _____ (print/type name), warrant that I have authority to bind the above-mentioned insurance company and by my signature hereon do so bind this company to this endorsement.

Signature _____

(original signature required)

Telephone: () _____

Date Signed _____



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Public Hearing
AGENDA ITEM NO.: 1

DATE: February 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

A handwritten signature in dark ink, appearing to read "S. Whitney".

FROM: Ashley Golden
Development Services Director

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").

CONTACT: Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, 385-7882

RECOMMENDATION:

Open Public Hearing and Continue the Public Hearing to March 20, 2018.

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Public Hearing
AGENDA ITEM NO.: 2

DATE: February 20, 2018

TO: City Council

FROM: Stephen Fischer
City Attorney

SUBJECT: Public Hearing Regarding Draft Maps for Possible City Council Districts and Sequencing of Elections. (10/20/20)

CONTACT: Stephen Fischer, City Attorney
Stephen.Fischer@oxnard.org, 385-7483

RECOMMENDATION:

That City Council:

1. Approve a motion selecting the district map that will be included in the ordinance to be considered for first reading on February 27, 2018; and
2. Once the map has been selected, approve a motion selecting the sequencing of the elections in each of the districts to be included in the ordinance to be considered for first reading on February 27, 2018.

BACKGROUND

At the City Council meeting of February 7, 2018, 25 members of the public provided input on the map(s) that they preferred. Although a final determination has not yet been made, four City Council members indicated at the February 7, 2018 meeting that they either “favor,” “lean toward” or “can live with” Map #635. One member of the City Council has said he “likes” Map #626 and would be “okay” with Map #622. Each of these maps proposes six City Council districts.

The demographer has recommended the sequencing of elections for each of these district maps. These recommendations are included on Attachment A to this staff report.

STRATEGIC PRIORITIES

Public Hearing Regarding Draft Maps for Possible City Council Districts and Sequencing of Elections

February 20, 2018

Page 2

Not applicable

FINANCIAL IMPACT

There is no specific financial impact from tonight's public hearing, although the consideration of transitioning to a district-based election system will take significant staff time and involves the use of a demographer to attend specific public hearings and provide online public outreach tools included in the scope of services.

ATTACHMENTS:

Attachment A: Demographer Sequencing Recommendations

Attachment B: Three Focus Maps (635, 626 and 622)

Attachment C: February 7 Staff Report

February 13, 2018

Sequencing Recommendations for City of Oxnard

Map	2018 Election for four-year term: 3 districts	2020 Elections for four-year term: 2 districts	2018 Election for two-year term followed by 2020 Election for four-year term: 1 district
622*	District 2 (Perello) District 3 (Ramirez) District 5 (vacant)	District 1 (vacant) District 4 (MacDonald & Madrigal)	District 6 (vacant)
626	District 2 (Perello) District 3 (Ramirez) District 5 (vacant)	District 1 (MacDonald) District 4 (Madrigal)	District 6 (vacant)
635	District 1 (Perello) District 2 (Ramirez) District 5 (vacant)	District 3 (Madrigal) District 4 (MacDonald)	District 6 (vacant)

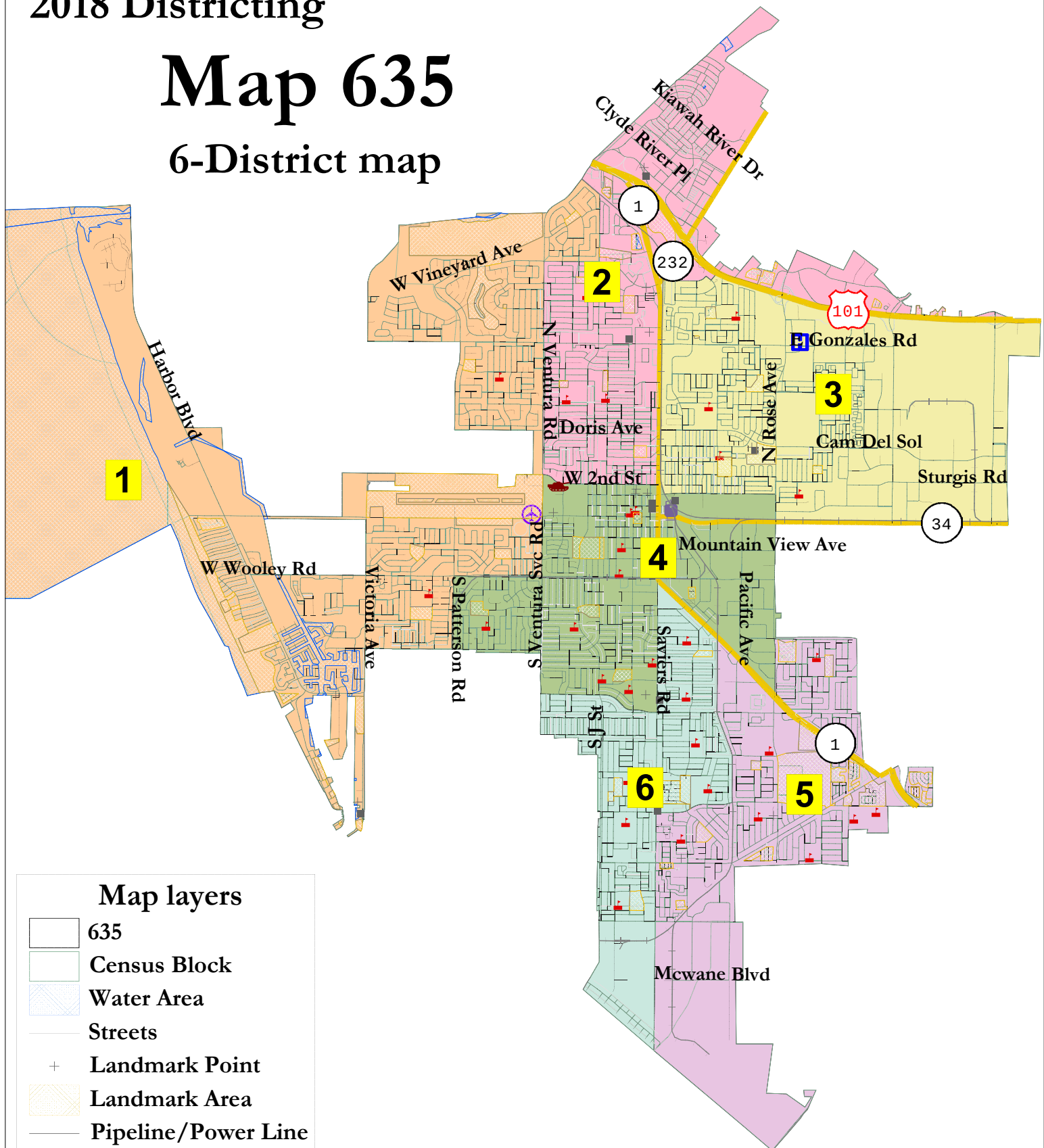
Thoughts used to develop this list:

1. If a single councilmember or multiple Councilmembers on the same election cycle reside in a district, that district's election should match the resident Councilmember term.
2. The 2018 two-year election should be held in the district with relatively low turnout, so that the district gets immediate representation in 2018 but then switches to the higher-turnout 2020 Presidential election cycle. [Used to determine cycles for vacant districts.]
3. If two Councilmembers with different election years are in the same district, then the district should be assigned to 2018 so both have at least the opportunity to run for re-election before leaving the Council (even if one has to run in the middle of the current term). [Only used for Map 616, district 2.]

* If map 622 is adopted, the recommended sequencing would elect Councilmembers from Districts 5 and 6 immediately. But serious consideration should be given to changing District 5 to 2020 and District 1 to 2018, so that the relatively low-turnout District 5 would be on the higher-turnout Presidential election cycle, to increase the likelihood that the preferred candidate of the low-turnout voters is elected.

City of Oxnard 2018 Districting

Map 635 6-District map

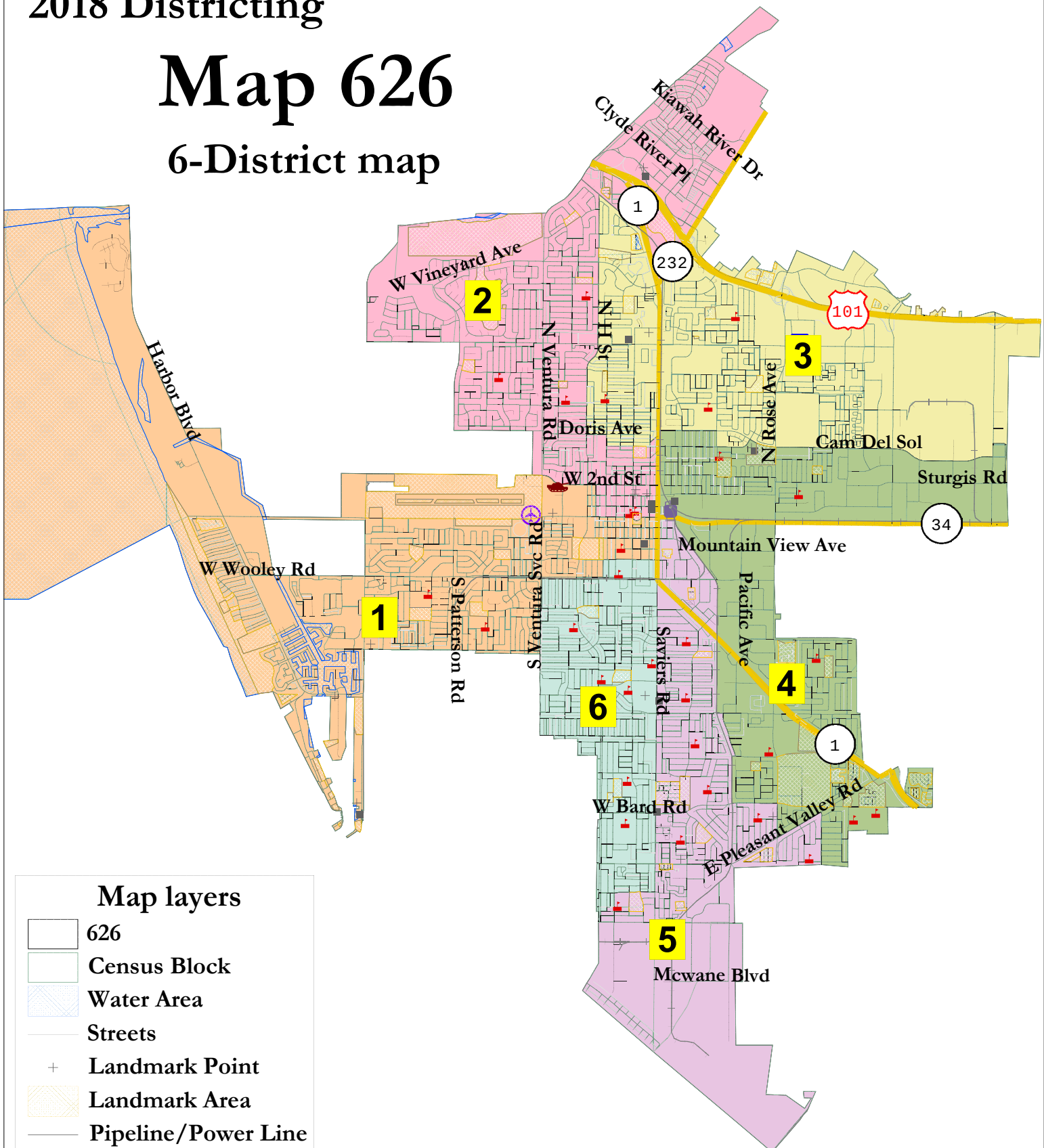


National Demographics Corporation, January 10, 2018

City of Oxnard - Map 635 demographics								
District		1	2	3	4	5	6	Total
<u>Ideal</u>	Total Pop	32,446	32,405	33,679	32,087	33,092	34,196	197,905
32,984	Deviation from ideal	-538	-579	695	-897	108	1,212	2,109
	% Deviation	-1.63%	-1.76%	2.11%	-2.72%	0.33%	3.67%	6.39%
Total Pop	% Hisp	44%	72%	78%	85%	74%	87%	74%
	% NH White	40%	18%	9%	9%	8%	7%	15%
	% NH Black	4%	4%	2%	3%	2%	1%	3%
	% Asian-American	10%	5%	10%	2%	15%	4%	8%
Citizen Voting Age Pop	Total	23,679	19,255	16,409	13,836	15,383	13,196	101,758
	% Hisp	38%	61%	69%	74%	57%	73%	60%
	% NH White	45%	27%	13%	17%	16%	13%	24%
	% NH Black	6%	3%	3%	5%	3%	3%	4%
Voter Registration (Nov 2016)	% Asian/Pac.Isl.	10%	7%	14%	4%	22%	9%	11%
	Total	18,732	14,298	13,436	10,955	12,210	10,074	79,705
	% Latino est.	38%	61%	76%	79%	73%	84%	65%
	% Asian-Surnamed	3%	2%	3%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	2%	7%	2%	3%
	% NH White est.	50%	27%	14%	14%	16%	10%	25%
Voter Turnout (Nov 2016)	% NH Black	7%	6%	3%	3%	2%	1%	4%
	Total	14,769	10,287	9,367	7,627	8,492	6,738	57,281
	% Latino	36%	58%	75%	78%	72%	83%	63%
	% Asian-Surnamed	3%	2%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	2%	7%	2%	3%
	% NH White est.	52%	29%	15%	15%	17%	11%	27%
Voter Turnout (Nov 2014)	% NH Black	7%	6%	3%	3%	3%	2%	4%
	Total	8,673	4,701	4,342	3,687	4,232	3,299	28,934
	% Latino	27%	50%	71%	71%	63%	74%	53%
	% Asian-Surnamed	2%	2%	3%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	2%	8%	3%	3%
	% NH White est.	61%	38%	19%	21%	23%	18%	35%
ACS Pop. Est.	% NH Black est.	7%	6%	4%	4%	4%	3%	5%
	Total	33,640	35,449	35,059	30,928	33,821	34,699	203,596
Age	age0-19	25%	32%	32%	33%	33%	35%	32%
	age20-60	56%	56%	58%	54%	55%	55%	56%
	age60plus	20%	12%	10%	13%	12%	10%	13%
Immigration	immigrants	21%	28%	43%	37%	45%	46%	37%
	naturalized	60%	37%	39%	30%	39%	28%	37%
Language spoken at home	english	61%	41%	24%	25%	22%	19%	32%
	spanish	32%	55%	68%	72%	66%	75%	61%
	asian-lang	5%	4%	8%	2%	11%	5%	6%
	other lang	2%	1%	1%	1%	2%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	14%	25%	36%	36%	40%	45%	32%
Education (among those age 25+)	hs-grad	53%	54%	48%	48%	50%	42%	49%
	bachelor	21%	15%	10%	6%	9%	7%	12%
	graduatedegree	11%	4%	5%	2%	2%	1%	5%
Child in Household	child-under18	31%	42%	49%	44%	43%	52%	42%
Pct of Pop. Age 16+	employed	64%	63%	63%	59%	59%	61%	62%
Household Income	income 0-25k	10%	19%	14%	21%	15%	20%	16%
	income 25-50k	16%	23%	22%	29%	29%	27%	24%
	income 50-75k	20%	22%	18%	21%	22%	22%	21%
	income 75-200k	47%	34%	42%	25%	33%	29%	36%
	income 200k-plus	7%	2%	5%	3%	1%	2%	4%
Housing Stats	single family	78%	58%	82%	69%	77%	72%	72%
	multi-family	22%	42%	18%	31%	23%	28%	28%
	rented	35%	55%	42%	54%	41%	48%	45%
	owned	65%	45%	58%	46%	59%	52%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								

City of Oxnard 2018 Districting

Map 626 6-District map

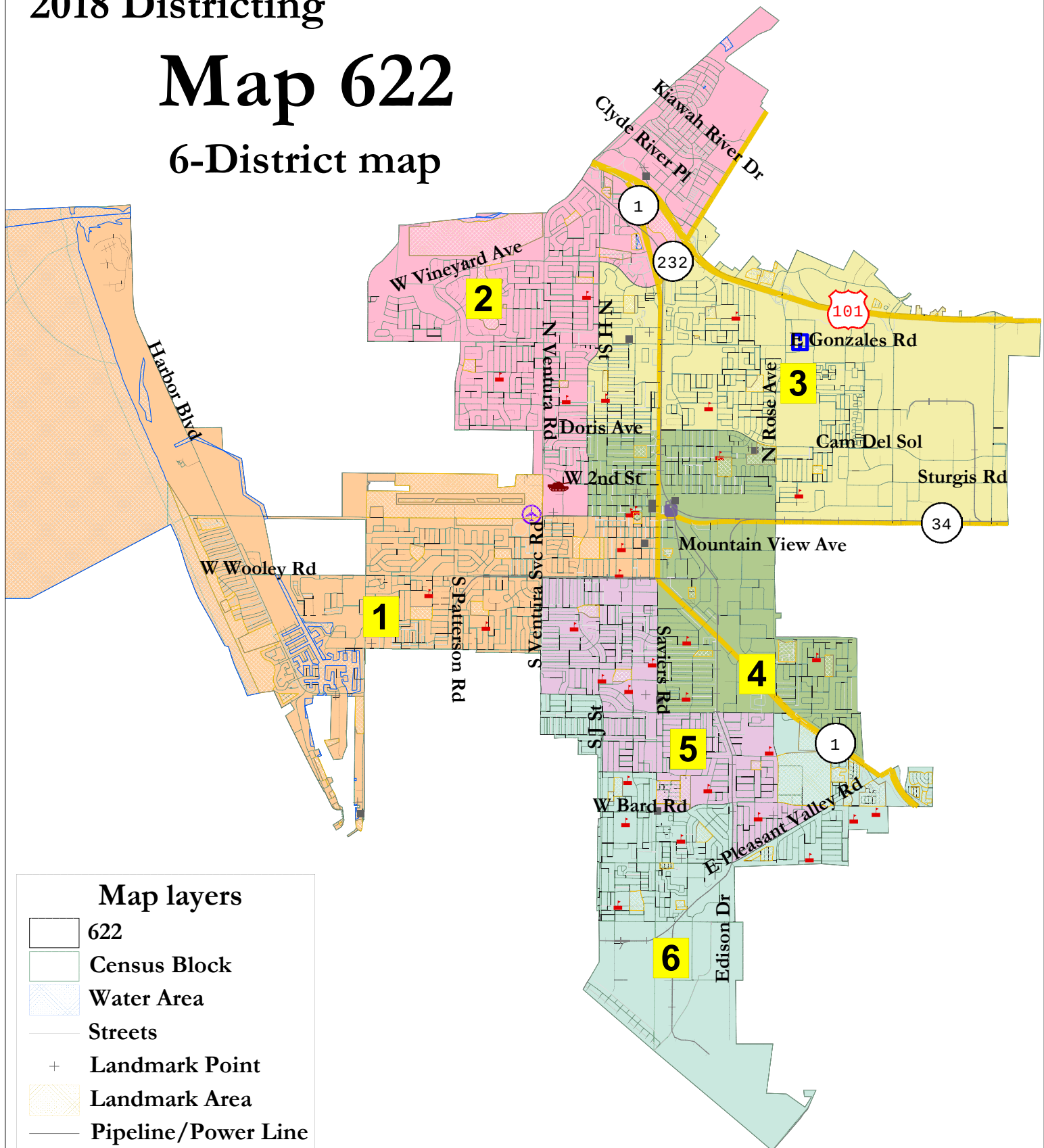


National Demographics Corporation, January 7, 2018

City of Oxnard - Map 626 demographics								
District		1	2	3	4	5	6	Total
<u>Ideal</u>	Total Pop	33,251	32,793	32,596	32,634	33,281	33,350	197,905
32,984	Deviation from ideal	267	-191	-388	-350	297	366	754
	% Deviation	0.81%	-0.58%	-1.18%	-1.06%	0.90%	1.11%	2.29%
Total Pop	% Hisp	55%	64%	67%	84%	82%	88%	74%
	% NH White	33%	22%	16%	6%	6%	6%	15%
	% NH Black	3%	4%	3%	1%	2%	2%	3%
	% Asian-American	7%	8%	12%	8%	9%	3%	8%
Citizen Voting Age Pop	Total	21,639	21,022	19,502	13,624	12,828	13,144	101,758
	% Hisp	43%	55%	60%	70%	68%	75%	60%
	% NH White	43%	30%	21%	13%	13%	11%	24%
	% NH Black	5%	4%	3%	4%	2%	5%	4%
Voter Registration (Nov 2016)	% Asian/Pac.Isl.	7%	10%	14%	13%	16%	7%	11%
	Total	16,689	16,482	14,849	11,205	10,396	10,085	79,705
	% Latino est.	43%	53%	66%	84%	79%	86%	65%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	4%	5%	2%	3%
	% NH White est.	47%	31%	23%	9%	12%	9%	25%
Voter Turnout (Nov 2016)	% NH Black	5%	8%	4%	2%	2%	2%	4%
	Total	12,730	12,506	10,552	7,740	6,891	6,862	57,281
	% Latino	41%	51%	65%	82%	78%	86%	63%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	4%	5%	2%	3%
	% NH White est.	50%	34%	25%	10%	13%	9%	27%
Voter Turnout (Nov 2014)	% NH Black	6%	8%	4%	2%	2%	2%	4%
	Total	7,080	6,306	4,989	3,720	3,473	3,366	28,934
	% Latino	32%	41%	56%	76%	68%	79%	53%
	% Asian-Surnamed	2%	3%	3%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	5%	6%	2%	3%
	% NH White est.	59%	45%	32%	15%	19%	15%	35%
ACS Pop. Est.	% NH Black est.	5%	8%	5%	2%	4%	3%	5%
	Total	33,309	35,877	35,162	32,945	33,313	32,989	203,596
Age	age0-19	26%	30%	31%	33%	35%	34%	32%
	age20-60	56%	55%	59%	55%	55%	55%	56%
	age60plus	18%	15%	10%	13%	10%	11%	13%
Immigration	immigrants	23%	26%	34%	49%	45%	43%	37%
	naturalized	49%	46%	48%	32%	33%	26%	37%
Language spoken at home	english	53%	46%	35%	15%	20%	20%	32%
	spanish	41%	48%	55%	76%	71%	76%	61%
	asian-lang	4%	5%	8%	7%	8%	3%	6%
	other lang	2%	1%	1%	2%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	17%	22%	25%	46%	43%	43%	32%
Education (among those age 25+)	hs-grad	55%	53%	56%	43%	47%	42%	49%
	bachelor	17%	16%	15%	7%	7%	5%	12%
	graduatedegree	9%	7%	6%	1%	2%	1%	5%
Child in Household	child-under18	31%	41%	46%	43%	50%	51%	42%
Pct of Pop. Age 16+	employed	62%	63%	66%	59%	59%	61%	62%
Household Income	income 0-25k	14%	18%	9%	19%	20%	18%	16%
	income 25-50k	19%	22%	19%	30%	28%	28%	24%
	income 50-75k	21%	17%	21%	20%	22%	24%	21%
	income 75-200k	41%	39%	46%	28%	28%	25%	36%
	income 200k-plus	5%	5%	5%	2%	1%	3%	4%
Housing Stats	single family	71%	66%	77%	76%	74%	73%	72%
	multi-family	29%	34%	23%	24%	26%	27%	28%
	rented	44%	47%	39%	46%	48%	50%	45%
	owned	56%	53%	61%	54%	52%	50%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								

City of Oxnard 2018 Districting

Map 622 6-District map



National Demographics Corporation, January 7, 2018

City of Oxnard - Map 622 demographics								
District		1	2	3	4	5	6	Total
<u>Ideal</u>	Total Pop	33,432	31,423	34,094	32,407	33,871	32,678	197,905
32,984	Deviation from ideal	448	-1,561	1,110	-577	887	-306	2,671
	% Deviation	1.36%	-4.73%	3.37%	-1.75%	2.69%	-0.93%	8.10%
Total Pop	% Hisp	56%	61%	72%	88%	84%	80%	74%
	% NH White	33%	24%	13%	6%	6%	8%	15%
	% NH Black	3%	4%	3%	1%	2%	2%	3%
	% Asian-American	7%	9%	11%	4%	7%	9%	8%
Citizen Voting Age Pop	Total	21,719	20,887	18,958	12,344	14,456	13,393	101,758
	% Hisp	44%	55%	62%	78%	73%	60%	60%
	% NH White	43%	30%	19%	11%	10%	18%	24%
	% NH Black	5%	4%	3%	3%	4%	4%	4%
	% Asian/Pac.Isl.	7%	10%	14%	8%	12%	16%	11%
Voter Registration (Nov 2016)	Total	16,748	16,241	14,947	9,992	11,403	10,375	79,705
	% Latino est.	44%	52%	70%	86%	84%	74%	65%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	3%	4%	4%	3%
	% NH White est.	46%	33%	19%	8%	9%	17%	25%
	% NH Black	5%	7%	3%	1%	2%	2%	4%
Voter Turnout (Nov 2016)	Total	12,777	12,317	10,602	6,801	7,719	7,064	57,281
	% Latino	41%	49%	69%	85%	83%	73%	63%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	3%	4%	4%	3%
	% NH White est.	49%	35%	20%	9%	9%	18%	27%
	% NH Black	6%	8%	4%	1%	2%	3%	4%
Voter Turnout (Nov 2014)	Total	7,099	6,135	5,047	3,280	3,889	3,484	28,934
	% Latino	32%	39%	62%	77%	75%	63%	53%
	% Asian-Surnamed	2%	3%	3%	1%	1%	2%	2%
	% Filipino-Surnamed	2%	2%	4%	3%	5%	5%	3%
	% NH White est.	58%	46%	27%	15%	14%	25%	35%
	% NH Black est.	5%	8%	5%	2%	4%	4%	5%
ACS Pop. Est.	Total	33,498	34,791	36,439	32,385	33,353	33,130	203,596
Age	age0-19	27%	30%	32%	34%	32%	35%	32%
	age20-60	56%	56%	57%	55%	56%	55%	56%
	age60plus	18%	14%	11%	11%	12%	11%	13%
Immigration	immigrants	23%	26%	38%	45%	44%	45%	37%
	naturalized	49%	48%	43%	30%	34%	29%	37%
Language spoken at home	english	52%	48%	31%	16%	19%	23%	32%
	spanish	42%	46%	61%	78%	74%	68%	61%
	asian-lang	4%	5%	7%	4%	6%	7%	6%
	other lang	2%	1%	1%	2%	1%	2%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	17%	21%	29%	44%	42%	42%	32%
Education (among those age 25+)	hs-grad	55%	53%	52%	42%	47%	45%	49%
	bachelor	17%	18%	13%	6%	7%	8%	12%
	graduatedegree	9%	7%	5%	1%	1%	2%	5%
Child in Household	child-under18	31%	41%	47%	46%	46%	48%	42%
Pct of Pop. Age 16+	employed	62%	64%	65%	59%	59%	60%	62%
Household Income	income 0-25k	14%	16%	11%	23%	18%	19%	16%
	income 25-50k	19%	21%	21%	29%	29%	29%	24%
	income 50-75k	21%	18%	20%	19%	24%	22%	21%
	income 75-200k	41%	40%	43%	28%	27%	29%	36%
	income 200k-plus	5%	5%	4%	2%	3%	2%	4%
Housing Stats	single family	71%	66%	77%	75%	79%	69%	72%
	multi-family	29%	34%	23%	25%	21%	31%	28%
	rented	44%	45%	40%	52%	42%	51%	45%
	owned	56%	55%	60%	48%	58%	49%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Public Hearing

AGENDA ITEM NO.: 1

DATE: February 7, 2018

TO: City Council

FROM: Stephen Fischer
City Attorney

A handwritten signature in dark ink, appearing to read "S. Fischer".

SUBJECT: Public Hearing Regarding Draft Maps for Possible City Council Districts.
(30/30/30)

CONTACT: Stephen Fischer, City Attorney
Stephen.Fischer@oxnard.org, 385-7483

RECOMMENDATION:

That City Council hold the fifth public hearing regarding the districting process for City Council elections and receive public input regarding the five recommended focus maps, each of which proposes six City Council districts.

BACKGROUND

Historically, the City has elected its Councilmembers through an at-large election system. Under this system, candidates for the City Council can reside anywhere in the City and are elected by the registered voters of the entire City. (The Mayor is separately elected, but is also elected through an at-large election system.)

The City received a letter dated October 7, 2017 claiming that the City's current method of electing the City Council through at-large elections violates the California Voting Rights Act ("CVRA"). The letter alleges that the City's elections "may be occurring by polarized voting," and threatens litigation if the City declines to adopt a district-based election system. A district-based election system is one in which a city is divided into separate districts and a councilmember is elected from each district by registered voters residing in that district.

The CVRA (Elections Code Section 14025 *et seq.*) was adopted in 2002, and is based upon the Federal Voting Rights Act of 1965 ("FVRA") with some important differences that make at-large election systems much more susceptible to legal challenge. For a plaintiff to be successful

Public Hearing Regarding Draft Maps for Possible City Council Districts

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in a claim of violation under the FVRA relating to at-large elections, the plaintiff must show that: 1) a minority group is sufficiently large and geographically compact to form a majority of the eligible voters in a single-member district; 2) there is racially-polarized voting; and 3) there is “white bloc voting” (the term used by the courts reviewing such cases) sufficient usually to prevent minority voters from electing candidates of their choice. If a plaintiff proves these three elements, then the federal court will consider whether, under the “totality of circumstances,” the votes of minority voters are diluted by the at-large election system.

The CVRA removes two of these factors. It eliminates what is known as the “geographically compact” FVRA precondition (e.g., can a majority-minority district be drawn) as well as the “totality of the circumstances” or “reasonableness” test. Because the CVRA eliminates some of the elements that a plaintiff must prove, defending a lawsuit brought pursuant to the CVRA is substantially more difficult to defend against than a claim under the FVRA. As a result of the lower threshold for proving a claim under the CVRA, many jurisdictions have voluntarily switched to district-based election systems instead of facing litigation.

Because of the low standards necessary for a plaintiff to prevail in CVRA litigation, every public entity defendant since the CVRA was enacted in 2002 has either lost in court or settled. To date, every government defendant has ultimately been forced to pay at least some portion of the plaintiff’s attorney fees and costs. Awards in contested CVRA cases have reportedly ranged from approximately \$400,000 to over \$4,500,000. For example, in February 2015, the City of Santa Barbara reportedly paid \$800,000 in attorney’s fees and expert costs to settle its CVRA lawsuit. Another example is the City of Palmdale, which incurred expenses in excess of \$4.5 million.

Although there is a case pending in federal court challenging the constitutionality of the CVRA (*Higginson v. Xavier Becerra and the City of Poway*; Case No. 17 CV2032 WQHJLB, filed October 4, 2017), it is not anticipated that this litigation will be resolved during the so-called “safe harbor” period described below. Some cities involved in the case by filing amicus (friend of the court) briefs are still moving forward with the districting process while this federal litigation is ongoing. If the federal court issues an injunction against the enforcement of the CVRA prior to the City considering the adoption of districts, then the City can consider its options at this time. However, the federal court has given no indication when it will take any action in this matter.

Because of claims of abuses by some plaintiff’s attorneys in CVRA cases, the Legislature adopted AB 350 in 2016 to place a “safe harbor” cap of a maximum of \$30,000 on attorney’s fees that a plaintiff would be entitled to recover if the target city, within 45 days of receipt of the plaintiff’s properly served demand letter, adopts a Resolution of Intent to consider an ordinance to establish a district-based election system, and then adopts such an ordinance within 90 days following the date it adopted the Resolution of Intent.

That 90-day period to adopt the ordinance includes the following steps:

Public Hearing Regarding Draft Maps for Possible City Council Districts

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- 1) Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City Council would hold at least two public hearings over a period of no more than 30 days, at which time the public will be invited to provide input regarding the composition of the districts. (Election Code §10010(a)(1).)
- 2) After the draft maps are drawn, the City would publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections would also be published. (Election Code §10010(a)(2).)
- 3) The City Council would hold at least two additional public hearings over a period of no more than 45 days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. (*Id.*)
- 4) The first version of a draft map is required to be published at least seven days before consideration at a public hearing. If a draft map is revised at or following a public hearing, it is required to be published and made available to the public for at least seven days before being adopted. (*Id.*)

At its November 27, 2017 meeting, the City Council adopted Resolution No. 15,068, which indicated the City's intent to consider transitioning from at-large elections to district elections for members of the City Council pursuant to Elections Code Section 10010.

On December 12, 2017, the City Council held the first of two public hearings over a period of no more than 30 days for the public to provide input regarding the composition of the proposed City Council districts. Under state law, these public hearings are required to occur prior to the City's drawing of a draft map or maps of the proposed boundaries of the districts.

At the December 12, 2017 City Council meeting, demographer Robert McEntire from National Demographics, the firm selected to provide demographic services relating to the drawing of the districts, provided an overview of the districting process and previewed the online interactive system that allow the public to draw and submit proposed districting plans for the City Council's consideration. A total of 14 members of the public also provided public comments at the December 12, 2017 City Council meeting relating to this matter.

At the January 3, 2018 special City Council meeting held at the South Oxnard Community Center, demographer Douglas Johnson from National Demographics provided an overview of the districting process and the tools that are available that allow the public to draw and submit proposed districting plans for the City Council's consideration. A total of 25 members of the public also provided public comments at the January 3, 2018 special City Council meeting.

As of the January 5, 2018 deadline to submit maps, a total of 65 draft maps were submitted by members of the public and not withdrawn. In addition, the City's demographer prepared two additional maps for the City Council's consideration. Of the maps submitted, 39 maps met the

Public Hearing Regarding Draft Maps for Possible City Council Districts

February 7, 2018

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basic qualifications of number of districts (four, six or eight), contiguous district boundaries, and population balanced. In addition, one partial map was also submitted based upon a six-district map, with only one district drawn. PDFs of these maps can be viewed online at <https://www.oxnard.org/draft-district-maps> and using an online interactive viewer at <https://ndcresearch.maps.arcgis.com/apps/View/index.html?appid=0d19c1c2b61d44b280602d1ab0bab890>.

At the January 17, 2018 special City Council meeting, demographer Douglas Johnson gave an overview of the draft district maps that had been submitted by the January 5 deadline, and provided recommendations on the suggested four-district, six-district and eight district focus maps. Sixteen members of the public provided public comments regarding the maps.

In addition, the City held a Community Workshop on January 22, 2018 at 6:00 p.m. at the Oxnard Performing Arts and Convention Center's Hueneme Room to discuss the districting process and draft maps. The Inter-Neighborhood Council Organization (INCO) also held a special meeting on January 25, 2018 at 7:00 p.m. at City Council Chambers to discuss the districting process and the draft maps.

At the January 29, 2018 special City Council meeting, demographer Douglas Johnson provided an overview of the suggested four-district, six-district and eight district focus maps. After sixteen members of the public provided public comments, the City Council reached a consensus that the Council should focus its consideration on six-district maps. Members of the City Council then identified a total of five maps (616, 617, 626, 627 and 635) that they wished to focus on for future consideration.

ANALYSIS

Tonight's public hearing will be the fifth of six public hearings that will be held regarding the districting process. At this public hearing, the City Council will focus on five different maps (616, 617, 626, 627 and 635) for possible adoption. Each of these maps proposes six City Council districts.

The public can review these maps in detail online at <https://www.oxnard.org/draft-district-maps> or using the City's online interactive tool at <http://www.arcgis.com/apps/View/index.html?appid=0d19c1c2b61d44b280602d1ab0bab890> so that they can provide input to the City Council regarding which map or maps they believe would best serve the public's interest.

The final scheduled public hearing will include the proposed sequencing of elections for each of the districts, in addition to a discussion regarding the maps. The final public hearing is scheduled for February 20, 2018 at the City Council Chambers.

The City Council is scheduled to hold a public hearing on February 27, 2018 to consider an ordinance designating districts and the timing of elections in each district (i.e., either November

Public Hearing Regarding Draft Maps for Possible City Council Districts

February 7, 2018

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2018 or November 2020). If a majority of the City Council votes for the ordinance, the City Council will consider the second reading and adoption of the ordinance the following week. If adopted, it is anticipated that the new City Council districts would not become effective until the November 2018 election, with the specific date on which a councilmember would be elected from each new district provided for in the ordinance.

STRATEGIC PRIORITIES

Not applicable.

FINANCIAL IMPACT

There is no specific financial impact from tonight's public hearing, although the consideration of transitioning to a district-based election system will take significant staff time and involves the use of a demographer to attend specific public hearings and provide online public outreach tools included in the scope of services.

ATTACHMENTS

Attachment A - Five Focus Maps (616, 617, 626, 627 and 635) with demographic information.

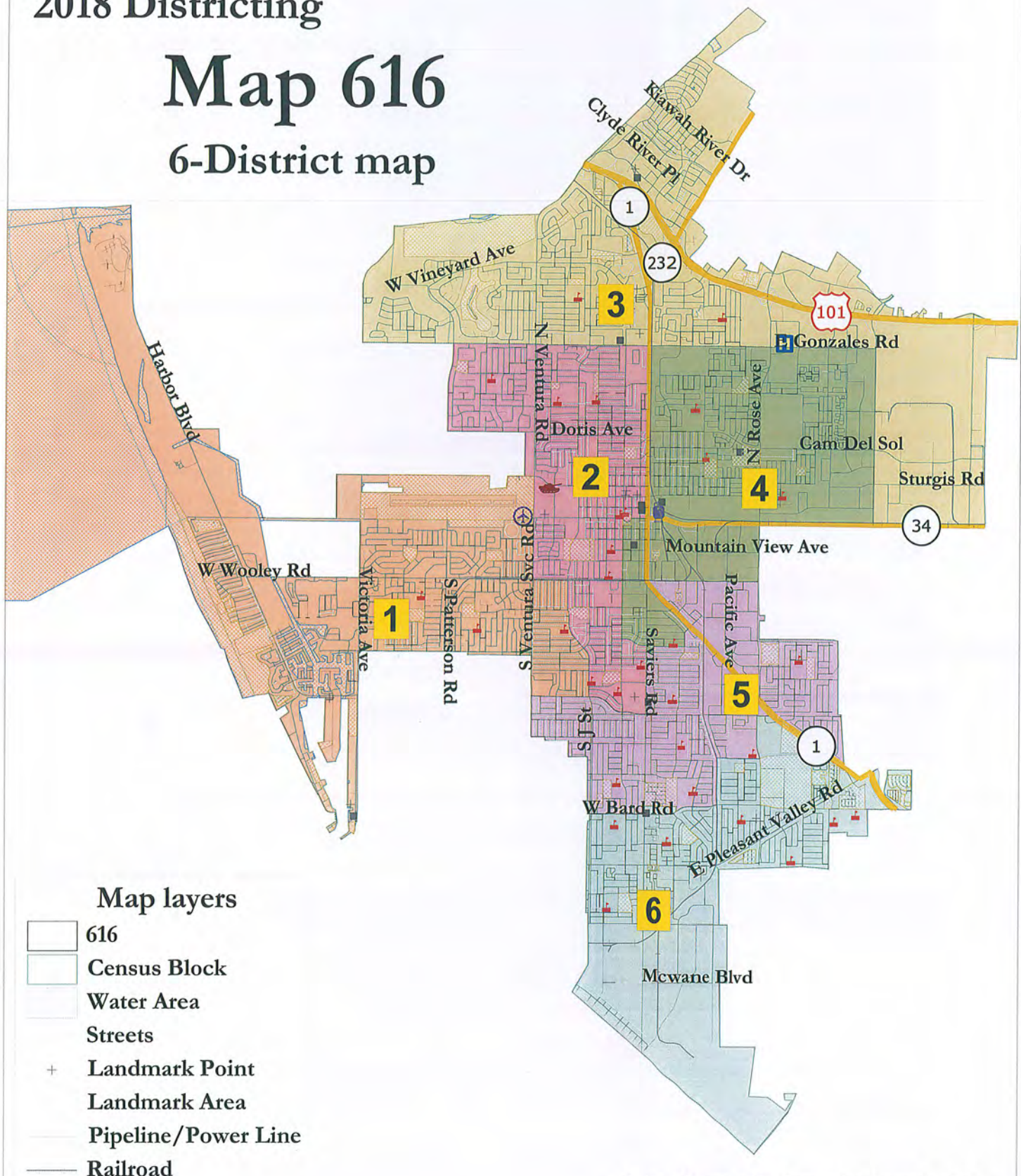
ATTACHMENTS:

Five Focus Maps (616, 617, 626, 627 and 635) with demographic information

City of Oxnard
2018 Districting

Map 616

6-District map



National Demographics Corporation, January 8, 2018

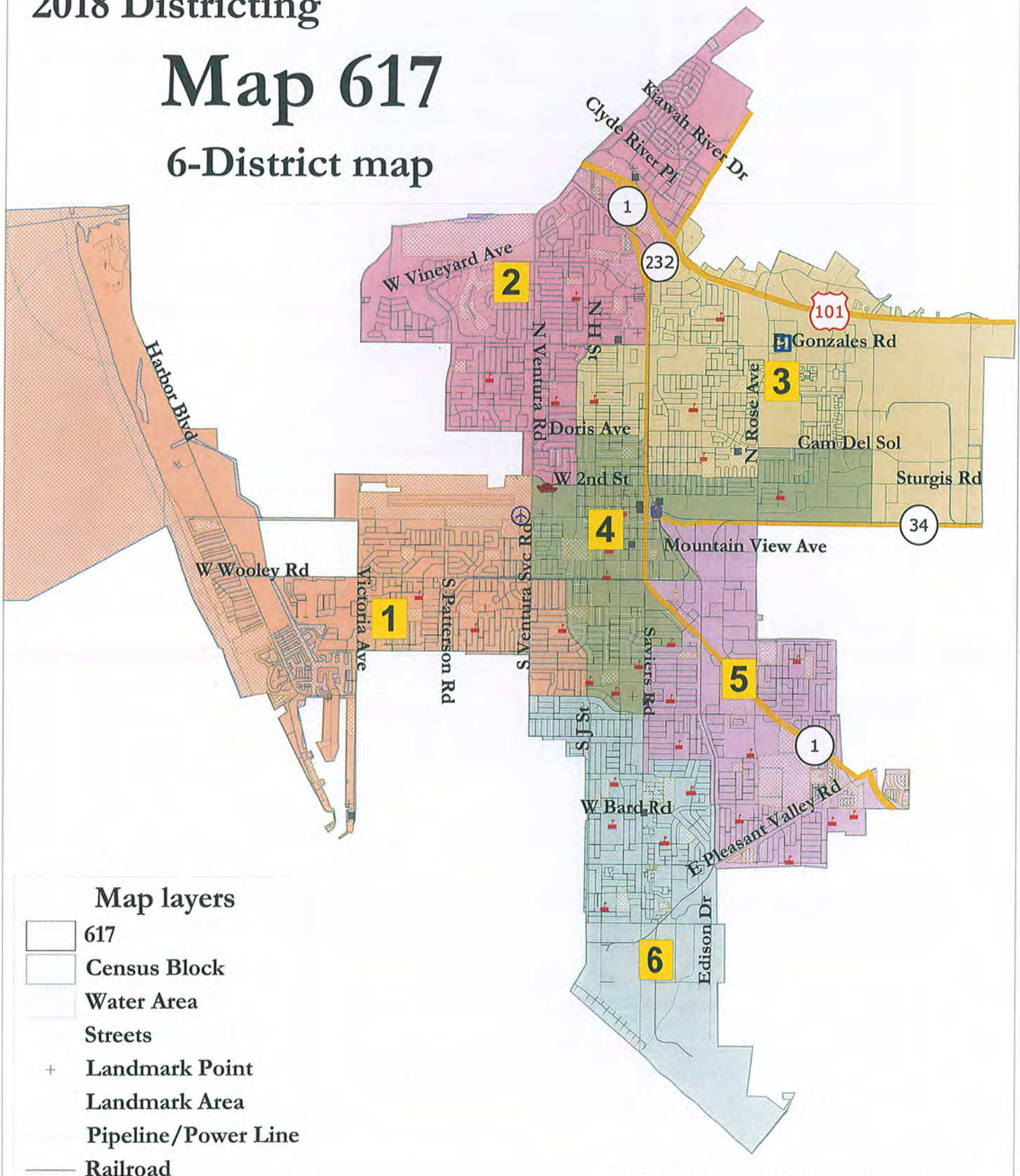
ATTACHMENT A

City of Oxnard - Map 616 demographics								
District		1	2	3	4	5	6	Total
Ideal	Total Pop	32,111	34,072	31,404	34,270	33,415	32,633	197,905
32,984	Deviation from ideal	-873	1,088	-1,580	1,286	431	-351	2,866
	% Deviation	-2.65%	3.30%	-4.79%	3.90%	1.31%	-1.06%	8.69%
Total Pop	% Hisp	56%	77%	65%	81%	85%	76%	74%
	% NH White	32%	14%	22%	7%	7%	8%	15%
	% NH Black	3%	3%	3%	2%	1%	2%	3%
	% Asian-American	6%	4%	9%	9%	6%	13%	8%
Citizen Voting Age Pop	Total	20,901	17,635	19,996	15,204	14,643	13,381	101,758
	% Hisp	44%	65%	56%	72%	74%	53%	60%
	% NH White	42%	24%	28%	12%	11%	19%	24%
	% NH Black	6%	4%	4%	4%	2%	5%	4%
	% Asian/Pac.Is.	7%	6%	11%	12%	12%	21%	11%
Voter Registration (Nov 2016)	Total	16,652	13,101	15,512	12,522	11,650	10,267	79,705
	% Latino est.	46%	68%	55%	78%	84%	72%	65%
	% Asian-Surnamed	2%	2%	3%	3%	1%	2%	2%
	% Filipino-Surnamed	2%	2%	3%	4%	3%	6%	3%
	% NH White est.	44%	24%	30%	12%	10%	17%	25%
	% NH Black	5%	3%	7%	3%	1%	3%	4%
Voter Turnout (Nov 2016)	Total	12,681	9,394	11,638	8,581	8,045	6,941	57,281
	% Latino	44%	65%	53%	78%	83%	70%	63%
	% Asian-Surnamed	2%	2%	3%	2%	1%	2%	2%
	% Filipino-Surnamed	2%	2%	3%	4%	4%	6%	3%
	% NH White est.	47%	27%	32%	12%	11%	19%	27%
	% NH Black	5%	4%	8%	3%	1%	3%	4%
Voter Turnout (Nov 2014)	Total	7,103	4,934	5,493	3,973	3,983	3,449	28,934
	% Latino	35%	54%	43%	73%	74%	60%	53%
	% Asian-Surnamed	2%	2%	3%	3%	1%	2%	2%
	% Filipino-Surnamed	2%	2%	2%	4%	4%	8%	3%
	% NH White est.	56%	36%	42%	16%	17%	25%	35%
	% NH Black est.	5%	6%	7%	4%	2%	4%	5%
ACS Pop. Est.	Total	32,029	34,167	35,206	35,021	34,467	32,706	203,596
Age	age0-19	26%	32%	31%	33%	33%	34%	32%
	age20-60	56%	53%	57%	57%	56%	55%	56%
	age60plus	18%	15%	12%	10%	11%	11%	13%
Immigration	immigrants	23%	33%	29%	44%	45%	46%	37%
	naturalized	47%	36%	45%	36%	36%	31%	37%
Language spoken at home	english	52%	34%	43%	22%	17%	23%	32%
	spanish	43%	63%	49%	71%	75%	65%	61%
	asian-lang	3%	3%	6%	6%	6%	10%	6%
	other lang	2%	0%	1%	1%	2%	2%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	18%	30%	23%	38%	43%	42%	32%
Education (among those age 25+)	hs-grad	53%	52%	53%	46%	45%	47%	49%
	bachelor	17%	11%	17%	9%	7%	9%	12%
	graduatedegree	9%	3%	7%	4%	1%	2%	5%
Child in Household	child-under18	30%	42%	44%	48%	48%	46%	42%
Pct of Pop. Age 16+	employed	62%	60%	65%	62%	60%	60%	62%
Household Income	income 0-25k	11%	21%	14%	17%	15%	20%	16%
	income 25-50k	18%	26%	20%	26%	26%	30%	24%
	income 50-75k	22%	20%	19%	19%	24%	21%	21%
	income 75-200k	44%	29%	41%	35%	33%	28%	36%
	income 200k-plus	6%	3%	5%	4%	3%	1%	4%
Housing Stats	single family	79%	63%	67%	76%	83%	66%	72%
	multi-family	21%	37%	33%	24%	17%	34%	28%
	rented	36%	55%	44%	48%	36%	52%	45%
	owned	64%	45%	56%	52%	64%	48%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								

City of Oxnard
2018 Districting

Map 617

6-District map



National Demographics Corporation, January 8, 2018

City of Oxnard - Map 617 demographics								
District		1	2	3	4	5	6	Total
Ideal	Total Pop	32,111	34,308	32,501	32,776	32,816	33,393	197,905
32,984	Deviation from ideal	-873	1,324	-483	-208	-168	409	2,197
	% Deviation	-2.65%	4.01%	-1.46%	-0.63%	-0.51%	1.24%	6.66%
Total Pop	% Hisp	56%	62%	73%	89%	79%	82%	74%
	% NH White	32%	24%	12%	6%	8%	7%	15%
	% NH Black	3%	4%	3%	2%	2%	2%	3%
	% Asian-American	6%	9%	11%	2%	11%	8%	8%
Citizen Voting Age Pop	Total	20,901	22,681	17,874	12,204	14,903	13,194	101,758
	% Hisp	44%	55%	63%	79%	64%	64%	60%
	% NH White	42%	29%	18%	14%	15%	15%	24%
	% NH Black	6%	4%	4%	4%	3%	4%	4%
	% Asian/Pac.Isl.	7%	10%	14%	2%	17%	15%	11%
Voter Registration (Nov 2016)	Total	16,652	17,525	13,619	9,992	11,958	9,960	79,705
	% Latino est.	46%	53%	70%	84%	79%	77%	65%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	2%	5%	4%	3%
	% NH White est.	44%	33%	19%	10%	12%	14%	25%
	% NH Black	5%	7%	3%	2%	2%	2%	4%
Voter Turnout (Nov 2016)	Total	12,681	13,265	9,579	6,769	8,300	6,686	57,281
	% Latino	44%	50%	69%	83%	77%	76%	63%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	1%	5%	4%	3%
	% NH White est.	47%	35%	20%	11%	14%	15%	27%
	% NH Black	5%	8%	4%	2%	2%	2%	4%
Voter Turnout (Nov 2014)	Total	7,103	6,607	4,526	3,242	4,208	3,248	28,934
	% Latino	35%	40%	62%	77%	68%	67%	53%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	1%	7%	5%	3%
	% NH White est.	56%	46%	26%	16%	20%	22%	35%
	% NH Black est.	5%	7%	5%	4%	3%	4%	5%
ACS Pop. Est.	Total	32,029	38,131	34,161	31,956	33,590	33,729	203,596
Age	age0-19	26%	30%	32%	34%	32%	35%	32%
	age20-60	56%	56%	58%	53%	55%	55%	56%
	age60plus	18%	14%	10%	12%	12%	10%	13%
Immigration	immigrants	23%	26%	38%	44%	46%	45%	37%
	naturalized	47%	46%	44%	28%	37%	30%	37%
Language spoken at home	english	52%	47%	30%	19%	19%	21%	32%
	spanish	43%	47%	61%	78%	70%	70%	61%
	asian-lang	3%	5%	8%	2%	9%	7%	6%
	other lang	2%	1%	1%	1%	2%	2%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	18%	21%	29%	42%	41%	43%	32%
Education (among those age 25+)	hs-grad	53%	53%	53%	44%	48%	44%	49%
	bachelor	17%	18%	12%	5%	8%	7%	12%
	graduatedegree	9%	7%	5%	2%	1%	2%	5%
Child in Household	child-under18	30%	41%	48%	45%	43%	51%	42%
Pct of Pop. Age 16+	employed	62%	65%	64%	59%	60%	59%	62%
Household Income	income 0-25k	11%	15%	11%	27%	16%	19%	16%
	income 25-50k	18%	21%	19%	33%	29%	27%	24%
	income 50-75k	22%	20%	18%	20%	21%	23%	21%
	income 75-200k	44%	39%	46%	18%	32%	29%	36%
	income 200k-plus	6%	5%	5%	2%	2%	2%	4%
Housing Stats	single family	79%	65%	83%	58%	80%	68%	72%
	multi-family	21%	35%	17%	42%	20%	32%	28%
	rented	36%	46%	38%	65%	38%	51%	45%
	owned	64%	54%	62%	35%	62%	49%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								

City of Oxnard
2018 Districting

Map 626

6-District map

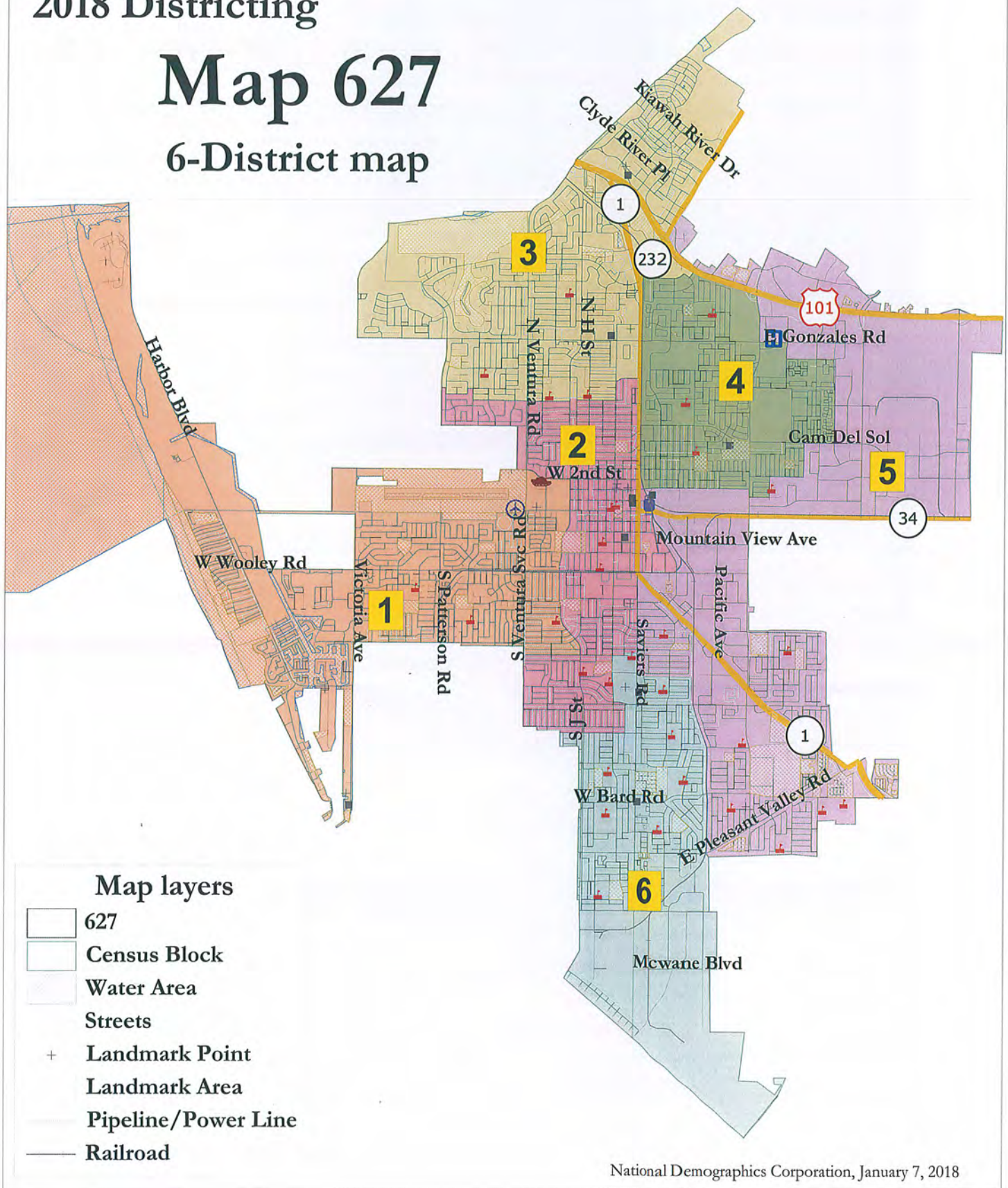


National Demographics Corporation, January 7, 2018

City of Oxnard - Map 626 demographics								
District		1	2	3	4	5	6	Total
Ideal	Total Pop	33,251	32,793	32,596	32,634	33,281	33,350	197,905
32,984	Deviation from ideal	267	-191	-388	-350	297	366	754
	% Deviation	0.81%	-0.58%	-1.18%	-1.06%	0.90%	1.11%	2.29%
Total Pop	% Hisp	55%	64%	67%	84%	82%	88%	74%
	% NH White	33%	22%	16%	6%	6%	6%	15%
	% NH Black	3%	4%	3%	1%	2%	2%	3%
	% Asian-American	7%	8%	12%	8%	9%	3%	8%
Citizen Voting Age Pop	Total	21,639	21,022	19,502	13,624	12,828	13,144	101,758
	% Hisp	43%	55%	60%	70%	68%	75%	60%
	% NH White	43%	30%	21%	13%	13%	11%	24%
	% NH Black	5%	4%	3%	4%	2%	5%	4%
	% Asian/Pac.Isl.	7%	10%	14%	13%	16%	7%	11%
Voter Registration (Nov 2016)	Total	16,689	16,482	14,849	11,205	10,396	10,085	79,705
	% Latino est.	43%	53%	66%	84%	79%	86%	65%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	4%	5%	2%	3%
	% NH White est.	47%	31%	23%	9%	12%	9%	25%
	% NH Black	5%	8%	4%	2%	2%	2%	4%
Voter Turnout (Nov 2016)	Total	12,730	12,506	10,552	7,740	6,891	6,862	57,281
	% Latino	41%	51%	65%	82%	78%	86%	63%
	% Asian-Surnamed	2%	3%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	3%	4%	4%	5%	2%	3%
	% NH White est.	50%	34%	25%	10%	13%	9%	27%
	% NH Black	6%	8%	4%	2%	2%	2%	4%
Voter Turnout (Nov 2014)	Total	7,080	6,306	4,989	3,720	3,473	3,366	28,934
	% Latino	32%	41%	56%	76%	68%	79%	53%
	% Asian-Surnamed	2%	3%	3%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	5%	6%	2%	3%
	% NH White est.	59%	45%	32%	15%	19%	15%	35%
	% NH Black est.	5%	8%	5%	2%	4%	3%	5%
ACS Pop. Est.	Total	33,309	35,877	35,162	32,945	33,313	32,989	203,596
Age	age0-19	26%	30%	31%	33%	35%	34%	32%
	age20-60	56%	55%	59%	55%	55%	55%	56%
	age60plus	18%	15%	10%	13%	10%	11%	13%
Immigration	immigrants	23%	26%	34%	49%	45%	43%	37%
	naturalized	49%	46%	48%	32%	33%	26%	37%
Language spoken at home	english	53%	46%	35%	15%	20%	20%	32%
	spanish	41%	48%	55%	76%	71%	76%	61%
	asian-lang	4%	5%	8%	7%	8%	3%	6%
	other lang	2%	1%	1%	2%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	17%	22%	25%	46%	43%	43%	32%
Education (among those age 25+)	hs-grad	55%	53%	56%	43%	47%	42%	49%
	bachelor	17%	16%	15%	7%	7%	5%	12%
	graduatedegree	9%	7%	6%	1%	2%	1%	5%
Child in Household	child-under18	31%	41%	46%	43%	50%	51%	42%
Pct of Pop. Age 16+	employed	62%	63%	66%	59%	59%	61%	62%
Household Income	income 0-25k	14%	18%	9%	19%	20%	18%	16%
	income 25-50k	19%	22%	19%	30%	28%	28%	24%
	income 50-75k	21%	17%	21%	20%	22%	24%	21%
	income 75-200k	41%	39%	46%	28%	28%	25%	36%
	income 200k-plus	5%	5%	5%	2%	1%	3%	4%
Housing Stats	single family	71%	66%	77%	76%	74%	73%	72%
	multi-family	29%	34%	23%	24%	26%	27%	28%
	rented	44%	47%	39%	46%	48%	50%	45%
	owned	56%	53%	61%	54%	52%	50%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								

City of Oxnard 2018 Districting

Map 627 6-District map

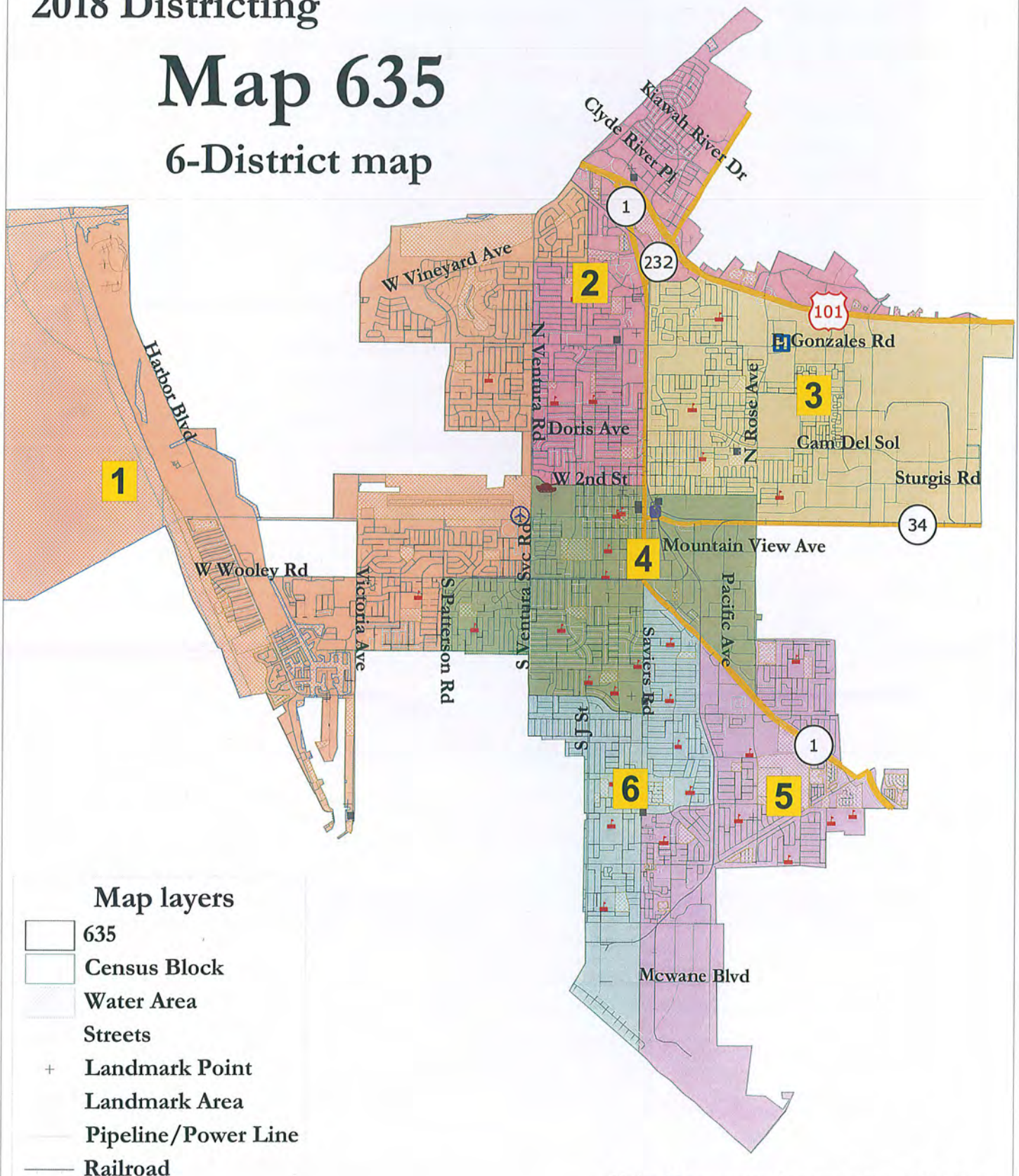


National Demographics Corporation, January 7, 2018

City of Oxnard - Map 627 demographics								
District		1	2	3	4	5	6	Total
Ideal	Total Pop	33,185	33,070	33,237	33,200	32,362	32,851	197,905
32,984	Deviation from ideal	201	86	253	216	-622	-133	875
	% Deviation	0.61%	0.26%	0.77%	0.65%	-1.89%	-0.40%	2.65%
Total Pop	% Hisp	56%	84%	62%	78%	78%	83%	74%
	% NH White	32%	10%	24%	9%	8%	7%	15%
	% NH Black	3%	2%	4%	2%	2%	2%	3%
	% Asian-American	6%	3%	8%	10%	11%	8%	8%
Citizen Voting Age Pop	Total	21,390	15,283	21,775	16,226	14,175	12,910	101,758
	% Hisp	43%	75%	54%	69%	62%	66%	60%
	% NH White	43%	16%	31%	13%	16%	14%	24%
	% NH Black	6%	3%	4%	4%	3%	4%	4%
	% Asian/Pac.Isl.	7%	4%	10%	14%	18%	15%	11%
Voter Registration (Nov 2016)	Total	16,920	11,619	16,511	13,171	11,550	9,934	79,705
	% Latino est.	46%	77%	52%	76%	78%	78%	65%
	% Asian-Surnamed	2%	1%	3%	3%	1%	1%	2%
	% Filipino-Surnamed	2%	2%	3%	4%	5%	4%	3%
	% NH White est.	45%	16%	33%	15%	13%	13%	25%
	% NH Black	5%	3%	7%	3%	2%	2%	4%
Voter Turnout (Nov 2016)	Total	12,912	8,082	12,474	9,187	7,983	6,642	57,281
	% Latino	43%	76%	50%	75%	76%	77%	63%
	% Asian-Surnamed	2%	1%	3%	3%	1%	1%	2%
	% Filipino-Surnamed	2%	2%	2%	4%	6%	4%	3%
	% NH White est.	48%	18%	35%	15%	14%	14%	27%
	% NH Black	5%	3%	8%	3%	2%	2%	4%
Voter Turnout (Nov 2014)	Total	7,161	4,154	6,251	4,252	3,918	3,197	28,934
	% Latino	34%	65%	40%	70%	67%	68%	53%
	% Asian-Surnamed	2%	1%	3%	3%	1%	1%	2%
	% Filipino-Surnamed	2%	2%	2%	4%	7%	5%	3%
	% NH White est.	57%	26%	45%	19%	21%	21%	35%
	% NH Black est.	5%	5%	8%	4%	3%	4%	5%
ACS Pop. Est.	Total	33,164	32,671	37,140	34,563	32,954	33,103	203,596
Age	age0-19	26%	33%	30%	32%	33%	35%	32%
	age20-60	56%	54%	56%	58%	55%	55%	56%
	age60plus	18%	14%	13%	10%	12%	10%	13%
Immigration	immigrants	23%	37%	26%	43%	46%	46%	37%
	naturalized	47%	32%	46%	40%	37%	29%	37%
Language spoken at home	english	52%	26%	47%	24%	20%	20%	32%
	spanish	43%	71%	47%	68%	69%	71%	61%
	asian-lang	4%	3%	5%	8%	9%	7%	6%
	other lang	2%	0%	1%	1%	2%	2%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	18%	36%	21%	36%	41%	45%	32%
Education (among those age 25+)	hs-grad	53%	49%	53%	48%	47%	44%	49%
	bachelor	17%	7%	18%	10%	9%	7%	12%
	graduatedegree	9%	2%	7%	5%	1%	1%	5%
Child in Household	child-under18	31%	44%	42%	49%	43%	52%	42%
Pct of Pop. Age 16+	employed	62%	59%	65%	63%	60%	60%	62%
Household Income	income 0-25k	12%	22%	15%	14%	16%	20%	16%
	income 25-50k	19%	29%	20%	22%	30%	27%	24%
	income 50-75k	21%	21%	21%	18%	20%	23%	21%
	income 75-200k	43%	25%	40%	42%	33%	28%	36%
	income 200k-plus	6%	3%	5%	5%	2%	2%	4%
Housing Stats	single family	76%	66%	65%	82%	79%	68%	72%
	multi-family	24%	34%	35%	18%	21%	32%	28%
	rented	39%	56%	45%	41%	39%	53%	45%
	owned	61%	44%	55%	59%	61%	47%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								

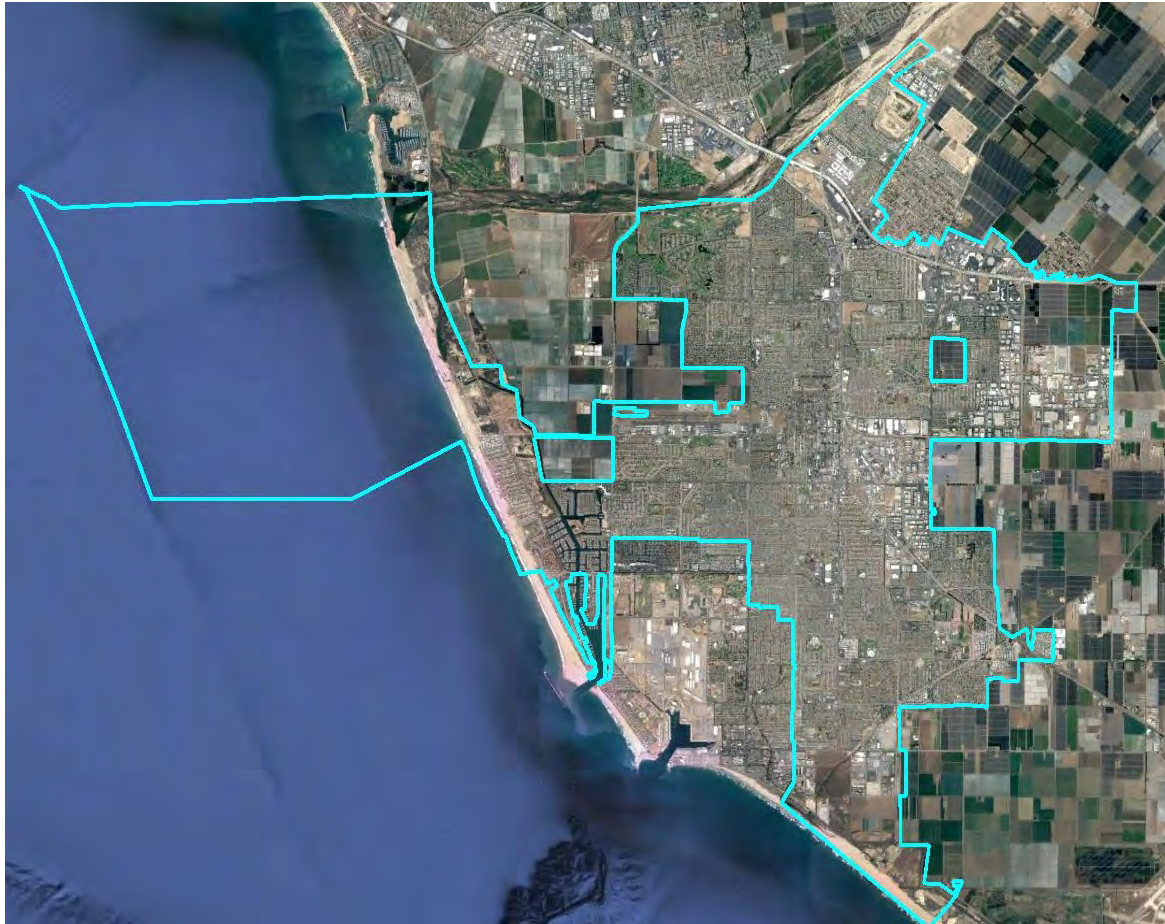
City of Oxnard 2018 Districting

Map 635 6-District map



National Demographics Corporation, January 10, 2018

City of Oxnard - Map 635 demographics								
District		1	2	3	4	5	6	Total
Ideal	Total Pop	32,446	32,405	33,679	32,087	33,092	34,196	197,905
32,984	Deviation from ideal	-538	-579	695	-897	108	1,212	2,109
	% Deviation	-1.63%	-1.76%	2.11%	-2.72%	0.33%	3.67%	6.39%
Total Pop	% Hisp	44%	72%	78%	85%	74%	87%	74%
	% NH White	40%	18%	9%	9%	8%	7%	15%
	% NH Black	4%	4%	2%	3%	2%	1%	3%
	% Asian-American	10%	5%	10%	2%	15%	4%	8%
Citizen Voting Age Pop	Total	23,679	19,255	16,409	13,836	15,383	13,196	101,758
	% Hisp	38%	61%	69%	74%	57%	73%	60%
	% NH White	45%	27%	13%	17%	16%	13%	24%
	% NH Black	6%	3%	3%	5%	3%	3%	4%
	% Asian/Pac.Isl.	10%	7%	14%	4%	22%	9%	11%
Voter Registration (Nov 2016)	Total	18,732	14,298	13,436	10,955	12,210	10,074	79,705
	% Latino est.	38%	61%	76%	79%	73%	84%	65%
	% Asian-Surnamed	3%	2%	3%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	2%	7%	2%	3%
	% NH White est.	50%	27%	14%	14%	16%	10%	25%
	% NH Black	7%	6%	3%	3%	2%	1%	4%
Voter Turnout (Nov 2016)	Total	14,769	10,287	9,367	7,627	8,492	6,738	57,281
	% Latino	36%	58%	75%	78%	72%	83%	63%
	% Asian-Surnamed	3%	2%	3%	1%	1%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	2%	7%	2%	3%
	% NH White est.	52%	29%	15%	15%	17%	11%	27%
	% NH Black	7%	6%	3%	3%	3%	2%	4%
Voter Turnout (Nov 2014)	Total	8,673	4,701	4,342	3,687	4,232	3,299	28,934
	% Latino	27%	50%	71%	71%	63%	74%	53%
	% Asian-Surnamed	2%	2%	3%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	2%	4%	2%	8%	3%	3%
	% NH White est.	61%	38%	19%	21%	23%	18%	35%
	% NH Black est.	7%	6%	4%	4%	4%	3%	5%
ACS Pop. Est.	Total	33,640	35,449	35,059	30,928	33,821	34,699	203,596
Age	age0-19	25%	32%	32%	33%	33%	35%	32%
	age20-60	56%	56%	58%	54%	55%	55%	56%
	age60plus	20%	12%	10%	13%	12%	10%	13%
Immigration	immigrants	21%	28%	43%	37%	45%	46%	37%
	naturalized	60%	37%	39%	30%	39%	28%	37%
Language spoken at home	english	61%	41%	24%	25%	22%	19%	32%
	spanish	32%	55%	68%	72%	66%	75%	61%
	asian-lang	5%	4%	8%	2%	11%	5%	6%
	other lang	2%	1%	1%	1%	2%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	14%	25%	36%	36%	40%	45%	32%
Education (among those age 25+)	hs-grad	53%	54%	48%	48%	50%	42%	49%
	bachelor	21%	15%	10%	6%	9%	7%	12%
	graduatedegree	11%	4%	5%	2%	2%	1%	5%
Child in Household	child-under18	31%	42%	49%	44%	43%	52%	42%
Pct of Pop. Age 16+	employed	64%	63%	63%	59%	59%	61%	62%
Household Income	income 0-25k	10%	19%	14%	21%	15%	20%	16%
	income 25-50k	16%	23%	22%	29%	29%	27%	24%
	income 50-75k	20%	22%	18%	21%	22%	22%	21%
	income 75-200k	47%	34%	42%	25%	33%	29%	36%
	income 200k-plus	7%	2%	5%	3%	1%	2%	4%
Housing Stats	single family	78%	58%	82%	69%	77%	72%	72%
	multi-family	22%	42%	18%	31%	23%	28%	28%
	rented	35%	55%	42%	54%	41%	48%	45%
	owned	65%	45%	58%	46%	59%	52%	55%
Total population data from the 2010 Decennial Census.								
Surname-based Voter Registration and Turnout data from the California Statewide Database.								
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.								



City of Oxnard

Consideration of By-District Elections

February 7, 2018

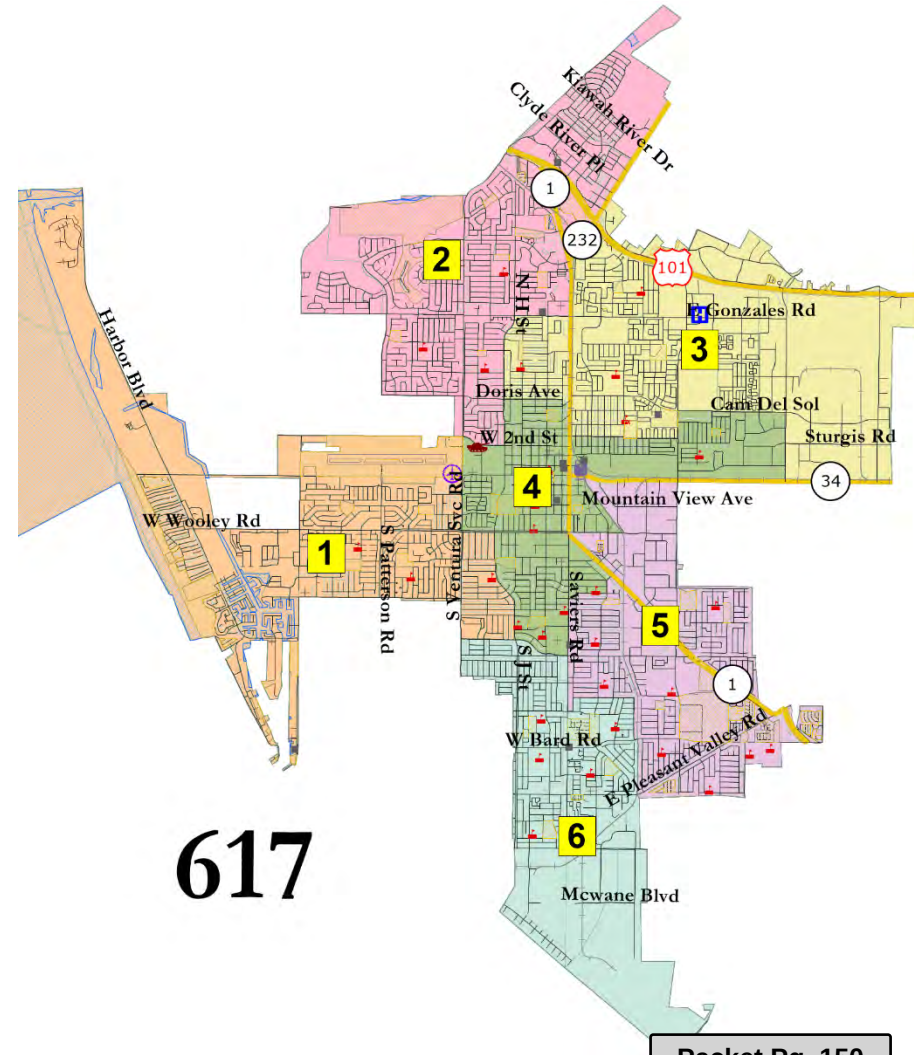
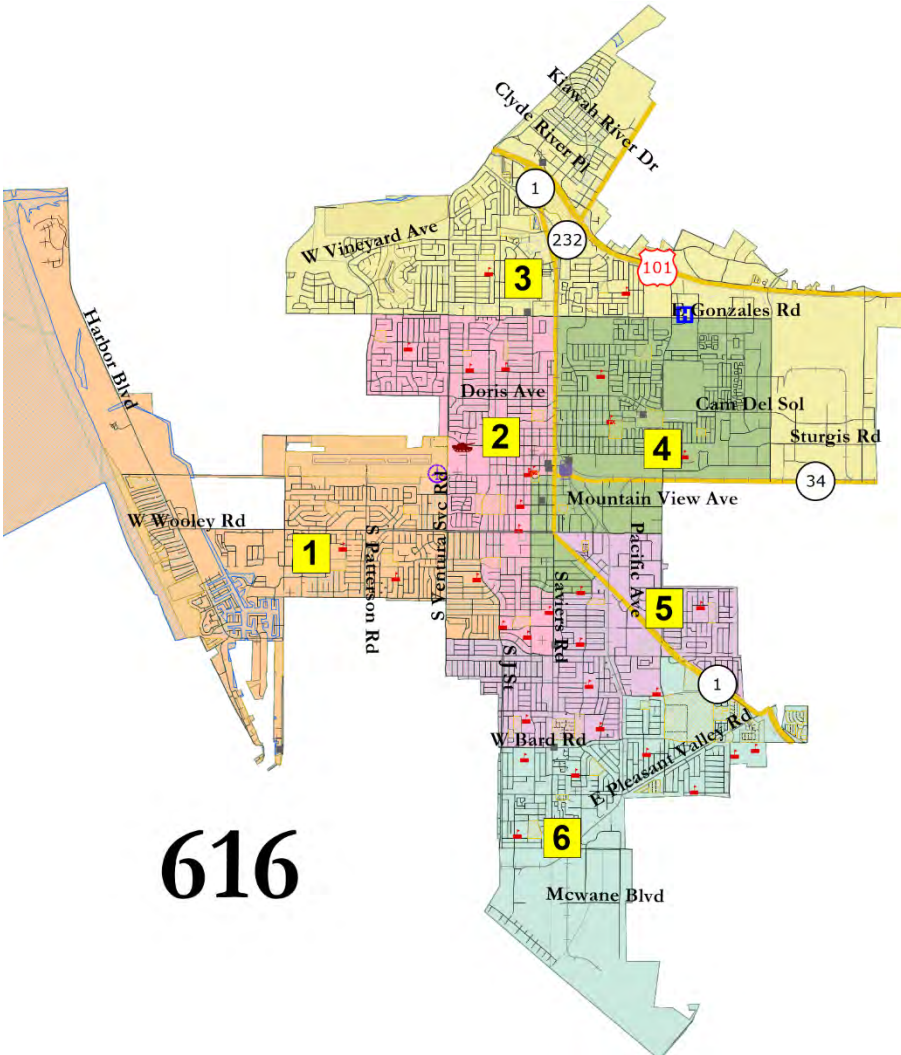
Summary of Maps

2

- ❑ 72 maps submitted, 7 withdrawn
- ❑ 37 met legal requirements, plus 2 created by demographer
- ❑ 20 qualifying maps contained six districts
- ❑ 5 selected by Council as the “focus” of discussion
 - ❑ 616
 - ❑ 617
 - ❑ 626
 - ❑ 627
 - ❑ 635

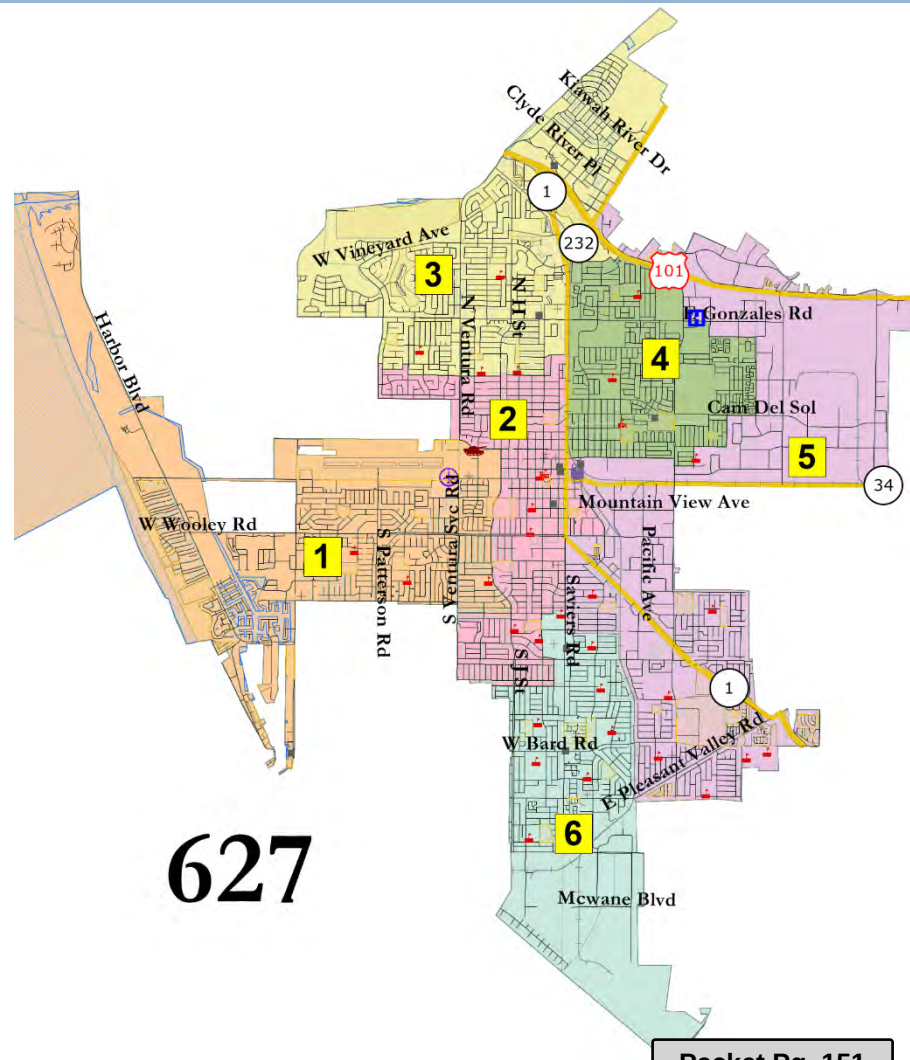
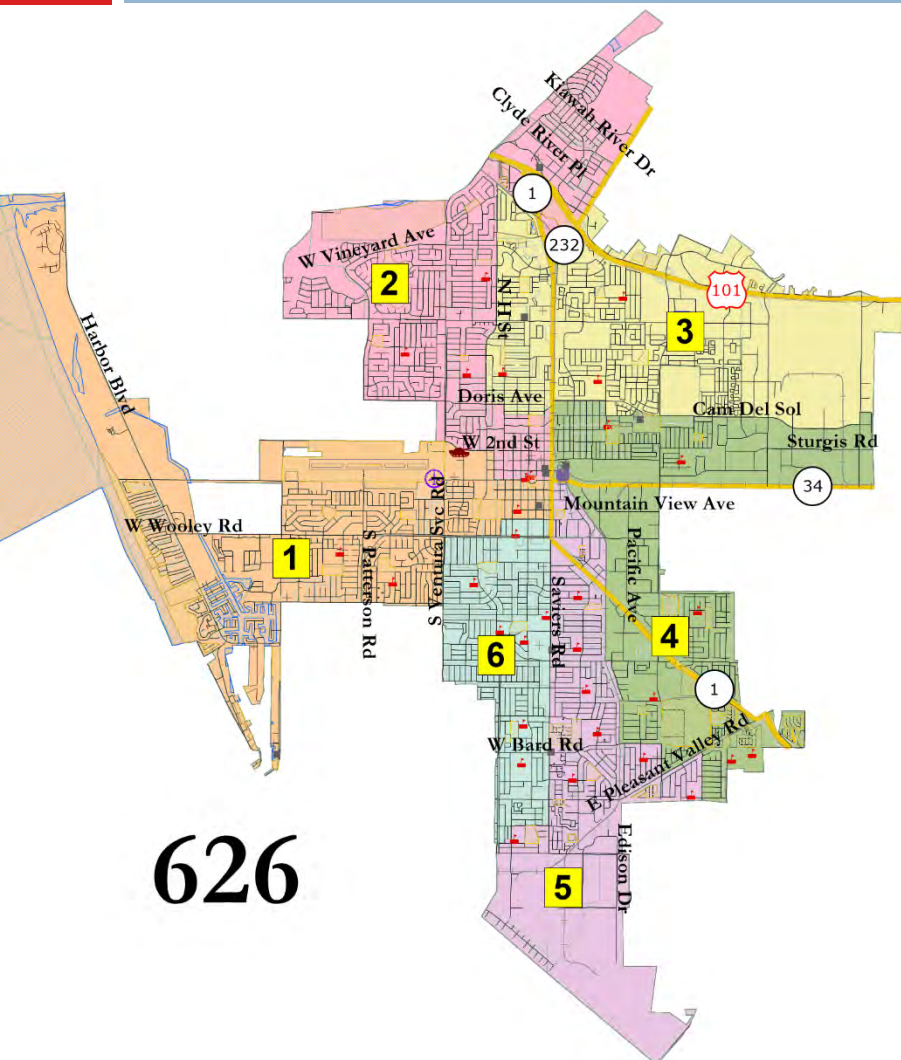
Focus Maps 616 and 617

3



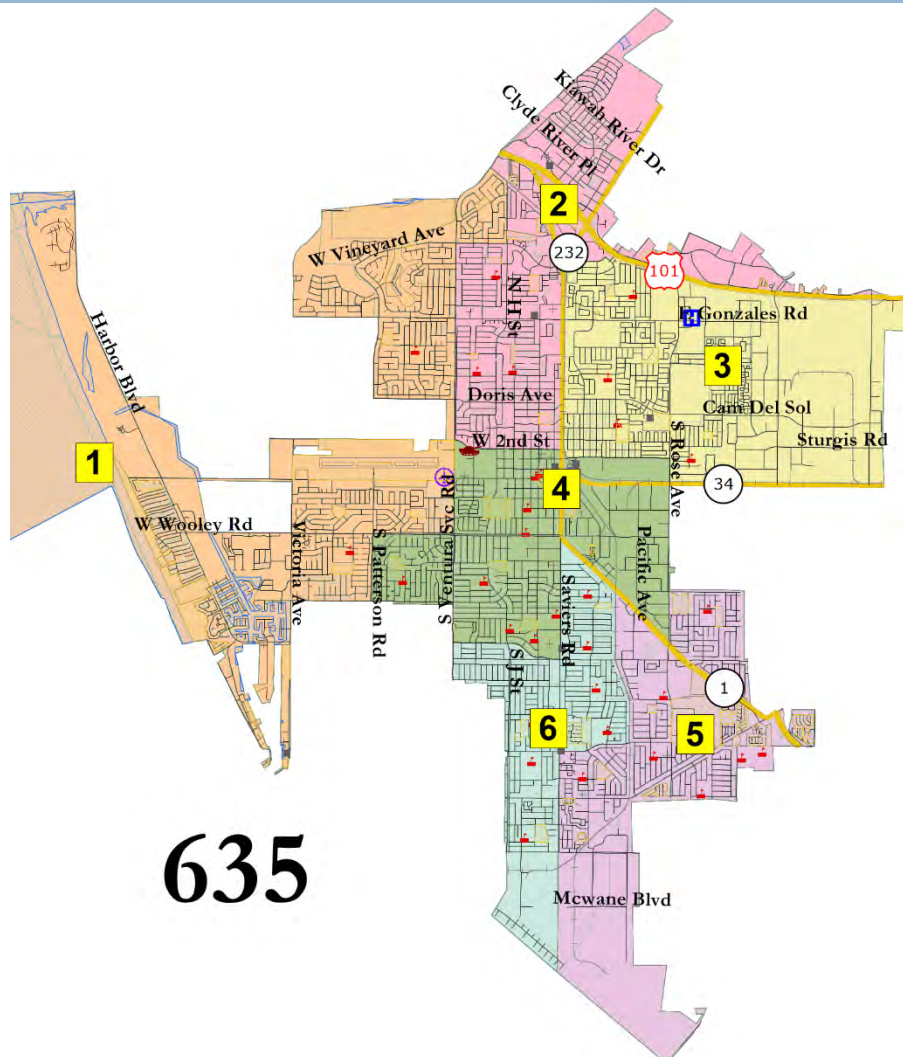
Focus Maps 626 and 627

4



Focus Map 635

5



635

Remaining Steps

6

- ❑ Public Hearing and possible additional direction tonight
- ❑ Public Hearing, final map selection, and election sequencing for districts on February 20
- ❑ Council considers and introduces ordinance February 27
- ❑ Second reading March 6



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report
AGENDA ITEM NO.: 1

DATE: February 20, 2018

TO: City Council

FROM: Phillip Molina
City Treasurer

SUBJECT: Investment Policy and Annual Delegation of Investment Authority. (5/5/5)

CONTACT: Phillip Molina, City Treasurer
Phillip.Molina@oxnard.org, 385-7808

RECOMMENDATION:

That City Council adopt a resolution:

1. Adopting the 2018 Investment Policy for the City of Oxnard; and
2. Delegating investment authority to the City Treasurer.

DISCUSSION:

Government Code Section 53607 authorizes the City Council to delegate authority to invest funds and renew such delegation each year. On September 15, 1992, the City Council adopted Resolution No. 10,455, delegating to the City Treasurer the authority to invest and reinvest the City funds. Government Code Section 53646 provides that the City Treasurer may annually render to the City Council a statement of investment policy, which the City Council shall consider at a public meeting. The attached resolution (Attachment B) renews the City Treasurer's investment authority and adopts the annual Investment Policy.

The Investment Policy (Attachment A) uses the Municipal Treasurers Association of US and Canada suggested language and adapted it to Oxnard's needs. Additionally, suggestions from the CMTA raters, were taken into consideration in upgrading the City's investment policy. Adjustments were made to the verbiage in the prior years Annual Investment policy, specifically:

- **SCOPE:** a report on invested bond proceeds issued by the trustee can be added to monthly investment report;

- The addition of the Ventura County Investment Pool (VCIP) and CALTRUST consistent with Code section 53635;
- The resolution authorizing the Treasurer to invest with VCIP;
- City inter-fund loans will now have the same restrictions as provided in State law and requires the City Treasurer's written approval and the Council approval;
- All U.S. Treasury securities, and authorized pools will now be limited as prescribed by State law;
- The annual audit shall be performed by an "auditor" as defined in FASB and GASB (Financial Accounting Standards Board, and Government Accounting Standards Board);
- Performance standards will use LAIF (Local Agency Investment Fund) as a guide with the intent of generating a higher positive yield;
- Reporting now requires that the City Clerk also be provided copies of monthly, quarterly and annual reports when required to be prepared;
- I have eliminated the questionnaires, and certification forms for Banks, Savings & Loan, Brokers and Broker/Dealers as these are defined but need not be included as to form in the Investment Policy; and
- The California Government Codes have been updated as has the Glossary of terms.

Investment Procedures

The City of Oxnard's portfolio is conservative and planned with safety of principal as the first objective followed by provision for funds when needed. Yield is important after these two objectives have been met. The portfolio is diversified as to type of investment, financial institution and maturity. Securities with maturities of more than thirty days are delivered to the City's third-party safekeeping account. City funds are consolidated in the pooled money investment fund to provide maximum investment opportunity. Analysis of cash-flow provides data for anticipated income, clearance of outstanding checks, and dates for extraordinary expenditures to manage liquidity requirements.

Interest Earnings

Previous earnings were based on the fact that a long term cash-flow report was not available thus requiring the Treasurer to invest almost all funds with a very short horizon. The CFO and the Treasurer are working on developing a moving long term cash flow report, which when

Annual Investment Policy for 2018 (5/5/5)

February 20, 2018

Page 3

completed will allow for a more level ladder investment portfolio. Prior investment loaded the one year maturity horizon with 53% of all money invested. By the end of December that percentage was already reduced to 42% with the single biggest increase in the 5 year maturity group. It is expected that once the long term cash flow report becomes available a more detailed planned ladder investment approach could produce 100 to 200 basis points higher earnings.

GASB Reporting Requirements

Quarterly portfolio reports, stating market value of each investment, have not been presented to City Council for some time, but is a high priority again and will contain more detailed information than previously provided. As stated in the investment policy, instruments are purchased with defined maturities and with the intent of holding them to maturity thus receiving full value of the investment. Holding investments to maturity provides a stable portfolio with no actual loss of principal.

Effective Cash Management

The City Treasurer's Department is working to coordinate with the Finance Department General Accounting and other departments for amounts and payment dates of bond, interest, and other wired payments as well as anticipated payroll and accounts payable disbursements to develop cash flow reporting and liquidity needs.

California Municipal Treasurers' Association

The California Municipal Treasurer's Association (CMTA) is a valuable resource to the City. The Treasurer's continued attendance at the workshops and annual conference assist in being informed of the new legislation or investment instruments effecting municipalities in today's ever changing economy.

FINANCIAL IMPACT

The City's total cash and investments as of June 30, 2015 were \$119.9 million. Effective management and investment of these funds provide a positive financial benefit to the City.

ATTACHMENTS:

Attachment A: Annual Investment Policy 2018

Attachment B: Annual Investment Policy Resolution 2018

City of Oxnard, California
2018 Investment Policy
Adopted ~~January~~ February 20-23, 2018

1.0 INTRODUCTION

This statement is intended to provide guidelines for the prudent investment of surplus funds of the City of Oxnard and to outline the policies for maximizing the efficiency of the city's cash management system. It is the policy of the city to invest public funds in a manner that will provide high investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all state and local statutes governing the investment of public funds. The references to the City Treasurer shall include his or her designee. This policy does not include retirement, retiree health care savings/trust/plan(s) or deferred compensation plans.

2.0 SCOPE

This investment policy applies to the city's pooled investment fund, which includes the general fund, special revenue funds, capital project funds, enterprise funds, trust and agency funds, and internal service funds. This policy is generally applicable to bond proceeds with consideration given to specific provisions of each issuance. Reports of the investment of bond proceeds are issued monthly by the trustee and may be included in the city treasurer's monthly report of the pooled investment fund.

3.0 PRUDENCE-Reference Ca. Govt. Code 53600.3

Investments shall be made with judgment and care – under circumstances then prevailing – which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for the investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by city officials responsible for the investment of public funds shall be the "prudent investor" standard and shall be applied in the context of managing the overall city portfolio of funds. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual's security risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 INVESTMENT OBJECTIVES

The city's cash management system is designed to accurately monitor and forecast revenues and expenditures thus enabling the city treasurer to invest funds to the fullest extent possible. The City Treasurer maintains a diversified investment portfolio to accomplish the primary objectives of safety, liquidity and yield (in that order of priority).

Safety – The safety or risk associated with an investment refers to the potential loss of principal, accrued interest or a combination of these. The city seeks to mitigate credit risk by prequalifying and continuously monitoring financial institutions with which it will do business and by careful scrutiny of the credit worthiness of the investment instruments as well as the institutions. Such resources as FDIC bank ratings, Sheshunoff, Fitch, Moody's and Standard and Poor's rating services may be utilized for this

review. The city seeks to mitigate interest rate risk through diversification of instruments as well as maturities.

Liquidity – The city investment portfolio will be structured with sufficient liquidity to allow the city to meet its anticipated cash requirements. This will be accomplished through diversity of instruments to include those with active secondary markets, those which match maturities to expected cash needs and the State Local Agency Investment Fund (LAIF) with immediate withdrawal provisions.

Yield – A competitive market rate of return is the third objective of the city investment program after the fundamental requirements of safety and liquidity have been met.

5.0 DELEGATION OF AUTHORITY

California Government Code Section 53607 provides the authority for the legislative body of the local agency to invest the funds of the local agency or to delegate that authority to the Treasurer of the local agency. Effective January 1, 1997 such delegation is to be reviewed annually and may be renewed by the city council (Appendix 3, Section 53607).

City Council – Under City of Oxnard Resolution No. 10455, the City Council has authorized the City Treasurer to invest city funds in accordance with California Government Code Section 53600, et. seq. The City Treasurer will include review of the delegation of authority in the annual presentation of the investment policy to the city council.

City Treasurer – The execution of investment transactions on a daily basis will be conducted by the City Treasurer. The Assistant City Treasurer will execute transactions only as directed by the City Treasurer in the absence of the City Treasurer. The City Treasurer has established a system of controls and a segregation of responsibilities of investment functions to assure maintenance of internal control over the investment function. The City Treasurer may propose amendments to the city's investment policy, guidelines and procedures at any time in order to carry out the duties as chief investment officer for the city. Such amendments shall be reviewed by the city's Investment Review Committee and considered by the city council at a public meeting.

6.0 ETHICS AND AVOIDANCE OF CONFLICTS OF INTEREST

Investment officials shall refrain from personal business activity that could conflict with proper execution and management of the policy and the investment program, or which could impair their ability to make impartial decisions. Investment officials must provide a public disclosure document by February 1 of each year or when material interest in financial institutions or personal investment position(s) require it. Furthermore, Investment officials must refrain from undertaking personal investment transactions with the same individual(s) employed by the financial institution with whom business is conducted on behalf of the City. The City Treasurer is governed by the Political Reform Act of 1974 regarding disclosure of material financial interests.

7.0 AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS –Reference: CA Govt. Code 53601.5

The city treasurer shall transact business only with the banks, savings and loan and properly registered securities dealers.

Authorization – The city may conduct business with major registered securities broker-dealers and with dealers designated "Primary" by the Federal Reserve provided all the following criteria are met. The

Treasurer or his designee will maintain a list of approved financial institutions authorized to provide investment services to the public agency in the State of California. These may include “primary” dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). Broker-dealers must:

- a. Have offices located within the State of California;
- b. Be adequately capitalized;
- c. Make markets in securities appropriate to the city’s needs;
- d. Agree to abide by the conditions set forth in the city’s investment policy;

The City Treasurer shall investigate all institutions which wish to do business with the city and shall require that each financial institution complete and return the appropriate questionnaire and required documentation. An annual review of the financial condition and registration of qualified bidders will be conducted by the City Treasurer.

No public deposit shall be made except in a qualified public depository as established by the established state laws. All financial institutions and broker/dealers who desire to conduct investment transactions with the public agency must supply the Treasurer (or Chief Financial Officer) with the following: audited financial statements, proof of NASD certification, trading resolution, proof of State of California registration, completed broker/dealer questionnaire, certification of having read the Public Agency’s investment policy and depository contracts.

Ratings – With the exception of the Local Agency Investment Fund (LAIF) and U.S. Treasury and Government Agency issues, investments shall be placed only in the those instruments and institutions rated favorably as determined by the City Treasurer with the assistance of bank rating services and nationally recognized rating services (FDIC, Fitch’s, Moody’s, Standard & Poor’s, Sheshunoff performance rating, etc.).

8.0 AUTHORIZED AND SUITABLE INVESTMENTS

California Government Code Section 53601 (Appendix 3) defines eligible securities for the investment of surplus funds by local agencies. Surplus funds of the City of Oxnard are invested in compliance with this statute and as further limited in this Investment Policy.

U.S. Government - United States Treasury Bills, Notes, and Bonds are backed by the full faith and credit of the United States Government. There shall be no limitation as to the percentage of the portfolio invested in this category. Maturities are limited to a maximum of five years.

U.S. Agencies - The purchase of instruments of, or issued by, a federal agency or a United States government-sponsored enterprise will be limited to a maximum maturity of five years. Such agencies include, but are not limited to, the Federal Farm Credit Bank, Federal Home Loan Bank, Federal Home Loan Mortgage Corporation, Student Loan Marketing Association, Tennessee Valley Authority, and the Federal National Mortgage Corporation.

Municipal Bonds, Notes or Evidences of Indebtedness - Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency. Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of

the revenues from a revenue producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state.

Bonds, notes, warrants, or other evidences of indebtedness of any local agency within this state, include bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency. A maximum of 15% of the portfolio may be so invested.

Bankers' Acceptances - Bills of exchange or time drafts drawn on and accepted by commercial banks which are eligible for purchase by the Federal Reserve System are known as bankers' acceptances. Purchases of these instruments may not exceed 180 days to maturity or 40 percent of an agency's surplus funds. A maximum of 30 percent may be invested in the bankers' acceptances of any one commercial bank.

Commercial Paper - This short-term unsecured promissory note is issued to finance short term credit needs. Eligible paper is that which is ranked "PI" by Moody's Investor Services or "A1" by Standard & Poor's or Fitch's, issued by a domestic corporation having assets in excess of \$500,000,000, and having an "A" or better rating on issuer's debt. Purchases of commercial paper may not exceed 270 days or represent more than 10 percent of the outstanding paper of an issuing corporation. Commercial paper purchases will be limited to 15 percent of the City's portfolio.

Negotiable Certificates of Deposit (NCDs) - Allowable NCDs are issued by a nationally or state-chartered bank or a state or federal association or by a state-licensed branch of a foreign bank. The City Treasurer may invest up to 30 percent of surplus funds in NCDs limited to institutions rated "Aa" or better by Moody's or "AA-" or better by Standard & Poor's CD Rating Services. A rating equivalent to FDIC rating of "One" or "Two" or a Sheshunoff performance rating of A or better is required for those institutions not rated by Moody's, Fitch's or Standard & Poor's. NCDs are considered liquid, trading actively in the secondary market.

Certificates of Deposit (CDs) - Certificates of deposit or "time deposits" of up to \$250,000 are federally insured. Beyond that amount, these CDs must be collateralized with the collateral held separately from the issuing institution. The value of the investment must have collateral of at least 110 percent if government securities, or collateral of at least 150 percent if mortgage-backed securities. Statute does not limit CDs, however, this Investment Policy shall limit such investments to a maximum of 30 percent of the portfolio (GC 53601(i)). In addition, time deposits shall be placed in institutions meeting all capital requirements and which maintain a rating equivalent to FDIC rating of "One" or "Two" or a Sheshunoff performance rating of A or better.

Repurchase Agreements - The City may invest in repurchase agreements with banks and dealers of primary dealer status recognized by the Federal Reserve with which the City has entered into a master repurchase contract which specifies terms and conditions of repurchase agreements. The maturity of repurchase agreements shall not exceed 90 days. The market value of securities used as collateral for repurchase agreements shall be monitored by the city treasurer's office and will not be allowed to fall below 102 percent of the value of the repurchase agreement. In order to conform with provisions of the Federal Bankruptcy Code, which provide for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be eligible negotiable certificates of deposit, bankers' acceptances, commercial paper, or securities that are direct obligations

of or that are fully guaranteed by the United States or any agency of the United States. These eligible securities are further defined by California Government Code Section 53651.

Medium Term Notes - A maximum of 30 percent of the City's portfolio may be invested in medium-term notes issued by corporations organized and operating within the United States. Note maturities may not exceed five years. Securities eligible for investment must be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service (i.e., Moody's or Standard & Poor's).

Mutual Funds - Shares of beneficial interest (mutual funds) issued by diversified management companies investing in securities/obligations authorized by California Government Code Section 53600, et. seq., and complying with Section 53601, are permitted investments. Section 53601(l) further defines requirements. A maximum of 20 percent of the portfolio may be so invested.

Local, State, or County Agency Investment Fund - The Local Agency Investment Fund (LAIF) has been established by the State Treasurer for the benefit of local agencies. The City may invest up to the maximum permitted by LAIF and the Ventura County Investment Pool operated under the control of the County Treasurer, and CALTRUST consistent with California Government Code Section 53635.

Ineligible Investments - Investments not described herein, including but not limited to common stocks and financial futures contracts and options, are prohibited in this fund.

City Inter-fund Loans - With the approval of the City Treasurer evidenced by her/his signature of approval, and with the concurrence of the City Council, funds may be invested in short term loans to provide specific funding to City Programs provided no loan shall violate the time or source limitations prescribed by California Law. A description of each Inter-fund transfer or loan made from the capital facilities fund must be included. The information provided, in the case of an Inter-fund transfer, shall identify the public improvements on which the transferred moneys are, or will be, expended. The information, in the case of an Inter-fund loan, shall include the date on which the loan will be repaid, and the rate of interest that the fund will receive on the loan. Government Codes 66013(d)(5) and 66006(b)(1)(G).

9.0 COLLATERAL

The issue of collateral requirements is addressed in California Government Code Section 53652. All active and inactive deposits must be secured at all times with eligible securities in securities pools pursuant to Sections 53656 and 53657. Eligible securities held as collateral shall have a market value in excess of the total amount of all deposits of a depository as follows:

- government securities, at least 10 percent in excess
- mortgage backed securities, at least 50 percent in excess
- letters of credit, at least 5 percent in excess.

FDIC coverage as the Official Custodian of a public unit is insured up to \$250,000 per bank and all active and inactive deposits above the FDIC insured amount must be collateralized to be secured.

10.0 INVESTMENT POOLS/MUTUAL FUNDS

A thorough investigation of the pool/fund is required prior to investing, and on a continual basis. There shall be a questionnaire developed which will answer the following general questions:

- a) A description of eligible investment securities, and a written statement of investment policy and objectives.
- b) A description of interest calculations and how it is distributed, and how gains and losses are treated.
- c) A description of how the securities are safeguarded (including the settlement processes), and how often the securities are priced and the program audited.
- d) A description of who may invest in the program, how often, what size deposit and withdrawal are allowed.
- e) A schedule for receiving statements and portfolio listings.
- f) Are reserves, retained earnings, etc. utilized by the pool/fund?
- g) A fee schedule, and when and how is it assessed.
- h) Is the pool/fund eligible for bond proceeds and/or will it accept such proceeds?

11.0 DIVERSIFICATION

The City's portfolio will be suitably diversified by type and institution in an effort to reduce portfolio risk while attaining market average rates.

Security Type and Institution - U.S. Treasury securities and authorized pools, and any portfolio or institutional limits shall comply with California Government Code. Investments are further limited by specific language relating to each investment type as stated in Section 8 of this Policy.

Maximum Maturities - To the extent possible, the City Treasurer will attempt to match investments with anticipated cash flow requirements. The City's portfolio will not be directly invested in securities which mature more than five years from the date of purchase. Reserve funds may be invested in securities exceeding the five years as allowed by California Law (maturity of such investments should coincide as nearly as practicable with expected use of funds).

12.0 INTERNAL CONTROLS

A system of internal controls will be maintained to assure compliance with Federal and State regulations, City Council direction, and prudent cash management procedures.

Investment Review Committee - The City Treasurer shall form the investment committee, whose members may include the City Manager, and Finance Director, or their designated alternate plus members of the public whose interest and knowledge can provide sound advice to the Investment Review Committee tasked with quarterly review of procedures and adherence to this Investment Policy.

Investment Portfolio Guidelines - Guidelines (Appendix No. 2) have been established for procedures within the City Treasurer's Office to assure internal investment controls and a segregation of responsibilities of investment functions.

Annual Audit - The City's portfolio is included in the annual review of the City's financial management performed by an independent (as defined by FASB and GASB) outside audit firm.

13.0 PERFORMANCE STANDARDS

The investment portfolio will be designed to attain at least a market-average rate of return during budgetary and economic cycles. Whenever possible, and consistent with risk limitations as defined herein and prudent investment principles, the Treasurer shall seek to augment returns above the

market average rate of return as shown on the average CMT (Constant Maturity Treasury) whose maturity most closely matches the average maturity of the portfolio. In addition, the City portfolio will be compared with LAIF and the goal is to maintain a higher positive annual yield than LAIF's annual yield.

14.0 REPORTING—Reference: CA Govt. Code 53646(b)

The City Treasurer shall provide investment information to City Council.

Periodic Reports - The City Treasurer will provide detailed reports of the investments in the pooled investment fund portfolio on a monthly basis to the City Council, City Manager, Chief Financial Officer, and City Clerk. Within thirty days of the end of each quarter, these reports will be provided with additional information such as market pricing. This report shall include the type of investment, issuer, date of maturity, par and dollar amount invested on all securities, investments and moneys held by the local agency, and shall additionally include a description of any of the local agency's funds, investments, or programs, that are under the management of contracted parties, including lending programs. With respect to all securities held by the local agency, and under management of any outside party that is not also a local agency or the State of California Local Agency Investment Fund, the report shall also include a current market value as of the date of the report, and shall include the source of this same valuation.

Annual Report - This Investment Policy will be presented annually following the close of the fiscal year, to the City Council for approval.

Financial Statements per GASB #31 - City Treasurer will provide the portfolio's market value gains/losses to Finance to be incorporated in the fiscal year-end balance sheet.

Financial Statements per GASB #40 - Effective June 30, 2005, additional disclosure is required. City Treasurer will provide detailed maturity and rating information to Finance to be incorporated in the Comprehensive Annual Financial Report (CAFR).

15.0 SAFEKEEPING AND CUSTODY—Reference: CA Govt. Code 53608

All security transactions, including collateral for repurchase agreements, entered into by the City Treasurer shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third party custodian designated by the Treasurer and evidenced by safekeeping receipts.

16.0 INVESTMENT POLICY ADOPTION—Reference: CA Govt. Code 53646

The City of Oxnard's investment policy shall be adopted by resolution of the City Council. The policy shall be reviewed annually by the City Council and any modifications made thereto by the City Treasurer must be presented to the City Council.

The City Treasurer shall establish written investment policy procedures for the operation of the investment program consistent with this policy. The procedures should include reference to: safekeeping, master repurchase agreements, wire transfer agreements, banking service contracts and collateral/depository agreements. *Such procedures shall include explicit delegation of authority to persons responsible for investment transactions.* No person, or officer may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the City of Oxnard.

APPENDIX

No. 1 Glossary

No. 2 Investment Portfolio Guidelines

No. 3 California Government Code Sections related to Investment of Public Funds

City of Oxnard, California
2018 Investment Policy
Adopted ~~February 20~~January 23, 2018

APPENDIX NO. 1: GLOSSARY

AGENCIES: Federal agency securities.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BASIS POINT: One one-hundredth of a percent (i.e. 0.01 %)

BROKER: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in inter-dealer markets.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CDs are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&Ls, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL FUNDS RATE: The rate of interest at which Federal funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$100,000 per deposit.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing & Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loans associations and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA or FMHM mortgages. The term pass-throughs is often used to describe Ginnie Maes.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL AGENCY INVESTMENT FUND (LAIF): Funds from local governmental units may be remitted to the California State Treasurer for deposit in this special fund for the purpose of investment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold at a specific date.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase and reverse repurchase agreements that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are

subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks, and a few unregulated firms.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

RATING AGENCIES: S&P Probably the best known of the Big Three rating agencies, Standard and Poor's (S&P) is a company providing financial publishing, information and media to the world's capital markets. It is owned by the McGraw-Hill Companies. S&P also publishes stock market indices, the most well-known of which is the S&P 500.

S&P's ratings from the best quality borrowers to the lowest are: AAA, AA, A, BBB, BB, B, CCC, CC, C, and D. Investment grade is BBB and above. S&P uses plus and minus to add intermediate designations to these ratings.

Moody's Moody's started in 1909 as a publishing company, issuing railroad bond guides called Moody's Manuals. It later expanded its coverage to municipal and commercial bonds, and is now called Moody's Investment Services.

Moody's uses the following ratings: Aaa, Aa, A, Baa, Ba, B, Caa, Ca, and C. Numbers are added for intermediate designations, such as Baa1, Baa2, etc. Investment grade is considered to be Baa and above; anything below is considered speculative, or junk.

Fitch Owned by a French Holding Company, Fimalac SA, Fitch operates internationally and offers financial research as well as credit rating services. The smallest of the Big Three, Fitch uses the same ratings scale as S&P.

Conflicts of Interest of rating agencies

Credit ratings agencies receive fees from the issuers of the securities they rate. In the time leading up to the 2008 financial crisis, S&P, Moody's and Fitch all gave consistently high ratings to mortgage-backed securities created by the investment banks who were paying them. This overrating of risky debt instruments contributed to the financial bubble and subsequent decline. Congress has proposed new regulation of these agencies to increase competition and ensure independence in this market

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Federal Reserve Bank is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the banks' vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SPREAD: a) The yield or price difference between the bid and offer on an issue; b) The yield or price difference between different issues.

TREASURY BILLS: A non-interest bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term U.S. Treasury securities having initial maturities of more than ten years.

TREASURY NOTES: Intermediate term coupon bearing U.S. Treasury securities having initial maturities of from one to ten years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD** or **YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

City of Oxnard, California
2018 Investment Policy
Adopted February 20January 23, 2018

APPENDIX NO. 2: OXNARD CITY TREASURER INVESTMENT PORTFOLIO GUIDELINES

A. INTRODUCTION. These guidelines are established to direct and control investment activities in such a manner to assure that the goals established in the Investment Policy are attained.

B. GENERAL FACTORS. Several factors must be considered in preparation for effective portfolio management.

1. Cash Forecast. The cash flow of the City shall be updated daily with an analysis of cash receipts and expenditures. A close working relationship with City Departments having a significant impact on cash flow is maintained to maximize the efficiency of the City's cash management system.

2. Pooled Cash. Whenever practical, the City's cash should be consolidated into one bank account and invested on a pooled concept basis. Interest earnings are allocated according to specific general ledger cash balances. No City bank account may be opened without the knowledge and consent of the City Treasurer.

3. Authorized Institutions. A list of institutions, which meet the criteria of the Investment Policy and have been authorized by the City Treasurer to do business with the City, will be maintained and regularly updated. Investment transactions will be executed only with approved broker/dealers, banks, and savings and loans.

4. Preservation of Portfolio Value. Yield standards are in place in an effort to maintain earnings consistent with the market average rate of return.

5. Golden Rule of Portfolio Management. Investment instrument characteristics should be known and understood before a purchase of the investment instrument. And recognizing that there are no firm and steadfast rules (strategies) for portfolio management due to the fact that investor expectations change by the day, hour and minute, and because of this market instability, prudent principles of fiscal management must be applied.

C. STRATEGY: Strategy refers to the plan of action for managing financial resources in the most advantageous manner. The City Treasurer uses the following elements in developing strategy.

1. Economic Forecasts. Economic forecast information developed by economists and financial experts, obtained through bankers and brokers, is used to assist the City Treasurer with the formulation of an investment strategy for the City.

2. Investment Implementation. Investment transactions will be executed in conformance with anticipated cash flow requirements, economic conditions, and interest rate trends and must be consistent with the established Investment Policy.

3. Yield Enhancement. Investment techniques will be utilized which increase yield and maintain a fully invested position.

D. INVESTMENT PROCEDURES. The City Treasurer has developed internal investment procedures to provide for effective cash management. Segregation of responsibilities is maintained to assure an adequate system of internal control over the investment function.

1. Diversification. The fund should consist of a mix of various types of securities, issuers, and maturities.

2. Competitive Bids. Purchase and sale of securities shall be made on the basis of competitive bids and offers with a minimum of two quotes being obtained, when practical.

3. Investment Transactions. Investment transactions will be authorized by the City Treasurer. In his/her absence, the Assistant City Treasurer will execute transactions as prescribed by the City Treasurer prior to his/her absence. In the event of unexpected absence and unavailability by the City Treasurer, the Assistant City Treasurer will transact within established guidelines.

4. Electronic Transactions. Whenever possible, the City will use preformatted wire transfers and ACH debits to restrict the transfer of funds to preauthorized accounts only. All electronic transactions require an initiator plus an approval by an authorized employee. Authenticity is verified on next business day for each electronic transaction.

5. Safekeeping. Securities purchased from broker/dealers (on which maturity is greater than 30 days) shall be held in third party safekeeping with the Trust Department of Union Bank of California acting as third party trustee. All such purchases will be on a delivery versus-payment basis. Evidence of account for certificates of deposit will be issued in the City's name and held in City Treasurer's vault.

E. INVESTMENT CRITERIA. All investments will be made in compliance with Federal, State, and Local laws governing the investment of City funds, and in accordance with the City Treasurer's Investment Policy.

1. Maturity of Investment. Investments longer than one year may be made if consistent with the City's cash flow needs, related intent to hold until maturity, unless market conditions demand otherwise. Securities may be sold prior to maturity for cash flow purposes or to otherwise enhance the portfolio. If the rating of any depository declines to an unacceptable level prior to the maturity of an investment of City funds, the investment will be matured at the earliest possible opportunity. If the rating drops below the allowable level of any one of the rating services, the investment will be sold if no significant loss of principal is involved.

Such sales will be determined by the City Treasurer.

2. Certificate of Deposit Evaluation.

- (a) Time Certificates of Deposit shall be evaluated in terms of FDIC coverage. For deposits in excess of the insured maximum of \$250,000, approved collateral shall be required at the percentage above market value as specified by California Government Code Section 53652 and/or 53651.
- (b) Negotiable Certificates of Deposit shall be evaluated in terms of the credit worthiness of the issuer as these deposits are uninsured and uncollateralized promissory notes.

F. PRIMARY GOALS. As set forth in the Investment Policy, the primary goals for the City of Oxnard are safety, liquidity, and yield, in that priority order.

1. Safety. The safety/risk associated with an investment refers to the potential loss of principal, accrued interest, or a combination of these. The City of Oxnard employs investment instruments considered to be safe. The primary duty of the City Treasurer is to protect the cash and investments placed in her trust on behalf of the citizens of the community.
2. Liquidity. Liquidity refers to the ability to convert investment holdings to cash immediately with no loss of principal or accrued interest. This quality of investment is important should an unexpected need for funds occur.
3. Yield. Yield is the dollar earnings the investment provides. Yield becomes important only after the fundamental requirements of safety and liquidity have been met.

G. INTERNAL CONTROL OF INVESTMENTS. Investment transactions are controlled through distribution of responsibilities within the Treasurer's Office by the following procedures:

1. The Treasurer initiates each investment transaction.
2. Details of the investment are recorded on a trade slip and given to the account clerk responsible for encoding the trade details into the Sungard electronic investment system. The same account clerk produces a verification letter mailed to the institution receiving the investment. A copy of the letter is forwarded to the transferring bank.
3. The transaction record is then delivered to a designee who enters the transaction on the cash balance spread sheet.
4. At month end the balances on the spreadsheet, maintained by a designee, must balance with the portfolio balance maintained independently by the Sungard system clerk.
5. Each business day, the Treasurer's Office receives an electronic report from the City's bank. This report contains checking account balances, a listing of debits and credits, overnight investments and a record of wired funds. This information is incorporated into the monthly checking account statement which provides a cross reference.
6. The Treasurer's Office forwards copies of all investment and transfer letters to General Accounting daily. General Accounting also receives copies of all bank statements, daily print-outs, bank reconciliations, credit/debit memorandums, journal vouchers, and tapes coordinating Treasurer's Receipts with deposits.
7. The Treasurer's report of balances and summary of investments and earnings is compiled monthly and distributed to the City Council, City Manager, City Clerk and Chief Financial Officer. A report, including market values, will be provided on a quarterly basis within 30 days of the close of the last month of each quarter. A report of portfolio gains/losses will be provided to the Chief Financial Officer at fiscal year-end for inclusion in year-end balance sheet reporting.

These Guidelines are provided to all staff members of the City Treasurer's Office having involvement with the investment procedures in any way. It is intended that these guidelines define the details of current practice set forth by the Investment Policy.

City of Oxnard, California
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Adopted February 20~~January 23~~, 2018

APPENDIX NO. 3: STATE OF CALIFORNIA GOVERNMENT CODE

Government Code - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57550]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]

(Division 2 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]

(Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 4. Financial Affairs [53600 - 53997]

(Chapter 4 added by Stats. 1949, Ch. 81.)

ARTICLE 1. Investment of Surplus [53600 - 53610]

(Article 1 added by Stats. 1949, Ch. 81.)

53600.

As used in this article, "local agency" means county, city, city and county, including a chartered city or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

(Amended by Stats. 1987, Ch. 887, Sec. 2.)

53600.3.

Except as provided in subdivision (a) of Section 27000.3, all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

(Amended by Stats. 1996, Ch. 749, Sec. 4. Effective January 1, 1997.)

53600.5.

When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, the primary objective of a trustee shall be to safeguard the principal of the funds under its control. The secondary objective shall be to meet the liquidity needs of the depositor. The third objective shall be to achieve a return on the funds under its control.

(Amended by Stats. 1996, Ch. 749, Sec. 5. Effective January 1, 1997.)

53600.6.

The Legislature hereby finds that the solvency and creditworthiness of each individual local agency can impact the solvency and creditworthiness of the state and other local agencies within the state. Therefore, to protect the solvency and creditworthiness of the state and all of its political subdivisions, the Legislature hereby declares that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern.

(Added by Stats. 1995, Ch. 784, Sec. 13. Effective January 1, 1996.)

53601.

This section shall apply to a local agency that is a city, a district, or other local agency that does not pool money in deposits or investments with other local agencies, other than local agencies that have the same governing body. However, Section 53635 shall apply to all local agencies that pool money in deposits or investments with other local agencies that have separate governing bodies. The legislative body of a local agency having moneys in a sinking fund or moneys in its treasury not required for the immediate needs of the local agency may invest any portion of the moneys that it deems wise or expedient in those investments set forth below. A local agency purchasing or obtaining any securities prescribed in this section, in a negotiable, bearer, registered, or nonregistered format, shall require delivery of the securities to the local agency, including those purchased for the agency by financial advisers, consultants, or managers using the agency's funds, by book entry, physical delivery, or by third-party custodial agreement. The transfer of securities to the counterparty bank's customer book entry account may be used for book entry delivery.

For purposes of this section, "counterparty" means the other party to the transaction. A counterparty bank's trust department or separate safekeeping department may be used for the physical delivery of the security if the security is held in the name of the local agency. Where this section specifies a percentage limitation for a particular category of investment, that percentage is applicable only at the date of purchase. Where this section does not specify a limitation on the term or remaining maturity at the time of the investment, no investment shall be made in any security, other than a security underlying a repurchase or reverse repurchase agreement or securities lending agreement authorized by this section, that at the time of the investment has a term remaining to maturity in excess of five years, unless the legislative body has granted express authority to make that investment either specifically or as a part of an investment program approved by the legislative body no less than three months prior to the investment:

- (a) Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency.
- (b) United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

(c) Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state.

(d) Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California.

(e) Bonds, notes, warrants, or other evidences of indebtedness of a local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

(f) Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.

(g) Bankers' acceptances otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers' acceptances shall not exceed 180 days' maturity or 40 percent of the agency's moneys that may be invested pursuant to this section. However, no more than 30 percent of the agency's moneys may be invested in the bankers' acceptances of any one commercial bank pursuant to this section.

This subdivision does not preclude a municipal utility district from investing moneys in its treasury in a manner authorized by the Municipal Utility District Act (Division 6 (commencing with Section 11501) of the Public Utilities Code).

(h) Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or (2):

(1) The entity meets the following criteria:

(A) Is organized and operating in the United States as a general corporation.

(B) Has total assets in excess of five hundred million dollars (\$500,000,000).

(C) Has debt other than commercial paper, if any, that is rated in a rating category of "A" or its equivalent or higher by an NRSRO.

(2) The entity meets the following criteria:

(A) Is organized within the United States as a special purpose corporation, trust, or limited liability company.

(B) Has program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond.

(C) Has commercial paper that is rated "A-1" or higher, or the equivalent, by an NRSRO.

Eligible commercial paper shall have a maximum maturity of 270 days or less. Local agencies, other than counties or a city and county, may invest no more than 25 percent of their moneys in eligible commercial paper. Local agencies, other than counties or a city and county, may purchase no more than

10 percent of the outstanding commercial paper of any single issuer. Counties or a city and county may invest in commercial paper pursuant to the concentration limits in subdivision (a) of Section 53635.

(i) Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit shall not exceed 30 percent of the agency's moneys that may be invested pursuant to this section. For purposes of this section, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the moneys are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or a person with investment decision making authority in the administrative office manager's office, budget office, auditor-controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or the supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.

(j) (1) Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements of securities authorized by this section, as long as the agreements are subject to this subdivision, including the delivery requirements specified in this section.

(2) Investments in repurchase agreements may be made, on an investment authorized in this section, when the term of the agreement does not exceed one year. The market value of securities that underlie a repurchase agreement shall be valued at 102 percent or greater of the funds borrowed against those securities and the value shall be adjusted no less than quarterly. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day.

(3) Reverse repurchase agreements or securities lending agreements may be utilized only when all of the following conditions are met:

(A) The security to be sold using a reverse repurchase agreement or securities lending agreement has been owned and fully paid for by the local agency for a minimum of 30 days prior to sale.

(B) The total of all reverse repurchase agreements and securities lending agreements on investments owned by the local agency does not exceed 20 percent of the base value of the portfolio.

(C) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(D) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty using a reverse repurchase agreement or securities lending agreement shall not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the reverse repurchase agreement or securities lending agreement includes a written codicil guaranteeing a

minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(4) (A) Investments in reverse repurchase agreements, securities lending agreements, or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security may be made only upon prior approval of the governing body of the local agency and shall be made only with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency.

(B) For purposes of this chapter, “significant banking relationship” means any of the following activities of a bank:

(i) Involvement in the creation, sale, purchase, or retirement of a local agency’s bonds, warrants, notes, or other evidence of indebtedness.

(ii) Financing of a local agency’s activities.

(iii) Acceptance of a local agency’s securities or funds as deposits.

(5) (A) “Repurchase agreement” means a purchase of securities by the local agency pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third-party custodial agreement. The transfer of underlying securities to the counterparty bank’s customer book-entry account may be used for book-entry delivery.

(B) “Securities,” for purposes of repurchase under this subdivision, means securities of the same issuer, description, issue date, and maturity.

(C) “Reverse repurchase agreement” means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date and includes other comparable agreements.

(D) “Securities lending agreement” means an agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

(E) For purposes of this section, the base value of the local agency’s pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, securities lending agreements, or other similar borrowing methods.

(F) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.

(k) Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated in a rating category of “A” or its equivalent or better by an NRSRO. Purchases of medium-term notes shall not include other instruments authorized by this section and shall not exceed 30 percent of the agency’s moneys that may be invested pursuant to this section.

(l) (1) Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as authorized by subdivisions (a) to (k), inclusive, and subdivisions (m) to (q), inclusive, and that comply with the investment restrictions of this article and Article 2 (commencing with Section 53630). However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement or securities lending agreement is not required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default, and the value of the securities underlying are purchase agreement or securities lending agreement may be 100 percent of the sales price if the securities are marked to market daily.

(2) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.).

(3) If investment is in shares issued pursuant to paragraph (1), the company shall have met either of the following criteria:

(A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs.

(B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations authorized by subdivisions (a) to (k), inclusive, and subdivisions (m) to (q), inclusive, and with assets under management in excess of five hundred million dollars (\$500,000,000).

(4) If investment is in shares issued pursuant to paragraph (2), the company shall have met either of the following criteria:

(A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs.

(B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).

(5) The purchase price of shares of beneficial interest purchased pursuant to this subdivision shall not include commission that the companies may charge and shall not exceed 20 percent of the agency's moneys that may be invested pursuant to this section. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund pursuant to paragraph (1).

(m) Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.

(n) Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery

or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.

(o) A mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subdivision shall be issued by an issuer rated in a rating category of "A" or its equivalent or better for the issuer's debt as provided by an NRSRO and rated in a rating category of "AA" or its equivalent or better by an NRSRO. Purchase of securities authorized by this subdivision shall not exceed 20 percent of the agency's surplus moneys that may be invested pursuant to this section.

(p) Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (q), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

(1) The adviser is registered or exempt from registration with the Securities and Exchange Commission.

(2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.

(3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

(q) United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and shall not exceed 30 percent of the agency's moneys that may be invested pursuant to this section.

(Amended by Stats. 2016, Ch. 366, Sec. 12. Effective January 1, 2017.)

53601.1.

The authority of a local agency to invest funds pursuant to Section 53601 includes, in addition thereto, authority to invest in financial futures or financial option contracts in any of the investment categories enumerated in that section.

(Added by Stats. 1983, Ch. 534, Sec. 3.)

53601.2.

As used in this article, "corporation" includes a limited liability company.

(Added by Stats. 2004, Ch. 118, Sec. 18. Effective January 1, 2005.)

53601.5.

The purchase by a local agency of any investment authorized pursuant to Section 53601 or 53601.1, not purchased directly from the issuer, shall be purchased either from an institution licensed by the state as a broker-dealer, as defined in Section 25004 of the Corporations Code, or from a member of a federally regulated securities exchange, from a national or state-chartered bank, from a savings association or

federal association (as defined by Section 5102 of the Financial Code) or from a brokerage firm designated as a primary government dealer by the Federal Reserve bank.

(Amended by Stats. 2001, Ch. 57, Sec. 2. Effective January 1, 2002.)

53601.6.

(a) A local agency shall not invest any funds pursuant to this article or pursuant to Article 2 (commencing with Section 53630) in inverse floaters, range notes, or mortgage-derived, interest-only strips.

(b) A local agency shall not invest any funds pursuant to this article or pursuant to Article 2 (commencing with Section 53630) in any security that could result in zero interest accrual if held to maturity.

However, a local agency may hold prohibited instruments until their maturity dates. The limitation in this subdivision shall not apply to local agency investments in shares of beneficial interest issued by diversified management companies registered under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.) that are authorized for investment pursuant to subdivision (l) of Section 53601.

(Amended by Stats. 2009, Ch. 332, Sec. 68.1. Effective January 1, 2010.)

53601.8.

Notwithstanding Section 53601 or any other provision of this code, a local agency that has the authority under law to invest funds, at its discretion, may invest a portion of its surplus funds in deposits at a commercial bank, savings bank, savings and loan association, or credit union that uses a private sector entity that assists in the placement of deposits. The following conditions shall apply:

(a) The local agency shall choose a nationally or state chartered commercial bank, savings bank, savings and loan association, or credit union in this state to invest the funds, which shall be known as the "selected" depository institution.

(b) The selected depository institution may use a private sector entity to help place local agency deposits with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States and are within the network used by the private sector entity for this purpose.

(c) Any private sector entity used by a selected depository institution to help place its local agency deposits shall maintain policies and procedures requiring both of the following:

(1) The full amount of each deposit placed pursuant to subdivision (b) and the interest that may accrue on each such deposit shall at all times be insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

(2) Every depository institution where funds are placed shall be capitalized at a level that is sufficient, and be otherwise eligible, to receive such deposits pursuant to regulations of the Federal Deposit Insurance Corporation or the National Credit Union Administration, as applicable.

(d) The selected depository institution shall serve as a custodian for each such deposit.

(e) On the same date that the local agency's funds are placed pursuant to subdivision (b) by the private sector entity, the selected depository institution shall receive an amount of insured deposits from other financial institutions that, in total, are equal to, or greater than, the full amount of the principal that the local agency initially deposited through the selected depository institution pursuant to subdivision (b).

(f) Notwithstanding subdivisions (a) to (e), inclusive, a credit union shall not act as a selected depository institution under this section or Section 53635.8 unless both of the following conditions are satisfied:

(1) The credit union offers federal depository insurance through the National Credit Union Administration.

(2) The credit union is in possession of written guidance or other written communication from the National Credit Union Administration authorizing participation of federally insured credit unions in one or more deposit placement services and affirming that the moneys held by those credit unions while participating in a deposit placement service will at all times be insured by the federal government.

(g) It is the intent of the Legislature that this section shall not restrict competition among private sector entities that provide placement services pursuant to this section.

(h) The deposits placed pursuant to this section and Section 53635.8 shall not, in total, exceed 30 percent of the agency's funds that may be invested for this purpose.

(i) This section shall remain in effect only until January 1, 2021, and as of that date is repealed.

(Amended (as amended by Stats. 2013, Ch. 228, Sec. 1) by Stats. 2015, Ch. 181, Sec. 1. Effective January 1, 2016. Repealed as of January 1, 2021, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2015, Ch. 181.)

53601.8.

Notwithstanding Section 53601 or any other provision of this code, a local agency that has the authority under law to invest funds may, at its discretion, invest a portion of its surplus funds in certificates of deposit at a commercial bank, savings bank, savings and loan association, or credit union that uses a private sector entity that assists in the placement of certificates of deposit, provided that the purchases of certificates of deposit pursuant to this section, Section 53635.8, and subdivision (i) of Section 53601 do not, in total, exceed 30 percent of the agency's funds that may be invested for this purpose. The following conditions shall apply:

(a) The local agency shall choose a nationally or state-chartered commercial bank, savings bank, savings and loan association, or credit union in this state to invest the funds, which shall be known as the "selected" depository institution.

(b) The selected depository institution may submit the funds to a private sector entity that assists in the placement of certificates of deposit with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States for the local agency's account.

(c) The full amount of the principal and the interest that may be accrued during the maximum term of each certificate of deposit shall at all times be insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

(d) The selected depository institution shall serve as a custodian for each certificate of deposit that is issued with the placement service for the local agency's account.

(e) At the same time the local agency's funds are deposited and the certificates of deposit are issued, the selected depository institution shall receive an amount of deposits from other commercial banks, savings banks, savings and loan associations, or credit unions that, in total, are equal to, or greater than, the full amount of the principal that the local agency initially deposited through the selected depository institution for investment.

(f) Notwithstanding subdivisions (a) to (e), inclusive, no credit union may act as a selected depository institution under this section or Section 53635.8 unless both of the following conditions are satisfied:

(1) The credit union offers federal depository insurance through the National Credit Union Administration.

(2) The credit union is in possession of written guidance or other written communication from the National Credit Union Administration authorizing participation of federally insured credit unions in one or more certificate of deposit placement services and affirming that the moneys held by those credit unions while participating in a deposit placement service will at all times be insured by the federal government.

(g) It is the intent of the Legislature that this section shall not restrict competition among private sector entities that provide placement services pursuant to this section.

(h) This section shall become operative on January 1, 2021.

(Amended (as added by Stats. 2013, Ch. 228, Sec. 2) by Stats. 2015, Ch. 181, Sec. 2. Effective January 1, 2016. Section operative January 1, 2021, by its own provisions.)

53602.

The legislative body shall invest only in notes, bonds, bills, certificates of indebtedness, warrants, or registered warrants which are legal investments for savings banks in the State, provided, that the board of supervisors of a county may, by a four-fifths vote thereof, invest in notes, warrants or other evidences of indebtedness of public districts wholly or partly within the county, whether or not such notes, warrants, or other evidences of indebtedness are legal investments for savings banks.

(Amended by Stats. 1954, 1st Ex. Sess., Ch. 10.)

53603.

The legislative body may make the investment by direct purchase of any issue of eligible securities at their original sale or after they have been issued.

(Amended by Stats. 1953, Ch. 537.)

53604.

The legislative body may sell, or exchange for other eligible securities, and reinvest the proceeds of, the securities purchased.

(Amended by Stats. 1953, Ch. 537.)

53605.

From time to time, the legislative body shall sell the securities so that the proceeds may be applied to the purposes for which the original purchase money was placed in the sinking fund or the treasury of the local agency.

(Amended by Stats. 1953, Ch. 537.)

53606.

The bonds purchased, which were issued by the purchaser, may be canceled either in satisfaction or sinking fund obligations or otherwise. When canceled, they are no longer outstanding, unless in its discretion, the legislative body holds them uncanceled. While held uncanceled, the bonds may be resold.

(Added by Stats. 1949, Ch. 81.)

53607.

The authority of the legislative body to invest or to reinvest funds of a local agency, or to sell or exchange securities so purchased, may be delegated for a one-year period by the legislative body to the treasurer of the local agency, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires, and shall make a monthly report of those transactions to the legislative body. Subject to review, the legislative body may renew the delegation of authority pursuant to this section each year.

(Amended by Stats. 1996, Ch. 749, Sec. 6. Effective January 1, 1997.)

53608.

The legislative body of a local agency may deposit for safekeeping with a federal or state association (as defined by Section 5102 of the Financial Code), a trust company or a state or national bank located within this state or with the Federal Reserve Bank of San Francisco or any branch thereof within this state, or with any Federal Reserve bank or with any state or national bank located in any city designated as a reserve city by the Board of Governors of the Federal Reserve System, the bonds, notes, bills, debentures, obligations, certificates of indebtedness, warrants, or other evidences of indebtedness in which the money of the local agency is invested pursuant to this article or pursuant to other legislative authority. The local agency shall take from such financial institution a receipt for securities so deposited. The authority of the legislative body to deposit for safekeeping may be delegated by the legislative body to the treasurer of the local agency; the treasurer shall not be responsible for securities delivered to and receipted for by a financial institution until they are withdrawn from the financial institution by the treasurer.

(Amended by Stats. 1985, Ch. 983, Sec. 17. Effective September 26, 1985.)

53635.

(a) This section shall apply to a local agency that is a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. However, Section 53601 shall apply to all local agencies that pool money in deposits or investments exclusively with local agencies that have the same governing body.

This section shall be interpreted in a manner that recognizes the distinct characteristics of investment pools and the distinct administrative burdens on managing and investing funds on a pooled basis pursuant to Article 6 (commencing with Section 27130) of Chapter 5 of Division 2 of Title 3.

A local agency that is a county, a city and county, or other local agency that pools money in deposits or investments with other agencies may invest in commercial paper pursuant to subdivision (h) of Section 53601, except that the local agency shall be subject to the following concentration limits:

(1) No more than 40 percent of the local agency's money may be invested in eligible commercial paper.

(2) No more than 10 percent of the total assets of the investments held by a local agency may be invested in any one issuer's commercial paper.

(b) Notwithstanding Section 53601, the City of Los Angeles shall be subject to the concentration limits of this section for counties and for cities and counties with regard to the investment of money in eligible commercial paper.

(Amended by Stats. 2008, Ch. 709, Sec. 10.7. Effective January 1, 2009.)

**CITY COUNCIL OF THE CITY OF OXNARD
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
DELEGATING INVESTMENT AUTHORITY TO THE CITY TREASURER
AND ADOPTING THE 2018 INVESTMENT POLICY**

WHEREAS, effective January 1, 1997, Government Code Section 53607 was amended to provide in part:

“The authority of the [city council] to invest or to reinvest funds [of the city] or to sell or exchange securities so purchased, may be delegated for a one-year period by the [city council] to the treasurer [of the city] who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires, and shall make a monthly report of those transactions to the [city council]. Subject to review, the [city council] may renew the delegation of authority pursuant to this section each year.”

WHEREAS, on September 15, 1992, the City Council adopted Resolution No. 10,455, delegating to the City Treasurer the authority to invest and reinvest the City funds; and

WHEREAS, the City Council annually approves a Statement of Investment Policy for the City, which in Section 5.0 delegates to the City Treasurer authority to invest City funds; and

WHEREAS, it remains the intention of the City Council to delegate such authority to the City Treasurer; and

WHEREAS, Government Code Section 53646 provides that the City Treasurer may annually render to the City Council a statement of investment policy, which the City Council shall consider at a public meeting.

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

1. To delegate to the City Treasurer authority to invest and reinvest City funds and to sell or exchange securities so purchased; to reaffirm such delegation of authority contained in Resolution No. 10,455; and to state that the City Council's annual review and approval of a Statement of Investment Policy that includes such delegation of authority constitutes the City Council's delegation of such authority.
2. To adopt the 2018 Investment Policy attached hereto as Exhibit A.

PASSED AND ADOPTED this 20th day of February, 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



CITY COUNCIL
AGENDA REPORT

TYPE OF ITEM: Report

AGENDA ITEM NO.: 2

DATE: February 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

FROM: Rosemarie Gaglione
Public Works Director

Rosemarie Gaglione

SUBJECT: Third Amendment to Agreement with Ecology Auto Parts, Inc. for Supplemental Waste Transfer Hauling Services (Agreement No. A-7766) (5/5/5)

CONTACT: Rosemarie Gaglione, Public Works Director
rosemarie.gaglione@oxnard.org, 385-8055

RECOMMENDATION:

That City Council approve and authorize the Mayor to execute the Third Amendment to the Agreement with Ecology Auto Parts, Inc. to extend the expiration from the date of February 15, 2018, to April 27, 2018, and increase the total amount by \$600,000 for a total amount not to exceed \$3,500,000, for a contract term total of three years and two months for supplemental waste transfer hauling services (Agreement No. A-7766).

BACKGROUND

The Environmental Resources Division of the Public Works Department utilizes contracted waste transfer haulers to supplement the City's waste transfer hauling for the Del Norte Facility. Supplemental haulers are called upon to assist the City's fleet in transfer of waste, recyclables and green waste to contracted facilities. The need is based upon fluctuating material volumes, permit mandates to move the material, and the availability of City transfer crews. Supplemental transfer haulers usually haul approximately 70,000 tons of material per year, but can transport up to approximately 100,000 tons per year, from the Del Norte Facility to the City's two contracted landfills and green waste/organic processing facility.

In December 2014, the City issued a request for bids (RFB) for supplemental transfer hauling

Third Amendment to Agreement with Ecology Auto Parts for Waste Transfer Hauling (5/5/5)
February 20, 2018
Page 2

services. This process was initiated because the existing contract with Ecology Auto Parts Inc. (Ecology) was entering its third year, and staff determined it was prudent to revisit a competitive process. Staff drafted the RFB for the purpose of contracting with multiple firms. The purpose of this method was to ensure a depth of resources if one single company was unable to keep up with demand.

Two firms—Agromin and Ecology—responded to the RFB with proposals. On May 5, 2015, the City Council approved contracts with both firms to provide supplemental transfer hauling services. Agromin opted out after one year, leaving Ecology as the only contracted supplemental hauler.

The City's original contract with Ecology was for a one-year period through February 15, 2016, with two one-year options to extend. Each one-year term had an original maximum limit of \$650,000 for a total contract value of \$1,950,000. On December 15, 2015, the City Council approved a First Amendment to this agreement, simultaneously executing both options to extend the term, making the new termination date February 15, 2018. At that time, the Council added \$150,000 to the first year of the contract, bringing the total agreement value to \$2,100,000. On June 6, 2017, the City Council approved a Second Amendment to add \$800,000 to the agreement, bringing the total agreement value to \$2,900,000.

The proposed Third Amendment will add \$600,000 to the Agreement for an overall maximum amount of \$3,500,000 for the total contract term of three years and two months. Fluctuations in the volume of solid waste, recyclables or green waste or operational changes will continue to determine the level of supplemental transfer hauling services that the City requires. In any case, all material is, and will continue to be, tracked and documented for fiscal, contractual, and regulatory purposes. It is also important to note that the City only pays for material that is transferred. There are no "put-or-pay" provisions in our supplemental hauling contracts.

The City is in the process of issuing a new RFB to seek qualified supplemental transfer haulers for the Del Norte Facility. Staff anticipates this RFB will be completed by March of 2018, with a recommendation to the City Council to award a contract or contracts by April 27, 2018, based on responses. This proposed contract extension allows continuing supplemental transfer hauling services until then.

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.

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

Third Amendment to Agreement with Ecology Auto Parts for Waste Transfer Hauling (5/5/5)
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FINANCIAL IMPACT

The additional \$600,000 will increase the not-to-exceed amount from \$2,900,000 to a three-year and two month contract total of \$3,500,000. Funds are available in the Environmental Resources Enterprise Fund Account Number 631-6314-842-8281 (Waste Transfer Haul-Contractual Services-Supplemental Waste Hauling) to cover for the cost of supplemental transfer hauling by Ecology for the remaining period of Fiscal Year 2017-18. These funds were approved by Council through the Fiscal Year 2017-18 budget process.

ATTACHMENTS:

Attachment A - Third Amendment to Agreement No. A-7766

Agreement No. A-7766

THIRD AMENDMENT TO AGREEMENT FOR TRADE SERVICES

This Third Amendment ("Third Amendment") to the Agreement for Trade Services ("Agreement") is made and entered into in the County of Ventura, State of California, this 4 day of January, 2018, by and between the City of Oxnard, a municipal corporation ("City"), and Ecology Auto Parts, Inc. ("Vendor"). This Third Amendment amends the Agreement entered into on April 28, 2015, by City and Vendor. The Agreement previously has been amended on December 15, 2015, by a First Amendment, and on June 6, 2017, by a Second Amendment.

City and Vendor agree as follows:

1. In Section 3 of the Agreement, the date "February 15, 2018," is deleted and replaced with the date "April 27, 2018."
2. In Section 4 (a) of the Agreement, the first sentence is removed and replaced with the following:

"City shall pay Vendor for supplemental hauling services in an amount not to exceed \$850,000 through February 15, 2016, in an amount not to exceed \$1,050,000 through February 15, 2017, and in an amount not to exceed \$1,600,000 through April 27, 2018, for a not-to-exceed total of \$3,500,000."

3. As so amended, the Agreement remains in full force and effect.

[Signatures on next page]

Agreement No. A-7766

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

CITY OF OXNARD

ECOLOGY AUTO PARTS, INC.

☒ Tim Flynn, Mayor
(if agreement is \$250,000.01 or more)
☐ Greg Nyhoff, City Manager (if agreement is \$25,000.01-\$250,000.00)
☐ Purchasing Agent (if agreement is up to \$25,000.00)

Aaron Siroonian,
Chief Operations Officer

Louis P. Pratty, Board Secretary

Date

Date

ATTEST:

Michelle Ascencion, City Clerk
(if agreement is \$250,000.01 or more)

Date

APPROVED AS TO FORM:


Stephen M. Fischer, City Attorney
(required for any agreement amount)

11/19/13
Date

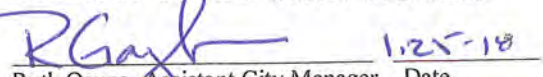
APPROVED AS TO CONTENT:


Todd Vasquez-Housley, Project Manager
(required for any agreement amount)

1-9-18
Date


Thien Ng
~~Interim Public Works Director~~
(if agreement is \$25,000.01 or more)
Assistant Public Works Director

1-9-18
Date
FOR THIEN NG.


Ruth Osuna, Assistant City Manager
Rosemarie Gaglione, Public Works Director

1-25-18
Date

APPROVED AS TO AMOUNT:

Greg Nyhoff, City Manager
(if agreement is \$250,000.01 or more)

Date

APPROVED AS TO INSURANCE:


Mike More, Risk Manager
(required for any agreement amount)

11/19/18
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.

PLEASE DO NOT
REMOVE THIS BOX

APPROVED AS TO CONTENT

Jesus Nava, Assistant City Manager

THIRD AMENDMENT TO AGREEMENT FOR TRADE SERVICES

Agreement No. A-7766

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

CITY OF OXNARD

☒ Tim Flynn, Mayor _____ Date _____
 (if agreement is \$250,000.01 or more)
☐ Greg Nyhoff, City Manager (if agreement is \$25,000.01-\$250,000.00)
☐ Purchasing Agent (if agreement is up to \$25,000.00)

ATTEST:

Michelle Ascencion, City Clerk _____ Date _____
 (if agreement is \$250,000.01 or more)

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney _____ Date _____
 (required for any agreement amount)

APPROVED AS TO CONTENT:

Todd Vasquez-Housley, Project Manager _____ Date _____
 (required for any agreement amount)

Thien Ng _____ Date _____
 Interim Public Works Director
 (if agreement is \$25,000.01 or more)

Ruth Osuna, Assistant City Manager _____ Date _____

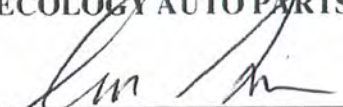
APPROVED AS TO AMOUNT:

Greg Nyhoff, City Manager _____ Date _____
 (if agreement is \$250,000.01 or more)

APPROVED AS TO INSURANCE:

Mike More, Risk Manager _____ Date _____
 (required for any agreement amount)

ECOLOGY AUTO PARTS, INC.

 _____ Date 1-5-18
 Aaron Siroonian,
 Chief Operations Officer
 _____ Date 1-5-18
 Louis P. Pratty, Board Secretary

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.

PLEASE DO NOT
REMOVE THIS BOX

THIRD AMENDMENT TO AGREEMENT FOR TRADE SERVICES



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 3

DATE: February 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

A handwritten signature in dark ink, appearing to read "Scott Whitney".

FROM: Rosemarie Gaglione
Public Works Director

Rosemarie Gaglione

SUBJECT: Biosolids Hauling Agreement - Finish Line Transport.

CONTACT: Rosemarie Gaglione, Public Works Director
rosemarie.gaglione@oxnard.org, 385-8055

RECOMMENDATION:

That the City Council:

1. Adopt a resolution creating a one-time exemption from Resolution No. 13,932's requirement to obtain three (3) price quotations for biosolids hauling.
2. Award and authorize the Interim City Manager to execute a First Amendment to an agreement with Finish Line Transport (dba Central Coast Transports) for the period of December 5, 2017, through June 30, 2018, in an amount of \$185,000 for a total not to exceed agreement price of \$210,000.

BACKGROUND

The City of Oxnard's (City) wastewater treatment plant generates approximately 100 tons per day of biosolids that need to be hauled off-site for disposal.

The City has an agreement with the Ventura Regional Sanitation District (VRSD) - Agreement No. A-7887 (Agreement) - for the hauling and disposal of biosolids. The Agreement obligates the City to pay VRSD \$50 per wet ton for biosolids hauling and disposal. Agreement No. A-7887 has a termination date of June 30, 2018.

Biosolids Hauling Agreement - Finish Line Transport

February 20, 2018

Page 2

During the week of December 5, 2017, VRSD representatives notified City staff that the Toland Road Landfill (VRSD's disposal site) would be closed for an undetermined amount of time due to the Thomas Fire and resulting damage to VRSD's facilities.

In response to this, City staff initiated hauling of its biosolids through Finish Line Transport, Inc. (dba Central Coast Transports) to the Simi Valley Landfill. Finish Line Transport, Inc. dba Central Coast Transports is the same vendor that was being used by VRSD under the Agreement. Due to the urgency, the biosolids hauling was identified as an eligible expense under Emergency Bidding Resolution No. 15,072, allowing for an exemption from the public bidding requirement. At the time, the anticipated cost of the hauling was \$35,000, equivalent to approximately five (5) weeks of biosolids hauling expense. The anticipated expense was identified in the City Manager's report of procurements related to the Emergency Bidding Resolution. The actual cost for the five (5) weeks was \$42,300.

On January 16, 2018, VRSD staff notified the City (via email) that the Toland Road Landfill, although now open and accepting municipal solid waste, would not be accepting biosolids for disposal until further notice. This action leaves the City without necessary biosolids transportation, and the City has an immediate need to secure an alternative biosolids hauling agreement.

Staff is recommending a First Amendment to an agreement with Finish Line Transport, Inc. dba Central Coast Transports, which staff is in the process of drafting, to cover the period from December 5, 2017, through January 16, 2018 (\$42,300), plus an estimated \$142,700 for the period beginning January 17, 2018, through June 30, 2018, for a total proposed amount of \$185,000. When added to the value of the original contract, the new total contract amount for biosolids hauling would be \$210,000. Biosolids disposal will be at the Simi Valley Landfill. Staff has confirmed that the landfill can handle the City's biosolids through the term of the proposed agreement.

Funding for both the hauling and disposal of biosolids is available in the fiscal year 2017-18 budget. During the interim hauling agreement, staff will issue a request for bids (RFB) for biosolids hauling and disposal with the understanding that a new agreement will be in place beginning 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

Sufficient funds for the hauling and disposal of biosolids are available in Account No. 621-6202-844-8268.

Biosolids Hauling Agreement - Finish Line Transport
February 20, 2018
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ATTACHMENTS:

Attachment A - Resolution

RESOLUTION NO. ____**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD CREATING A ONE-TIME EXEMPTION FROM
RESOLUTION NO. 13,932'S REQUIREMENT TO OBTAIN
THREE (3) PRICE QUOTATIONS FOR BIOSOLIDS
HAULING****THE CITY COUNCIL OF THE CITY OF OXNARD HEREBY
FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:**

WHEREAS, the City of Oxnard's (City) wastewater treatment plant generates approximately 100 tons per day of biosolids that need to be hauled off-site for disposal;

WHEREAS, the City has a currently-effective agreement with the Ventura Regional Sanitation District (VRSD) for the hauling and disposal of these biosolids;

WHEREAS, around December 5, 2017, VRSD representatives notified City staff that the Toland Road Landfill, which is VRSD's disposal site, would be closed for an undetermined amount of time due to the Thomas Fire and resulting damage to VRSD's facilities;

WHEREAS, under Emergency Bidding Resolution No. 15,072 and without public bidding due to the urgency, the City immediately initiated hauling to the Simi Valley Landfill of the City's biosolids;

WHEREAS, five (5) weeks of biosolids hauling expenses amounted to \$42,300;

WHEREAS, on January 16, 2018, VRSD staff notified the City that the Toland Road Landfill, although now open and accepting municipal solid waste, would not be accepting the City's biosolids for disposal until further notice;

WHEREAS, this action leaves the City without needed biosolids transportation, and the City has the immediate need to secure an alternative biosolids hauling agreement;

WHEREAS, the City is obligated under Resolution Number 13,932 to obtain three (3) price quotations for trade services, including biosolids hauling;

WHEREAS, due to the urgency of the situation, the City Council now wishes to exempt City staff from the requirement of public bidding for the purposes of obtaining an amendment to Agreement Number 7978-17-PW to cover the period from December 5, 2017, to January 16, 2018 (\$42,300), and for the period from January 17, 2018, through June 30, 2018 (\$142,700), for a total amendment value of \$185,000, and a total contract value of \$210,000, for hauling.

Resolution No. _____
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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

Section 1: The Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2: The City Council now wishes to exempt City staff from Resolution Number 13,932's requirement to obtain three (3) price quotations for biosolids hauling. This is a one-time exemption.

Section 3: This Resolution shall take effect immediately upon its adoption.

Section 4: The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 20th day of February, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tim Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney