

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
November 7, 2017
Regular Meeting - 5:30 PM
Closed Session - 4:30 PM
Appointment Item - 5:30 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 - 4:30 PM

1. Conference with Legal Counsel – Potential Litigation

CC On the advice of the City Attorney, pursuant to Government Code section 54956.9(d)(2), based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

The City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Anticipated Litigation.

D. OPENING CEREMONIES

Pledge of allegiance to the flag of the United States.

E. APPOINTMENT ITEMS - 5:30 PM

City Manager Department

1. SUBJECT: Cycle California Coast (Mayor Pro Tem Ramirez). (10/10/5)

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.

RECOMMENDATION: Receive a presentation by Mayor Pro Tem Ramirez and Ventura County Supervisor Steve Bennett regarding Cycle California Coast, a small local business and tourism initiative to boost international cycle tourism and market all cities in Ventura and Santa Barbara Counties.

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

Public Works Department

2. SUBJECT: Bicycle Friendly City Resolution

RECOMMENDATION: That City Council adopt a resolution declaring the City of Oxnard to be a Bicycle Friendly City.

Legislative Body: CC

Contact: Thien Ng

Phone: 432-3575

F. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of \$3,000 Donation from Joseph Cano, Luz Barcena, Pol Barcena, Manny Ancheta, and Nory Estrada of the Pangasinan Association of Ventura County to Improve Bus Stops/Shelters in Oxnard.
2. SUBJECT: Presentation of a Donation of \$3,000 from Myrna Vilorio, Carmen Cano, Rebecca Schneider, Thelma Baroma and Elda Pichay of the Filipino Nurses Association of Ventura County to Improve Bus Stops/Shelters in Oxnard.

G. 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.

H. 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.

I. 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.

J. 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.

K. 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.

L. INFORMATION CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the July 25, 2017 Special Meeting, the July 25, 2017 Regular Meeting, and the August 9, 2017 Special Meeting.

RECOMMENDATION: That the City Council approve the Minutes 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 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. Lourdes Campbell & Associates (A-8025) for translation and interpreting services (\$150,000).

B. StreamLine Automation Systems, LLC. (7983-17-FI) for cloud-based records management and billing system for Fire Prevention Inspections (\$43,717).

C. Fire Recovery USA, LLC. (7984-17-FI) for Fire Prevention billing services (\$250,000).

D. The Hawk Pros, LLC. (A-7820) for professionally trained falconers for seagulls bird abatement at the Del Norte Regional Recycling and Transfer Station (\$50,000).

E. Recycle Coach (8014-17-CM) for solid waste and recycling collection and event schedules program (no cost to the City).

F. Labor Compliance Providers, INC. (A-6763) for labor standards compliance monitoring for contracts funded by grants or other City construction funds (Time extension only).

G. Grandall Rental Company (A-7793) for storm drain channel cleaning (\$47,040).

H. Earth Systems (6387-13-CM) Task Order No. 13 for geotechnical engineering and

materials inspection and testing services during the construction phase of the Windsor North River Ridge neighborhood street resurfacing project (\$29,200).

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

Cultural and Community Service Department

3. SUBJECT: Project Management Services for New Senior Center

RECOMMENDATION: That City Council:

1. Approve a budget appropriation in the amount of \$68,250 from Measure O funds to Senior Center Facility (Project No. MO5510); and

2. Approve and authorize the City Manager or designee to execute a task order within the existing agreement with Stantec Consulting Services, Inc. (Agreement Number 7729-16-DS) in an amount not to exceed \$68,250 for project management services related to a new senior center.

Legislative Body: CC

Contact: Ingrid Hardy

Phone: 385-7993

Development Services Department

4. SUBJECT: Deferred Impact Fee Agreement for the Gateway Station Project

RECOMMENDATION: That Council approve, and authorize the Mayor to execute, the terms of the agreement to defer impact fees for the project located at 1250 S. Oxnard Boulevard.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

Finance Department

5. SUBJECT: Receive the August 2017 Major Funds Monthly Report

RECOMMENDATION: That City Council receive and file the August 2017 Major Funds Monthly Report. Report was presented to the Fiscal Policy Task Force on October 11, 2017.

Legislative Body: CC

Contact: Jim Throop

Phone: 385-7475

M. REPORTS

City Attorney Department

1. SUBJECT: Ordinance Documenting Cannabis Restrictions in the City Zoning Code (10/10/5)

RECOMMENDATION: That the City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 16 of the Oxnard City Code to prohibit cannabis and cannabis related uses unless specifically provided in individual zones, and to specifically prohibit such uses in the following zones: Commercial Office (C-O), Neighborhood Shopping (C-1), General Commercial (C-2), Central Business District (CBD), Commercial and Light Manufacturing (CM), Business and Research Park (BRP), Limited Manufacturing (M-L), and Light Manufacturing (M-1) zones.

Legislative Body: CC

Contact: Stephen M. Fischer

Phone: 385-7483

2. SUBJECT: Medical Cannabis Delivery Study Session (5/20/10)

RECOMMENDATION: That City Council hold a study session and provide input on proposed draft medical cannabis delivery regulations.

Legislative Body: CC

Contact: Stephen M. Fischer

Phone: 385-7483

Finance Department

3. SUBJECT: Recognized Obligation Payment Schedule (ROPS) Clean-Up (60/25/10)

RECOMMENDATION: Receive and file a report describing the clean-up of the City's ROPS, and the required Prior Period Adjustment (PPA) in order to finalize the clean-up, thus allowing the next ROPS to be submitted in accordance with Department of Finance requirements.

Legislative Body: CC

Contact: Jim Throop

Phone: 385-7475

4. SUBJECT: Receive the September 2017 Major Funds Monthly Report (5/15/5)

RECOMMENDATION: That City Council receive and file the September 2017 Major Funds Monthly Report.

Legislative Body: CC

Contact: Jim Throop

Phone: 385-7475

City Treasurer Department

5. SUBJECT: Quarterly Investment Report for the First Quarter FY 2017-18 (10/10/5)

RECOMMENDATION: That the City Council review and accept the report.

Legislative Body: CC

Contact: Phillip S. Molina

Phone: 385-7808

N. ADJOURNMENT

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**CITY COUNCIL
AGENDA REPORT**

**TYPE OF ITEM: Appointment
Item**

AGENDA ITEM NO.: 1

DATE: November 7, 2017

TO: City Council

FROM: Greg Nyhoff
City Manager

A handwritten signature in blue ink, appearing to read "Greg Nyhoff".

SUBJECT: Cycle California Coast (Mayor Pro Tem Ramirez). (10/10/5)

CONTACT: Greg Nyhoff, City Manager
Greg.Nyhoff@oxnard.org, 385-7430

RECOMMENDATION:

Receive a presentation by Mayor Pro Tem Ramirez and Ventura County Supervisor Steve Bennett regarding Cycle California Coast, a small local business and tourism initiative to boost international cycle tourism and market all cities in Ventura and Santa Barbara Counties.

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 2

DATE: November 7, 2017

TO: City Council

THROUGH: Greg Nyhoff
City Manager

FROM: Thien Ng
Interim Public Works Director

Thien Ng

SUBJECT: Bicycle Friendly City Resolution

CONTACT: Thien Ng, Interim Public Works Director
thien.ng@oxnard.org, 432-3575

RECOMMENDATION:

That City Council adopt a resolution declaring the City of Oxnard to be a Bicycle Friendly City.

BACKGROUND

In early 2015, former Santa Barbara Supervisor Salud Carbajal and Ventura County Supervisor Steve Bennett gathered a large group of stakeholders to assess interest in making Ventura and Santa Barbara counties premier national and international bicycle tourism destinations. A diverse group of stakeholders, including businesses, volunteers, nonprofits, and other advocacy groups have been meeting since then, being formally organized as “Cycle California Coast”.

The Cycle California Coast group’s shared expertise has led to innovative ideas and proposals that can benefit area residents, visitors, and businesses. The stakeholder group believes that there could be real benefits to the businesses and residents of Oxnard if the City would join the Cycle California Coast effort by adopting a resolution declaring the City of Oxnard a Bicycle Friendly City.

The Cycle California Coast group has identified the following benefits for communities, nonprofit organizations, businesses and government agencies who participate as being bicycle friendly cities:

Bicycle Friendly City Resolution

November 7, 2017

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- Increases the number of tourists visiting Santa Barbara and Ventura counties.
- Increases the positive visibility of Santa Barbara and Ventura counties as tourism destinations in print and online media and advertising throughout the community.
- Fosters a positive impression of bicycling and bicycle tourists within the community.
- Provides greater recognition and information about the many communities, bikeways, roads, trails and events for bicycle tourists to enjoy in the Santa Barbara and Ventura County region.
- Serves as a model for businesses on how to accommodate the specific needs of the bicycle tourist.
- Expands a Bike Friendly Business's base by attracting customers who want to patronize businesses that are eager to accommodate the needs of the bicycle tourist and provide them with a warm welcome and a great "local experience".
- Encourages bicycle infrastructure improvements to enhance the attraction of Santa Barbara and Ventura counties to the widest range of cyclists.
- Enhances bicycle transportation for the general public, including local residents.
- Benefits the effort to lower greenhouse gas emissions and more sustainable counties.
- Enhances coordination among political jurisdictions and organizations working to support bicycle tourism.
- Creates positive publicity for local businesses and encourages patronage by local bicycle riders as well as tourists.

On September 28, 2017, City of Oxnard staff gave a presentation to the Transportation Policy Committee which gave background to the resolution (Attachment A), and demonstrated the resolution's nexus to existing and planned City efforts related to bicycle infrastructure. The Committee then recommended that staff involve the City's neighborhoods in the effort, and proceed to City Council to consider the resolution declaring the City of Oxnard to be a Bicycle Friendly City.

Adopting this resolution will declare that the City of Oxnard is a Bicycle Friendly City and, where practical and economically feasible, encourages the development of bicycle infrastructure, bicycle-friendly businesses, and the promotion of our region as a world-class destination for bicycle tourism.

STRATEGIC PRIORITIES

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

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

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

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

Objective 1a. Focus available resources on a comprehensive effort to promote economic activity in Oxnard, including a marketing program that communicates the City's available resources and assets.

Goal 2. Enhance business development throughout the City.

Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Objective 2b. Improve relationships and communication between the City and the business community.

Objective 2c. Capitalize on historic, cultural and natural resources.

FINANCIAL IMPACT

Adopting this resolution does not require any City funding.

ATTACHMENTS:

Attachment A: City of Oxnard Bicycle Friendly City Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
DECLARING
THE CITY OF OXNARD TO BE A BICYCLE FRIENDLY CITY**

WHEREAS, the City of Oxnard is fortunate to have mild year-round weather; and

WHEREAS, the City of Oxnard has ocean front bike routes and roads that provide scenic and level rides that can be enjoyed by bike riders of all abilities; and

WHEREAS, the City of Oxnard has included many miles of bike lanes and routes to facilitate bike travel within the city; and

WHEREAS, bicycle riding is both a recreational pursuit and an alternative means of transportation; and

WHEREAS, bicycle riding provides healthy exercise and enjoyment while taking vehicle trips off our roads and decreasing congestion, pollution, and greenhouse gas emissions; and

WHEREAS, bicycling provides an affordable means of transportation for those without cars; and

WHEREAS, the City of Oxnard is home to three (3) bike shops and several custom bike fabricators, and a majority of hotels have bike rentals available on site; and

WHEREAS, many bicycling events that pass through the city attract hundreds or thousands of participants such as the Amgen Tour of California, Cool Breeze Century, and other organized races and rides of various lengths and difficulties; and

WHEREAS, cities, counties, tourism councils, businesses, and volunteers in Ventura and Santa Barbara counties have formed the “Cycle California Coast” organization to promote national and international bicycle tourism in Ventura and Santa Barbara Counties; and

WHEREAS, Cycle California Coast has a rapidly growing Bicycle Friendly Business Program and a promotional website (*cyclecalcoast.com*) and is actively promoting bike lanes for our region’s most iconic recreational rides; and

WHEREAS, making the City of Oxnard even more bicycle friendly will pay great dividends for local riders, bicycle tourists, businesses that welcome cyclists, those without cars, and the environment.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the City be a Bicycle Friendly City and, where practical, work to develop bicycle infrastructure, encourage bicycle-friendly businesses, and promote our region as a world-class destination for bicycle tourism.

PASSED AND ADOPTED this ____ day of November, 2017, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, 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: November 7, 2017

TO: City Council

FROM: Michelle Ascencion
City Clerk

SUBJECT: Minutes of the July 25, 2017 Special Meeting, the July 25, 2017 Regular Meeting, and the August 9, 2017 Special Meeting.

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

RECOMMENDATION:

That the City Council approve the Minutes 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 item does provide transparency of Council meetings to the public.

FINANCIAL IMPACT:

There is no financial impact.

ATTACHMENTS:

Attachment A: Minutes 07.25.17 CC,SA special meeting

Approval of Minutes
November 7, 2017
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Attachment B: Minutes 07.25.17 CC regular meeting

Attachment C: Minutes 08.09.17 CC special meeting

MINUTES
 OXNARD CITY COUNCIL
 Special Meeting
 July 25, 2017

A. ROLL CALL/POSTING OF AGENDA

At 2:07 p.m., the special meeting of the Oxnard City Council was called to order by Mayor Pro Tem Ramirez in the Council Chambers. The City Clerk called the roll: Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, and Mayor Pro Tem Carmen Ramirez were present; Mayor Tim Flynn was absent. The City Clerk stated that the agenda was posted July 20, 2017 at City Hall.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Kymberly Horner, Economic Development Director; Jason Benitez, Assistant Police Chief; Robert Hearne, Interim City Engineer; Mike More, Risk Manager; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. REPORTS

Public Works Department

1. SUBJECT: Coastal Flood Map Update.
RECOMMENDATION: That City Council receive the FEMA Coastal Flood Maps Update.

The Interim City Engineer gave a report. Discussion ensued among the Council and staff. Public comments were received from Gerard Kapuscik and Jackie Tedeschi. Further discussion ensued. No action was taken.

Economic Development Department

2. SUBJECT: RiverPark Parking Structure.
RECOMMENDATION: 1. That the Oxnard Community Development Commission Successor Agency (the "Successor Agency") adopt **Successor Agency Resolution No. 23** entitled "Resolution of the Board of Directors of the Oxnard Community Development Commission Successor Agency, Approving and Recommending to its Oversight Board Approval of (1) The election of the Oxnard Community Development Commission Successor Agency that the City of Oxnard receive certain real property (The Parking Facility); (2) the Assignment of the Ground Lease to the City of Oxnard in the Assignment and Assumption of Ground Lease; and (3) the Assignment of the Parking Facility Management Agreement to the City of Oxnard in the Assignment and Assumption of Management Agreement;" and

2. That the City of Oxnard (the “City”) adopt **Resolution No. 15.044** entitled “Resolution of the City Council of the City of Oxnard, California, approving (1) the Acceptance of Certain Real Property (The Parking Facility) from SOCM I, LLC; (2) The Bill of Sale to Effectuate Said Disposition of the Parking Facility; (3) the Assumption of the Ground Lease by the City of Oxnard in the Assignment and Assumption of Ground Lease; and (4) the Assumption of the Parking Facility Management Agreement by the City of Oxnard in the Assignment and Assumption of Management Agreement.”

The Economic Development Director gave a report. Discussion ensued among Council and staff.

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

Police Department

3. SUBJECT: 2017/18 Agreement with Ventura County Animal Services (VCAS) for Sheltering of Animals.

RECOMMENDATION: That City Council:

1. Receive a report from staff on animal safety services within the City.
2. Approve and authorize the Mayor to execute a one year-agreement A-7993 with the County of Ventura's Public Health Agency for animal sheltering services, in an amount not to exceed \$1,854,979 for Fiscal Year 2017-2018.
3. Authorize the Mayor or designee to appropriate additional funds not to exceed \$234,979 from the General Fund Reserve.

The Assistant Police Chief gave a report. Discussion ensued among Council, staff, and Ventura County Animal Services Director Tara Diller.

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

Human Resources Department

4. SUBJECT: First Amendment - Acclamation Insurance Management Services (AIMS).

RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to Agreement No. A-7495 with Acclamation Insurance Management Services, Inc. in the amount of \$2,076,250 to increase the amount from \$1,373,788 to a total amount of \$3,450,038 for workers' compensation claims administration and adjustment services and extending the Agreement term for five years.

The Risk Manager gave a report. Discussion ensued among Council and staff.

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

Public Works Department

5. SUBJECT: Award Contract for Windsor North River Ridge Neighborhood Street Resurfacing Project PW 17-02.

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute Agreement A-7991 with Granite Construction Company, in the amount of \$1,899,583 for the Windsor North River Ridge Neighborhood Street Resurfacing Project PW 17-02.
2. Approve an additional appropriation \$200,000 to the Windsor North River Ridge Neighborhood Street Resurfacing Project 153119 from 2014 Lease Revenue Bonds Fund 314.

The Interim City Engineer gave a report. Discussion ensued among Council and staff.

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

D. PUBLIC COMMENTS ON REPORTS (None)

E. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from Steve Nash.

F. CLOSED SESSION

Mayor Pro Tem Ramirez read the following closed session statement:

“The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys on two cases. The titles and case numbers of the litigation being discussed are:

1. City of Oxnard v. Dale Belcher; et al.; Ventura County Superior Court, Case No. 56-2014-00450216-CU-CO-VTA; and
2. Donald George O’Neil v. Thomas Martin; Oxnard Police Dept.; City of Oxnard; et al.; Ventura County Superior Court, Case No. 56-2016-00480468-CU-PA-VTA.”

At 3:39 p.m. the City Council recessed to a closed session. At 6:05 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.

G. ADJOURNMENT

There being no further business on the agenda, the special meeting was adjourned.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor

MINUTES
 OXNARD CITY COUNCIL
 Regular Meeting
 July 25, 2017

A. ROLL CALL/POSTING OF AGENDA

At 6:05 p.m., the regular meeting of the Oxnard City Council was called to order by Mayor Pro Tem Ramirez in the Council Chambers. The City Clerk called the roll: Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, and Mayor Pro Tem Carmen Ramirez were present; Mayor Tim Flynn was absent. The City Clerk stated that the agenda was posted July 20, 2017 at City Hall, with an amendment posted on July 21, 2017.

Staff members present were Greg Nyhoff, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ruth Osuna, Assistant City Manager; Phillip Molina, City Treasurer; Daniel Rydberg, Public Works Director; Jim Throop, Chief Financial Officer; Scott Whitney, Police Chief; Eden Alomeri, Assistant City Treasurer; Shiri Klima, Assistant City Attorney; Kenneth Rozell, Assistant City Attorney; Todd Vasquez-Housley, Environmental Resources Manager; and Michelle Ascencion, City Clerk.

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. CEREMONIAL CALENDAR

1. SUBJECT: Update by Oxnard-Ocotlan Sister Cities Committee Visitation.

Oxnard-Ocotlan Sister Cities Committee Members Priscilla Herrera and Daniel Martinez announced upcoming Sister Cities events and invited the public to attend.

(Mayor Pro Tem Ramirez announced that the City Manager's item, E-1, would be heard next.)

E. REPORTS

City Manager Department

1. SUBJECT: 2016 Community Relations Commission Report, Bylaws Amendment, Safe City Resolution.
RECOMMENDATION: That City Council:
 1. Receive and file the Community Relations Commission Annual Report for 2016;
 2. Adopt a resolution approving amended bylaws for the Community Relations Commission regarding the procedure for motions from the floor for future agenda items;
 3. Receive a Resolution of the Community Relations Commission (CRC) of the City of Oxnard Deeming The City of Oxnard a Sanctuary City;
 4. Consider adoption of one of the following two proposed resolutions:
 - a. A Resolution of the City of Council of the City of Oxnard Reaffirming the Public

- Safety Function of the Oxnard Police Department and the Importance of Immigrants to the City; or
- b. A Resolution of the City Council of the City of Oxnard Deeming the City of Oxnard a Sanctuary City.

Assistant City Manager Nava gave a report. Community Relations Commission Chair Tiffany Lopez gave a report of the Commission's activities over the previous year and the proposed amendment to the Commission's bylaws. Discussion ensued among the Council and staff.

*It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve Recommendation #2 regarding the proposed bylaws amendment (**Resolution No. 15,045**) as presented. VOTE: MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 4-0 (Flynn absent).*

Commissioner Lopez gave a report on the Commission's proposed sanctuary city resolution. Councilman MacDonald, Assistant City Attorney Klima, and the Police Chief gave a report on a proposed alternate resolution.

Public comments were received from Steve Nash, Arthur Schaper, Shirley Lang, Deborah Baber Savalla, Mario Quintana, Lily Bello, Nathan Ramos, Paulina Lopez, Jorge Toledano, Irma Lopez, Ruth Maria Capelle, Sofia Vega, George Miller, Patti Suttle, Michael Hernandez, Hector Moreno, Edelmira Shuman, Valerie White, Shannon Lopez, Dr. Richard Neve, Lupe Anguiano, Roberto Camacho, Genevieve Flores-Haro, Yissel Barajas, Musa Bassey, Martin Jones, Joan Lopez, Peggy Rivera, and Manuel Herrera.

Discussion ensued among the Council and staff.

*It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to adopt the alternate resolution presented by Councilman MacDonald (**Resolution No. 15,046**), with an amendment to spell out the "OPD" acronyms to read "Oxnard Police Department." VOTE: MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against. The motion carried 3-1 (Flynn absent).*

D. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Aaron Greer (potential recall election), Arthur Schaper (immigration), Gloria Roman (condition of wastewater treatment plant), Deborah Baber Savalla (immigration), Vincent Ines (debris on J Street), Alicia Percell (potential recall election), Celeste Gamino (Southwinds Park), and Peggy Rivera (safe city resolution).

(Mayor Pro Tem Ramirez announced that the City Treasurer's item, K-2, would be heard next.)

K. REPORTS

City Treasurer Department

2. SUBJECT: FY 16-17 4th Quarterly Investment Report.
RECOMMENDATION: That the City Council receive, accept and file the 4th Quarterly

Report from the Oxnard City Treasurer.

The City Treasurer and Assistant City Treasurer gave a report. Discussion ensued among the Council, staff, and Phillip Curls of FirstSouthwest. No action was taken.

F. REPORT OF CITY MANAGER (None)

G. CITY COUNCIL REPORTS

Councilman MacDonald commented on the upcoming Oxnard-Ocotlan Sister City events.

Councilmember Perello honored his mother-in-law who recently passed away. He commented on the recent public announcement of Arizona Senator John McCain's brain cancer diagnosis.

Councilmember Madrigal commented on his recent tours of various city facilities and departments, reported on attending the Meet Up Clean Up event at Campus Park, announced an upcoming Oxnard Downtown Improvement District meeting, reported on a recent La Colonia Neighborhood Council meeting, and commented on the city's homelessness issue.

Mayor Pro Tem Ramirez announced the upcoming Salsa Festival, reported on the Cowboys opening ceremonies, announced an upcoming California Energy Commission evidentiary hearing regarding the proposed Puente power plant, and reported on the Cowboys' \$10,000 gift to non-profit organizations in the city.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Items J-1(B), J-4, and J-8 were pulled for discussion.

Regarding J-1(B): Councilmember Perello and the Environmental Resources Manager discussed the disposal of biological material.

Regarding J-4: Councilmember Perello and Assistant City Attorney Rozell discussed the proposed letter. Further discussion ensued among the Council.

Regarding J-8: Councilman MacDonald invited Mauricio Guardado of United Water Conservation District to comment on the item. Discussion ensued among the Council and staff.

(As it was nearing 10:00, the Council voted unanimously to hear all the remaining items on the agenda.)

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Bonnie Luke, Tomas Rebecchi, Karina Kaye, Noemi Tungui, Troy Corley, Marc Traut, Maureen Carson, Pat Brown, Clay Downing, Steve Nash, John Mathews, Richard Neve, Barbara Macri-Ortiz, and Vicki Paul.

J. INFORMATION/CONSENT AGENDA

City Manager Department

1. SUBJECT: Agreements for City Council Review.
RECOMMENDATION: That City Council, pursuant to Ordinance No. 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the following agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000.
 - A. Oxnard Housing Authority (A-7727) for use of property at 1500 Camino Del Sol (\$72,000).
 - B. Stericycle Environmental Solutions, Inc. (A-7888) for transportation and recycling of household hazardous waste material (\$75,000).
 - C. Kelly Cleaning & Supplies, Inc. (7592-16-PW) for janitorial services for water, wastewater and environmental resources (\$90,000).
 - D. Granite Construction for hot asphalt material for street pavement repair (\$200,000).
 - E. Vulcan Materials for hot asphalt material for street pavement repair (\$50,000).
 - F. Diversified Minerals to purchase concrete material (\$30,000).
 - G. Sam Hill & Sons, Inc. (A-7721) for non-scheduled repairs to wastewater and storm drain systems (groundwater infiltration) (\$92,517).
 - H. Sam Hill & Sons, Inc. (A-7721) for non-scheduled repairs to wastewater and storm water drain systems (manhole repair at Rose Avenue and La Puerta Avenue with severe structural defects) (\$46,144).
2. SUBJECT: Amending Classification and Salary Schedule for Downtown Revitalization Manager.
RECOMMENDATION: That City Council: 1.) Adopt **Resolution No. 15,047** amending Resolution No. 15,029 authorizing changes in Classification and Salary Schedule to set a revised salary range for the Downtown Revitalization Manager; and 2.) Approve a budget appropriation in the amount of \$46,500 from Downtown Improvement Fund 481.

Development Services Department

3. SUBJECT: Deferred Impact Fee Agreement.
RECOMMENDATION: That Council authorize the City Manager or designee be given authority to finalize the negotiations with Oxnard Pacific Associates II, a California Limited Partnership, the developer of the 240-unit Gateway Station project (PZ 15-200-02) on the former Skyview Drive-In theater site located at 1250 S. Oxnard Boulevard, regarding the terms of the agreement and authorize the execution of the final agreement to defer and secure payment of \$2,053,740.74 of impact fees on the project.
4. SUBJECT: Letter to the Ventura County Planning Commission Concerning the Appeal of the Cabrillo Oil Field Expansion Project.
RECOMMENDATION: That the City Council send a Letter to the Ventura County Planning Commission regarding the Citizens for Responsible Oil and Gas' ("CFROG") appeal of the Ventura County Planning Director's determination regarding the Renaissance Petroleum, LLC Oil and Gas Facility (Case No. PL 14-0103).

Housing Department

5. SUBJECT: CDBG Appropriation to Southwinds Park.
RECOMMENDATION: That the City Council:
1. Approve the appropriation of \$83,008 in Community Development Block (CDBG) Grant funding for the Southwinds Park Improvements Phase I and II from the FY 2017-18 Annual Action Plan allocation.
 2. Authorize the Chief Financial Officer to approve the special budget appropriation of \$83,008 from Fund 285 (CDBG Entitlement) and encumber these funds for the Southwards Park Phase I & II Project.

Human Resources Department

6. SUBJECT: First Amendment - York Insurance Services.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to Agreement No. 7494-16-FN with York Insurance Services Group, Inc. in the amount of \$195,000 to increase the amount from \$195,000 to a total amount of \$390,000 for liability claims administration and adjustment services.

Public Works Department

7. SUBJECT: Granite Construction Change Order No. 1 for Project Specification No. DS15-43, Move Bus Stop on Victoria Ave.
RECOMMENDATION: That City Council:
1. Approve and authorize the City Manager to execute Change Order No. 1 for Project Specification No. DS15-43 with Granite Construction Company to increase the amount by \$64,595 (a total of \$978,693.60) to relocate a bus stop on southbound Victoria Avenue south of Gonzales Road (Agreement No. A-7873).
 2. Approve a budget appropriation for \$64,595 from the Transportation Development Act/Local Transportation Fund (TDA/LTF) Article 4-99400c to the Victoria Avenue from Fifth St. to Gonzales Road Project No. 143102..
8. SUBJECT: Approve Plans and Specifications for Recycled Water Pipeline Phase II Project PW17-42.
RECOMMENDATION: That City Council approves project plans and specifications and authorizes staff to solicit bids for the Recycled Water Pipeline Phase II Project PW17-42.
9. SUBJECT: Fourth Amendment to Agreement with Genuine Parts Company.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Fourth Amendment to the Agreement (6212-13-CM) with Genuine Parts Company dba NAPA Auto Parts for \$115,000, for a total contract amount of \$8,115,000, for a three-month period for vendor to provide on-site repair parts and tires to City until staff finalizes a new agreement for this service.
10. SUBJECT: Approve Plans and Specifications for ASR Pipeline Phase I PW 17-28.
RECOMMENDATION: That City Council approves project plans, specifications and working details and authorize staff to solicit bids for the Pump Repair and Well Maintenance for Well Nos 29 and 34 Project (PW 17-38).
11. SUBJECT: Award Contract for Windrow Dog Park Riverpark Community Facilities

District No.5 GS 15-15.

RECOMMENDATION: That City Council:

1. Award and authorize the Mayor to execute Agreement A-7995 to the lowest bidder, C.S. Legacy Construction, in the amount of \$320,181 for the Windrow Dog Park River Park Community Facilities District No. 5 GS 15-15.
2. Approve an additional \$32,000 for this project for engineering, inspection, survey, and project management.
3. Approve just under a ten percent (\$32,000) contingency for this project.
4. Approve a budget appropriation in the amount of \$221,920 for the current Fiscal Year 2017-18 from fund balance of CFD No. 5 Riverpark and a transfer within the project from design to construction in the amount of \$162,261 for a total budget of \$384,181.

It was moved by Councilman MacDonald, seconded by Councilmember Madrigal, to approve the Information/Consent Agenda items, with minor amendments to items J-4 and J-8. VOTE: MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against item J-8, stating he felt the project was incomplete. The motion carried 4-0 on items J-1 through J-7 and J-9 through J-11; and 3-1 on item J-8 (Flynn absent).

K. REPORTS

City Council Business

1. SUBJECT: League of California Cities Annual Conference Voting Delegate/Alternate 2017.
RECOMMENDATION: That City Council designate a voting delegate and a voting alternate to the League of California Cities Annual Conference.

(Councilman MacDonald briefly left the dais.)

The City Manager gave a brief report.

It was moved by Councilmember Madrigal, seconded by Councilmember Perello, to designate Mayor Pro Tem Ramirez as the voting delegate and the City Manager as the alternate. VOTE: Madrigal, Perello, and Ramirez voted in favor; the motion carried 3-0 (Flynn, MacDonald absent).

Public Works Department

3. SUBJECT: Change Order Nos. 1 – 12 to Aegis ITS, Inc. Contract A-7755 for the Oxnard Blvd Intelligent Transportation System (ITS) Extension Project.
RECOMMENDATION: That City Council approve and authorize the City Manager to execute Change Orders No. 1 through 12 to the Aegis ITS, Inc. agreement number A-7755, for the Oxnard Boulevard Intelligent Transportation System (ITS) Extension Project.

(Councilman MacDonald returned to the dais at this time.)

The Interim City Engineer gave a report. Discussion ensued among the Council and staff.

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

City Manager Department

4. SUBJECT: Public Works Department Reorganization.
RECOMMENDATION: That City Council:
 1. Receive a report regarding the Public Works Department.
 2. Adopt **Resolution No. 15,048** amending Resolution No. 15,029 to authorize changes to the Classification and Salary Schedule to reorganize the Public Works Department into 477 regular full-time positions including the creation of new full-time positions within this re-organization of the Public Works Department.
 3. Adopt **Resolution No. 15,049** amending Resolution No. 15,028 to amend the list of full-time equivalent positions within the Public Works Department.
 4. Authorize the City Manager to make the necessary budgetary adjustments.

Assistant City Manager Osuna gave a report. Discussion ensued among the Council and staff.

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

Finance Department

4. SUBJECT: Urgent Finance Department Agreements.
RECOMMENDATION:
 1. That City Council award and authorize the City Manager to execute the following agreements contingent upon final review and approval of the City Attorney and Risk Manager:
 - a. An agreement with HCA Consulting in an amount of \$210,450 plus a 10% contingency for a total not to exceed amount of \$231,000 for capital assets inventory and valuation.
 - b. A second amendment to the Agreement with Management Partners (A-7952) in an amount not to exceed \$150,000 for a total not to exceed amount of \$238,000 for assistance on the correction of the FY2014-15 111 audit findings. This appropriation is part of the FY2017-18 adopted budget.
 - c. A third amendment to the Agreement with MV Cheng (A-7867) in an amount not to exceed \$165,000 for a total not to exceed amount of \$385,000 for accounting services.
 2. That the City Council approve a budget appropriation for the HCA Agreement in the amount of \$231,000 from multiple fund reserves, General Fund – 65%, or \$150,000, Water Fund – 10%, or \$23,000, Wastewater Fund – 10%, or \$23,000, Environmental Resources – 10%, or \$23,000, and other funds – 5%, or \$12,000, for the capital assets inventory and valuation project
 3. That the City Council approve a budget appropriation for the MV Cheng Amendment in the amount of \$165,000 from the General Fund reserves. Approximately \$35,000 will be covered by salary savings in Finance, and the remaining \$130,000 will be allocated to all funds via the City's cost allocation plan. Total approximate cost to General Fund reserves is \$65,000, with remaining amount being allocated to other funds.

The Chief Financial Officer gave a report. Discussion ensued among the Council and staff.

Public comments were received from Phillip Molina and Martin Jones.

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

L. PUBLIC COMMENTS ON REPORTS (None)

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Pro Tem Ramirez adjourned the meeting at 10:43 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor

MINUTES
 OXNARD CITY COUNCIL
 Special Meeting
 August 9, 2017

A. ROLL CALL/POSTING OF AGENDA

At 5:31 p.m., the special meeting of the Oxnard City Council was called to order by Mayor Pro Tem Ramirez in the Civic Center Annex - Human Resources Activity Room. The City Clerk called the roll: Councilmembers Bryan A. MacDonald, Oscar Madrigal, Bert Perello, and Mayor Pro Tem Carmen Ramirez were present; Mayor Tim Flynn was absent. The City Clerk stated that the agenda was posted August 8, 2017 at City Hall.

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

B. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

C. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None)

D. CLOSED SESSION

Mayor Pro Tem Ramirez read the following closed session statement:

“The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The titles and case number of the litigation being discussed is City of Oxnard v. Dale Belcher; et al.; Ventura County Superior Court, Case No. 56-2014-00450216-CU-CO-VTA.”

At 5:33 p.m. the City Council recessed to a closed session. At 6:02 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

G. ADJOURNMENT

There being no further business on the agenda, Mayor Pro Tem Ramirez adjourned the special meeting at 6:02 p.m.

 MICHELLE ASCENCION, CMC
 City Clerk

 TIM FLYNN
 Mayor



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent
AGENDA ITEM NO.: 2

DATE: November 7, 2017

TO: City Council

FROM: Greg Nyhoff
City Manager

SUBJECT: Agreements for City Council Review

CONTACT: Greg Nyhoff, City Manager
Greg.Nyhoff@oxnard.org, 385-7430

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. Lourdes Campbell & Associates (A-8025) for translation and interpreting services (\$150,000).
- B. StreamLine Automation Systems, LLC. (7983-17-FI) for cloud-based records management and billing system for Fire Prevention Inspections (\$43,717).
- C. Fire Recovery USA, LLC. (7984-17-FI) for Fire Prevention billing services (\$250,000).
- D. The Hawk Pros, LLC. (A-7820) for professionally trained falconers for seagulls bird abatement at the Del Norte Regional Recycling and Transfer Station (\$50,000).
- E. Recycle Coach (8014-17-CM) for solid waste and recycling collection and event schedules program (no cost to the City).
- F. Labor Compliance Providers, INC. (A-6763) for labor standards compliance monitoring for contracts funded by grants or other City construction funds (Time extension only).
- G. Grandall Rental Company (A-7793) for storm drain channel cleaning (\$47,040).
- H. Earth Systems (6387-13-CM) Task Order No. 13 for geotechnical engineering and materials inspection and testing services during the construction phase of the Windsor North River Ridge neighborhood street resurfacing project (\$29,200).

BACKGROUND

Agreements for City Council Review
November 7, 2017
Page 2

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

FINANCIAL IMPACT

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

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

ATTACHMENTS:

Attachment A: City Manager Contract List for November 7, 2017

City Manager Contract List for 11/07/2017

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

L.2.a

A City of Oxnard Translation and Interpreting Services (Language Translation Services).

Vendor: Lourdes Campbell & Associates
Type: Original Agreement
Agreement No.: A-8025
Amendment No.: N/A
Purchase Order No.:
Begin Date:
End Date: 11/14/2020
Term:

Amount to be Approved: \$150,000
Current FY Amount: \$50,000
Total Contract Amount: \$150,000
Funding Source: 104 - Half-Cent Sales Tax
Vendor Selection Process: Request for Proposals (RFP)
of Bids/Proposals/Quotes: N/A
Project Manager: Jesus Nava, Assistant City Manager
Department: Office of the City Manager
Telephone: 805-385-7430
Email: jesus.nava@oxnard.org

Purpose: Staff is requesting authorization to enter into an Agreement with Lourdes Campbell & Associates (A-8025) in the amount of \$150,000 to provide Translation and Interpreting Services City-wide through November 14, 2020.

Staff issued a Request for Proposal and received eight (8) competitive proposals. The criteria that was used to evaluate the proposals were: distance from the City, cost for interpreters and headsets, years of experience and references.

Lourdes Campbell & Associates was selected based on the most government experience, most years in the translation services field, having competitive rates and having 27 years of experience in translation and interpreting services.

City Manager Contract List for 11/07/2017

L.2.a

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

B Fire Prevention Software

Vendor: StreamLine Automation Systems, LLC
Type: Original Agreement
Agreement No.: 7983-17-FI
Amendment No.: N/A
Purchase Order No.: 3423
Begin Date: 07/01/2017
End Date: 03/30/2020
Term: 3 Years

Amount to be Approved: \$43,717
Current FY Amount: \$18,077
Total Contract Amount: \$43,717
Funding Source: General Fund
Vendor Selection Process: Informal Bids
of Bids/Proposals/Quotes: 3
Project Manager: Sergio Martinez, Fire Marshal
Department: Fire Department
Telephone: 805-385-7722
Email: sergio.martinez@oxnard.org

Purpose: Staff is requesting authorization to enter into an Agreement with StreamLine Automation Systems, LLC (7983-17-FI) in the amount of \$43,717 to provide a cloud-based records management and billing system for Fire Prevention inspections. The current system used by the Oxnard Fire Department consists of paper forms that are stored in hard copy. The transition to a cloud-based system will allow for the access of inspection data to be viewed in the field increasing public safety.

Staff obtained three bids. Streamline provided the lowest bid and is therefore the preferred vendor. StreamLine, LLC is a platform specifically for fire inspections, the other vendors provide records management systems with a greater scope than inspections, making their products more expensive with the option of adding a module that allows for fire inspections. Streamline LLC customized their rate to charge only for the services that will be utilized by the City. Streamline had the added value of providing a billing service with the sister company Fire Recovery USA, LLC.

City Manager Contract List for 11/07/2017

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

L.2.a

C Fire Prevention Billing Services

Vendor: Fire Recovery USA, LLC.
Type: Original Agreement
Agreement No.: 7984-17-FI
Amendment No.: N/A
Purchase Order No.:
Begin Date: 07/01/2017
End Date: 03/30/2020
Term: 3 Years

Amount to be Approved: \$250,000
Current FY Amount: \$90,000
Total Contract Amount: \$250,000
Funding Source: Revenue
Vendor Selection Process: Informal Bids
of Bids/Proposals/Quotes: 3
Project Manager: Chief Sergio Martinez, Fire Marshal
Department: Fire
Telephone: 805-385-7722
Email: sergio.martinez@oxnard.org

Purpose: Staff is requesting authorization to enter into an Agreement with Fire Recovery USA, LLC (7984-17-FI) for billing services. Streamline Automation Systems, LLC utilizes the sister company Fire Recovery USA, LLC for billing services. The billing services provided by Fire Recovery USA, LLC will be utilized by Oxnard Fire Department to create bills and process payments. A flat fee of \$16.95 per inspection will be retained by Fire Recovery USA, LLC. The cost of an inspection varies by type and structure; a basic life safety inspection is the lowest priced inspection at a cost of \$82 per hour.

The anticipated revenue for Fiscal Year 2017-18 utilizing this service is \$90,000 increasing to \$250,000 annually after three years of implementation.

This agreement will have no cost to the City.

D Falconry Service for Seagull Abatement at the Del Norte Regional Recycling & Transfer Station

Vendor: The Hawk Pros, LLC
Type: Amendment
Agreement No.: A-7820
Amendment No.: 1
Purchase Order No.: 5613
Begin Date: 09/22/2015
End Date: 09/21/2018
Term: 3 year

Amount to be Approved: \$50,000
Current FY Amount: \$38,000
Total Contract Amount: \$150,000
Funding Source: Environmental Resources Enterprise Fund 631
Vendor Selection Process: Request for Bids (RFB)
of Bids/Proposals/Quotes: 3
Project Manager: Todd Vasquez-Housley
Department: Public Works - Environmental Resources Division
Telephone: 385-7957
Email: toddvhousley@oxnard.org

Purpose: Staff is requesting authorization to enter into a First Amendment with The Hawk Pros, LLC. (A-7820) in the amount of \$50,000 for one additional year through September 21, 2018 for professionally trained falconers for seagull bird abatement at the Del Norte Regional Recycling and Transfer Station. The agreement value is based on the hourly rate and the estimated annual service hours.

In May of 2015, pursuant to the City's purchasing policies, staff received three informal bids ranging from an hourly rate of \$45.00 to \$55.00 with the most responsive low-bid proposal submitted by The Hawk Pros. On September 22, 2015, the City Council approved Agreement No. A-7820 with the The Hawk Pros.

City Manager Contract List for 11/07/2017

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

L.2.a

E Agreement for Solid Waste and Recycling Collection and Event Schedules Program

Vendor: Recycle Coach
Type: Original Agreement
Agreement No.: 8104-17-CM
Amendment No.: N/A
Purchase Order No.:
Begin Date:
End Date:
Term:

Amount to be Approved: \$0
Current FY Amount: \$0
Total Contract Amount: \$0
Funding Source: No cost to City
Vendor Selection Process: Negotiated Contract
of Bids/Proposals/Quotes: N/A
Project Manager: Trish Honigsberg
Department: Public Works Department
Telephone: 805-385-7928
Email: trish.honigsberg@oxnard.org

Purpose: Staff is requesting authorization to enter into an agreement with Recycle Coach to allow residents of the City to create personal waste and recycling collection and event schedules. The schedules are accessed from the City's website or from within the Oxnard's 311 app. There is no cost to the City or the residents. However, the City will display and provide exposure to this service on the oxnard.org website.

Additional services are offered at an additional cost; however, any future fees or expenses will require an amendment to this agreement. The City will provide Recycle Coach with a database of residents' address and pickup zones, collection schedules, holiday collection changes and any other event dates. Recycle Coach will then remind residents of these schedules and events.

This is a non-traditional agreement that is only offered by Recycle Coach in a "click to accept" format.

Approval of this item will authorize the project manager to accept the agreement on behalf of the City. This is an agreement which requires official approval due to the indefinite duration of the agreement even though the City can terminate at will at any time.

City Manager Contract List for 11/07/2017

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

L.2.a

F On-Call Services for Labor Compliance Monitoring

Vendor: Labor Compliance Providers, Inc. (LCP, Inc.)
Type: Amendment
Agreement No.: A-6763
Amendment No.: 3
Purchase Order No.:
Begin Date: 09/09/2014
End Date: 09/09/2020
Term:

Amount to be Approved: \$0
Current FY Amount: \$0
Total Contract Amount: \$250,000
Funding Source: Various Projects
Vendor Selection Process: Request for Qualifications (RFQ)
of Bids/Proposals/Quotes: N/A
Project Manager: Renee Hatcher
Department: Public Works Department
Telephone: 805-200-5289
Email: renee.hatcher@oxnard.org

Purpose:

Staff is requesting authorization to enter into a Third Amendment with Labor Compliance Providers, Inc. (LCP) to provide labor standards compliance monitoring for contracts funded by Grants or other City construction funds. This assistance is especially helpful in dealing with funding requirements for Federal Highway Administration/Caltrans and HUD grants.

LCP works with the City to monitor labor standards, maintain and track payroll files and provide periodic reports on the status of labor compliance during projects. They also prepare governmental verification reports as needed on labor compliance including DBE/WEB and other Disadvantaged Business Enterprise Programs and Title VI verifications.

LCP is brought onto a project at the request of the Project Manager through a Task Order and they're not needed for all projects. They're involved from the point when a contract is awarded until the project is closed out.

An extension for additional time is all that is needed on this contract. To-date \$70,964 has been encumbered on the \$250,000 contract so no additional funding is requested.

City Manager Contract List for 11/07/2017

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

L.2.a

G Storm Drain Cleaning

Vendor: Grandall Rental Co.
Type: Amendment
Agreement No.: A-7793
Amendment No.: 1
Purchase Order No.: 6097
Begin Date: 10/24/2016
End Date: 10/16/2019
Term: 3 Years

Amount to be Approved: \$47,040
Current FY Amount: \$23,520
Total Contract Amount: \$70,560
Funding Source: Stormwater Flood Control Fund
Vendor Selection Process: Informal Bids
of Bids/Proposals/Quotes: 1
Project Manager: Pete Martinez
Department: Public Works Department
Telephone: 805-271-2214
Email: pete.martinez@oxnard.org

Purpose: Staff is requesting authorization to enter into a First Amendment with Gradall Rental Company, Inc. (A-7793) for storm drain channel cleaning and changing the expiration date from October 16, 2017, to October 16, 2019.

On September 12, 2016, an informal bid was sent out to three (3) companies. Gradall was the only company who responded to the RFB.

On October 24, 2016 the Agreement No. 7632-16-PW was executed. The scope includes cleaning concrete and earthen storm drain channels to remove debris, organic vegetation and/or related material to ensure proper flow characteristics during the wet weather season.

This First Amendment will add an additional two (2) years extending the term to October 16, 2019, and will also add additional funds in the amount of \$47,040 from the original agreement amount of \$23,520, bringing the total to \$70,560. There are sufficient funds in the Stormwater Flood Control Fund. The remaining funds will be included in the budget for Fiscal Year 2018/2019.

City Manager Contract List for 11/07/2017

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

L.2.a

H On-Call Soils and Materials Testing

Vendor: Earth Systems
Type: Task Order
Agreement No.: 6387-13-CM
Amendment No.: 13
Purchase Order No.: 4754
Begin Date: 11/19/2013
End Date: 12/31/2017
Term: 4 years

Amount to be Approved: \$29,200
Current FY Amount: \$29,200
Total Contract Amount: \$279,200
Funding Source: Lease Revenue Bond Funds
Vendor Selection Process: Request for Qualifications (RFQ)
of Bids/Proposals/Quotes: 12
Project Manager: Raymond Williams
Department: Public Works, Capital Projects Management
Telephone: 805-797-8206
Email: raymond.williams@oxnard.org

Purpose: Staff is requesting approval of Task Order No. 13 for geotechnical engineering and materials inspection and testing services during the construction phase of the Windsor North River Ridge Neighborhood Street Resurfacing project.

The City's General Services Division obtained permission to issue a RFQ and did so in August 2013. The legal notice for the RFQ was first posted August 1, 2013. The City received 12 proposals on the due date of August 29, 2013. A committee was selected to review and rank the proposals and recommended entering into agreements with the top four firms. Earth Systems was one of the four firms awarded a contract. The contract amount remains \$250,000.

City staff is currently in the process of issuing an RFQ for new geotechnical agreements. It is expected to have new agreements in place prior to the expiration of the existing agreements.

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent
AGENDA ITEM NO.: 3

DATE: November 7, 2017

TO: City Council

THROUGH: Greg Nyhoff
City Manager

FROM: Ingrid Hardy
Cultural & Comm Services Director

SUBJECT: Project Management Services for New Senior Center

CONTACT: Ingrid Hardy, Cultural & Comm Services Director
Ingrid.Hardy@oxnard.org, 385-7993

RECOMMENDATION:

That City Council:

1. Approve a budget appropriation in the amount of \$68,250 from Measure O funds to Senior Center Facility (Project No. MO5510); and
2. Approve and authorize the City Manager or designee to execute a task order within the existing agreement with Stantec Consulting Services, Inc. (Agreement Number 7729-16-DS) in an amount not to exceed \$68,250 for project management services related to a new senior center.

BACKGROUND

Approved by voters in November 2008 to enhance services to the community, the half-cent sales tax or “Measure O” is a 20-year general purpose sales tax. Measure O provides protection, maintenance and enhancement of vital City services including police, fire and emergency response, increasing street paving/pothole repair to improve traffic flow, expanding youth recreation, after-school and anti-gang prevention programs, acquiring property for parks/open space preservation, upgrading stormwater drains, improving senior services, increasing code compliance, and other general services. In May 2012 City Council approved an allocation of

Project Management Services for New Senior Center

November 7, 2017

Page 2

\$100,000 to be used towards a study to perform the improvement of an existing Senior Center and/or the construction of a new center.

In 2012, the City of Oxnard Senior Services Division solicited professional services of Lauterbach & Associates to develop the attached Master Plan for an enhanced and/or new Senior Center for the City of Oxnard. The focus of this Master Plan was site identification, review and evaluation based on the needs and wants of the community determined by the results of a city-wide Senior Survey. Based on the 1,910 survey responses received a key discovery was Oxnard is in need of a new state-of-the-art senior center. Palm Vista and South Oxnard Senior Centers do not provide the opportunity for building enhancements being that they are shared use facilities. An enhancement of the Wilson Senior Center would eliminate park space, which is a premium in the City of Oxnard, and has limited parking.

On February 8th, 2013 Lauterbach & Associates presented The Oxnard Senior Services Commission with an analysis and recommendation on appropriate sites for a potential new senior center. The Commissioners reviewed the analysis and potential sites and on April 9th, 2013 voted to recommend the site located at 2500 West 5th Street, Southwest Community Park. City Council received a report on the Senior Center Master Plan on July 23, 2013.

At the June 10, 2014 Senior Services Commission meeting the Commission agreed to form a Senior Center subcommittee with the goal of taking steps towards the construction of a new senior center. This subcommittee currently meets once a month and has set a short term goal of acquiring conceptual drawings to support fundraising efforts and ending goal of a new senior center. In support of these efforts, on May 9, 2017 City Council designated 2500 West 5th Street as the site for a new senior center.

Professional Planning and Technical Administrative Consulting Services

On February 7, 2017, the City Council approved a contract for planning services with Stantec Consulting Services, Inc. (Stantec). The agreement with Stantec was then amended on July 18, 2017. The agreement is for a two year five month period and not to exceed the amount of \$250,000.

Due to the lack of technical expertise within the Cultural and Community Services Department (CCSD) in managing the necessary steps for project development, facility design, and construction, the CCSD expressed an interest in utilizing the Planning Division's on call contract with Stantec. Similar to the services that Stantec provides to the Planning Division, Stantec will provide such assistance to CCSD including, but not limited to, coordinating permit review with appropriate departments and external agencies, functioning as the project manager, preparing environmental analyses, making presentations, and reviewing architectural plans. These services are necessary for the new senior center project to make progress. Stantec proposes to provide these services in two phases (Conceptual Phase and Planning and Project Phase) in the attached proposal.

Project Management Services for New Senior Center
November 7, 2017
Page 3

The Senior Services Commission and the Oxnard Recreation Center for Adults and Seniors (ORCAS) committee of the Senior Services Commission are supportive of this request.

As of July 18th, Stantec contract staff was working on current and long range planning projects totaling approximately \$175,000. As such, the \$75,000 remains in Stantec's \$250,000 contract for the requested work to be performed over the next two years.

STRATEGIC PRIORITIES

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

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

FINANCIAL IMPACT

Additional appropriation in the amount of \$68,250 is required from Measure O Fund Balance for the project management of the Senior Center Facility (Project# MO5510). The estimated FY17-18 Measure O Fund Balance is approximately \$9.8 Million based on preliminary unaudited year-end of FY2016-17.

ATTACHMENTS:

Attachment A: Senior Center PM Proposal 092017

Attachment B: SNR CTR Master Plan

Attachment C: BA - Staff Report 1890 (Senior Center MO5510)

Attachment D: Task Order_ Stantec



Stantec Consulting Services Inc.
1327 Del Norte Road, Suite 200, Camarillo CA 93010-9123

September 20, 2017
File: 2064138900.200.107

via email

Ms. Ingrid Hardy, MPA
City of Oxnard
Cultural and Community Services Director
305 West Third Street
Oxnard, CA 93030

REFERENCE: Project Management Services for Proposed Senior Center Facility in Oxnard

Dear Ingrid:

On behalf of Stantec, I'm pleased to submit this proposal for project management services for a proposed Senior Center facility tentatively proposed on 5th Street in Oxnard, CA. The City of Oxnard requires staff level assistance with the project.

With my extensive experience in the City of Oxnard, my knowledge of the City and my planning, project management, and outreach experience, the Cultural and Community Services Division has asked that I propose on the project under the current Permitting and Planning On-Call Services Contract. Along with extensive experience with the City, I also am familiar with local architects, consultants, and key stakeholders that can potentially provide assistance to the project.

SCOPE OF WORK

Based on your direction, assistance with the project will be as follows:

TASK 1: CONCEPTUAL PHASE

Provide assistance to the Cultural and Community Services Division of the City of Oxnard and the "ORCAS Committee" – Oxnard Recreation Centers for Adults and Seniors Committee and to develop a conceptual plan for the proposed Senior Center. The tasks may include:

1. Identify potential architect for conceptual plan. Tasks include meetings, outreach, negotiations, and contract management to obtain an architect for the conceptual and schematic plan for the proposed Senior Center.
2. Perform due diligence to assess Planning, Survey, Building & Safety permit requirements from both Ventura County and State agencies, including County Airports and VCTC.

ESTIMATE: 60 HOURS



September 20, 2017
 Ms. Hardy
 Page 2 of 3

TASK 2: PLANNING AND PROJECT PHASE

Assist the Cultural and Community Services Division with project management and staff level assistance on tasks related to the development of the proposed Senior Center on 5th Street. These project level tasks include but are not limited to:

1. Secure architect for Senior Center building and site plan. Work with architect, Cultural and Community Services Division, and ORCAS to determine scope, design alternatives, and final layout for Senior Center.
2. Develop Project Team that would include architect, civil engineer, structural and mechanical engineers, and landscape architect with the assistance of the Cultural and Community Services Division, ORCAS, and City of Oxnard management.
3. Attend and consult with team on plans progression, city requirements, staff and city meetings regarding project, and any other required consultation and meetings required by Director.
4. Provide assistance and support for outreach and public workshops.
5. Procure consultants required for various environmental impact analyses; including Airport Risk Assessment consultant, noise consultant, archeologist, and possibly a traffic consultant.
6. Provide assistance on required environmental document, if required. Scope would include limited scope of assistance only. (If determined that an environmental document is required (i.e. MND), a new proposal for an MND from Stantec would be required.)
7. Staff level assistance for application to Planning, Building & Safety, and Development Services permit requirements from both Ventura County and State agencies, including County Airports and VCTC.
8. Staff level assistance with override process of the ALUP before the City Council
9. Assist and provide project management support for all Planning Commission, City Council and neighborhood meetings, including written reports and oral presentations.

ESTIMATE: 180 HOURS

PROPOSED FEE AND RATES

The hourly billing rates for these services are as follows:

- | | | |
|--------------------------|----------|----------|
| • Hollee King, MPA, AICP | Level 12 | \$166/hr |
|--------------------------|----------|----------|

Charges will incur on a time and material basis and the proposed fee is an estimate of time based on the scope of services. The project is proposed to take approximately 240 hours of time. The total proposed amount would be **\$40,000**. At any time, if the amount of time is expected to exceed \$40,000, you will be notified immediately.



September 20, 2017

Ms. Hardy

Page 3 of 3

Subconsultants for this project will be required to complete the project. A FAA/Airport Consultant and a Noise Consultant. We estimate that each study will cost approximately between \$10,000 - \$12,500. Therefore, we are including a "Not to Exceed" subconsultant amount of **\$25,000** for this project.

The total amount for the proposed project would be approximately **\$65,000** to provide project management services, subconsultant reports, and to complete the processing of the project.

INVOICING

Stantec will submit monthly invoices; payment is expected within 30 days of invoice receipt. If an account remains unpaid, we may consider this as constructive notice to suspend services. Should you choose to suspend our services, any uncharged portion of the retainer will be remitted to you.

TIME OF PERFORMANCE

We can begin to provide services immediately.

SERVICES NOT INCLUDED

The following services and all other services not specifically listed herein are excluded:

1. Reimbursable expenses, such as photocopies, postage, shipping/delivery, mileage, prints, maps/documents, including any materials used for public workshops.
2. Governmental and public agency fees, cost of bonds and taxes.
3. Title company reports, services and any agency fees.
4. Civil engineering services are not included.
5. Architectural Services are not included
6. Surveying Services are not included
7. Environmental Consultant Services (MND, EIR) other than those described above are not included.
8. Other consultant Services other than those described above are not included.
9. Final Phase for the project is not included. (Includes preparation of bid documents, final phase meetings, building permit processing, construction management, etc.



September 20 2017

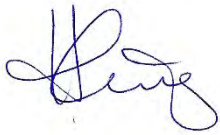
Ms. Hardy

Page 4 of 4

AUTHORIZATION

Should you require any additional information or wish to discuss this proposal further, feel free to contact me at (805) 322-1678, or via email at hollee.king@stantec.com. If the proposal is satisfactory, please sign and return a copy of this proposal and contract as indicated below.

Thank you for your consideration of Stantec.

STANTEC CONSULTING SERVICES INC.

Hollee L. King, MPA, AICP
Project Manager
Phone: 805-322-1678
Fax: 805-981-0251
Hollee.King@stantec.com



Matthew G. Winegar, AICP
Senior Project Manager

Authorized by: _____ Date: _____

Title: _____

CITY OF

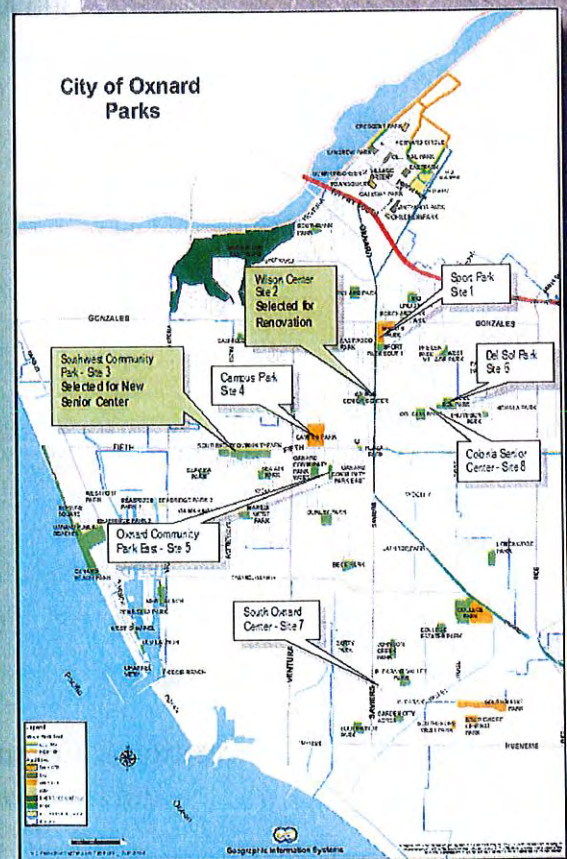
OXNARD

CALIFORNIA



Site Identification/ Review and Evaluation Plan for New/Enhanced Senior Center in the city of Oxnard per Measure "O" Funding

May 2013



SENIOR CENTER MASTER PLAN





This Report has been prepared by:

LAUTERBACH & ASSOCIATES, ARCHITECTS, INC.

300 MONTGOMERY AVENUE, OXNARD, CALIFORNIA 93036, (805) 988-0912. FAX (805) 981-4510 www.la-arch.com

Steven D. Geoffrion, Architect AIA
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Ilona S. Scott, Architect AIA NCARB

300 Montgomery Avenue
Oxnard, CA 93036
(805) 988-0912

On Behalf Of:

City of Oxnard
Recreation & Community Services (Senior Services)
and the Senior Services Commission
545 South A Street
Oxnard, CA 93030
(805) 385-8019

Special thanks to the City Council, the Senior Services Commission, and the City of Oxnard staff for their input and support

City Council – City of Oxnard

Tim Flynn, Mayor
Carmen Ramirez, Esq., Mayor Pro Tem
Bryan A MacDonald, Councilmember
Dorina Padilla, Councilmember

Senior Services Commission

Nancy Rowe, Chairperson
Andy Esparza, Vice Chairperson
Ron Fisher
Nancy Kobashigawa
Lourdes Villarreal Yu
Alice Sweetland
Alice Madrid
Kay Brainard

City of Oxnard staff

Ralph Alamillo, Construction Project Manager – City of Oxnard General Services
Patricia Friend, Construction Project Coordinator – City of Oxnard General Services
Gregory Barnes, Interim Recreation Supervisor – City of Oxnard Recreation & Community Services
Marisue Eastlake, Recreation Coordinator – City of Oxnard Recreation & Community Services

Senior Services & Special Populations Program

350 North C Street
Oxnard, California 93030
(805) 385-8019
Fax (805) 385-7494



April 15, 2013

Dear Mayor Flynn and Members of The Oxnard City Council,

On February 8th, 2013 The Oxnard Senior Services Commission was presented with an analysis by Lauterbach and Associates as to the final recommendation on appropriate sites for a potential new senior center. The Commissioners were asked to visit each site and review the information provided by Lauterbach and Associates. On April 9th, after a lively discussion, the Commission voted to recommend the site located at 2500 West 5th Street. It was felt that this particular site covered most of the criteria important to this project.

If I can assist further in clarifying any of our discussion, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Rowe".

Nancy Rowe, Chair
Senior Services Commission

cc: Greg Barnes
Lauterbach and Associates

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Introduction

City of Oxnard's Recreation and Community Services' Senior Services Division solicited the professional services of Lauterbach & Associates, Architects to develop a Master Plan for a new and/or enhanced senior center for the city of Oxnard. The Master Plan is focused on site identification, review and evaluation with regards to the needs and desires of the community as determined through results of a city-wide Senior Center Survey.

Key Discoveries

Solely based on the 1,910 survey responses received, the following were key discoveries resulting from the survey analysis with regards to a new and/or refurbished senior center:

- Oxnard needs a new state-of-the-art senior center.
- The majority of the responding seniors live in the 93035 zip code area.
- Painting is the top priority in the Arts, Crafts & Cultural category.
- Cards / Table games is the top priority in the Games, Hobbies & Computers category.
- Cardio equipment is the top priority in the Sports, Dance & Fitness category.
- Computer Lab is the top priority in the Spaces category.
- 61% of the respondents currently attend and/or participate at the Wilson Senior Center.
- For 89% of the respondents, the primary means of transportation is Self.
- Health is their most important issue.

Recommendations

Sites considered for renovation are as follows:

- Wilson Center
- South Oxnard Center
- Colonia Senior Center

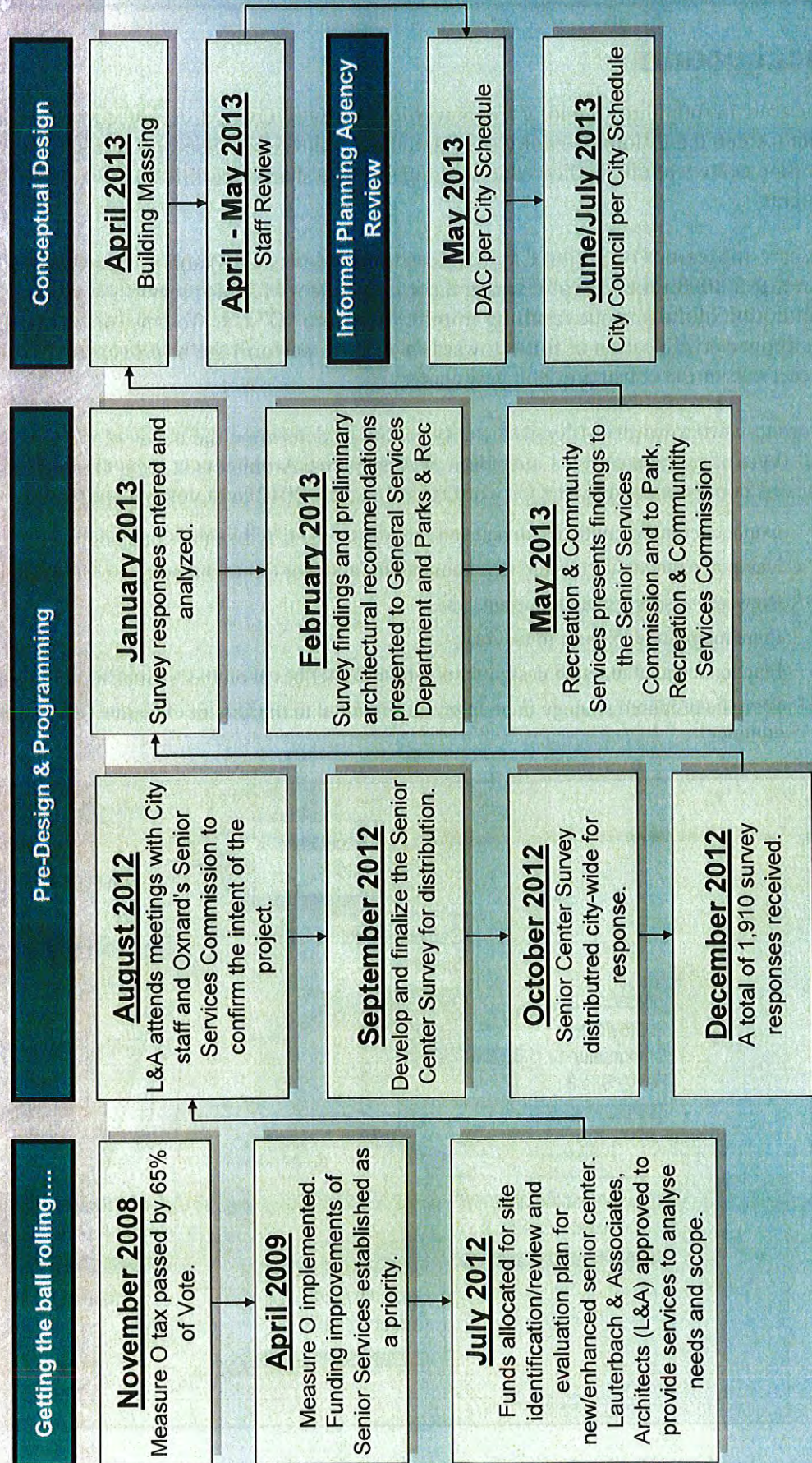
Conclusion: Out of the three existing Senior Centers the one that is mostly qualified for addition and/or remodel is the Wilson Center.

Sites considered for new construction are as follows:

- Sports Park
- Oxnard Community Park East
- Southwest Community Park
- Campus Park
- Del Sol Park

Conclusion: The first three site were recommended for consideration to the Senior Services Commission and they selected one site to be used for the construction of a new Senior Center. That site is: **Southwest Community Park by Oxnard Airport**

Senior Center Analysis Master Plan Schedule



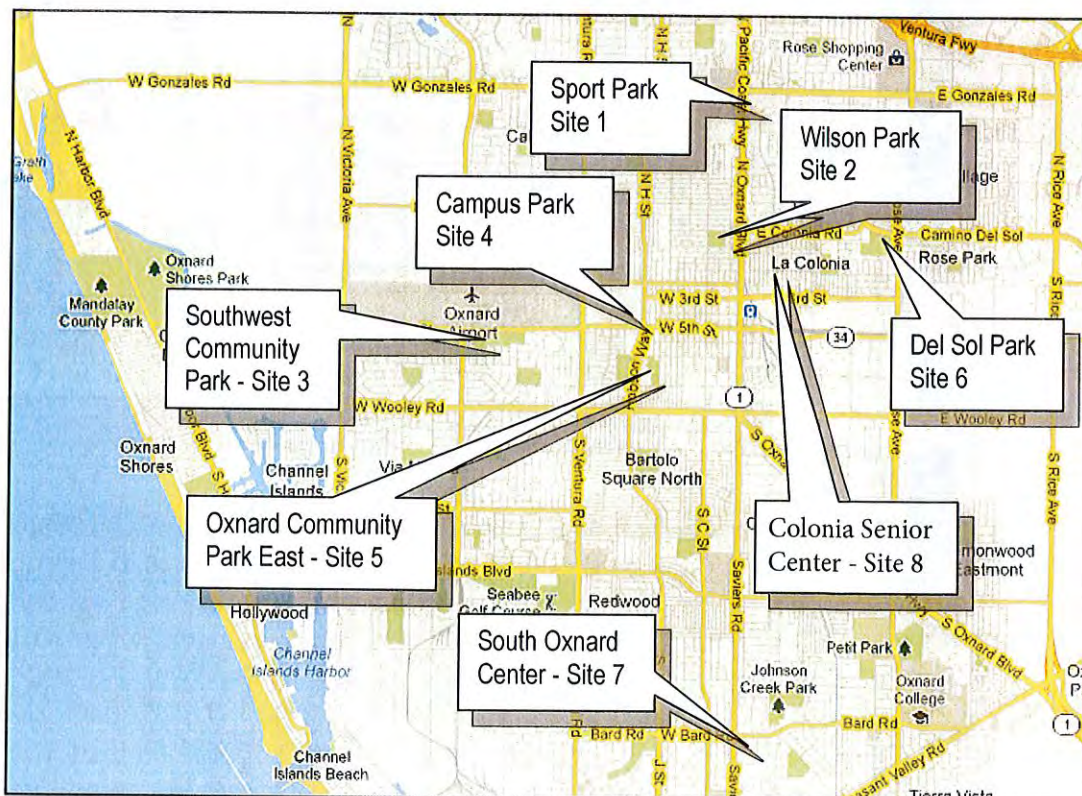
Background

There are currently three Senior Centers within the city of Oxnard. These centers include the Wilson Senior Center, the Colonia Senior Center and the South Oxnard Senior Center. However, none of these existing centers are fully dedicated to seniors; they are shared facilities with youth and other adult programs.

As part of Measure "O", a Vital City Services transactions (sales) and use tax that was approved in November 2008 for the City of Oxnard, the improvement of senior services was identified as a priority for allocation of the revenue resulting from the Measure "O" tax. To date, the Oxnard City Council has approved an allocation of funds towards a study to perform the improvement of an existing Senior Center and/or the construction of a new center.

In order to work towards this goal, the City set out to determine the needs of the City's residents who are 50 years of age and older. Lauterbach & Associates, Architects, a local Oxnard business for over 40 years, was commissioned by the City of Oxnard in July 2012 to develop a strategy for the following:

1. Conduct community outreach and solicit input from the City's senior population;
2. Develop Architectural Program requirements for a Senior Center based on survey findings;
3. Review and assess potential project sites;
4. Prepare magnitude of costs for review;
5. Prepare conceptual massing design for a Senior Center based on the Architectural Program; and
6. Present the proposed strategy in an informal submittal to the City of Oxnard's City Council for review and comment.



Process

Pre-Design and Programming

In **August 2012**, Lauterbach & Associates attended meetings with staff from City of Oxnard's Recreation and Community Services, General Services and Senior Services Commission to discuss the intent of the project.

Per these meetings it was made clear that the intent for this initial process was to develop a comprehensive understanding of the wants and needs of most, if not all, of the Senior Community (50 years of age and older) within the city of Oxnard with regards to either building a new Senior Center and refurbishing an existing center, or just refurbishing an existing center. Under the direction of the City of Oxnard's Senior Services and with the participation and input of Oxnard's Senior Services Commission, a Bilingual Survey Questionnaire was developed by Lauterbach & Associates, made available, and distributed city-wide. (Please see Exhibit A: Senior Center Survey).

During this time, Lauterbach & Associates, Architects visited the following sites identified by the City as available properties for a new and/or refurbished center:

1. Sports Park: 100 E. Gonzales,
 - The southern vacant tip (approximately four (4) acres) of the site.
2. Wilson Park / Wilson Senior Center: 350 North C Street.
 - This site has an existing center for seniors.
3. Southwest Community Park: 2500 West 5th Street
 - A vacant lot (approximately four (4) acres) east from South Patterson Road.
4. Campus Park: 937 West Fifth Street.
 - A vacant lot.
5. Oxnard Community Park East: 800 Hobson Way at G Street.
 - An existing park.
6. Del Sol Park, Colonia: 1500 Camino del Sol.
 - An existing park.
7. South Oxnard Center: 200 East Bard Road
 - This site has an existing center for seniors.
8. Colonia Senior Center: at 126-B Amelia Court; situated inside a housing complex.
 - This site has an existing center for seniors.

The preliminary evaluation of the above properties was based on location, existing and surrounding amenities, especially for seniors, and the condition of existing buildings, if any.

By **January 2013**, a total of 1,696 surveys (1,910 responses, some surveys had multiple responses from a single household) were received and entered for analysis. Based on the results of this survey, an Architectural Program was produced. The Architectural Program establishes the building and space requirements by considering various factors. Such factors include building codes, agency requirements, the senior's needs and desires as expressed in the surveys, and proper relationships between spaces/areas.

In **February 2013**, L&A presented the findings and results from the survey responses to the City of Oxnard General Services and Recreation & Community Services Departments. On **March 12, 2013**, the Recreation & Community Services Departments made a presentation of the finding to the Senior Services Commission. These findings included L&A's professional recommendation for the three sites that are most suitable, based on size, access, location, and surrounding amenities to address the needs and desires of the Senior Community as understood per the results of the survey. At this time, the three sites recommended for new construction are as follows:

- Sports Park
- Oxnard Community Park East
- Southwest Community Park

The existing Wilson Senior Center site is recommended for refurbishment and upgrades.

A follow-up meeting between the Recreation & Community Services Departments and the Senior Services Commission took place on **April 9, 2013** and the results from this meeting is as follows:

- A new center to be build on Southwest Community Park site.
- Wilson Senior Center was confirmed to be the center to be recommended for renovation.

Outreach Methods

After multiple discussions and various options for distribution were discussed, the final decision was to make the Senior Center Survey available through multiple sources. In order to reach the maximum amount of seniors possible, the following distribution methods were used and/or made available to help ensure that the survey was distributed city-wide and made available to as many seniors that wished to participate:

1. City made arrangements to include the Senior Center Survey (in both English and Spanish) with the utility bill for all Oxnard residences;
2. Surveys were made available at the existing senior centers in Oxnard: Wilson Senior Center, Colonia Senior Center and the South Oxnard Center;
3. Members of Oxnard's Senior Services Commission also volunteered to deliver copies of the Survey to various Senior Housing/Living complexes within the city;
4. Surveys were available to be downloaded in both English and Spanish from the City of Oxnard's Recreation and Community Services webpage (www.oxnardrec.org).
5. An ongoing ad run on City Channel.
6. The survey was announced at City Council, the Senior Services Commission, the Parks, Recreation & Community Services Commission.

Participation Outcome

A total of **1,696** surveys packets were returned. Some of the packets included responses for multiple people; all were accounted for in the entry and analysis resulting in a total of **1,910** returned responses.

Below are percentages of the responder's backgrounds with the majority highlighted:

Age Range		Percent
50 - 59 years of age	483	25%
60 - 69 years of age	704	37%
70 - 79 years of age	453	24%
80 - 89 years of age	216	11%
90 - 99 years of age	38	2%
100 years and older	2	0%
49 and under	7	0%
No Answer	7	0%
Total	1,910	100%

Marital Status		Percent
Married	1,187	62%
Widowed	298	16%
Separated	23	1%
Divorced	180	9%
Never Married / Single	86	5%
No Answer	136	7%
Total	1,910	100%

Ethnic Background*		Percent
Hispanic/Latino	494	26%
Black/African American	81	4%
Native American/Alaskan	30	2%
White/Caucasian	1,038	54%
Asian/Pacific Islander	218	11%
Other/Not specified*	220	12%
Total*	2,081	NA

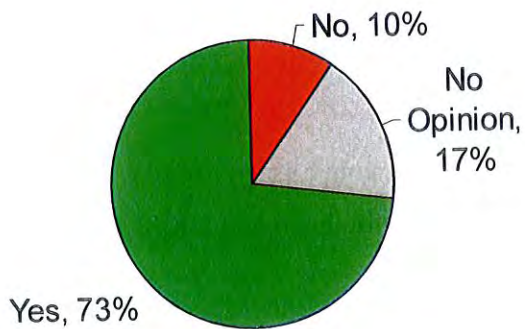
*Respondents were allowed to choose multiple categories

Zip Code		Percent
93030	460	24%
93031	3	0%
93032	0	0%
93033	431	23%
93034	4	0%
93035	509	27%
93036	327	17%
No Answer	176	9%
Total	1,910	100%

Years in Oxnard		Percent
0 - 5	191	10%
6 - 10	106	6%
11 - 15	170	9%
16 - 20	134	7%
21 - 30	261	14%
31 or more	942	49%
No Answer	106	6%
Total	1,910	100%

Survey Analysis and Summary of Responses

The purpose of the analysis for this report is solely for the items pertaining to a potential new Senior Center and/or a refurbished Senior Center. Below is breakdown of the votes for the highest (rating 1) and lowest (rating 5) priority option for the most popular selections. For a complete breakdown of results, please see Exhibit B - Detailed Survey Results.



Does the City of Oxnard need a new state-of-the-art senior center?

Most Popular Selections	Priority	
	High	Low
Cardio Equip	818	232
Computer Lab	784	221
Dance & Aerobics	747	236
Swimming	743	285
Classrooms	682	183
Yoga/Pilates	646	277
Health Room	630	229
Club/Comm Room	602	200
Cards/Table Games	594	318
Banquet/Event/Dance Hall	576	233
Library/Reading Room	573	202
Outdoor Patios	521	227
Meeting Rooms	493	210
Free Weights	480	280
Gardening	470	215
Dining Room	464	223

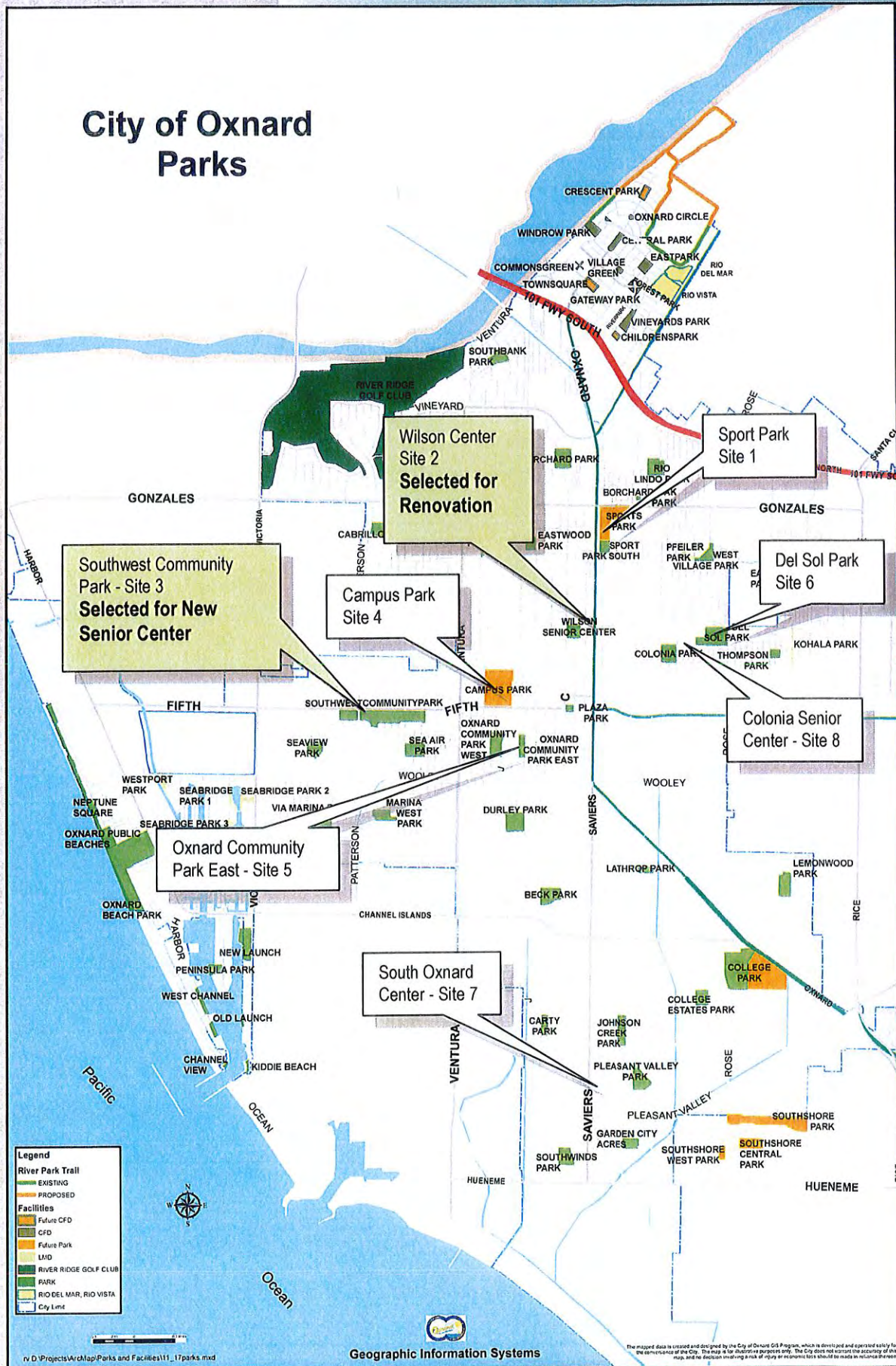
What are the sixteen most important priorities to the City of Oxnard Seniors?

General criteria for site selection

Location - Centrally located in the City of Oxnard

1. List of sites under consideration with address and distance to City Hall:
 - (1) Sports Park – 2.3 miles
Vacant land;
100 E. Gonzales, corner with Oxnard Blvd.
Lot size: 20.66 Acres; available for construction 4 Acres
 - (2) Wilson Center Park – 0.4 miles
Existing Senior Center;
350 North C Street, Director Fernando Garcia (805) 385-8028.
Lot size 5.69 Acres; area could be made available for an addition: Size TBD
 - (3) Southwest Community Park – 2.2 miles
Vacant land;
2500 W 5th Street, adjacent to Oxnard Airport
Lot size 4.3 Acres; available for construction: 4.3 Acres
 - (4) Campus Park – 0.7 miles
Vacant land;
937 W Fifth Street (former high school).
Lot size 26.59 Acres; available for construction: TBD
 - (5) Oxnard Community Park east – 1.0 miles
Existing Park;
800 Hobson Way, at G street adjacent to Oxnard Community Center.
Lot size: 14.35 Acres (two lots); available for construction: 4.35 Acres (separate lot).
 - (6) Del Sol Park – 1.5 miles
Existing park;
1500 Camino del Sol, at Rose Avenue. It has a large number of uses, and it is well maintained
Lot size 13.4 Acres; available for construction: TBD
 - (7) South Oxnard Center – 3.0 miles
Existing Senior Center;
200 East Bard Road, Director Desire Ventura (805) 385-8042
Lot size 2.65 Acres; available for construction: none
 - (8) Colonia Senior Center – 1 mile (existing Senior Center)
126-B Amelia Court, Director Claudia Valencia (805) 385-8163
Legal lot size 10.53 Acres, limited by existing construction. Available for construction: none

City of Oxnard Parks



Ownership

1. The land on the sites reviewed in this report is owned by the City of Oxnard.

Utilities

1. Utilities availability (water; sewer; fire hydrants; gas; electricity; telephone; data; cable):
 - (1) Sports Park – inadequate, work needed
 - (2) Wilson Center Park – all available
 - (3) Southwest Community Park – inadequate, work needed
 - (4) Campus Park – inadequate, work needed
 - (5) Oxnard Community Park East – inadequate, work needed
 - (6) Del Sol Park – inadequate, work needed
 - (7) South Oxnard Center – all available
 - (8) Colonia Senior Center – all available

Transportation

- a. By car – parking provided by design for new construction and existing at Senior Centers currently active.
- b. Bicycle, motorcycle parking provided by design.
- c. ADA parking complies with code by design

Transportation (continued)

d. Accessible by public transportation:

(1) Sports Park – Bus lines:

- 4A North Oxnard – Ventura Road
- 14 Esplanade – Nyeland Acres
- 15 Esplanade – El Rio – St. Johns
- 19 Gonzales – Lombard

(2) Wilson Center Park – Bus lines:

- 4B North Oxnard – Ventura Road
- 6 Oxnard – Ventura
- 2 Colonia (within one block)
- 4A North Oxnard – Ventura Road (within one block)
- 3 Southside (within one block)
- 5 Parkwest (within one block)
- 19 Gonzales – Lombard (within one block)

(3) Southwest Community Park – Bus lines:

- 19 Gonzales – Lombard (within one block)

(4) Campus Park – Bus lines:

- 5 Parkwest
- 19 Gonzales – Lombard (within one block)

(5) Oxnard Community Park East – Bus Lines:

- 3 Southside

(6) Del Sol Park – Bus Lines:

- 2 Colonia
- 4A North Oxnard – Ventura Road
- 4B North Oxnard – St Johns

(7) South Oxnard Center – Bus Lines:

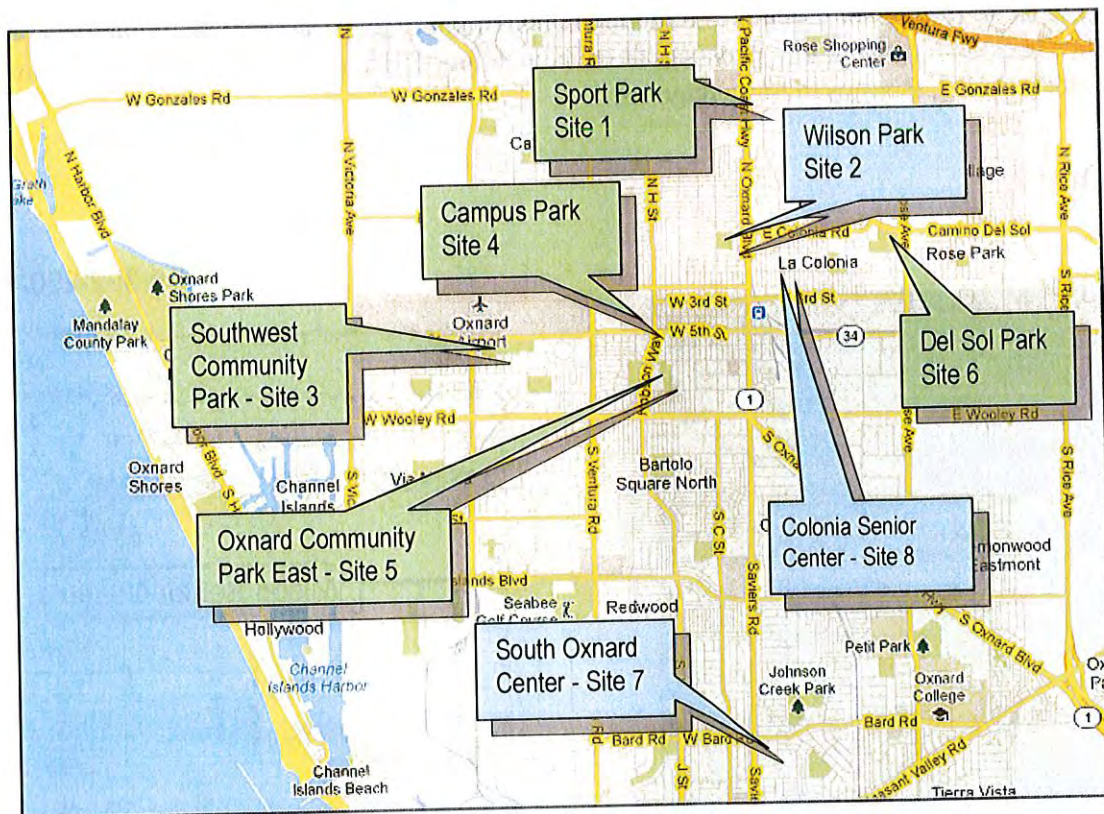
- 1 Port Hueneme – OTC
- 7 South Oxnard
- 8 Oxnard College

(8) Colonia Senior Center – public transportation is available two blocks away and parking is very limited. Senior Center made a request to the city for access to a van.

Analysis of Sites

L&A visited and reviewed information for eight sites preselected by City of Oxnard staff for the purpose of determining which is better suited for design work. Existing Senior Centers are located on the three out of these sites (indicated in blue), while the remaining five are either existing parks or vacant land City of Oxnard owns near a park and would be subject to new construction (indicated in green).

Based on this division the analysis was performed to determine which of the three existing Senior Centers are best suited for renovation – see caption Renovation Sites; and which of the five existing parks, with or without vacant land are best suited for the construction of a New Senior Center. – see caption New Construction Sites.

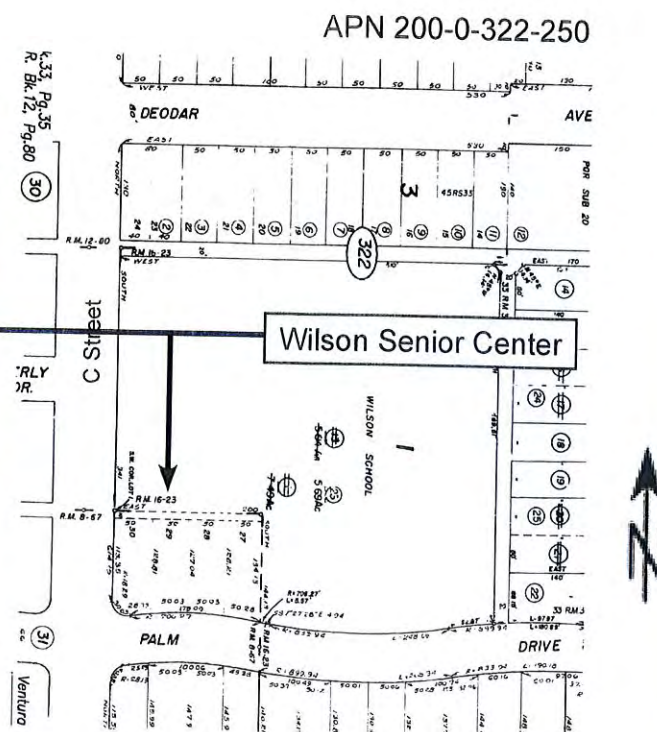


Renovation Site: Wilson Senior Center

Wilson Senior Center (site 2 on the master list), Director Fernando Garcia (805) 385-8028. L&A visited this center on October 22, 2012 and found that:

- This center is centrally located, on 350 N. C Street and it shares the property with Wilson Park.
- APN 200-0-322-250, 5.69 Acres
- The center is intensely used and serves as food delivery service to other centers and seniors' homes as well as serving lunches on premises cooked in its kitchen. It offers a large number of activities: Zumba, Bone Builders exercise, computer lab, knitting, art club, bridge and pinochle groups, services for low vision and arthritis sufferers, etc. and more interests are brought up and groups are forming. Evening classes are scheduled here as well.
- The buildings are in poor condition. At the minimum the center requires repairs and paint. It may also have accessibility violations, as it appears from casual observation.
- It appears that asbestos is present in the building and it must be abated if repairs are done; there is a strong possibility lead is present.
- Plumbing appears to be in need of repair or replacement.

Recommendation: This center requires remodeling and upgrading. Because of its central location and large number of seniors using it, it may benefit from an addition. The accessibility issues if confirmed must be addressed. The asbestos must be removed.



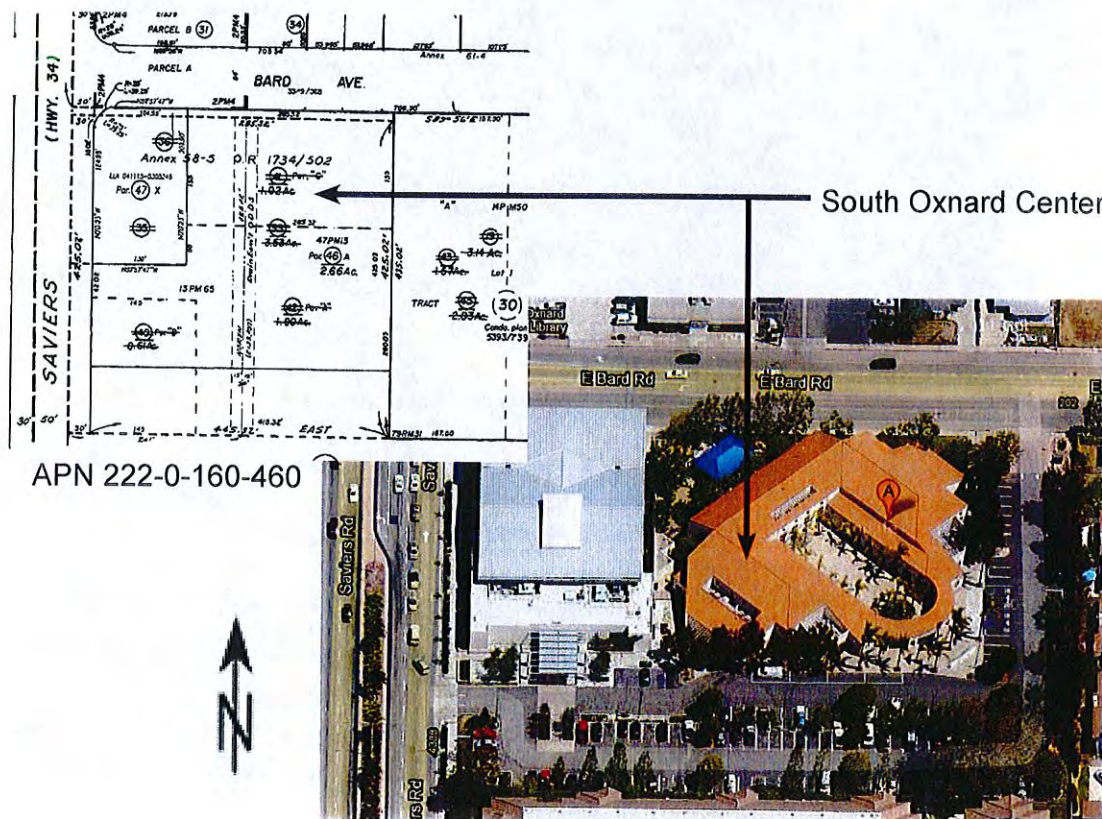


Renovation Site: South Oxnard Center

South Oxnard Center (site 7 on the master list), Director Desire Ventura (805) 385-804. L&A visited this center on October 19, 2012 and found that:

- This center is located at 200 East Bard Road.
- APN 222-0-160-460, 2.65 Acres
- This center is very active and self contained. It features Wii games, exercise, games, coffee social, monthly celebrations, etc.
- It has some difficulty with parking but coordinates scheduling with the library (alternating activities with large participation to share parking).
- It needs directional signs to resolve the confusion in finding functions/activities locations.
- The path of travel and accessibility appears to be in violation. If confirmed, accessibility must be addressed.
- The center is also double used as a Youth Center in the afternoon.

Recommendations: This center does not require remodeling or addition to building area. It requires directional signs and to resolve accessibility issues if confirmed.



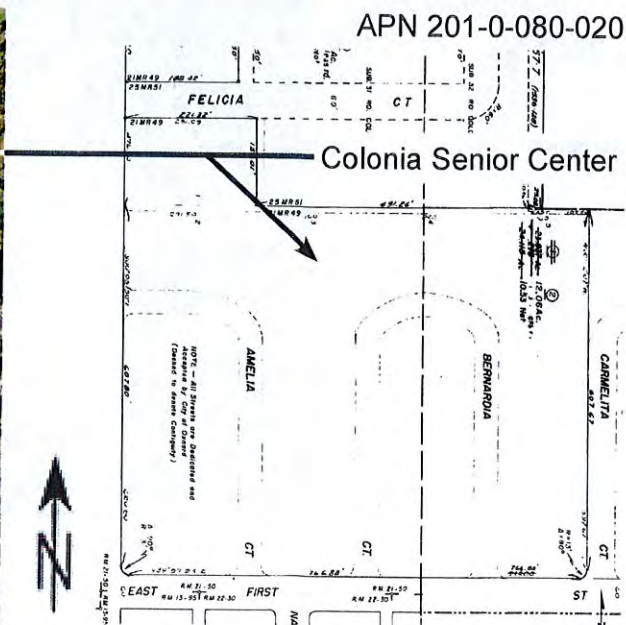
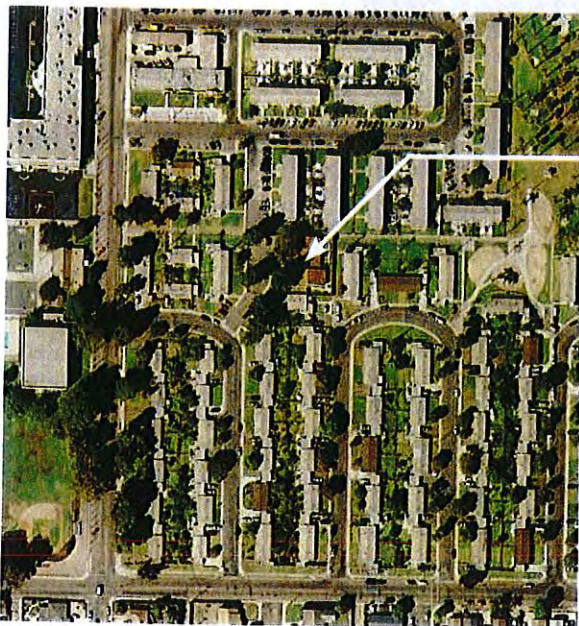


Renovation Site: Colonia Senior Center

Colonia Senior Center (site 8 on the master list) (between Del Sol Park (6) and Colonia Park), Director Claudia Valencia (805) 385-8163. L&A visited this center on October 23, 2012 and found that:

- a. This property is located at 126-B Amelia Court a sub address inside the complex of housing belonging to Oxnard Housing Authority (OHA), with the address listed at 435 South D Street and 1470 E. Colonia Road.
- b. APN 201-0-080-020, 10.53 Acres (a portion of).
- c. This center features a large number of activities and support groups. Its schedule is full with senior talent show, lectures, exercise, games, socials, etc.
- d. The property is owned by the OHA and it is built out. It has been discussed that renovation to the Senior Center will be performed by the OHA.
- e. Access to this center is problematic because:
 - (1) There is not enough land to add parking
 - (2) SCAT cost of \$3/trip is excessive for many seniors and there is a long walk from the bus route. Transportation could be resolved by the use of a van but this would add operational costs.
- f. The main issues for this Center are:
 - (1) Making the kitchen usable by upgrading it to comply with regulatory permit requirements.
 - (2) Upgrade the plumbing.
 - (3) It has potential accessibility violations that if confirmed must be addressed.

Recommendation: This center requires some remodeling and upgrading, at minimum work must be done to comply with code deficiencies, if any confirmed. Because of its problematic access by car or public transportation and the size of the land allocated to this facility, this center does not appear to be a candidate for building size increase, however it should resolve some of the immediate repairs and code deficiencies.



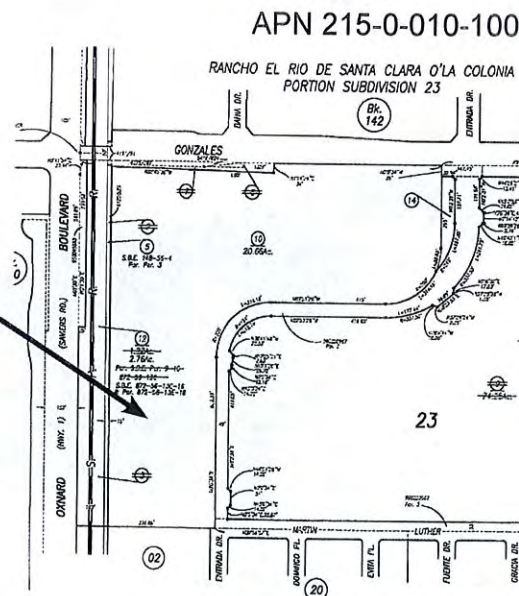


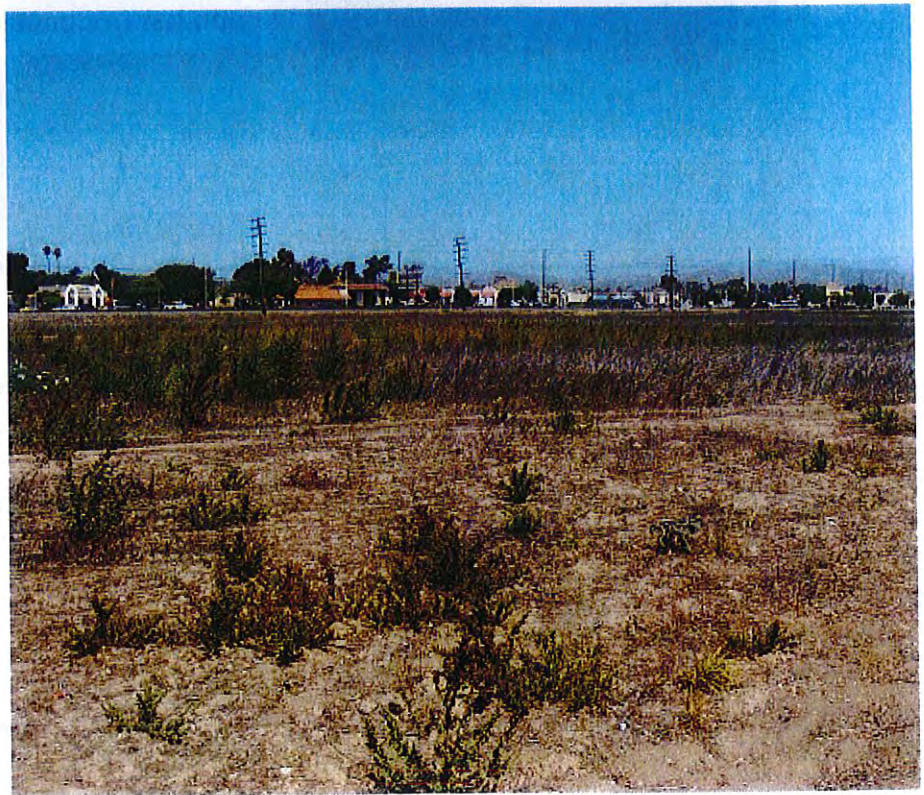
New Construction Site: Sports Park

Sports Park (Site 1 on the master list). L&A visited this site on 8/12/12 and found that:

- This property is located at 100 E Gonzales Road, corner of Oxnard blvd. The access to the site would be from Entrada Drive.
- Distance to Wilson Center is 1.1 mile.
- APN 215-0-010-100; 20.66 Acres.
- Portion of the site may be made available for a new Senior Center. The south end of it would be very appropriate for this use. The southern area does not contain any construction therefore demolition is not needed if a Senior Center is built. It is located near the rail road which may be an acoustical issue for the center.

Recommendation: Because this site is suitable for a new Senior Center due to its location, accessibility, convenience and need, we recommend this site to be considered as one of the three sites for the construction of this center. Final selection to be made by the Senior Services Commission.



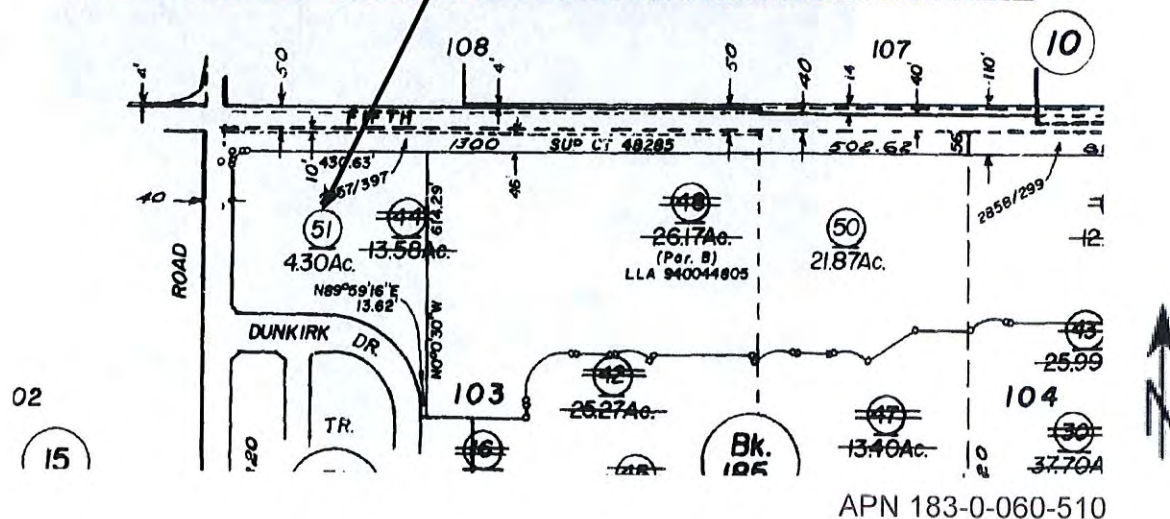


New Construction Site: Southwest Community Park

Southwest Community Park (site 3 on the master list). L&A visited this site on 8/12/12 and found that:

- This property is located at 2500 W. Fifth Street, corner with Patterson Road, adjacent to the Oxnard Airport.
- Distance to Wilson Center is 2.8 miles.
- APN 183-0-060-510; 4.3 Acres.
- The site size of this lot would allow for exterior activities.

Recommendation: This site is suitable for a new center due to the accessibility and convenience. The area is less densely populated than other sites. The proximity to the airport may have adverse affect on outdoor activities and some may object that although not in the flight pattern, it is close to it. This site is recommended as second on the list of preference.



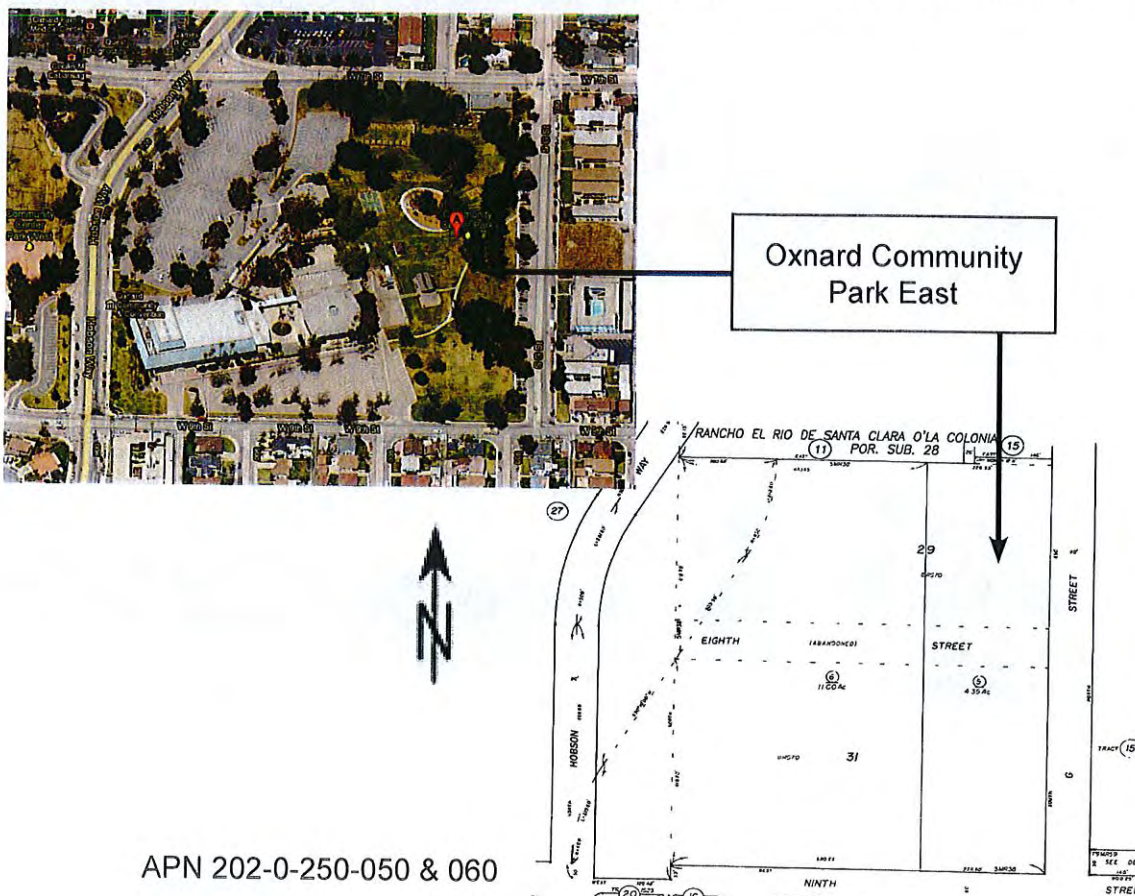


New Construction Site: Oxnard Community Park East

Oxnard Community Park East (site 5 on the master list). L&A visited this site on 8/12/12 and found that:

- a. This property is located on South G Street, corner with Ninth Street and adjacent to the Oxnard Community Center. The listed address is 800 Hobson Way.
- b. Distance to Wilson Center is 1.4 mile.
- a. APN 202-0-250-050 & 060, 11 Acres & 4.35 Acres.
- b. This is an established park with old trees and some buildings. Due to the proximity to the Community and Performing Arts Center, proximity to downtown Oxnard, makes this site a desirable location for a Senior Center. The 4.35 Acres is lined on G street and it is ~226 feet deep making it suitable for the construction of a new Senior Center. With careful designing some trees could be included in the design and preserved.

Recommendation: This site is suitable for a new center due to its location, accessibility, convenience and need. We recommend this site to be considered as one of the three sites for the construction of this center, mainly for the proximity to the Performing Arts Center, but because there would be a number of amenities that would need to be relocated to allow for the construction of a new Senior Center we maintain a reservation. Final selection to be made by the Senior Services Commission.



APN 202-0-250-050 & 060



New Construction Site: Campus Park

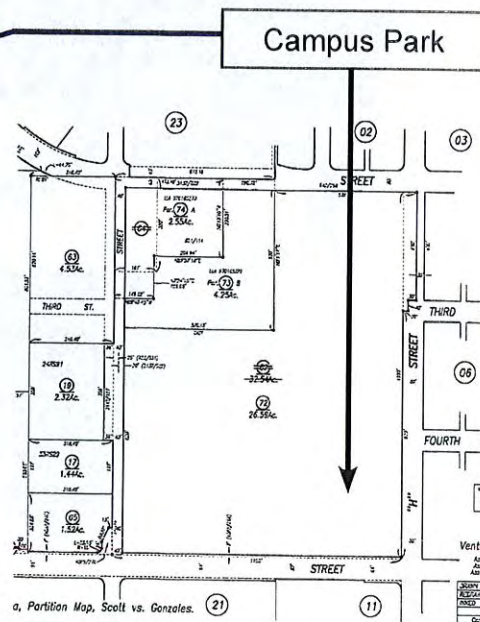
Campus Park (site 4 on the master list). L&A visited this site on 8/12/12 and found that:

- This property is located at 937 W Fifth Street, corner with H Street.
- Distance to Wilson Center is 1.0 mile.
- APN 202-0-010-720, 26.59 Acres.
- The site was a former high school and there are still buildings in use on the site. Although the size of the lot would allow for a portion of 2-4 Acres be used for the Senior Center, plans are in progress and funds were voted by the City Council in June 2011 to place on this site a city park through phased work: basketball courts, soccer and baseball fields, a tot lot, parking, a snack bar, restrooms, a skate park and a fitness area.

Recommendation: we do not recommend this site for the construction of a new Senior Center, due to plans in place for the use of this property that would better benefit the citizens of Oxnard.



APN 202-0-010-720



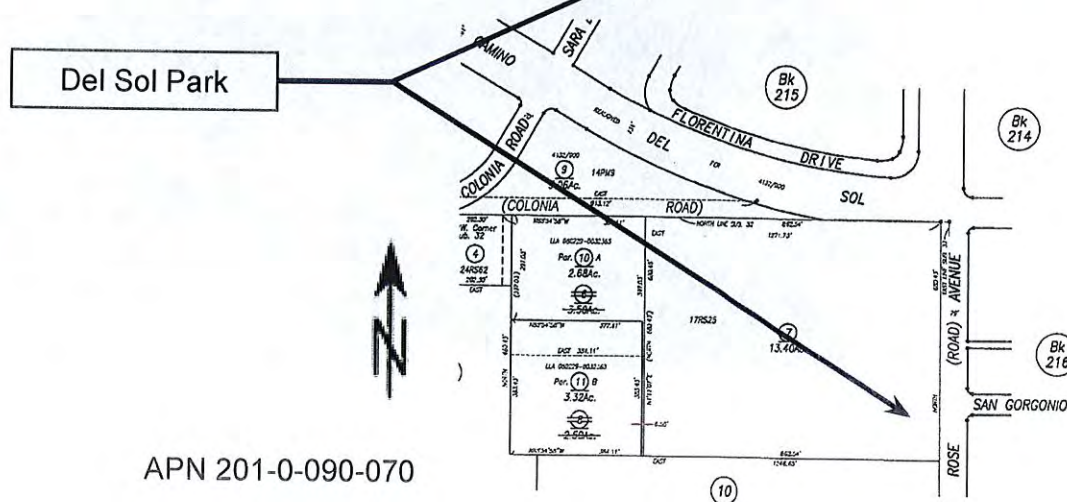


New Construction Site: Del Sol Park

Del Sol Park (site 6 on the master list). L&A visited this site on 8/12/12 and found that:

- a. This property is located on 1500 Camino del Sol, corner with Rose Avenue.
- b. Distance to Wilson Center is 1.4 mile.
- a. APN 201-0-090-070; 13.4 Acres.
- b. This is an established park with amenities for the public in form of play grounds, sport fields, picnic areas. Some of the surface appears to be reserved for flooding as a drainage collector.

Recommendation: The site is large enough, and if there were no other options it could be considered for the construction of a new Senior Center. This study had the task to select three sites and this one would be the fourth by suitability considerations, therefore it is not recommended as the site for new construction.





Conclusion

The city of Oxnard obtained input, via survey sent to all Oxnard inhabitants aged 50 and over, on the seniors' decision whether or not they would desire a new Senior Center to be built in Oxnard. Based on that, L&A analyzed eight sites owned by the City and recommended for the analysis by the staff.

Out of the three sites in use as Senior Centers the Wilson Center was selected as the site to be remodeled or both remodeled and increased in size. It was not the task of this investigation to determine the scope of this task.

Out of the five sites vacant near a park or used as a park, three sites were selected as best suited for the construction of a new Senior Center:

- Sports Park
- Southwest Community Park
- Oxnard Community Park East

This selection was presented for review to the Senior Services Commission of Oxnard in a meeting held on April 9th. Per their letter dated April 15, 2013, the commission expressed their desire to select the site at Southwest Community Park.

The exhibits with the schematic building massing were prepared for this site and attached as Exhibit D.

Exhibit A

Surveys

(English and Spanish)



Senior Center Survey

The following survey is being distributed at the request of City of Oxnard's Senior Services to solicit your input with regards to the priority of the types of amenities you would like offered and / or available at your local Senior Center.

Please complete the following and return by no later than **FRIDAY, DECEMBER 7, 2012.**
Return address provided on the final page of this survey.

**** Required Fields. All other fields are optional but are appreciated.**

Name(s) (First & Last): _____ ****Age(s):** _____

Marital Status: ☐ Married ☐ Widowed ☐ Separated ☐ Divorced ☐ Never Married / Single (50+ only)

Ethnic Background: ☐ Hispanic/Latino ☐ Black/African American ☐ Native American/Alaskan
☐ White Caucasian ☐ Asian/Pacific Islander ☐ Other: _____

Street Address: _____ ****ZIP:** _____

Years Living in Oxnard: ☐ 0-5 ☐ 6-10 ☐ 11-15 ☐ 16-20 ☐ 21-30 ☐ 31 or more

I agree that Oxnard needs a new state-of-the-art senior center: ☐ Yes ☐ No

(For each person 50+ in the household, please circle a Priority ranking for each of the following)

Category **Priority Scale**
1 = high / low = 5

	1	2	3	4	5
ARTS, CRAFTS & CULTURAL:					
▪ Ceramics (with Kiln)	1	2	3	4	5
▪ Knitting / Sewing	1	2	3	4	5
▪ Piano	1	2	3	4	5
▪ Painting	1	2	3	4	5
GAMES, HOBBIES & COMPUTERS:					
▪ Cards / Table Games (Bingo, Bridge, Mahjong, etc)	1	2	3	4	5
▪ Cue Sports (Pool, Snooker, etc)	1	2	3	4	5
▪ Horseshoes	1	2	3	4	5
▪ Puzzle Tables	1	2	3	4	5
▪ Shuffle Board	1	2	3	4	5
▪ Table Tennis / Ping Pong	1	2	3	4	5
▪ Wii	1	2	3	4	5
SPORTS, DANCE & FITNESS					
▪ Badminton	1	2	3	4	5
▪ Base/Softball	1	2	3	4	5
▪ Basketball	1	2	3	4	5
▪ Bowling	1	2	3	4	5
▪ Cardio Equipment (treadmills, stationary bikes, etc)	1	2	3	4	5
▪ Dance & Aerobics	1	2	3	4	5
▪ Free weights	1	2	3	4	5
▪ Putting Green	1	2	3	4	5
▪ Swimming	1	2	3	4	5
▪ Yoga / Pilates	1	2	3	4	5

Category

Priority Scale

1 = high / low = 5

SPACES:	1	2	3	4	5
▪ Banquet / Event / Dance Hall	1	2	3	4	5
▪ Classrooms (Academic Groups, learning, language & training)	1	2	3	4	5
▪ Computer Lab (personal use and training)	1	2	3	4	5
▪ Club / Community Room (visiting, socializing, coffee)	1	2	3	4	5
▪ Dining Room	1	2	3	4	5
▪ Gardening	1	2	3	4	5
▪ Health Room (for check-ups, etc)	1	2	3	4	5
▪ Kitchen / Demo Kitchen	1	2	3	4	5
▪ Library / Reading Room	1	2	3	4	5
▪ Meeting Rooms (Social Groups, Discussions and Activities)	1	2	3	4	5
▪ Media Room (TV and movies)	1	2	3	4	5
▪ Member Art Displays	1	2	3	4	5
▪ Music / Choir Rooms (instrumental practice)	1	2	3	4	5
▪ Outdoor Patios	1	2	3	4	5
▪ Stage / Theatre	1	2	3	4	5
PERSONAL / OTHER:					
▪ Check which existing Centers you currently attend and/or participate at: ☐ Wilson Senior Center ☐ Colonia Senior Center ☐ South Oxnard Center					
▪ Do you have internet access: ☐ Yes ☐ No Used for: ☐ Internet ☐ E-mail ☐ Other: _____					
▪ What type of organized services or group activities do you currently participate in, volunteer for and/or would like to have available to you: (Check all that apply).					
○ Physical Exercise: (swimming, bike riding, Yoga)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Entertainment/Cultural: (movies, theater, art)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Academic Groups & Services: (discussion groups, language classes, teaching, skills, language)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Social Services: (peer/supportive counseling)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Professional Services: (legal, tax, insurance)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Cultural Services: (musical/theater entertainment)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Computer Services: (database, data entry, teaching):	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Library Services:	☐ Currently Involved	☐ Volunteer for	☐ Interested		
○ Emergency Preparedness: (CERT, DART, VIP)	☐ Currently Involved	☐ Volunteer for	☐ Interested		
▪ The following keeps me from volunteering my services (check all that apply): ☐ No Interest ☐ Transportation Costs ☐ Health ☐ No Time ☐ N/A; I volunteer					
▪ What is your current and primary form of transportation: ☐ Drive Yourself ☐ Public Transportation ☐ Walk ☐ Ride with Family/Friend ☐ Taxi ☐ Bicycle					
▪ What issues are important to you (check all that apply): ☐ Health ☐ Housing ☐ Transportation ☐ Social ☐ Fitness ☐ Finance ☐ Life Skills ☐ Volunteering					

■ In regards to your future, please rate the importance of each of the following concerns (1 = most; least = 5)					
○ Affordable Housing:	1	2	3	4	5
○ Caring for Children/parents:	1	2	3	4	5
○ Financial Planning:	1	2	3	4	5
○ Personal Health/Safety:	1	2	3	4	5
○ Social Activities and New Friends:	1	2	3	4	5
○ Transportation:	1	2	3	4	5
○ Volunteering in the Community:	1	2	3	4	5
○ Other (explain):	1	2	3	4	5
■ I need assistance with: (check all that apply) ☐ Will/Trust ☐ Physical Crime ☐ Power of Attorney ☐ Medicare Benefits ☐ Identity Theft ☐ Property Crime ☐ Financial Debt ☐ Social Security Benefits ☐ Fraud/Financial Abuse ☐ Advance Directive for Health Care					
■ Other Comments and/or Concerns: _____ _____					
Please return your survey via mail and/or hand-delivery to the below-listed: City of Oxnard Senior Services (Wilson Center) / 350 North C Street / Oxnard 93030 Or to designated drop-boxes at the following locations: ■ Colonia Senior Center / 126-B Amelia Court / Oxnard, CA 93030 ■ South Oxnard Center / 200 E. Bard Road / Oxnard, CA 93033					

Additional copies of this survey can be found at the above locations and online at the address below.

A meeting will be held to present the findings of this survey, solicit additional information and to provide progress of the proposed project. Please visit the Senior Services website at: <http://www.oxnardrec.org/seniors> or provide your information below to receive updates and meeting notifications.

For future meetings, please check which days and times work best for you: (Check all that Apply)

- ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday
☐ 8AM to 10AM ☐ 10AM to 12PM ☐ 1PM to 3PM ☐ 3PM to 5PM ☐ 5PM to 7PM

Should you wish to receive updates regarding this proposed project, please provide your email address to which you would like to receive future notifications:

Email: _____

We will not sell or otherwise distribute your personal information.



Encuesta Respecto al Centro para Adultos Mayores

Le estamos enviando esta encuesta a solicitud de la División de Servicios a Adultos Mayores de la Ciudad de Oxnard para que usted comparta con nosotros el tipo de actividades, servicios y tipo de instalaciones que a usted le gustaría tener en su Centro para Adultos Mayores local.

Le agradeceremos que complete la encuesta y nos la regrese a más tardar **[10 días de la fecha de envío]**.
 Por favor envíe o devuélvala en cualquiera de las direcciones que le proporcionamos al final de esta encuesta.

**** Respuestas Obligatorias.** Todas las demás son opcionales pero le agradeceremos sus respuestas.

Nombre(s) y Apellido(s): _____ ****Edad(es):** _____

Estado Civil: ☐ Casado ☐ Viudo ☐ Separado ☐ Divorciado ☐ Nunca Casado / Soltero **(50+ solamente)**

Grupo Étnico: ☐ Hispano/Latino ☐ Negro/Africano Americano ☐ Nativo Americano/Alaska
☐ Blanco ☐ Asiático/ Islas del Pacífico ☐ Otro: _____
 (Nombre y número de la Calle)

Domicilio: _____ ****Código Postal:** _____

Años Viviendo en Oxnard: ☐ 0-5 ☐ 6-10 ☐ 11-15 ☐ 16-20 ☐ 21-30 ☐ 31 ó más

Estoy de acuerdo que Oxnard necesita un nuevo Centro para Adultos Mayores moderno y de avanzada: ☐ Si ☐ No

(Para cada persona de 50+ en el hogar, favor de marcar con un círculo el nivel de prioridad para cada uno de las siguientes categorías)

Categoría **Escala Prioridad**
1 = alto / bajo= 5

ARTES, ARTESANÍAS y CULTURA:					
▪ Cerámicas (con horno para cerámica)	1	2	3	4	5
▪ Tejido/Costura	1	2	3	4	5
▪ Piano	1	2	3	4	5
▪ Pintura	1	2	3	4	5
JUEGOS, AFICIONES y COMPUTADORAS:					
▪ Cartas/Barajas/Juegos de Mesa (Lotería, Naipes, Mahjong, etc.)	1	2	3	4	5
▪ Billar, Snooker, etc.	1	2	3	4	5
▪ Lanzamiento de Herraduras	1	2	3	4	5
▪ Rompecabezas	1	2	3	4	5
▪ Shuffle Board	1	2	3	4	5
▪ Tenis de Mesa / Pin Pon	1	2	3	4	5
▪ Wii	1	2	3	4	5
DEPORTES, BAILE & BUEN ESTADO FÍSICO					
▪ Bádminton	1	2	3	4	5
▪ Beisbol/Softball	1	2	3	4	5
▪ Básquetbol	1	2	3	4	5
▪ Boliche	1	2	3	4	5
▪ Equipo de Cardio (treadmill, bicicleta estacionaria, etc.)	1	2	3	4	5
▪ Baile y Aeróbicos	1	2	3	4	5

Categoría

Escala Prioridad

1 = alto / bajo= 5

▪ Pesas	1	2	3	4	5
▪ "Putting Green" prado para práctica de Golf	1	2	3	4	5
▪ Natación	1	2	3	4	5
▪ Yoga / Pilates	1	2	3	4	5
ESPACIOS:					
▪ Banquete / Eventos / Salón de Baile	1	2	3	4	5
▪ Salones para Clases (Grupos Académicos, enseñanza, idiomas y entrenamiento)	1	2	3	4	5
▪ Laboratorio de Computación (uso personal e instrucción)	1	2	3	4	5
▪ Club / Salón Social (visitas, socializar, café)	1	2	3	4	5
▪ Comedor	1	2	3	4	5
▪ Jardinería	1	2	3	4	5
▪ Sala de Salud (para examen medico, etc.)	1	2	3	4	5
▪ Cocina / Cocina de Demostraciones	1	2	3	4	5
▪ Biblioteca / Salón de Lectura	1	2	3	4	5
▪ Salones para Juntas (Grupos Sociales, Discusiones y Actividades)	1	2	3	4	5
▪ Salón Medios de Comunicación (TV y películas)	1	2	3	4	5
▪ Exposición de Arte de los Miembros	1	2	3	4	5
▪ Música / Salones de Coro (ensayo con instrumentos musicales)	1	2	3	4	5
▪ Patios exteriores	1	2	3	4	5
▪ Foro / Teatro	1	2	3	4	5
PERSONAL / OTROS:					
▪ Marque los Centros a los cuales actualmente va y ó participa: ☐ Wilson Sénior Center ☐ Colonia Sénior Center ☐ South Oxnard Center					
▪ Tiene acceso al internet: ☐ Si ☐ No Usado para: ☐ Internet ☐ E-mail ☐ Otro: _____					
▪ Actualmente en que tipo de servicios organizados ó actividades de grupos participa, es voluntario y/ó le gustaría que se ofrecieran: (Marcar todo que aplique).					
○ Ejercicio Físico: (nadar, pasear en bicicleta, Yoga)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Entretenimiento/Cultural: (películas, teatro, arte)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Grupos Académicos & Servicios: (grupos de discusión, clases de lenguaje/idioma, enseñanza, aptitudes)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Servicios Sociales: (consejería por colega/ de apoyo)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Servicios Profesionales: (legal, impuestos, seguro)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Servicios Culturales: (entretenimiento musical/teatral)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Servicios de Computación: (base de datos, entrada de datos, enseñanza):	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Servicios de Biblioteca:	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
○ Preparación para Emergencia: (CERT, DART, VIP)	☐ Actualmente Involucrado ☐ Voluntario ☐ Interesado				
▪ Lo siguiente me evita poder prestar mis servicios como voluntario (marcar todo que aplique): ☐ Falta de Interés ☐ Costo del Transporte ☐ Salud ☐ Falta Tiempo ☐ N/A; Soy voluntario					
▪ Actualmente cual es su método de transporte:					
☐ Conduce (maneja)	☐ Transporte Público	☐ Camina			
☐ Viaja con un pariente/amigo	☐ Taxi	☐ Bicicleta			

■ Qué asuntos son importantes para usted (marcar todo que aplique): ☐ Salud ☐ Vivienda ☐ Transporte ☐ Social ☐ Bienestar Físico ☐ Finanzas ☐ habilidades Sociales ☐ Ser Voluntario					
■ En cuanto a su futuro, califique en orden de importancia cada uno de los siguientes (1 = mayor; menor = 5)					
○ Vivienda Razonable:	1	2	3	4	5
○ Cuidado de Niños/padres:	1	2	3	4	5
○ Asesoría/Planificación Económica:	1	2	3	4	5
○ Salud/Seguridad Personal:	1	2	3	4	5
○ Actividades Sociales y Nuevas Amistades:	1	2	3	4	5
○ Transporte:	1	2	3	4	5
○ Participar como Voluntario en la Comunidad:	1	2	3	4	5
○ Otro (explique):	1	2	3	4	5
■ Yo necesito asistencia con: (marque todo lo que aplique) ☐ Testamento/Fideicomiso ☐ Crimen Físico ☐ Crimen de Propiedad ☐ Beneficios Medicare ☐ Robo de Identidad ☐ Carta Poder ☐ Deuda Económica ☐ Beneficios del Seguro Social ☐ Abuso /Fraude Financiero ☐ Declaración de Voluntades anticipadas					
■ Otros Comentarios y/o Asuntos de interés: 					
Favor devuelva su encuesta por correo y/o llévela personalmente a: City of Oxnard Senior Services (Wilson Center) / 350 North C Street / Oxnard 93030					
O a los buzones especiales en las siguientes localidades: ■ Colonia Senior Center / 126-B Amelia Court / Oxnard, CA 93030 ■ South Oxnard Center / 200 E. Bard Road / Oxnard, CA 93033					

Puede encontrar copias adicionales de esta encuesta en las localidades anteriores y en línea en
<http://www.oxnardrec.org/seniors>

Se llevará a cabo una junta para presentar los resultados de esta encuesta, solicitar información adicional y para hacerle saber como va avanzando el proyecto propuesto. Lo invitamos a visitar nuestro sitio internet <http://www.oxnardrec.org/seniors> o usted puede darnos su información en seguida para que le enviemos las notificaciones de las juntas y para mantenerlo al corriente.

Para futuras juntas, favor de marque los días y horas mejores para usted: (Indique todas las que apliquen)

- ☐ lunes ☐ martes ☐ miércoles ☐ jueves ☐ viernes
☐ 8AM a 10AM ☐ 10AM a 12PM ☐ 1PM a 3PM ☐ 3PM a 5PM ☐ 5PM a 7PM

Si desea recibir información relacionada con este proyecto propuesto, favor de proporcionarnos su domicilio electrónico al cual desea recibir los avisos futuros:

Email: _____

No venderemos ni de manera alguna distribuiremos su información personal.

Exhibit B

Detailed Survey Results

Item	Priority					Average	Priority 1 (Highest)					Priority 2					Priority 3					Priority 4 (Lowest)					No Response	
	Highest	<	----->	Lowest																								
Cardio Equipment (treadmills, stationary bikes, etc)						2.16	818	274	176	105	232	305																
Computer Lab (personal use & training)						2.18	784	319	188	111	221	287																
Classrooms (Academic Groups, learning, language & training)						2.20	682	363	226	112	183	344																
Dance & Aerobics						2.25	747	305	229	107	236	286																
Swimming						2.32	743	253	225	82	285	322																
Health Room (for check-ups, etc)						2.34	630	313	250	105	229	383																
Library / Reading Room						2.36	573	370	251	132	202	382																
Club / Community Room (visiting, socializing, coffee)						2.36	602	305	288	132	200	383																
Yoga / Pilates						2.42	646	303	233	121	277	330																
Banquet / Event / Dance Hall						2.43	576	304	263	127	233	407																

Item	Priority					Average	Priority 1 (Highest)	Priority 2	Priority 3	Priority 4	Priority 5 (Lowest)	No Response
	Highest <-----> Lowest											
Outdoor Patios						2.46	521	348	268	129	227	417
Meeting Rooms						2.46	493	379	294	134	210	400
Gardening						2.54	470	359	335	162	215	369
Cards / Table Games (Bingo, Bridge, Mahjong, etc)						2.57	594	276	263	138	318	321
Dining Room						2.57	464	317	322	159	223	425
Kitchen / Demo Kitchen						2.57	440	362	344	138	227	399
Free weights						2.69	480	247	293	184	280	426
Media Room						2.69	410	309	360	177	245	409
Stage / Theatre						2.76	391	306	356	181	270	406
Painting						2.81	444	254	317	170	343	382

Item	Priority					Average	Priority 1 (Highest)					Priority 2	Priority 3	Priority 4 (Lowest)	Priority 5	No Response
	Highest	<----->	Lowest													
Music / Choir Rooms (instrumental practice)						2.84	355	286	367	205	279					418
Knitting / Sewing						2.93	406	236	343	168	387					370
Member Art Displays						2.95	276	261	408	243	246					476
Table Tennis / Ping Pong						2.97	320	260	356	204	323					447
Wii						2.98	375	230	274	171	388					472
Bowling						2.98	320	273	338	210	336					433
Puzzle Tables						3.00	327	239	360	202	342					440
Ceramic (with Kiln)						3.00	374	226	336	164	406					404
Putting Green						3.06	317	225	314	204	367					483
Cue Sports (Pool, Snooker, etc)						3.08	294	263	296	187	389					481

Item	Priority					Average	Priority 1 (Highest)					Priority 2	Priority 3	Priority 4	Priority 5 (Lowest)	No Response
	Highest	<	----->	Lowest												
Piano						3.18			326	183	298	203	451	449		
Shuffle Board						3.25			186	240	374	236	362	512		
Horseshoes						3.28			213	220	335	231	402	509		
Badminton						3.31			213	180	360	211	413	533		
Basketball						3.55			167	143	315	262	484	539		
Base/Softball						3.56			154	154	332	242	497	531		

Exhibit C

Architectural Program

Architectural Program for Oxnard Senior Center:

A. General criteria:

1. ADA compliance throughout
2. Preferable one story:
 - a. Window views while seated
 - b. Physical ease of access to outdoor activities
 - c. Without elevator cost and maintenance
3. If two story, provide:
 - a. Seating at stairways
 - b. Elevator
4. Heating and Ventilation:
 - a. Throughout heating and air-conditioning (AC may not be needed in Oxnard; this determination will be made during design with client and mechanical engineer.)
 - b. Provide separate thermostat controls in selected program areas
5. Utilities
 - a. Electrical power sufficient to service:
 - (1) Kitchen appliances and equipment
 - (2) Kiln (if provided)
 - (3) Power machines (for wood working, other)
 - (4) Audio-visual-data
 - (5) Conveniently located outlets – waist high
 - (6) Intensified lighting but without glare and additional lighting in crafts area for depth perception.
 - (7) Fire alarms
 - b. Gas (to be used if available at the selected site.)
 - c. Cable, telephone, data
 - d. Water: domestic use, landscape, fire sprinklers, fire hydrants.
6. Acoustics
 - a. Sound control in activity rooms (finishes)
 - b. Investigate problems with hearing aids in large areas (individual head phones where microphones are used)
 - c. Special equipment for hearing impaired patrons.
7. Safety
 - a. Flooring – slip proof

- b. No raised door thresholds inside the building.
- c. Draft control
- d. Simple circulation between program areas.
- e. Handrails along corridors
- f. Minimum 6' wide corridors
- g. Parts of equipment installed on walls not to project into path of travel for safety
- 8. Color
 - a. Use color for space identification and safe exit direction
 - b. Use light and bright interior colors. Avoid institutional character.
- 9. Storage
 - a. Provide storage for each program
 - b. Provide general storage for seating and equipment for the multi use rooms

B. Space considerations identified by survey of the senior population in Oxnard, ages 55 and up:

1. List of potential rooms in the Senior Center building:

<u>The space</u>	<u>SF / person</u>	<u>Min. SF</u>
Entry/Reception (allow for intensive activities)	20	150
Banquet / Events / Dance / Dining (with dance floor, stacked seating, space for buffet, bar, DJ, 140 tables)	15	2,000
Quiet games, Lounge & Library (+book stack area, tables, couches)	35	800
Noisy room (TV, games, socials)	35	1,000
Club Community Room (exercise, Pilates, socials)	35	1,000
Meeting / Multi purpose rooms and/or classrooms	25	TBD
Computer Lab	25	1,000
Offices min 3 persons	80-130	
Health room / first aid / private consultation / nurse	50	200-300 150
Kitchen and storage (recommended for banquet room)		1,600

<u>The space (cont.)</u>	<u>SF / person</u>	<u>Min. SF</u>
Various Storages	-	400
Toilets	-	240 per sex
Various service rooms (electrical, server, janitor, etc.)		TBD
Circulation	20-25% of total area	
Potential building size	12,000 – 15,000 SF	
Outdoor activities	location and size TBD	
The survey identified Gardening & outdoor patio		
Assumed lot size to cover parking and landscape needs	2 Acres	

2. Description of use, design and proximity requirements for the spaces provided:

a. Entry Lobby / Reception:

- (1) Use: access to information and direction. Used by all. Design to allow for more intensive use during activities in the banquet room.
- (2) Design to be open and friendly and clearly marked with directions to activities
- (3) Proximity to:
 - (a) Coats closet or lockers if provided.
 - (b) Main multi purpose rooms
 - (c) Restrooms
- (4) Provide:
 - (a) Counter or window to office for receptionist
 - (b) Directional signs
 - (c) Center map
 - (d) Video surveillance
 - (e) Stand with brochures, schedules and announcements

b. Banquet / Events / Dance Hall / Bingo – Multi purpose use:

- (1) Use: Conferences and presentations, dance events, large participation in games (bingo), movies, performances by members or invited artists, banquets, events with dining. Used as scheduled, with attendance as capacity allows. It can be income generated if rented out.
- (2) Design to:
 - (a) Allow 140 seated attendees. Approximately 2,500 SF.
 - (b) Allow night (off hours) activities without keeping the rest of the center open.

(3) Proximity to:

- (a) Entry/reception.
- (b) Kitchen
- (c) Health room
- (d) Program supervisor
- (e) Restrooms

(4) Provide:

- (a) Storage for stacked tables and chairs; other equipment.
- (b) Acoustical treatment
- (c) Video surveillance and alarm system
- (d) Video / Sound system with access to data and smart screen or capability to add.

c. Quiet Lounge & Library:

(1) Use: reading, writing (paper at table or computers), relaxing, tables for quiet games, other activities that would not disturb the quiet nature of this use.

(2) Design to :

- (a) Allow use by 16-20 users.
- (b) Potentially allow access to a patio if the exterior is a quiet area of the site.
- (c) Potentially provide a fire place (to be determine later by desing).
- (d) Make it self-contained lounge area.

(3) Proximity to:

- (a) Entry/reception, but not necessary adjacent.
- (b) Restrooms, but not necessary adjacent.

(4) Provide:

- (a) Comfortable chairs, armchairs and tables.
- (b) Counter with computers (2 minimum)
- (c) Controlled lighting for brightness and glair;
- (d) Shelves with books, audio books with headphones (Wi-Fi)
- (e) Storage for stacked tables and chairs
- (f) Storage or cabinet for games suited for quiet environment (chess, dominoes, cards) and puzzles

d. Noisy room, TV, shared with some activities:

(1) Use: watch TV (1), conversation, socials, play cards, play pool (3-4 tables).

(2) Design to:

- (a) Allow use by 10-12 users.

(b) Potentially allow access to a patio.

(c) Be a self-contained lounge area.

(3) Proximity to:

(a) Club – Community Room

(b) Entry/reception, but not necessary adjacent.

(c) Restrooms, but not necessary adjacent.

(4) Provide:

(a) Comfortable chairs and tables, and some folding.

(b) Shelving for movies, games, other.

(c) Storage for stacked tables and chair.

e. Club Community Room

(1) Use: scheduled activities – exercise, Pilates, Yoga, small parties, meetings, socializing, coffee, active games.

(2) Design to:

(a) Allow use by 24-30 users.

(b) Allow for an open and flexible space for different arrangement suited to the various activities.

(c) Potentially allow access to a larger patio.

(d) Make it self-contained lounge area.

(3) Proximity to:

(a) Entry/reception, but not necessary adjacent.

(b) Could be one with the room designated as noisy.

(c) Health room but not necessary adjacent.

(d) Restrooms, but not necessary adjacent.

(4) Provide:

(a) Make stacked chairs available and a movable counter for social events.

(b) Flat screen TV.

(c) Lockers (20-30), small size, stacked.

(d) Drinking fountain H-L.

(e) Storage for stacked tables and chairs.

f. Meeting rooms / classrooms

(1) Use: in several different rooms

The survey suggests that certain activities that are part of other Senior Centers were of no interest to the Seniors that responded in Oxnard. These activities include grouped as (1) music (choral, ensembles, instruments, practice, listening) and digital video and photography;

(2) woodworking or metal crafts, arts (ceramics, painting, watercolor, sculpture; basketry, paper, leather); and (3) general use: computer arts, discussions, needlework, weaving and rug making.

We recommend that the design should include at least three classrooms to be used as the participants deem necessary.

(2) Design to:

- (a) Allow use by 12-24 users per classroom. For gatherings larger than capacity, the activities can be scheduled in the other, larger rooms.
- (b) Minimum of 2-3 classrooms in addition to the activities listed as indentified by the survey:
 - (i) Computer lab and computer art;
 - (ii) Discussion, Support and Social Groups
- (c) Activities suited to share rooms will work around scheduled times and may be interchangeable.
- (d) Storages may be assigned to individual classrooms or, with some exceptions, combined into one.

(3) Proximity to:

- (a) Refrigerator (or vending machines) for cold drinks and coffee counter.
- (b) Restrooms, but not necessary adjacent.

(4) Provide:

- (a) The classrooms:
 - (i) Computer lab to accommodate 20-30 persons for training and use. Provide counters for a minimum of 12 users; controlled lighting for glare; and the necessary equipment and furniture.
 - (ii) Discussion, support ad Social Groups room to accommodate up to 20 people. Provide folding chairs and tables, flat screen, audio equipment.
- (b) Storage needs for the classes for which the survey showed preference:
 - (i) Computer lab and computer art – spare parts in locked cabinets;
 - (ii) Discussion, Support and Social Groups – furniture storage that can be shared with other classrooms.
- (c) If the classes not suggested by the survey are included in part or all, below are the suggested space needs for storage for each activity, in each class or centrally located to the classrooms:
 - (i) Music digital media – store instruments, music stands, sheet music; furniture; video and sound equipment.
 - (ii) Woodwork, metal / jewelry craft - storage for tools, workbenches, heating equipments for jewelry, lockers, slop sink, paint closet, exhaust system, cleaning equipment, chairs, etc;

- (iii) Arts ceramics and sculpture – storage for clay; counters for art in progress, tools;
- (iv) Arts paper/canvas/leather (painting, watercolor, crafts) – drawers for flat art materials; cabinets for supplies (easels, paint, brushes, cleaners, paper rolls, coals, pencils, erasers).
- (v) Needle work and rug making – storage for yarn, patterns, instruction manuals;
- (d) Special requirements for these added uses:
 - (i) Music digital media – sound proof room; computer and wall mounted flat screen(s) with video and sound; convenient outlets for equipments, tables, desks, chairs, music stands, file cabinets, CDs, DVDs.
 - (ii) Woodwork, metal / jewelry craft – sound proof; in-room water; floor drains, heating equipments for jewelry, lockers, slop sink, paint closet, exhaust system, cleaning equipment, chairs, etc; make room spacious to allow movement around machines; convenient outlets for power tools.
 - (iii) Arts ceramics and sculpture – sinks, racks, chairs, tables, bins, display cabinets, lockers. Orient room for natural light from north.
 - (iv) Arts paper/canvas/leather (painting, watercolor, crafts) – sinks, tables, chairs, counters, copiers, a computer and flat screen. Orient room for natural light from north.
 - (v) Needle work and rug making – space for the rug making equipment, natural light from north or east, a computer and flat screen;

g. Administration.

- (1) Use: administration offices for staff, spaces for volunteers, health room with visiting nurse for emergencies, private consultation if offered, in form of medical, psychiatric, counseling, housing, health & nutrition, employment, other.
- (2) Suggested staff for the purpose of programming for design:
 - (a) Director
 - (b) Program coordinator
 - (c) Assistant
 - (d) Nutritionist and kitchen staff
 - (e) Maintenance
 - (f) Volunteers
 - (g) Visiting: nurse, counsels, training providers, lecturers
- (3) Design to:
 - (a) Minimum of 4 (12x12') private office.
 - (b) Additional 2 offices (12x12') for private consultations if offered. Classrooms or the health room could be scheduled for this activity
- (4) Proximity to:
 - (a) Reception – one of the offices to have a window out into the lobby.

- (b) Kitchen to supervise deliveries.
- (c) Restrooms, but not necessary adjacent.
- (5) Provide:
 - (a) Office furniture: desks, chairs, file cabinets, computers and monitors, book shelves, copier(s).
 - (b) First aid room: cot, table, chairs, potentially a private toilet with sink, screens, shelves, locked emergency medical cabinet, etc.
 - (c) Consultation rooms: couches and tables.
 - (d) Storage for office supplies.
- h. Kitchen** for on site activities, meals to seniors on site and portable food service for home bound seniors.
 - (1) Use: cooking and baking, commercial kitchen – for the purpose of this document a full commercial kitchen is proposed. Alternatively, this can be replaced with smaller warming kitchen where food is prepared elsewhere and brought in to be warmed up before serving.
 - (2) Design to:
 - (a) For commercial kitchen:
 - (i) To serve a banquet room for 100 patrons the size is approximately 1,600 SF including storage.
 - (ii) Comply with the requirement for finishes, ventilation and plumbing per CBC 2010 code and Ventura Co. Environmental Health.
 - (b) For warming (catering) kitchen.
 - (i) Warming prepared food capabilities.
 - (ii) Not defined as a commercial kitchen, has mainly staging and prep areas, with spaces for warming carts, tables, and coolers/freezers. No prep, cooking or baking done in a warming kitchen. It requires a hood and fire protection just as a commercial kitchen. The hood may be non-commercial if approved by EH agency. Most likely it would still need a grease interceptor.
 - (iii) Serving dishes and cutlery could be disposable, brought in by the caterer or owned by the center and stored on premises (if stored, dishwashing required).
 - (iv) Cafeteria system of serving.
 - (3) Proximity to:
 - (a) Banquette/Dining room.
 - (b) Lounge for snack ease of serving and special events
 - (c) Loading zone for deliveries.
 - (d) Restrooms, but not necessary adjacent.
 - (4) Provide:
 - (a) For commercial kitchen (warming kitchen, similar):

- (i) Dry storage, utensils, pots and pans, plates; refrigerated storage; freezer. Cabinets for food, dishes, pots and pans – 63” H max, no lower than 27” for easy access.
 - (ii) Floor drain(s)
 - (iii) Adequate ventilation, exhaust system.
 - (iv) Preparation areas for greens and meats; baking area.
 - (v) Commercial hood, grease interceptor, fire extinguishing system, dishwashing areas, preparation with washing areas, etc.
 - (vi) Sinks for different functions as required.
 - (vii) Clearing station(s).
 - (viii) Serving station(s).
 - (ix) Beverage dispensers, coffee urns
- i. Dining Room –doubles as banquet room.
- j. Storage, maintenance, services.
- (1) Storage
 - (a) For convenience provide storage at each area of need.
 - (b) If central storage required locate strategically to most areas (kitchen storage separate).
 - (c) Access to the exterior loading zone.
 - (2) Maintenance: Janitor room
 - (3) Services
 - (a) Provide server room with adequate temperature control.
 - (b) Provide electrical room as required by electrical engineer.
 - (c) Mechanical equipment and system.
 - (d) Fire fighting equipment and system.
- k. Toilets.
- (1) For comfort it is recommended to have minimum two groups of multi-stalls toilets and several unisex (one at the health room) located in strategic areas.
 - (2) Provide multiple stalls Men’s and Women’s or unisex, all fully accessible.
- l. Circulation:
- (1) Is approximately 20-25% of the total building area.
 - (2) Provide min 6’ wide corridors, 8’ preferred, with walk rails. No obstructions.
 - (3) Directional signs and color recognition for specific areas.
- m. Optional services (*determine if provided to finalize the design requirements*)
- (1) Vending machines
 - (2) Beauty and barber – requires special room and setting. Not identified in the survey. TBD if provided.

n. Outdoor activities.

- (1) Gardening – identified as a desired activity. Size and location YBD for the specific site for design.
- (2) Swimming pool – identified as a desired activity. TBD if this will be considered as an organized trip to another location with a swimming pool or a pool would be build together with the new center.
- (3) This Games have been marked as unwanted by the survey – Badminton; Horseshoe; Softball; Basketball; Cricket; Putting green;

o. Parking – per city ordinance and as it fits the selected site.

- (1) Parking ratio for Senior Centers – 250 SF of gross building size per space; and 35 SF/space for assembly rooms.
- (2) Parking stall size is 9x18' with 25' drives, 5' planted islands at every 10 spaces or less.
- (3) One parking stall with its circulation takes approximately 350 SF of space.

C. As part of the interviews with the City Staff it was pointed out that at the time this center is actually designed to be build at the selected location, it would be advisable adding an administration office area for the Senior Service Special Population Division. This wing, not included in the conceptual schematic design would consist of two private offices, an office area for a staff of four, a conference room, small lunch room and a private restroom. It is anticipated that an area of approximately 1,300 SF should be added to the building for these functions. Also the Banquet room may be increased to 240 seats rather than 140 as shown in the exhibits, with an ~1,500 SF added. Decisions are pending.

D. Other project requirements:

1. Topographical and property survey for the selected site.
2. Soils investigation and report.
3. Civil engineering - drainage and grading plans, required documentation and reports.
4. Other considerations:
 - a. Ease access to public transportation or shuttle(s) on premises.
 - b. Tree preservation for mature park sites.
 - c. Demolition needed for sites with amenities.
 - d. **Cost:** Total cost is **\$7,065,000** and it includes the magnitude of construction cost below, plus three 10% contingencies of \$544,000 for: (1) construction; (2) management, permits, fees; and (3) design.

Magnitude of cost for a New Senior Center	Building area	Cost		Building size range in SF	
				11,000	14,300
Building	range	250	\$/SF	2,750,000	3,575,000
Paving	57,200	8	\$/SF	457,600	431,200
Landscape	11,440	5	\$/SF	57,200	57,200
Park and Fields	91,300	15	\$/SF	1,369,500	1,369,500
Total				\$ 4,634,300	\$ 5,432,900

Add offices for SSSPD*	1,300	250	\$/SF	cost within the range above
Add 100 seats in Banquet room	1,500	250	\$/SF	cost within the range above

*Senior Services Special Population Division

Item	Room description	Location, remarks	#s	unit	SF per unit	Area in SF
a. Reception area:						
Entry (public at mid-peak use)		central - accessible from all services	10	pers.	20	200
Reception		at entry	2	pers.	64	130
Coats storage - not provided		at reception lobby	1	rooms	50	0
b. Banquet / Events / Dance Hall / Bingo / Dining - Multi purpose						
14 tables for 10 (6' diam.) - next size down 110 at 11 tables		near lobby, kitchen, restrooms	140	pers.	15	2,100
Space for DJ, dance floor, buffet, bar		raised or flat	1	space	800	800
Storage for stacked furniture (10% of room size)		140 chairs, 14 tables, cloth	1	rooms	210	210
c. Quiet Lounge						
Quiet: library, writing, internet surfing, chess, checkers (in one or several rooms)		acoustically treated for sound absorption	20	pers.	35	700
d. Noisy, TV, some games						
Noisy: conversation, TV, music, small parties, meetings; pool tables		acoustically treated for sound transmission, some private rooms	10	pers.	35	350
e. Community Room						
exercise, rehearsals, Pilates		near restrooms	30	pers.	50	1,500
f. Meeting rooms and/or classrooms*						
Computer lab		counters for computers	30	pers.	25	750
Training / Meetings		in one or more rooms	30	pers.	25	750
Discussion, support and social groups		furniture, flat screen	20	pers.	25	500
g. Administration Offices:						
Director		centrally located	1	pers.	144	150
Program supervisor		adjacent to director	1	rooms	144	150
Secretary + 2 volunteers		adjacent to director	3	pers.	64	200
Health room / private consultation, first aid room - nurse		near exit for emergencies	1	rooms	300	300
h. Kitchen & non kitchen storage						
Kitchen, including food and utensils storage		near banquet, loading zone	1	area	1,400	1,400
j. Storage area		only if additional storage required	1	rooms	200	200
k. Toilets						
Two multi stall Man + Women		public - near lobby + one more group	4	rooms	240	960
Unisex toilets		nurse, near offices, crafts, one more	4	rooms	50	200

Item	Room description	Location, remarks	#s	unit	SF per unit	Area in SF
I. Other						
	Electrical room		1	rooms	40	40
	Mechanical room		1	rooms	80	80
	Server room	temperature control	1	rooms	150	150
	Janitor		1	rooms	80	80
m	Circulation 20% of total area		1	20%		2,400

Spaces removed from Architectural Program based on survey

(f.) Meeting rooms and/or classrooms*						
	Music, small assemblies, listening (not provided)	storage: instruments; sheet music	24	pers.	35	0
	Needle work and rug making (not provided)	space for equipment	10	pers.	30	0
	Crafts: wood/metal works* (not provided)	in noisy part of the building	20	pers.	35	0
	Arts Ceramics and sculpture (not provided)	storage: clay and tool	12	pers.	35	0
	Arts painting, leather crafts (not provided)	art drawers and supplies	20	pers.	35	0
(i.) Dining		same as banquet	0	pers.	25	0
n Optional items						
	Beauty and Barber	could use space in any areas	1	rooms	100	
	Vending machines	in rooms already accounted for				
o. Outdoor activities						
	Gardening (provide if site large enough)	desired by more than 52% surveyed				
	Swimming (pool, or organized trip to pool)	desired by more than 55% surveyed				
	Games: Badminton; Horseshoe, softball; cricket; putting	desired by less than 30% surveyed				
p. Site: Parking, Landscape						Site SF
	Spaces at 250SF of building /space	350 SF of site per each parking space	41	space	paved	14,200
	Spaces at 35SF for assembly		123		paved	43,000
	Landscape per ordinance; shown at 10% of site (20% of prkg)				planted	11,440
	Total outdoor land required (approximately)	not including games, outdoor activities				68,640
		All inclusive	1.90 Acres	site total		82,940
*total area depicts minimum recommended SF						Total building area 14,300

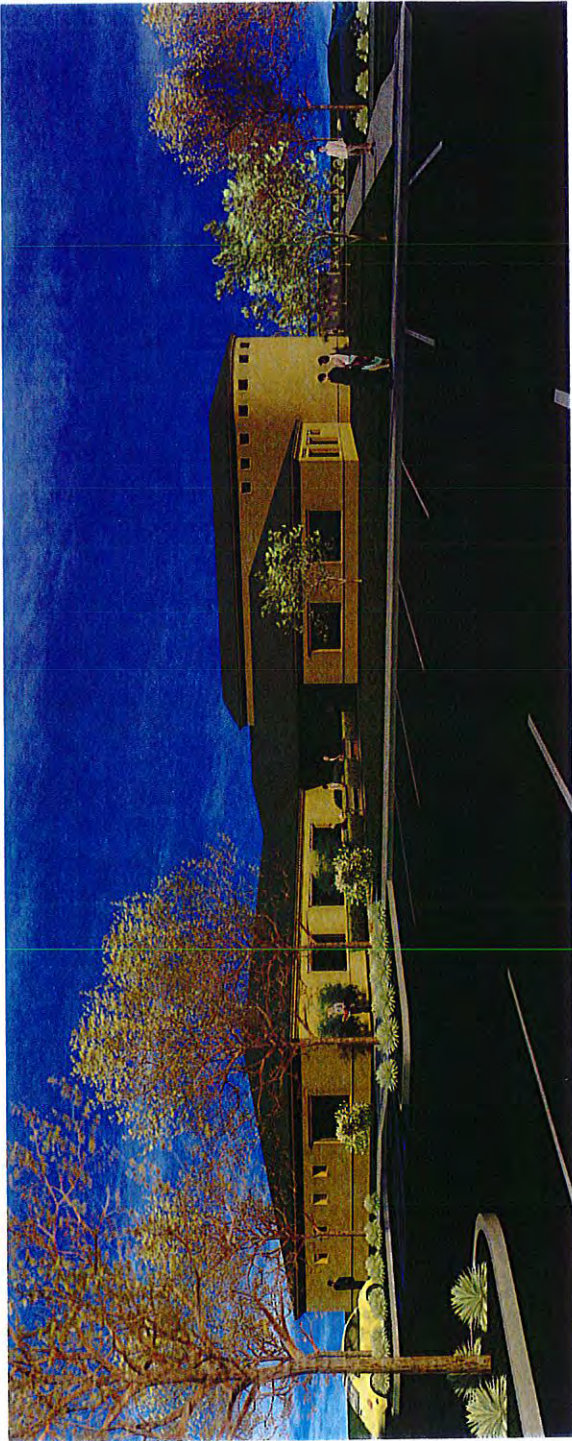
Exhibit D

Building Massing on Selected Site

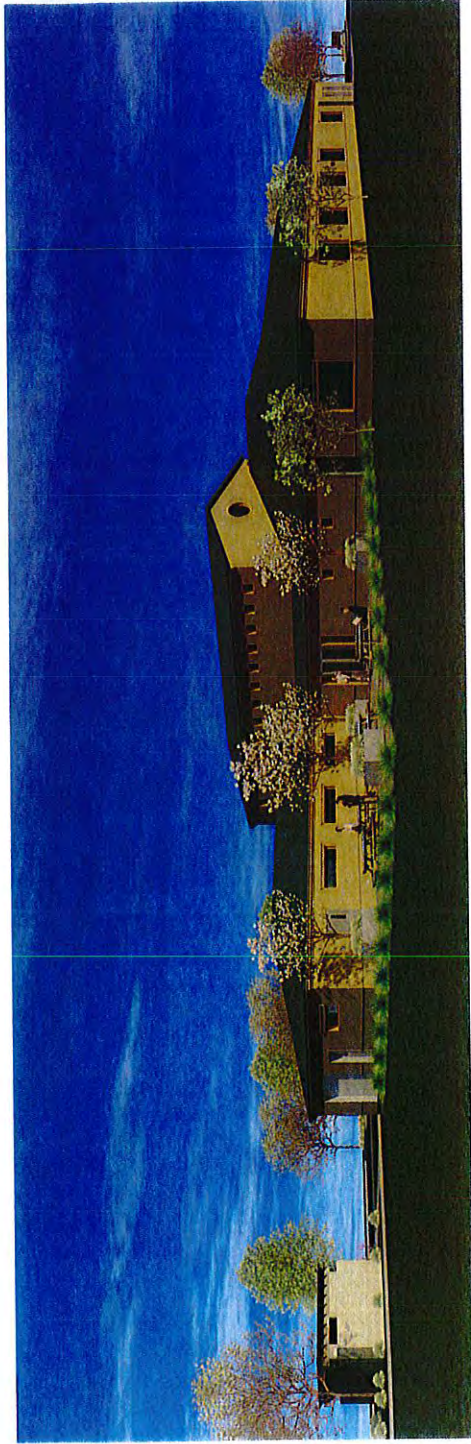
Unfold to view Map

Two perspective views of the building massing

From northwest
Views the main entry from
the parking

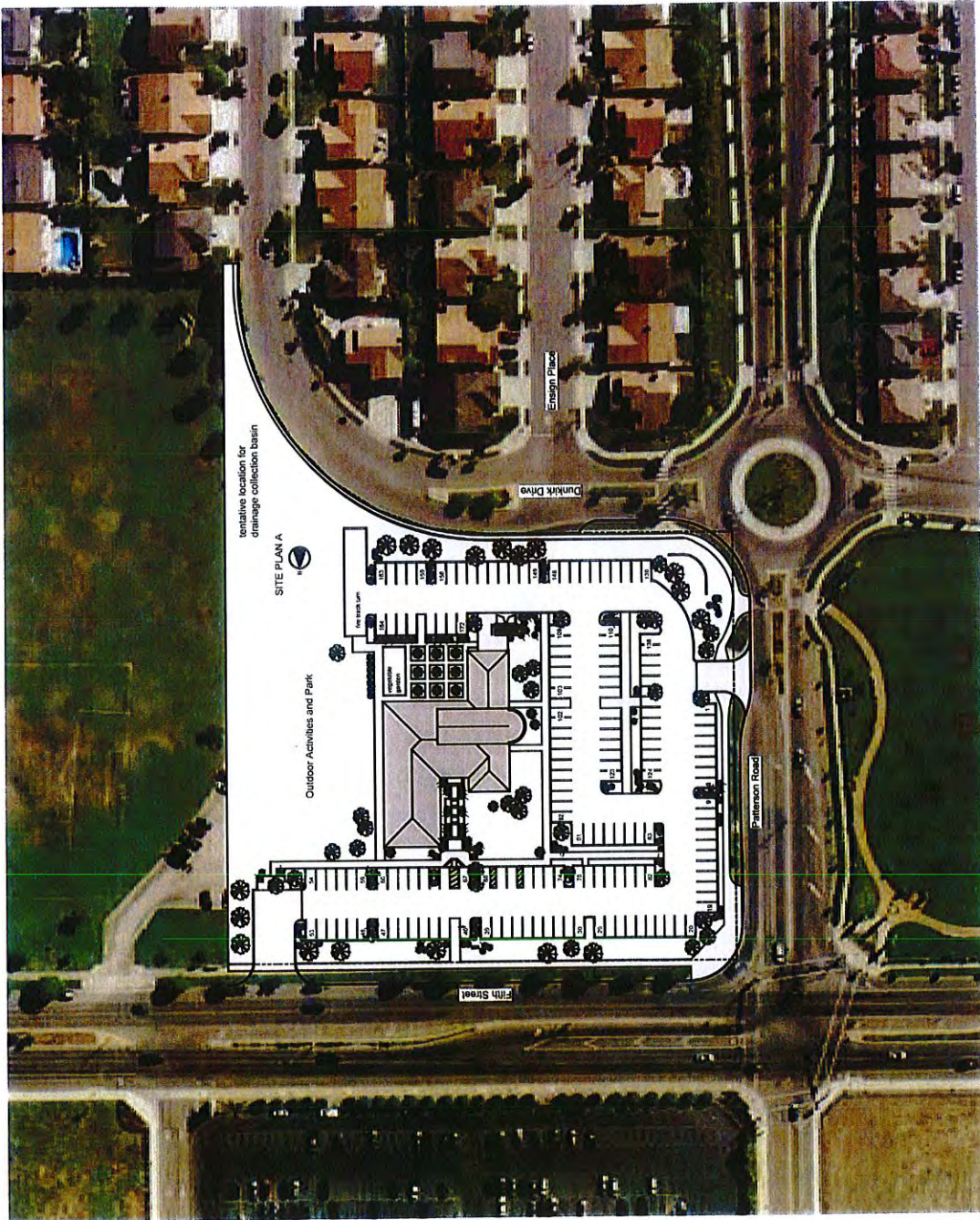


From southeast
Views the patio off
the banquet room



Unfold to view Map

Site Plan A



Features

The vehicular access is from Patterson Road and Fifth Street, the second one an established curb cut.

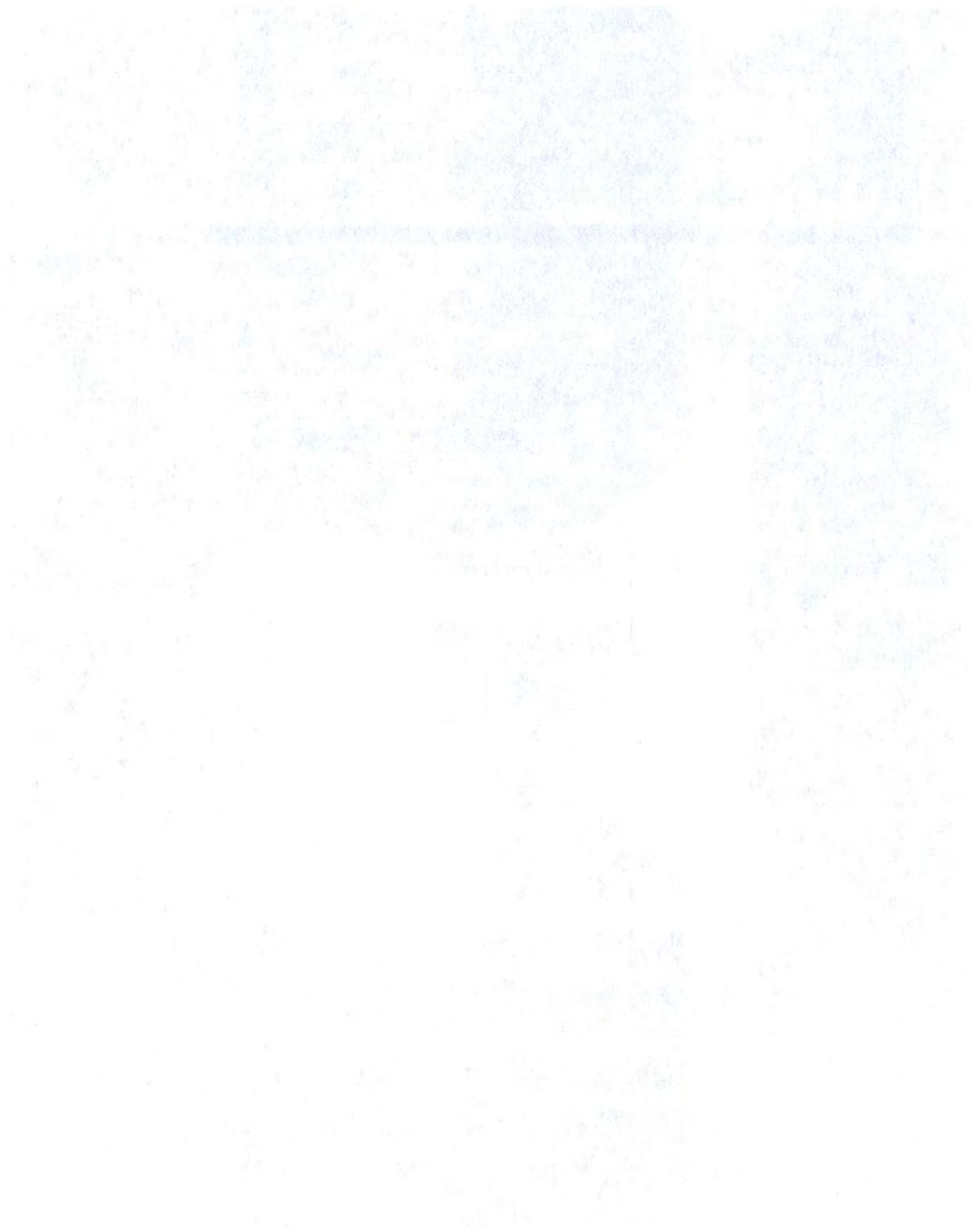
The outdoor activities are concentrated on the east side, facing the park to the east. At that location the land could be assigned to be used solely by the activities related to the new Senior Center or be accessible by the public at large as a public park.

The building is a welcoming presence at the corner of two streets and it is surrounded by ample green space.

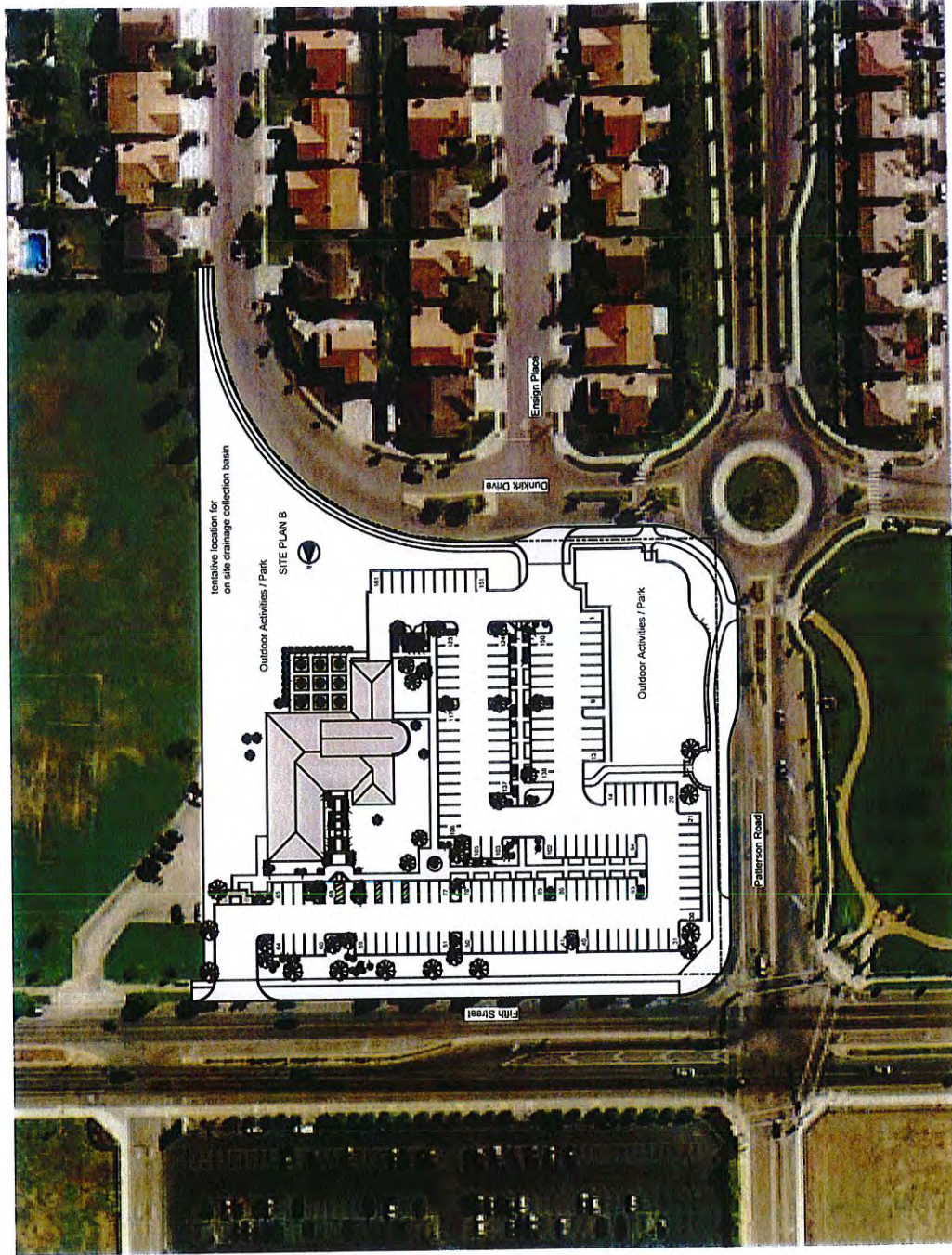
The entrance is clearly defined and the services are hidden.

This site has a natural space for on site collection of drainage water.

Unfold to view Map



Site Plan B



Features

One of the vehicular accesses from Fifth Street, while the other is from Dunkirk Drive, where it intersects with Ensign Place

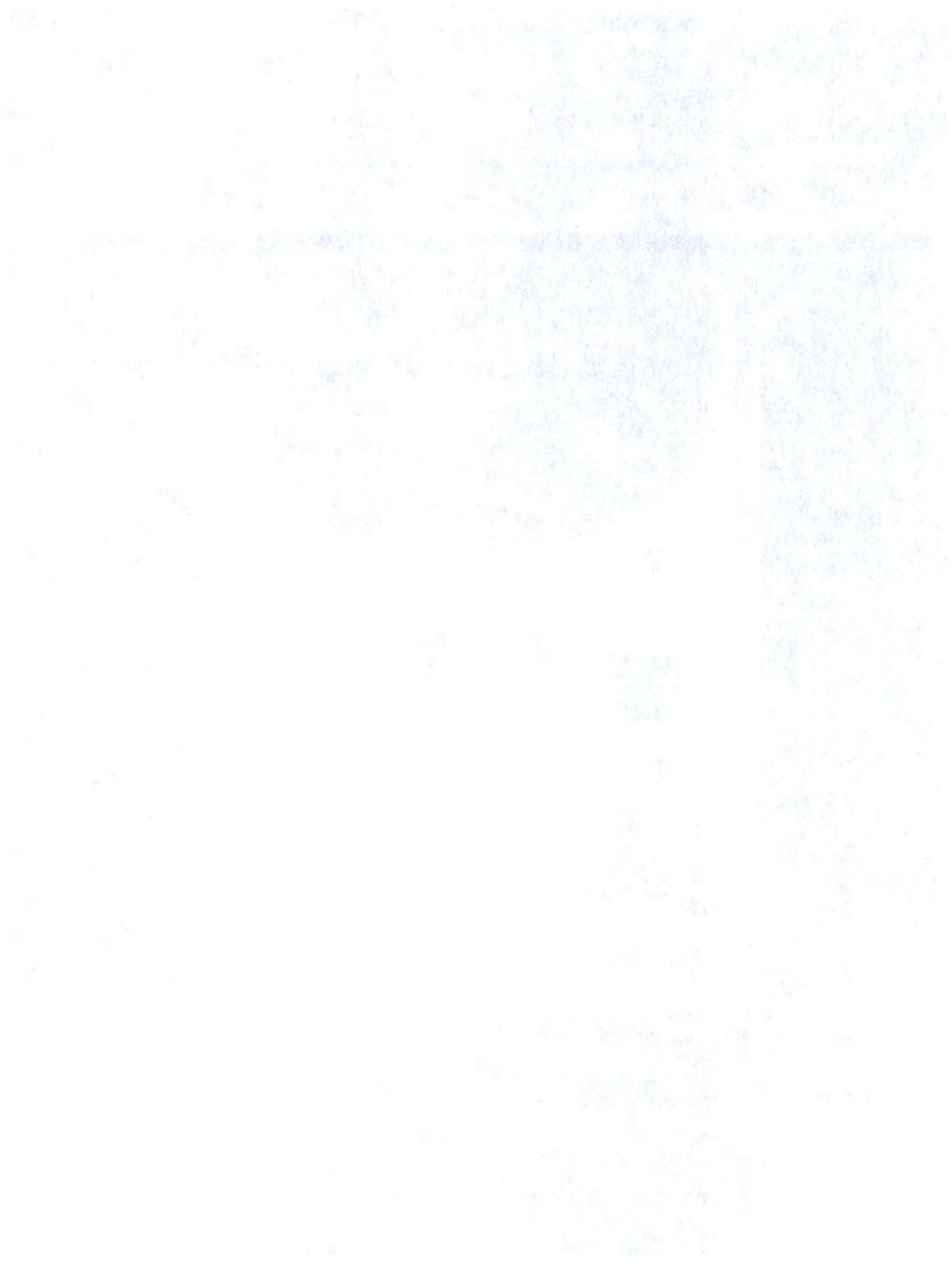
The outdoor activities area is divided into two sections. One section located east of the property and the other section located southwest of the property. In this configuration one of them could be assigned to solely be used by the seniors using the center, while the other shared with the public.

The building is a welcoming presence on Fifth Street and it is surrounded by ample green space.

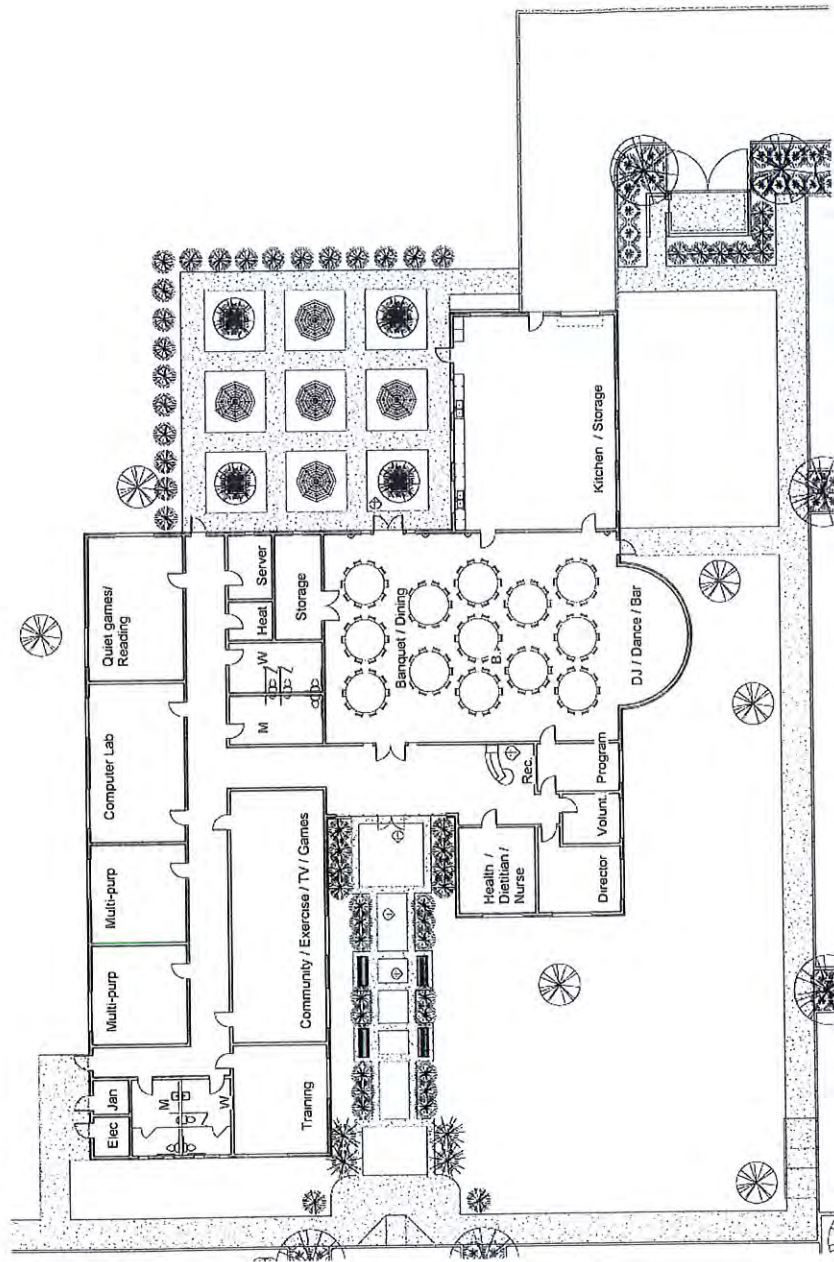
The entrance is clearly defined and the services are hidden.

This site has a natural space for on site collection of drainage water.

Unfold to view Map



Conceptual Floor Plan



Features

The schematic floor layout features the activities favored by the seniors as represented in the survey returns as well as spaces required by code and best architectural practices for such a facility.

The rooms' designations are interchangeable and flexible to some degree.

The banquet room seats 140 people at tables and it features storage for the tables and chairs to allow the room to become an auditorium or be used for any other activity that benefits from its size and the added advantage to be located near the kitchen. This room may be a source for income for the center, as a space to lease out when not in use by the seniors. It has a large patio for outdoor access during activities.

Hallways are 8' wide and the Architectural Program recommends railing along the walls.

REQUEST FOR BUDGET APPROPRIATION

Department: Cultural & Community Services
Project/Program
Manager: Ingrid Hardy

Date: October 9, 2017
Phone: (805) 385-7994

Reason for Appropriation:

To provide funding for project management (Stantec) for new Senior Center Facility MO 5510 from Measure O Fund Balance

Accounts and Descriptions

AMOUNT

Fund: HALF CENT SALES TAX (104)

Expenditures/Transfers Out

SENIOR CENTER FACILITY (MO5510)

(2) 104-5595-821.82-01	CONTRACTS AND SERVICES / SVSC ARCHITECT/ENGINEE	68,250
	Sub-total Expenditures	68,250

Net Change to Fund Balance (68,250)

Net Appropriation Change 68,250

Approvals

Department Director

Chief Financial Officer

City Manager

ACM

REQUIRES CITY COUNCIL AUTHORIZATION

BA# (Finance Use Only) _____
 BA Doc# (Finance Use Only) _____
 Rev _____

Packet Pg. 118

Purchasing Division

300 West Third Street
Oxnard, CA 93030
(805) 385-7538
www.oxnard.org



Date: October 9, 2017

TO: Purchasing Division

FROM: Ingrid Hardy, Cultural and Community Services Director

SUBJECT: Task Order Request
Agreement Number: 7729-16-DS

Task No.: 1

Date: 10/9/17

Scope of Services Title: Project management services for proposed Senior Center facility

Amount of Proposal Quote: \$68,250

Specification No.: N/A

Project No.: MO5511 PO No.: 6232 Acct. No.: 104-5503-805-8209

The above task number for the project described has been approved for your professional services per the proposal quote, attached hereto.

Please begin to provide the services as outlined and provide the required schedule or other documentation as may be requested for this Scope of Services.

If there are any questions please contact: Ingrid Hardy 385-7995.

REVIEWED / APPROVED:


ASHLEY GOLDEN, PURCHASING AGENT

APPROVED FOR AMOUNTS ABOVE \$25,000:

CITY MANAGER or Designee

*CCRC Committee

***All Task Orders over \$25,000.00 to be Reviewed by CCRC & City Manager for approval**



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 4

DATE: November 7, 2017

TO: City Council

THROUGH: Greg Nyhoff
City Manager

FROM: Ashley Golden
Development Services Director

SUBJECT: Deferred Impact Fee Agreement for the Gateway Station Project

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

RECOMMENDATION:

That Council approve, and authorize the Mayor to execute, the terms of the agreement to defer impact fees for the project located at 1250 S. Oxnard Boulevard.

BACKGROUND

On June 16, 2016 the Planning Commission upheld the Development Services Director's approval of the 240-unit Gateway Station project on the former Skyview Drive-In theater site located at 1250 S. Oxnard Boulevard. The project was the first approved under the City's All-Affordable Housing Opportunity Program (AAHOP), which gives fast-track approval to affordable housing projects proposed in designated locations within the City. All appeals have ended for the development project and the construction permits are ready to be issued.

Because the Gateway Station project is an affordable housing project, the developer has the right to request that the City defer payment of specific fees and charges for each of the 13 buildings that constitute the project until the date of the final inspection, or until the date the certificate of occupancy is issued for each building (whatever occurs first). State law mandates that the City defer these fees and charges upon request. (Government Code Section 66007.) The statute, however, authorizes the City to require that the developer enter into a binding agreement that will be recorded against the property to help secure payment of the fees and charges. In addition,

Deferred Impact Fees - Gateway Station

November 7, 2017

Page 2

the City can require that the developer post a letter of credit or performance bond as additional security that the developer will pay the fees and charges.

On July 25, 2017 the City Council authorized the City Manager or designee authority to finalize the negotiations with the developer regarding the terms of the agreement and authorize the execution of the final agreement. That final agreement was completed and executed by the Mayor on behalf of the City. The Developer pulled the first phase of building permits and started construction.

For the second phase of development the City has prepared an Agreement Affecting Real Property/Deferral of Impact Fees (Phase 3 and Phase 4) to facilitate the deferral of the fees. The developer has executed the agreement and has posted a bond in the amount of \$1,963,690.26 to secure the payment of the deferred fees. Similar to the July 25th Council action, City staff is requesting that the Mayor be given authority to execute the agreement on behalf of the City.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

There is no net Financial Impact for this action. The fees due for the development will be paid by the developer prior to occupancy of the residential units.

ATTACHMENTS:

Attachment A. Agreement Affecting Real Property - Deferral of Impact Fees

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL
TO:

City of Oxnard
City Clerk's Office
300 West Third Street
Oxnard, California 93030

No Recording Fee Required In Accordance with
Government Code Section 6103

(Above for Recorder's Use Only)

AGREEMENT AFFECTING REAL PROPERTY
Deferral of Impact Fees (Phase 3 and Phase 4)

THIS AGREEMENT AFFECTING REAL PROPERTY is made and entered into this 20th day of October, 2017, by and between Oxnard Pacific Associates II, a California Limited Partnership ("Owner"), and the City of Oxnard a California Municipal Corporation ("City").

WHEREAS, Owner is the owner of that certain property located in the City of Oxnard, County of Ventura, State of California that is more fully described in Exhibit A, which is attached hereto and incorporated herein by this reference; and

WHEREAS, Owner has received approval to develop the Property pursuant to Permit No. PZ 15-200-02 (DDR), which includes multiple buildings and phases (hereafter, the "Project"); and

WHEREAS, Owner has requested that the City defer specific impact fees associated with Phase 3 and Phase 4 of the Project, as specified in Exhibit B, which is attached hereto and incorporated herein by this reference (hereafter, the "Fees"); and

WHEREAS, pursuant to Government Code section 66007, subd. (a), the City shall not require the payment of the Fee until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs; and

WHEREAS, pursuant to Government Code Section 66007, subd. (c), if the Fees are not fully paid prior to issuance of a building permit for construction of any portion of the Project, the City may require the Owner to execute a contract to secure payment of the Fee;

WHEREAS, pursuant to Government Code Section 66007, subd. (b)(2)(A), if the Fees are not fully paid prior to issuance of a building permit for construction of any portion of the Project, the City also may require that the Owner post a performance bond or a letter of credit from a federally insured, recognized depository institution to guarantee payment of the Fees. NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, the parties hereto do hereby agree as follows:

1. The Recitals above are true and correct and constitute an enforceable provision of this Agreement.
2. Owner acknowledges that it owes City the sum of One Million Nine Hundred Sixty Three Thousand Six Hundred Ninety Dollars and Twenty Six Cents (\$1,963,690.26) for the Fees for Phase 3 and Phase 4 identified in Exhibit B. To secure the payment of said Fees, Owner hereby grants a lien to City in the Property.
3. In addition, prior to the issuance of any building permit for the Project, Owner shall post a letter of credit from a federally insured,

recognized depository institution to guarantee payment of the Fees or a performance bond issued by a California admitted surety.

4. Owner agrees to pay all the applicable deferred Fees identified in Exhibit B to City for Phase 3 and Phase 4 of the Project on or before the date of final inspection or the date a Certificate of Occupancy is issued for that particular building that constitutes part of the Project, whichever occurs first. Deferred utility fees not associated with any specific building on the Property (such as irrigation water meters) shall be paid prior to the activation of the utility service by the City.

5. Owner acknowledges and agrees that if the fees owed to the City pursuant to this Agreement are not paid when due, then the City is authorized to foreclose on its lien against the property, call the performance bond or letter of credit and/or seek all available remedies in equity or at law. In addition, if the water and/or sewer fees payable pursuant to the terms of this Agreement are not paid when due, the Owner acknowledges and agrees that the City is authorized to disconnect water and sewer services to the specific buildings on the property identified in Exhibit B for which water and/or sewer fees have not been timely paid.

6. Owner further agrees to comply with all requirements and provisions of the Oxnard City Code.

7. If Owner fails to pay the deferred Fees when due, Owner agrees that the final inspection or issuance of the Certificate of Occupancy shall be null and void and shall have no legal force or effect.

8. This Agreement shall be governed by and construed and enforced under the Constitution and laws of the State of California. Venue

for any legal actions involving this Agreement shall solely rest with the Superior Court in the County of Ventura.

9. The waiver by any party of any breach or violation of any term, covenant, or condition of this Agreement or of any provisions, ordinance or law shall not be deemed to be a waiver of such term, covenant, condition, ordinance or law or any subsequent breach or violation of the same or of any other term, covenant, condition, ordinance or law. Waiver shall not be deemed effective until and unless signed by the waiving party.

10. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

11. This Agreement shall not be amended, modified, or otherwise changed unless in writing and signed by both parties hereto.

12. If any portion of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

13. This Agreement constitutes the complete, entire, exclusive, and final agreement and understanding between the parties as to the subject matter herein, superseding all negotiations, prior discussions, and preliminary agreements or contemporaneous understandings, written or oral.

14. The person or persons executing this Agreement on behalf of the parties hereto warrants and represents that he/she/they has/have the authority to execute this Agreement on behalf of their entity and has/have the authority to bind their party to the performance of its obligations hereunder.

15. This Agreement may be executed in one or more counterparts with each counterpart being deemed an original. No counterpart shall be deemed to be an original or presumed delivered unless and until the counterparts executed by the other parties hereto are in the physical possession of the party or parties seeking enforcement thereof.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above written.

OWNER:

OXNARD PACIFIC ASSOCIATES II, a
California Limited Partnership

By: TCP Holdings VI, LLC, an Idaho
Limited Liability Company

Its: Administrative General Partner

By: 
Caleb Roope
Manager

[Signatures must be notarized]

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Idaho

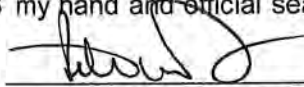
County of Ada

On October 20, 2017 before me, Peter Van Dorne, Notary Public, personally appeared Caleb Roope, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Idaho that the foregoing paragraph is true and correct.

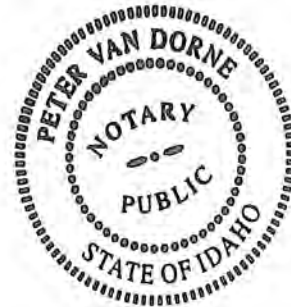
WITNESS my hand and official seal.

Signature



Commission Expires: 8/1/2023

(Seal)



CITY:

CITY OF OXNARD
A California Municipal Corporation

BY: _____

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: Karl Ryell 1/23/17
City Attorney Date

Order No: 09191793-919-KRC-KRE

EXHIBIT "A"

All that certain real property situated in the County of Ventura, State of California, described as follows:

PARCEL A:

A PORTION OF SUBDIVISION 37 OF THE RANCHO EL RIO DE SANTA CLARA O'LA COLONIA, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY IN THAT CERTAIN ACTION ENTITLED "THOMAS A. SCOTT, ET AL., PLFFS., VS. RAFAEL GONZALES, ET AL, DEFTS."; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF THE LAND CONVEYED TO BAKERSFIELD AND VENTURA RAILWAY COMPANY BY DEED RECORDED IN BOOK 102, PAGE 204 OF DEEDS, SAID POINT BEING ON THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY OXNARD DRIVE-IN THEATRE, INC., TO SKY VIEW DRIVE-IN THEATERS, A PARTNERSHIP, BY DEED RECORDED MARCH 9, 1956 IN BOOK 1280, PAGE 500 OF OFFICIAL RECORDS; THENCE,

1ST: SOUTH 0° 35' 43" WEST 306.11 FEET ALONG THE 4TH COURSE IN PARCEL A OF THE ABOVE-MENTIONED PROPERTY DESCRIBED IN BOOK 1280, PAGE 500 OF OFFICIAL RECORDS TO A POINT; THENCE,

2ND: SOUTH 46° 46' 52" EAST 643.15 FEET ALONG THE 3RD COURSE DESCRIBED IN SAID PARCEL A, TO THE NORTHEAST CORNER IN PARCEL B, AS DESCRIBED IN BOOK 1280, PAGE 500 OF OFFICIAL RECORDS; THENCE,

3RD: SOUTH 43° 13' 08" WEST 20 FEET ALONG THE NORTHWESTERLY LINE OF SAID PARCEL B TO A POINT; THENCE,

4TH: NORTH 46° 46' 52" WEST 651.92 FEET PARALLEL TO THE 3RD COURSE DESCRIBED IN SAID PARCEL A AND 20 FEET THEREFROM TO A POINT; THENCE,

5TH: NORTH 0° 35' 43" EAST 314.88 FEET TO A POINT ON THE SOUTH LINE OF THE SAID REAL LAND CONVEYED TO BAKERSFIELD AND VENTURA RAILWAY COMPANY; THENCE,

6TH: SOUTH 89° 24' 17" EAST 20 FEET ALONG SAID SOUTH LINE OF LAND CONVEYED TO BAKERSFIELD AND VENTURA RAILWAY COMPANY TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THE OIL, GAS, HYDROCARBONS, IN ALL FORMS AND ALL OTHER MINERALS AND MINERAL RIGHTS WHETHER METALLIC OR NON-METALLIC BELOW A DEPTH OF 500 FEET IN AND UNDER THE LAND HEREIN DESCRIBED, WITHOUT THE RIGHT OF SURFACE ENTRY UPON THE LAND FOR THE PURPOSE OF MINING, DRILLING OR EXPLORING SAID LAND FOR OIL, GAS, HYDROCARBON OR OTHER MINERALS AND REMOVING THE SAME THEREFROM AND WITHOUT THE RIGHT TO DAMAGE ANY IMPROVEMENTS PLACED ON OR UNDER SAID LAND.

PARCEL C:

A PORTION OF SUBDIVISION 37 OF THE RANCHO EL RIO DE SANTA CLARA O'LA COLONIA, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY IN THAT CERTAIN ACTION ENTITLED "THOMAS A. SCOTT, ET AL., PLFFS. VS. RAFAEL GONZALES, ET AL, DEFTS." DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF THE LAND CONVEYED TO BAKERSFIELD AND VENTURA RAILROAD COMPANY, BY DEED RECORDED IN BOOK 102, PAGE 204 OF DEEDS, AT THE MOST NORTHERLY NORTHWEST CORNER OF THE LAND CONVEYED TO RAY GOMES AND WIFE, BY DEED RECORDED MAY 27, 1954, IN BOOK 1205, PAGE 450 OF OFFICIAL RECORDS; THENCE ALONG THE WESTERLY LINE OF SAID LAND OF GOMES,

1ST: SOUTH 0° 35' 13" WEST 864.06 FEET; THENCE ALONG A NORTHERLY LINE OF SAID LAND OF GOMES,

Order No: 09191793-919-KRC-KRE

2ND: NORTH 89° 13' 12" WEST 170.16 FEET, MORE OR LESS TO A POINT ON A LINE PARALLEL WITH THE NORTHEAST LINE OF THE CALIFORNIA STATE HIGHWAY, 100 FEET WIDE AND DISTANT NORTHEASTERLY 150 FEET MEASURED AT RIGHT ANGLES THEREFROM; THENCE ALONG SAID PARALLEL LINE,

3RD: NORTH 46° 46' 52" WEST 822.81 FEET, MORE OR LESS, TO A LINE PARALLEL WITH THE EAST LINE OF THE LAND CONVEYED TO JOHN H. MUNDELL AND WIFE, BY DEED RECORDED IN BOOK 553, PAGE 321 OF OFFICIAL RECORDS, AND DISTANT SOUTHEASTERLY 200 FEET MEASURED AT RIGHT ANGLES THEREFROM; THENCE ALONG THE PARALLEL LINE LAST REFERRED TO,

4TH: NORTH 0° 35' 43" EAST 306.11 FEET TO A POINT IN THE SOUTH LINE OF SAID LAND CONVEYED BY DEED, RECORDED IN BOOK 109, PAGE 204 OF DEEDS; THENCE ALONG SAID SOUTH LINE,

5TH: SOUTH 89° 24' 17" EAST 775.35 FEET TO THE POINT OF BEGINNING.

PARCEL C-1

A PERPETUAL BLANKET EASEMENT FOR PEDESTRIAN AND VEHICULAR ACCESS, INGRESS AND EGRESS BY AFFORDABLE HOUSING LAND CONSULTANTS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND ITS LESSEES OVER, UPON AND ACROSS THE LAND REFERRED TO IN EXHIBIT "A" TO THAT CERTAIN EASEMENT DEED DATED OCTOBER 1, 2015 AND RECORDED ON OCTOBER 6, 2015 AS INSTRUMENT NO. 20151006-00148484 OF OFFICIAL RECORDS.

PARCEL C-2

A PERPETUAL NON-EXCLUSIVE EASEMENT FOR THE LIMITED PURPOSES OF PEDESTRIAN, VEHICULAR AND MULTI-MODAL INGRESS, EGRESS, PASSAGE AND TRAFFIC FOR ANY PURPOSE AS SET FORTH IN THAT CERTAIN "ACCESS EASEMENT DEED" EXECUTED BY AFFORDABLE HOUSING LAND CONSULTANTS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY RECORDED JULY 27, 2016 AS INSTRUMENT NO. 20160727-00105199, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. SUBJECT TO THE TERMS AND CONDITIONS CONTAINED THEREIN.

Assessor's Parcel Number 204-0-020-260 and 204-0-020-315

Exhibit B
Deferred Fees

Gateway Station Apartments

Impact Fee Type	Phase 3				Phase 4				Total by Fee Type
	Bldg 1130 20 Units	Bldg 1140 20 Units	Bldg 1150 20 Units	Bldg 1100 20 Units	Bldg. 1110 20 Units	Bldg 1120 20 Units			
Growth Development	\$36,310.32	\$36,310.32	\$36,310.32	\$36,310.32	\$36,310.32	\$36,310.32			\$217,861.92
Public Art Fee	\$7,623.83	\$7,623.83	\$7,623.83	\$7,623.83	\$7,623.83	\$7,623.83			\$45,742.98
Quinby Fees	\$92,032.76	\$92,032.76	\$92,032.76	\$92,032.76	\$92,032.76	\$92,032.76			\$552,196.56
Parks Tax	\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00			\$25,800.00
Water Capital Facilities Fee	\$1,706.00	\$1,706.00	\$1,706.00	\$1,706.00	\$1,706.00	\$1,706.00			\$10,236.00
Water Resource Development	\$13,958.00	\$13,958.00	\$13,958.00	\$13,958.00	\$13,958.00	\$13,958.00			\$83,748.00
Sewer Connection WWTTP	\$55,243.60	\$55,243.60	\$55,243.60	\$55,243.60	\$55,243.60	\$55,243.60			\$331,461.60
Sewer Connection Conveyance	\$21,207.20	\$21,207.20	\$21,207.20	\$21,207.20	\$21,207.20	\$21,207.20			\$127,243.20
Traffic Impact	\$94,900.00	\$94,900.00	\$94,900.00	\$94,900.00	\$94,900.00	\$94,900.00			\$569,400.00

Total by permit

\$327,281.71	\$327,281.71	\$327,281.71	\$327,281.71	\$327,281.71	\$327,281.71	\$327,281.71		
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\$1,963,690.26

Bond No. 34BSBFR1482

Premium: \$35,346.80

FAITHFUL PERFORMANCE BOND

KNOWN ALL MEN BY THESE PRESENTS:

Whereas, The City Council of the City of Oxnard, State of California, and Oxnard Pacific Associates II, a California Limited Partnership (hereinafter designated as "principal") have entered into an agreement whereby principal agrees to pay certain impact fees outlined in said agreement, dated October 20, 2017, and identified as the "AGREEMENT AFFECTING REAL PROPERTY Deferral of Impact Fees (Phase 3 and Phase 4)", is hereby referred to and made a part hereof; and

Whereas, Said principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement.

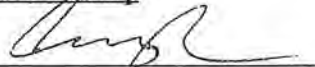
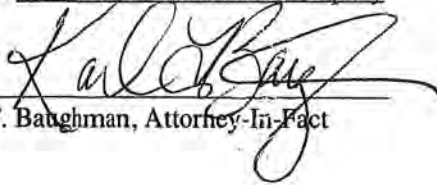
Now, therefore, we, the principal and Hartford Fire Insurance Company, as surety, are held and firmly bound unto the City of Oxnard, hereinafter called ("Obligee"), in the penal sum of One Million Nine Hundred Sixty Three Thousand Six Hundred and Ninety Dollars and Twenty Six Cents dollars (\$1,963,690.26) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless Obligee, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

In witness whereof, this instrument has been duly executed by the principal and surety above named, on October 19th, 2017.

Principal: Oxnard Pacific Associates II, a California Limited Partnership

By: Surety: Hartford Fire Insurance CompanyBy: 

Karl F. Baughman, Attorney-In-Fact

POWER OF ATTORNEY

Direct Inquiries/Claims to

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

L.4.a

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: THE HARTWELL CORPORATION

Agency Code: 34-480445

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☒ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of Unlimited :**

Karl F. Baughman, Zachary A. Dehne, Lynn Hawley, Traci McClure, Raymond L. Wolfe of CALDWELL, Idaho

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 11th day of January, 2016, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Nora M. Stranko

Nora M. Stranko

Notary Public

My Commission Expires March 31, 2018

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of 10/19/17

Signed and sealed at the City of Hartford.



Kevin Heckman

Kevin Heckman, Assistant Vice President

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent
AGENDA ITEM NO.: 5

DATE: November 7, 2017

TO: City Council

THROUGH: Greg Nyhoff
City Manager

FROM: Jim Throop
Chief Financial Officer

Jim Throop

SUBJECT: Receive the August 2017 Major Funds Monthly Report

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

RECOMMENDATION:

That City Council receive and file the August 2017 Major Funds Monthly Report. Report was presented to the Fiscal Policy Task Force on October 11, 2017.

BACKGROUND

City Council adopted a resolution requiring staff to report on the financial status of the city's major funds no later than 30 days after the end of the preceding month. The August status report was posted on the city website on September 25, 2017.

STRATEGIC PRIORITIES

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

Goal 1. To help foster a healthy and accountable corporate foundation by strengthening the support functions of the organization, which include Finance, Information Technology and

Receive the August 2017 Major Funds Monthly Report
November 7, 2017
Page 2

Human Resources.

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

Objective 2b. Prepare Quarterly Budget Updates and have month-end financial reports available via City's Website.

Objective 2c. Create a standardized template to present financial and other data to the general public.

FINANCIAL IMPACT

There is no financial impact on Council receipt and file of this report.

ATTACHMENTS:

Attachment A: August Fund Report

Fund Description	FY17-18 Revised Budget	Year-To-Date Actuals Thru. August 2017
General Fund Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$24.31	\$24.31
Revenues	124.97	8.13
Expenditures	125.88	15.83
Net Annual Activity	-0.91	-7.70
PERS Advance Payment / Cash Adj.		1.92
Estimated Outstanding Encumbrances		0.83
FY17-18 Month-End Closing Estimated Fund Balance *	\$23.40	\$13.86
Measure O Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$10.17	\$10.17
Revenues	15.95	0.00
Expenditures	12.99	1.70
Net Annual Activity	2.97	-1.70
PERS Advance Payment / Cash Adj.		0.04
Estimated Outstanding Encumbrances		0.40
FY17-18 Month-End Closing Estimated Fund Balance *	\$13.14	\$8.04
Water Funds Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$28.75	\$28.75
Revenues	60.31	6.36
Expenditures	58.89	4.75
Net Annual Activity	1.41	1.60
PERS Advance Payment / Cash Adj.		0.37
Estimated Outstanding Encumbrances		0.29
FY17-18 Month-End Closing Estimated Fund Balance *	\$30.16	\$29.70
WasteWater Funds Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$14.43	\$14.43
Revenues	63.10	9.59
Expenditures	62.05	7.72
Net Annual Activity	1.05	1.87
PERS Advance Payment / Cash Adj.		0.45
Estimated Outstanding Encumbrances		1.06
FY17-18 Month-End Closing Estimated Fund Balance *	\$15.47	\$14.79
Environmental Resources Funds Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$17.77	\$17.77
Revenues	44.34	5.43
Expenditures	45.91	4.52
Net Annual Activity	-1.57	0.91
PERS Advance Payment / Cash Adj.		0.73
Estimated Outstanding Encumbrances		8.33
FY17-18 Month-End Closing Estimated Fund Balance *	\$16.20	\$9.62

* This is not the CASH Balance. Fund Balances estimated are based on Preliminary & Pre-audited of current year-end closed Period 12 of FY16-17.

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: 1

DATE: November 7, 2017

TO: City Council

FROM: Stephen Fischer
City Attorney

SUBJECT: Ordinance Documenting Cannabis Restrictions in the City Zoning Code
(10/10/5)

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

RECOMMENDATION:

That the City Council approve the first reading by title only and waive further reading of an ordinance amending Chapter 16 of the Oxnard City Code to prohibit cannabis and cannabis related uses unless specifically provided in individual zones, and to specifically prohibit such uses in the following zones: Commercial Office (C-O), Neighborhood Shopping (C-1), General Commercial (C-2), Central Business District (CBD), Commercial and Light Manufacturing (CM), Business and Research Park (BRP), Limited Manufacturing (M-L), and Light Manufacturing (M-1) zones.

BACKGROUND

On November 8, 2016, California voters passed the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") as Proposition 64. AUMA legalized the nonmedical use of marijuana by persons 21 years of age and over, the personal cultivation of up to six marijuana plants per household, and certain commercial marijuana businesses. The terms marijuana and cannabis are used interchangeably in this report, but cannabis is now the preferred term under state regulations and is used in the proposed ordinance.

All commercial cannabis businesses must have a state license in order to operate, but AUMA does not limit the City's authority to adopt and enforce local ordinances regulating or prohibiting state-licensed cannabis businesses. It is anticipated that the state will begin issuing licenses by January 1, 2018. As has been discussed in the past, if the City wishes to regulate or ban

Ordinance Documenting Cannabis Zoning Restrictions (10/10/5)

November 7, 2017

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commercial cannabis businesses before they may legally operate within the City, the regulations or ban will need to take effect prior to that date. While existing City regulations prohibit commercial cannabis activities, without this specific action the City could potentially lose local regulatory authority over certain cannabis activities. It is the intent of this action to fully document the City's cannabis restrictions within the zoning code.

On June 27, the Governor signed SB 94 which created a new single regulatory system for both medical and commercial cannabis activities, known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The state is currently developing regulations regarding cannabis activities and licensing. Under the newly enacted program the City retains regulatory authority but bears the burden of providing the state licensing authority with its local ordinances and regulations related to cannabis. The state will look to these submittals to determine if any state licenses should be issued for cannabis activities within the City. As a last note, on September 16, 2017, the Governor signed AB 133, which removed the requirement that different commercial license types of cannabis businesses maintain "separate and distinct" premises.

On July 18, 2017 the City Council held a study session on cannabis activities and directed staff to move forward with the following three recommendations:

1. **Revise existing regulations to allow for delivery of medical cannabis.** Proposed draft regulations are being brought forward separately.
2. **Incorporate existing medical cannabis restrictions into the zoning code.**
3. **Enact a zone text amendment explicitly banning commercial activities.**

These three directives approved by the City Council on July 18, 2017 are consistent with the City Council's "go slow" approach which was also discussed in the April 2017 study session. With this approach, the City will be able to examine and study the experiences of neighboring jurisdictions and other agencies throughout the state and observe how the federal government reacts to state cannabis activities, particularly recreational ones. This "go slow" approach will allow the City to be in a stronger position to explore future options and draft regulations based on evidence and data. Lastly, the state regulatory framework should be clearer as there has been a rush of legislation as the January 1 deadline approaches.

Under the City's existing marijuana regulations, medical dispensaries are banned and outdoor cultivation/deliveries of commercial and medical marijuana are also prohibited. Existing City regulations also prohibit the issuance of licenses for commercial activities. However, the proposed ordinance based on the direction of July 18 will make these current prohibitions on commercial and medical cannabis activities explicit within the City's zoning code. Upon City Council approval the ordinance, and other existing City ordinances, will be submitted to the State licensing authority as required under MAUCRSA. The proposed zone text amendments were unanimously approved by the Planning Commission on October 5 (see attachments A & B).

Staff will continue to monitor activities at the County, State and Federal level and return in 2018 for a global re-examination of the issues of medical and commercial cannabis activities with the City Council.

ZONE TEXT AMENDMENTS

The purpose of the proposed ordinance is to enact zone text amendments to implement the City Council's Directives # 2 and 3; incorporate existing medical cannabis restriction into the zoning code, and prohibit commercial cannabis activity. The zone text amendments include the following revisions to Chapter 16 of the City Code:

- Amend Section 16-10 to include definitions for 'Cannabis', and
- Amend the following sections to list cannabis related uses as prohibited:
 - o 16-115 - C-0 Prohibited Uses (New Section), [Commercial Office]
 - o 16-124 - C-1 Prohibited Uses, [Neighborhood Shopping Center]
 - o 16-143 - C-2 Prohibited Uses (Use of Reserved Section), [General Commercial]
 - o 16-149 CBD Prohibited Uses, [Central Business District]
 - o 16-164 C-M Prohibited Uses, [Commercial and Light Manufacturing]
 - o 16-178 BRP Prohibited Uses, [Business and Research Park]
 - o 16-191 M-L Prohibited Uses, [Limited Manufacturing]
 - o 16-226 M-1 Prohibited Uses, [Light Manufacturing]
 - o 16-251 M-2 Prohibited Uses (Use of Reserved Section), [Heavy Manufacturing]
 - o 16-258 C-R Prohibited Uses, and [Community Reserve]
 - o 16-330 Standards for All Zones, Cannabis Related Uses Prohibited
- Amend Section 16-330 (General Prohibitions) under of Division 2 of Article IV (Standards for All Zones) for All Zones to specifically prohibit Commercial Cannabis Uses in all zones unless specifically allowed.

ENVIRONMENTAL REVIEW

The proposed ordinance and zone text amendments constitute minor text changes to the Oxnard City Code to restrict commercial cannabis activity in all zones. Section 15061(b)(3) of the California Environmental Quality Act (CEQA) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Since there is no substantial evidence that the activity may have a significant effect on the environment, following City Council action a Notice of Exemption will be filed with the County of Ventura.

STRATEGIC PRIORITIES

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

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

Objective 1d. Examine options for long term sustainability of public safety services to ensure an efficient and effective public safety service delivery model.

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

FINANCIAL IMPACT

The recommended action will potentially affect state grants. Under Proposition 64, the Board of State and Community Corrections may make grants to local governments to assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with AUMA. However, local agencies are only eligible to receive these state grant funds if they allow outdoor personal cultivation of marijuana and retail sales. At this point in time the amount of potential grant money is unclear; the amount of revenue the state will collect is unknown and local grants are last in the distribution of state marijuana tax revenues.

ATTACHMENTS:

Attachment A - Planning Commission Staff Report

Attachment B - PC Oct 5th Final 2017 PC ZTA Resolution (update with signed)

Attachment C - Ordinance (redline version)

Attachment D - Ordinance (clean version)



Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Kathleen Mallory, AICP, LEED Green Associate, Planning Division Manager

DATE: October 5, 2017

SUBJECT: Planning and Zoning Permit No. 17-580-04 (Zone Text Amendment), Citywide

- 1) Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-580-04 for Zone Text Amendment addressing commercial cannabis uses in all zones, subject to certain findings and conditions.
- 2) Project Description and Applicant:** A request to amend specific sections of the Oxnard City Code (including definitions and regulations relating to the C-O, C-1, C-2, CBD, CM, BRP, M-L, M-1 and M-2 zones) to clarify that cannabis-related uses are not allowed within the City of Oxnard. Attachment A contains the ordinance to implement this Zone Text amendment. The City Council will separately consider at a later date an ordinance that would allow medical cannabis deliveries subject to specific restrictions. Filed by the City of Oxnard, 214 South "C" Street, Oxnard CA 93030.
- 2) Environmental Determination:** The proposed Zone Text Amendment constitutes minor text changes to the Oxnard Municipal Code to restrict commercial cannabis activity in all zones. Section 15061(b)(3) of the California Environmental Quality Act (CEQA) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Since there is no substantial evidence that the activity may have a significant effect on the environment, following City Council action a Notice of Exemption will be filed.
- 3) Analysis:**
 - a. General Discussion and Background:** On November 8, 2016, California voters passed the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") as Proposition 64. AUMA legalized the nonmedical use of cannabis by persons 21 years of age and over, the personal cultivation of up to six cannabis plants per household, and certain commercial cannabis businesses.

All commercial cannabis businesses must have a state license in order to operate, but AUMA does not limit the City's authority to adopt and enforce local ordinances regulating or prohibiting state-licensed cannabis businesses. It is anticipated that the state will begin issuing licenses by January 1, 2018. If the City wishes to regulate or ban commercial cannabis businesses before they may legally operate within the City, the City's regulations or ban will need to take effect prior to that date.

Under the City's existing cannabis regulations, medical dispensaries are banned and outdoor cultivation/deliveries of commercial and medical cannabis are prohibited. Existing City regulations also prohibit the issuance of licenses for commercial activities. However, the City Attorney has recommended that the current prohibition on commercial and medical cannabis activities be made explicit within the City's zoning code. Below is a summary of the City's current regulations:

- No medical cannabis dispensaries or businesses are permitted (OCC 7-281).
- No outdoor cultivation of cannabis (medical or recreational) is permitted; indoor cultivation of 6 plants in accordance with AUMA is allowed (OCC 7-282).
- No deliveries of cannabis (medical or recreational) are permitted (OCC 7-283).
- No license or permit shall be issued for the sale, supply or provision of cannabis in the City (2007 uncodified ordinance).

Many local jurisdictions are in a similar regulatory position as the City. The current state of regulations in other local jurisdictions post AUMA is detailed below:

- Camarillo - Moratorium on commercial activities and outdoor cultivation.
- Fillmore - No commercial activities and indoor growing permit required.
- Ojai - No commercial activities, provision for three permitted non retail medical dispensaries.
- Port Hueneme - Allows commercial medical cannabis activity in areas zoned commercial, mixed-use residential and industrial with a use permit. Specifically, it would allow the sale, indoor cultivation, delivery, manufacturing and testing services relating to marijuana.
- Santa Barbara (City) – Currently allow for a maximum of three medical marijuana storefronts.
- Santa Paula - No commercial activities.
- Simi Valley - No commercial activities.
- Thousand Oaks - On June 27, staff was directed to prepare code amendments allowing one medical marijuana dispensary and a marijuana testing facility in the city.
- Ventura (City) - Moratorium on commercial activities and outdoor cultivation.
- Ventura (County) - No commercial activities and the County has adopted a “go slow” approach regarding regulations allowing access to medical cannabis.

As for the City of Oxnard, following a City Council study session on April 4, 2017 on the City's regulatory options related to AUMA, on July 18, 2017 the City Council held a public hearing and directed staff to move forward with the following three recommendations:

1. **Revise existing regulations to allow for delivery of medical cannabis.** Consistent with a cautious approach, this change would potentially allow city residents with a medical need greater access to cannabis if they are not able to either grow cannabis for personal use under existing rules or visit a dispensary in a neighboring jurisdiction (such as Ojai or Port Hueneme). The City Attorney recommended that deliveries be limited to medical cannabis only and delivery businesses would be subject to existing city rules, such as obtaining a tax certificate. That proposed change would solely allow for deliveries into the City; not for a delivery business to be physically based within City limits. This would not involve a land use change and a revision to City Code. The City Council will separately consider at a later date an ordinance that would allow medical cannabis deliveries subject to specific restrictions.
2. **Incorporate existing medical cannabis restrictions into the zoning code.** While medical cannabis businesses and dispensaries are currently banned, the City Attorney recommended that these restrictions be incorporated into the City zoning code as a Zone Text amendment. This is not a change to existing City regulations or policy. The proposed ordinance addresses this change.
3. **Enact a zone text amendment explicitly banning commercial activities.** This position is consistent with existing City regulations which do not allow for issuance of licenses or permits for cannabis activities. In order to ensure no loss of local control, the ban on commercial activities should be made explicit in the City zoning code. The proposed ordinance addresses this change.

The three directives approved by the City Council on July 18, 2017 are consistent with the City Council's "go slow" approach which was discussed in the April 2017 study session. With this approach, the City will be able to examine and study the experiences of neighboring jurisdictions and other agencies throughout the state and observe how the federal government reacts to state cannabis activities, particularly recreational ones. This "go slow" approach will allow the City to be in a stronger position to explore future options and draft regulations based on evidence and data. Additionally, the regulatory landscape should be clearer in the future.

As was discussed at the April 2017 City Council study session, cannabis in California is an issue of great regulatory complexity. The proposed ordinance is not indicative of a staff position in support of permanent policy decisions. Staff will continue to monitor activities at the County, State and Federal level in the coming months and return in 2018 to re-examine the issues of medical and commercial cannabis activities with the City Council.

b. General Plan Consistency: Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are as follows:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	2030 GENERAL PLAN POLICY OR TITLE	EXPLANATION
N/A	I, II & III	None	AUMA was recently approved by California voters in November 2016, legalizing nonmedical marijuana use. Since nonmedical marijuana was illegal at the time that the 2030 General Plan was adopted in October 2011, there are no directly applicable, indirect or distant applicable policies related to commercial use of marijuana in the 2030 General Plan.

c. Zone Text Amendment: The purpose of the Zone Text Amendment is to implement the City Council's Directive 2 and 3; incorporate existing medical cannabis restriction into the zoning code, and prohibit commercial cannabis activity. The Zone Text Amendment includes the following revisions to Chapter 16 of the City Code:

- Amend Section 16-10 to include definitions for 'Cannabis', and
- Amend the following sections to list cannabis related uses as prohibited:
 - 16-115 – C-0 Prohibited Uses (New Section),
 - 16-124 – C-1 Prohibited Uses,
 - 16-143 – C-2 Prohibited Uses (Use of Reserved Section),
 - 16-149 CBD Prohibited Uses,
 - 16-164 C-M Prohibited Uses,
 - 16-178 BRP Prohibited Uses,
 - 16-191 M-L Prohibited Uses,
 - 16-226 M-1 Prohibited Uses,
 - 16-251 M-2 Prohibited Uses (Use of Reserved Section),
 - 16-258 C-R Prohibited Uses, and
 - 16-330 Standards for All Zones, Cannabis Related Uses Prohibited

PZ 17-580-04; Zone Text Amendments
Planning Commission Date: October 5, 2017
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- Amend the following sections to specifically exclude cannabis from Manufacturing uses:
- Add Section 16-330 to Division 2 Prohibitions under Article IV Standards for All Zones to specifically prohibit Commercial Cannabis Uses in all zones.

4) Appeal Procedure: The Planning Commission's action is a recommendation to the City Council, and the matter will be considered by the City Council in November of this year.

Attachments:

- A. Resolution with proposed Draft Ordinance

RESOLUTION NO. 2017-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 17-580-04 (ZONE TEXT AMENDMENT) TO AMEND CHAPTER 16 OF THE OXNARD CITY CODE TO PROHIBIT COMMERCIAL MARIJUANA USES IN ALL ZONES, SUBJECT TO CERTAIN FINDINGS. FILED BY CITY OF OXNARD, DEVELOPMENT SERVICES DEPARTMENT, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030

WHEREAS, on November 8, 2016, California voters passed the Control, Regulate, and Tax Adult Use of Marijuana Act (“AUMA”) as Proposition 64. AUMA legalized the nonmedical use of marijuana by persons 21 years of age and over, the personal cultivation of up to six marijuana plants per household, and certain commercial marijuana businesses; and

WHEREAS, on July 18, 2017 the City Council held a public hearing and voted to directed staff to move forward with the following actions: 1) Revise existing regulations to allow for delivery of medical marijuana, 2) Incorporate existing medical marijuana restrictions into the zoning code, and 3) Enact a zone text amendment explicitly banning commercial activities; and

WHEREAS, the Planning Commission of the City of Oxnard has considered zone text amendment PZ No. 17-580-04, filed by the City of Oxnard Development Services Department, to amend Chapter 16 of the City Code to prohibit commercial marijuana uses in all zones; and

WHEREAS, the Planning Commission has held a public hearing on this application; and

WHEREAS, the Planning Commission finds that the proposed zone text amendment serves the public interest and general welfare by taking a “go slow” approach in regulating commercial marijuana uses by examining and studying the experiences of neighboring jurisdictions and other agencies throughout the state and observing how the federal government reacts to state marijuana activities, particularly recreational ones. This “go slow” approach will allow the City to be in a stronger position to explore future options and draft regulations based on evidence and data. Additionally, the regulatory landscape should be clearer in the future; and

WHEREAS, the Planning Commission finds that the proposed zone text amendment does not conflict with the City of Oxnard 2030 General Plan Goals and Policies because the nonmedical marijuana use was not legal in California at the time that the 2030 General Plan was prepared and therefore no policies address it commercial marijuana use; and

WHEREAS, Section 15061(b)(3) of Title 14 of the California Code of Regulations exempts by General Rule an activity which does not have the potential for causing a significant effect on the environment and therefore is not subject to the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the ordinance attached hereto as Exhibit A.

Resolution No. 2017-____
PZ 17-580-04 (Zone Text Amendment)
October 5, 2017
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PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of October, 2017 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Kathleen Mallory, Secretary

Resolution No. 2017-__
PZ 17-580-04 (Zone Text Amendment)
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EXHIBIT A
PROPOSED ZONE TEXT AMENDMENT

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING OXNARD CITY CODE SECTION 16-10, ADDING SECTION 16-115 TO THE OXNARD CITY CODE, AMENDING OXNARD CITY CODE SECTION 16-124, ADDING SECTION 16-143 TO THE OXNARD CITY CODE, AMENDING SECTIONS 16-149, 16-164, 16-178, 16-191 AND 16-226 OF THE OXNARD CITY CODE, ADDING SECTION 16-251 TO THE OXNARD CITY CODE, AND AMENDING SECTIONS 16-258 AND 16-330 OF OXNARD CITY CODE, ALL RELATED TO THE PROHIBITION OF CANNABIS-RELATED USES WITHIN THE CITY OF OXNARD

WHEREAS, on October 9, 2015 Governor Brown signed three bills into law (AB 266, AB 243, and SB 643) which collectively are known as the Medical Marijuana Regulation and Safety Act ("MMRSA"); and

WHEREAS, MMRSA established a state licensing scheme for commercial medical cannabis uses while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a state license; and

WHEREAS, on November 8, 2016, California voters approved Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), which generally sets forth comprehensive statutory provisions regulating nonmedical/recreational cannabis at all levels of use and commerce; and

WHEREAS, AUMA authorizes local jurisdictions to enforce state laws and regulations for nonmedical/recreational cannabis businesses, to enact additional local requirements for nonmedical/recreational cannabis businesses, and to ban nonmedical/recreational businesses; and

WHEREAS, on June 27, 2017, Governor Brown signed into law Senate Bill 94 which created a single regulatory scheme for both medical and non-medical marijuana known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA); and

WHEREAS, MAUCRSA retains the provisions of prior law which grant local jurisdictions control over whether cannabis businesses may operate in their jurisdictions; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that the City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, specific cannabis activities can adversely affect the health, safety, and well-being of City residents; and

WHEREAS, City regulation of cannabis activities is proper and necessary to protect the public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Section 1. Section 16-10 of the Oxnard City Code is hereby amended to read as follows:

“SEC. 16-10. DEFINITIONS.

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

(1) ACCESSORY BUILDING - Any structure built for the support, shelter, or enclosure of property that is separate from but related, subordinate, and secondary to the main use of the property, such as but not limited to: storage sheds, greenhouses, and garages.

(2) ACCESSORY DWELLING UNIT - An ~~attached or detached residential dwelling unit that provides complete~~ independent living facility for one or more persons located entirely within or attached to an existing legal structure or as a detached structure that includes, including permanent provisions for living, sleeping, eating, cooking and sanitation, and is situated on the same parcel as an existing primary single-family dwelling, but is subordinate to and smaller than the primary dwelling.¹

(3) ACCESSORY SIGN - Any sign which advertises goods manufactured or produced, goods for sale, or services rendered on the property upon which such sign is located, also known as an on-premise sign.

(4) ACCESSORY STRUCTURE - A man-made object other than ornamental statuary, having a permanent location on the ground and more than six inches above the finished grade that is separate from but related, subordinate, and secondary to the main use of the property, such as but not limited to: patio covers, gazebos, and children's play structures.

(5) ACCESSORY USE - A use of property separate from, but related, subordinate and secondary to, the main use of the property.

(6) ADULT DAY CARE FACILITY - A State-licensed facility that provides less than 24-hour per day care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals.

(7) ADULT HEALTH CARE CENTER - Any family day home, day care center, or social rehabilitation center, as defined in Cal. Health and Safety Code, Section 1570.7, and licensed by the State Department of Health, which provides, on less than a 24-hour basis, nonmedical care to adults in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual.

(8) ALLEY - Any public thoroughfare for the use of pedestrians or vehicles, not less than 10 feet nor more than 30 feet wide, which has been deeded or dedicated to the city as a secondary means of access to abutting property.

(9) ANTIQUE SHOP - A retail business that sells works of art, furniture, decorative objects and the like, all of which are at least 30 years old.

(10) APARTMENT - A room or suite of rooms in a multi-family dwelling designated as a residence for one family and containing one kitchen.

¹ In order to properly track the changes proposed by the Planning Commission at its September 7, 2017 meeting as part of the proposed implementation of the 2013-2021 Mid-Cycle Housing Element Update, the proposed change to the definition of “accessory dwelling unit” is included in this ordinance. The City Council has adopted this definition but it is not yet effective.

(465) EMERGENCY SHELTER FOR FAMILIES - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, "disabled" means persons with special needs, including mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions.

(476) EMERGENCY SHELTER, PERMANENT - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay.

(487) EMERGENCY SHELTER, TEMPORARY - A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a 12-month period. No individual or household shall be denied emergency shelter because of an inability to pay.

(498) ENTERTAINMENT - Any performance or activity defined herein; provided, however, that the term does not include vocal music or music from a single, unamplified, stringed instrument, including piano.

(5049) FAMILY - A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses; but not including residents of commercial group living such as hotels, dormitories and fraternities.

(519) FARMWORKER - An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.

(524) FARMWORKER EMPLOYEE HOUSING — A residential use of one or more single or multifamily dwelling units and accessory dwellings of the same type and in the same zone, and/or group quarters structures with common dining area. A farmworker housing complex does not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed. Deed-restricted housing for agricultural workers that is available to and occupied only by low and very low income farmworker households, and that is subject to standards that apply to other residential dwellings of the same type and in the same zone.²

(532) FAST FOOD RESTAURANT - An establishment whose principal business is sale of pre-prepared or rapidly prepared food served in disposable packaging directly to the customer, for consumption either within the restaurant building or off premises.

² The proposed change to the definition of "farmworker employee housing" (previously "farmworker housing") reflects the changes recommended by the Planning Commission at its September 7, 2017 meeting as part of the proposed implementation of the 2013-2021 Mid-Cycle Housing Element Update. The City Council has adopted this definition but it is not yet effective.

(543) FRONT LOT LINE - The line dividing a lot or parcel from an officially designated street; provided, however, that if the street is without frontage, the commission shall designate the front lot line.

(554) FRONT YARD - The yard measured the full width of the lot, lying between the front lot line and the closest portion of the main building.

(565) FRONTAGE - The portion of a lot, parcel or site that abuts a dedicated public street, not an alley.

(576) FRONTAGE OF BLOCK - The length of a block measured between two cross streets whereon more than four lots have frontage.

(587) GARAGE - An accessory building or portion of the main building having a minimum of four walls, and designed and used principally for the housing of motor vehicles.

(598) GENERAL COMMERCIAL - Individual stores and businesses where each establishment is located on a separate lot, with separate parking and loading facilities and not in a shopping center.

(6059) GUEST HOUSE - An accessory building for the housing of temporary guests, not containing a kitchen and not being rented or leased.

(610) HABITABLE ROOM - Any room used, or intended or designed to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

(624) HOME FINDING AGENCY - Any individual or organization engaged in finding homes or other facilities as defined in the Cal. Code of Regulations, for placement of persons of any age for temporary or permanent care, or adoption, including providing continuing social services to such persons.

(632) HOME OCCUPATION - Gainful employment engaged in by the occupants of a dwelling, which is incidental and subordinate to and compatible with the residential use of the property and surrounding residential uses.

(643) HOTEL - A building providing separate bedrooms or baths for the accommodation of travelers, semipermanent residents and the like, where no kitchen facility is provided, whether known as a hotel, motel, or rooming house.

(654) INLAND WATERWAY - A body of water confined to a channel which permits navigation by vessels and ships and is connected directly to the ocean.

(665) INSTITUTION - An organization having a social, educational, or religious purpose such as a school, church, hospital, club or lodge.

(676) INTERIOR LOT - A lot having lots adjoining on two sides.

(687) INTERIOR YARD SPACE - The area on the lot behind the front setback line which is open from ground to sky and used as private open space except as otherwise permitted in this chapter.

(698) JUNK - Scraps of copper, wood, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked motor vehicles or parts thereof, iron, steel and other scrap ferrous or nonferrous material.

(7069) KEY LOT - A lot whose side lot forms the rear lot line of a reversed corner lot.

(710) KITCHEN - Any room used, or intended or designed to be used for cooking and preparing food.

(724) LANDSCAPING - The treatment and maintenance of a yard area with predominantly vegetative materials, such as lawn or ground cover, shrubs or trees, and ornamental flagstone,

(11) APARTMENT HOTEL - A building containing six or more apartments, designated for use as second or temporary dwellings for transient guests.

(12) APARTMENT HOUSE - Any building which is designed to be or is in fact occupied as the residence of two or more families living independently of each other in such building, in separate apartments, and where such apartments are rented or leased for a period of not less than one month.

(13) AUTOMOBILE REPAIR GARAGE - A building used for the overhaul and repair of vehicles, including body repairs, engine overhaul, upholstery work, parts rebuilding and like activities.

(14) AUTOMOBILE SERVICE STATION - Any business which dispenses gasoline and which may also sell other automotive-related and nonrelated goods and services, but which excludes auto body work, complete engine and transmission overhaul and rebuilding and similar intensive vehicle-related services.

(15) AUTOMOBILE WRECKING - The dismantling or destruction of one or more motorcycles or motor vehicles.

(16) BABYSITTING - The care of one or more children by an individual in a home on a temporary basis, and without benefit of formal advertising or established hours of business.

(17) BASEMENT - A story partly underground with less than one-half its height above the average finished grade.

(18) BED AND BREAKFAST INN - An establishment, originally built as a single-family residence, operated by a resident owner and containing three to five guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days.

(19) BEDROOM - Any room that is or can be used for sleeping purposes, including any room other than a kitchen, bathroom, or utility service room, such as a study, den and loft.

(20) BUILDING - Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

(21) BUILDING HEIGHT - Total height of a building measured from the average finished grade at the base of the building to the highest point of the building.

(22) BUILDING SITE - The area, including all required yards, open space and parking, which a main building and its accessory buildings and uses occupy.

(23) BUSINESS - Any use of property for profit requiring a business license.

(24) CANNABIS - Shall have the same meaning as set forth in Business and Professions Code Section 26001(f), as that section now appears or may hereinafter be amended or renumbered.

(254) CAR WASH (MECHANICAL) - Any operation which provides for the washing of motor vehicles primarily through the use of mechanical equipment which may include conveyor chains, blowers, steam guns, roller brushes, high pressure vacuum units and similar equipment.

(265) CAR WASH (NONMECHANICAL, SELF-SERVICE) - Any operation which provides for the washing of motor vehicles by the customer, which employs persons only to check, maintain and supervise the use of the facility and equipment, and which has equipment limited to water softeners, water heaters, soap mixing tanks, low pressure vacuum units and similar equipment that produces only a low volume of sound.

(276) CHILD CARE CENTER - A State-licensed child care facility other than a family day care home, in which less than 24-hour per day nonmedical care and supervision is provided in a group setting for children.

(287) CHURCH - A building operated primarily for worship or for promotion of religious activities excluding other buildings or activities maintained by religious organizations such as educational institutions, hospitals, homeless shelters and day care centers or operations that are commercial in nature.

(298) CLUB - An association of persons for some common, nonprofit purpose excluding groups organized primarily to render a service which is customarily carried on as a business.

(3029) COMMERCIAL DISTRICT - Stores and businesses located in a shopping center of more than 10 acres but less than 30 acres and designed to serve several neighborhoods.

(310) COMMERCIAL SCHOOL - A nonaccredited school providing training or personal improvement, such as a beauty college, dance school, business school, or gymnasium.

(324) COMMISSION - The planning commission of the city.

(332) COMMON AREA - Any area or space designed for joint use by tenants occupying mobile home parks, condominiums, planned residential groups and similar residential developments.

(343) COMMUNITY APARTMENT PROJECT - A project in which an undivided interest in the property is coupled with the right of exclusive occupancy of any apartment located thereon.

(354) COMMUNITY CARE FACILITY - A State-licensed facility maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children and/or adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, as further defined in Section 1502 of the Cal. Health and Safety Code.

(365) CONDOMINIUM - An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a building on real property such as a residence.

(376) CONGREGATE LIVING HEALTH FACILITY - A State-licensed residential home with a non-institutional home-like environment that provides 24-hour medical supervision and skilled nursing with services for persons who are physically disabled, have a diagnosis of terminal illness, or are catastrophically and severely disabled, as further defined in Cal. Health and Safety Code, Section 1250.

(387) CORNER LOT - A lot having frontage on two intersecting streets.

(398) DETACHED BUILDING - Any building that is not physically joined to another building by a common wall.

(4039) DIRECTOR - The city's development services director or designee.

(410) DRIVE-IN THEATER - A motion picture theater containing a vehicle parking area where patrons remain in their vehicles to view the entertainment presented on one or more screens.

(424) DRIVE-THRU FACILITY - A facility which, by its design, allows people to receive goods and/or services while remaining in their motor vehicles.

(432) DUPLEX - A building containing two dwelling units.

(443) DWELLING UNIT - A room or suite of rooms designed as a residence for one family and containing one kitchen.

(454) EDUCATIONAL INSTITUTION - An institution offering academic instruction or training leading to a degree, or accredited by the State, including private colleges or trade schools but not including dance schools, business schools, and similar commercial establishments.

brick or rock work and the like, organized in a manner designed to create or enhance a specific appearance.

(732) LARGE FAMILY DAY CARE HOME - A State-licensed facility that provides care, protection and supervision for seven to 14 children in the provider's own home for periods less than 24 hours per day, as further defined in Cal. Health and Safety Code, Section 1596.78.

(743) LOT - A parcel of real property officially subdivided and recorded prior to or according to chapter 15 of this code.

(754) LOT AREA - The number of square feet enclosed by the lot lines of a lot.

(765) LOT DEPTH - The average lineal distance between the front and rear lot lines, measured perpendicular to the front lot line.

(776) LOT WIDTH - The lineal width of a lot measured at the midpoint between the front lot line and rear lot line.

(787) MAIN BUILDING - The building wherein the principal use of a lot or parcel is conducted, including attached structures where more than eight lineal feet of a wall is commonly used.

(798) MAJOR RECREATIONAL EQUIPMENT - Items designed to be used as temporary dwellings for recreational outings, or designed to be used for other recreational purposes, such as travel trailers, trailer coaches, pickup campers, motorized dwellings, tent trailers, boats and boat trailers.

(80) MARIJUANA – Shall have the same meaning as cannabis.

(8179) MINI-WAREHOUSE - Any structure designed, built or used as individual compartments for five or more occupants on a lease or rental basis for the purpose of storage of any item for a period of more than 48 hours.

(829) MOBILE HOME - A manufactured relocatable vehicle, other than a motor vehicle, designed or equipped for human residential habitation and for being drawn by a motor vehicle.

(834) MOBILE HOME LOT - A parcel of land in a mobile home park rented and used exclusively by the occupants of the mobile home located on that lot.

(842) MOBILE HOME PARK - A contiguous area or tract of land of at least 16 acres under single ownership which has been planned and improved for the placement of mobile homes for nontransient residential use.

(853) MOBILE HOME STAND - The part of a mobile home lot reserved for the placement of a mobile home.

(864) MOBILE OFFICE - A vehicle other than a motor vehicle designed or used as an office for industrial, professional or commercial purposes, and designed to be drawn by a motor vehicle.

(875) MOTEL - A building or group of buildings or units attached, semi-attached or detached, designed to serve as temporary sleeping quarters for transient persons, whether known as a motel, auto court, tourist court or bungalow court, excluding an adult motel, as defined in section 16- 336(A)(5).

(886) MOTION PICTURE THEATER - An establishment containing two or fewer screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

(897) MOTOR VEHICLE - A device by which any person or property may be propelled, moved, or drawn upon a public street, excepting a device moved by human power.

(9088) MULTI-FAMILY DWELLING - A building containing two or more dwelling units.

(9189) MULTIPLEX MOTION PICTURE THEATER - An establishment containing three or more screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

(929) NEIGHBORHOOD COMMERCIAL - Stores and businesses located in a shopping center of less than ten acres and designed to serve a local neighborhood rather than several neighborhoods.

(934) NONACCESSORY SIGN - A sign which advertises products, services or other uses not associated with any use established on the premises on which such sign is located, also known as an off-premise sign and including, but not restricted to, billboards and outdoor advertising structures.

(942) NONCONFORMING - Buildings or uses which become not permitted or not in compliance with zoning regulations by reason of changes in the zoning regulations or land use zone classification of the property on which such building or uses are located.

(953) OCCUPIED AREA - That area of an individual mobile home lot which has been covered by a mobile home and its accessory structures.

(964) PARKING SPACE - A rectangular space, clearly delineated on the ground or pavement, of dimensions required elsewhere in this chapter, to be used for the parking or stopping of motor vehicles.

(975) PARKING STRUCTURE - A structure used for the parking of vehicles where parking is accommodated on two or more levels.

(986) PATIO - A deck or paved area not extending above the first floor level of a building and open to the sky.

(997) PATIO SHELTER - A covered shelter for semi-outdoor recreational activities, which is enclosed on no more than two sides, whether or not the remaining two sides are partially enclosed by a low wall, supporting structural members, lattice work, louvers, screens and the like.

(10098) PAWNSHOP - An establishment that engages in the business of loaning money on the security of pledges of personal property, and purchasing and selling personal property.

(10199) PERGOLA - An open-work structure or lattice having at least 50% of its roof open to the sky.

(1029) PERMANENT STORAGE - The storage of any item of personal property for a period of more than 48 hours.

(1034) PERMANENT STRUCTURE - Any object having a solid foundation or fixed location on the ground.

(1042) PRIMARY DWELLING UNIT - The main residential structure containing one dwelling unit located on a single-family lot.

(1053) PRIVATE SCHOOL - An accredited private school or college providing academic or trade education.

(1064) PRIVATE STREET - A privately owned vehicular right-of-way used as access by two or more lots which do not have frontage on a public street.

(1075) PRODUCT ASSEMBLY PLANT - Production facilities primarily engaged in final or partial assembling or packaging of premanufactured, treated, or fabricated components, materials or products.

(1086) PUBLIC CAMPGROUND - A public area wherein major recreational equipment may be placed as temporary dwellings.

(1097) PUBLIC PARKING LOT - A parking lot for motor vehicles created to serve the public either as a separate business or as an accessory use to a business, whether owned by a governmental agency or by a private person or business.

(1108) QUARRY - Any premises or site from which rock, sand, gravel, stone, earth, soil or any other mineral is removed or excavated for the purpose of sale, excluding the necessary grading or excavating of a building site under a valid building permit.

(1109) REAR LOT LINE - The lot line most nearly parallel to the front lot line and dividing the lot from an alley or adjoining lot; provided, however, that the planning commission shall designate the rear lot line for through lots.

(1120) REAR YARD - The yard measured the full width of the lot, lying between the rear lot line and the nearest portion of the main building.

(1134) RECREATION COMMERCIAL - Indoor or outdoor sport, game, or recreational activity which may occur within a building or as outdoor activities, including but not limited to arenas, stadiums, rinks, golf courses, ranges, auditoriums, or theaters.

(1142) REQUIRED YARD - The yard area required by this chapter.

(1153) RESEARCH AND DEVELOPMENT - Facilities or establishments primarily performing research or development of industrial or scientific products.

(1164) RESIDENTIAL CARE FACILITY FOR THE ELDERLY - A housing arrangement of residents at least 60 years of age, where personal care and supervision are provided, as defined in Section 1569.2 of the Cal. Health and Safety Code.

(1175) REVERSED CORNER LOT - A corner lot whose rear lot line abuts the side lot line of an adjoining lot.

(1186) SCRAP METAL PROCESSING FACILITY - Any property which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

(1197) SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITY - A State-licensed residential facility with seven or more residents that provides a range of community dining and/or recreation areas integrated with individual apartment units that may have individual cooking facilities; that provides at least one non-medical and/or medical support service to residents such as housekeeping, laundry, media room facility, library, hair care, recreation, and transportation services; that is restricted to qualifying residents or senior citizens as those terms are defined in Cal. Civil Code, Section 51.11; that may include a secure area(s) for residents with limited memory or cognitive abilities and/or limited physical mobility; and that is subject to the regulations for Planned Residential Groups set forth in section 16-466 of this code.

(1208) SIDE LOT LINE - All other lot lines that are not front or rear lot lines.

(1219) SIDE STREET - A street providing secondary frontage to a lot, and having an angle between 45 to 140 degrees at its intersection with the street providing principal frontage for the lot in question.

(1220) SIDE YARD - The yard lying between the side lot line and the closest portion of the main building and between the front and rear yards.

(1234) SINGLE-FAMILY DWELLING - A building containing one dwelling unit whether built as a detached building or as an attached townhouse type of unit that does not involve common ownership or adjacent parcels of real property. The definition of single family dwelling

does not include Farmworker Employee Housing, but shall including Farmworker Employee Housing projects with six or fewer residents as allowed by State law.³

(1242) SMALL RESIDENTIAL HEALTH OR CARE FACILITY - A facility licensed, authorized or certified by the State that provides nonmedical health or care services to six or fewer persons (except as otherwise provided herein), which State statutes identify as a residential use of property subject only to standards and restrictions applicable to other dwellings of the same type in the same zone, including but not limited to: a congregate living facility, as defined in Cal. Health and Safety Code Section 1250, having no more than six beds; an intermediate care facility/developmentally disabled habilitative, as defined in Cal. Health and Safety Code Section 1250, serving no more than six persons; an intermediate care facility/developmentally disabled-nursing, as defined in Cal. Health and Safety Code Section 1250, having no more than six beds; a State-licensed residential care facility, as defined in Cal. Health and Safety Code Section 1568.01, serving no more than six persons; a small family day care home serving no more than eight children, as defined in Cal. Health and Safety Code Section 1596.78; a pediatric day health and respite care facility, as defined in Cal. Health and Safety Code Section 1760.2, having no more than six beds; an alcoholism or drug abuse recovery or treatment facility, as defined in Cal. Health and Safety Code Section 11834.02, serving no more than six persons; and a State-authorized, certified or licensed family care home, foster home or group home providing care on a 24-hour a day basis to six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, as referred to in Cal. Welfare and Institutions Code Section 5116.

(1253) STORY - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above; also, if the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered as a story.

(1264) STREET - Land dedicated to or owned by a city, county, or State and designated as a public right-of-way, but not including an alley as defined herein.

(1275) STRUCTURAL ALTERATIONS - Any change to a bearing wall, column, beam, joist, roof, rafter or other supporting member of a building or structure.

(1286) STRUCTURE - A man-made object other than ornamental statuary, having a permanent location on the ground, and more than six inches above the finished grade.

(1297) SUBTERRANEAN GARAGE - Any enclosed motor vehicle storage area of which any portion extends below the average grade of the project site.

(13028) SUPPORTIVE HOUSING - Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

³ The proposed change to the definition of "single-family dwelling" reflects the changes recommended by the Planning Commission at its September 7, 2017 meeting as part of the proposed implementation of the 2013-2021 Mid-Cycle Housing Element Update. The City Council is scheduled to consider the ordinance that would make this change at its October 10, 2017 meeting.

(13129) SWAP MEET - Any indoor or outdoor facility containing multiple tenant spaces, stalls or booths from which new or used merchandise, crafts, or food are sold, exchanged or bought by separate vendors. An admission fee may or may not be charged. Any facility bearing the name of, or otherwise being promoted as a swap meet or flea market, shall constitute a swap meet for purposes of this chapter.

(1320) TANDEM PARKING SPACE - A parking space located so that it abuts a second parking space, such that vehicular access to that second space can be made only through the abutting space.

(1331) THEATER - A motion picture theater or an establishment regularly featuring live performance of dramatic productions for any form of consideration.

(1342) THRIFT STORE or SECONDHAND STORE - A retail business that engages or specializes in the sale of previously owned, secondhand or used merchandise, in which the area devoted to such merchandise is larger than 25% of the total floor area devoted to retail sales; provided, however, that this definition does not include antique shops or specialty retail stores that sell only one type of used merchandise, including but not limited to used record stores, used bookstores, used furniture stores, and sports trading card stores.

(1353) THROUGH LOT - An interior lot whose front and rear lot lines both abut public streets.

(1364) TIMESHARE - Dwelling units or commercial transient quarters (such as hotel or motel rooms) divided for purposes of marketing and sale into at least 12 annual time segments of not less than one week or more than 30 days during which the units or quarters may be occupied, with the annual right of occupancy extended over a specified period of time.

(1375) TOWNHOUSE - A single-family dwelling unit attached to one or more other single-family dwelling units with each dwelling unit occupying a separate lot.

(1386) TOWNHOUSE CONDOMINIUM - A townhouse, having associated with it an undivided interest in common in a parcel of real property that is contiguous with the townhouse lots.

(1397) TRADITIONAL BED AND BREAKFAST - An establishment which contains no more than two guest bedrooms each of which is available for rent to the general public for up to 29 consecutive days.

(14038) TRAILER - A vehicle designed to be towed behind an automobile or truck.

(14139) TRAILER PARK - Any area where one or more mobile homes are located.

(1420) TRANSIENT - A tourist or other person abiding in the city for a short period of time.

(1431) TRANSITIONAL HOUSING - Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code Sections 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

(1442) USE - Utilization of property or buildings for a specific purpose.

(1453) USE AREA - An open or yard area, uncovered by building or structures, used as the main use or accessory use of a lot or parcel.

(1464) USED CAR JUNK AREAS - Any property which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

(1475) VEHICLE - Automobile or two-axled truck, customarily used for private transportation, including self-propelled motor homes, recreational and off-road vehicles, utility and travel trailers, and boats and boat trailers.

(1486) WORK/LIVE - A business establishment, part of which may be used as an accessory dwelling unit by the business operator or employee.

(1497) YARD - An open area on a private lot or parcel, unobstructed by buildings or structures from the ground to the sky, except by encroachments permitted in this chapter.

(15048) YARD AREA - The area of yard on a given lot expressed in numbers of square feet.”

Section 2. Section 16-115 is added to the Oxnard City Code to read as follows:

“SEC. 16-115. CANNABIS USES PROHIBITED.

All cannabis-related uses are prohibited in the C-O Commercial Office Zone.”

Section 3. Section 16-124 of the Oxnard City Code is amended to read as follows:

“SEC. 16-124. PROHIBITED USES.

The following uses shall not be permitted in the C-1 zone:

- (A) New residential uses. Existing residential uses shall be subject to the provisions herein;
- (B) Conversion of dwellings to commercial uses unless a special use permit is approved as provided in sections 16-530 through 16-553;
- (C) Drive-in or take-out café or restaurant;
- (D) Food delivery, catering or food pickup or take-out establishments;
- (E) Bars, cocktail lounges and the like;
- (F) Liquor stores; ~~and~~
- (G) Advertising structures other than those permitted in article IX of this chapter; ~~and-~~
- (H) Cannabis-related uses.”

Section 3. Section 16-143 is added to the Oxnard City Code to read as follows:

“SEC. 16-143. CANNABIS USES PROHIBITED.

All cannabis-related uses are prohibited in C-2 General Commercial Zone.”

Section 4. Section 16-149 of the Oxnard City Code is amended to read as follows:

“SEC. 16-149. PROHIBITED USES.

The following uses are prohibited in the CBD zone and shall not be considered similar uses as determined by the manager:

- (A) Bars which are not accessory to restaurants;
- (B) Drive-in restaurants/drive-through restaurants;
- (C) Internally illuminated outdoor vending machines visible from a public street or public parking lot;
- (D) Massage therapy not located on the same premises as and as an ancillary use to a medical office, or to premises where active exercise activities are performed for the purpose of physical fitness, or to premises where personal grooming services are provided;
- (E) Mini-warehouses and self storage facilities;
- (F) Outdoor advertising signs (billboards);
- (G) Outdoor storage and assembly, except as otherwise permitted by this chapter;
- (H) Social services (including soup kitchens, charitable food distribution centers, drug/alcohol treatment and rehab centers that serve more than six persons) and emergency shelters;
- (I) Swap meets; ~~and~~
- (J) Thrift stores and secondhand stores; ~~and~~
- (K) Cannabis-related uses, including the sale or production of products containing cannabis or cannabis components."

Section 5. Section 16-164 of the Oxnard City Code is amended to read as follows:

"SEC. 16-164. PROHIBITED USES.

The following uses are prohibited in the C-M zone:

- (A) Residential uses, except as permitted in sections 16-162 and 16-163. Existing residential uses shall be considered to be nonconforming uses;
- (B) Conversion of dwellings to commercial manufacturing uses;
- (C) Any combination of residential and nonresidential uses at the same time on a lot or in any structure thereon;
- (D) Trailer parks or mobile home parks that rent to transients;
- (E) Advertising structures other than those permitted in article IX of this chapter; ~~and~~
- (F) Cannabis-related uses, including manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components; and
- (G) Any commercial use not specifically permitted by sections 16-162 or 16-163."

Section 6. Section 16-178 of the Oxnard City Code is amended to read as follows:

"SEC. 16-178. PROHIBITED USES.

The following uses are prohibited in the BRP Zone:

- (A) Residential uses other than caretakers and senior and/or senior assisted living residential facility;
- (B) Commercial retail sales other than those permitted or conditionally permitted in this district;
- (C) Mini-warehouses;
- (D) Manufacturing processes involving explosive or hazardous materials;
- (E) Outdoor storage or assembly;
- (F) Outdoor advertising signs (billboards);

- (G) Scrap metal processing facility; ~~and~~
- (H) Automobile or truck service not in conjunction with an automobile service station; ~~and~~
- (I) Cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components."

Section 7. Section 16-191 of Oxnard City Code is amended to read as follows:

"SEC. 16-191. PROHIBITED USES.

The following uses are expressly prohibited in the M-L zone:

- (A) Commercial retail uses, except for the adult businesses referred to in section 16-188;
- (B) Multiple-family dwellings and motels;
- (C) Single-family dwellings, except as provided in this division;
- (D) Radio, television and microwave transmission towers; ~~and~~
- (E) Goods or products that are hazardous, toxic or obnoxious, and obnoxious industrial uses that adversely affect the environment or exhibit an unusual degree of hazard; ~~and~~
- (F) Cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components."

Section 8. Section 16-226 of the Oxnard City Code is amended to read as follows:

"SEC. 16-226. PROHIBITED USES.

The following uses are expressly prohibited in the light manufacturing zone:

- (A) Single-family dwellings, except as provided in section 16-225;
- (B) Multiple-family dwellings, hotels and motels;
- (C) Commercial retail uses, except for the adult businesses referred to in section 16-221 and except as provided in section 16-223;
- (D) Obnoxious industrial uses, which adversely affect the environment or which exhibit an unusual degree of hazard;
- (E) Off-site nonaccessory signs or billboards;
- (F) Work/live uses; ~~and~~
- (G) Cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components."

Section 9. Section 16-251 is added to the Oxnard City Code to read as follows:

"SEC. 16-251. CANNABIS USES PROHIBITED.

All cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components, are prohibited in the M-2 Heavy Manufacturing Zone."

Section 10. Section 16-258 of the Oxnard City Code is amended to read as follows:

“SEC. 16-258. PROHIBITED USES

~~Feed lots are prohibited in the C-R zone.~~

The following uses are expressly prohibited in the C-R zone:

(A) Feed lots; and

(B) Cannabis-related uses, including the growing of cannabis and the sale of cannabis and any products containing cannabis or cannabis components.”

Section 11. Section 16-330 of the Oxnard City Code is amended to read as follows:

“SEC. 16-330. GENERAL PROHIBITIONS.

Except as may be specifically provided in individual zones, the following prohibitions shall be in force:

(A) Area and yard regulations - No building shall be erected, nor shall any existing building be moved, structurally altered, added to, enlarged, reconstructed or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the building site requirements and the area and yard regulations established by this chapter for the zone in which such building is located.

(B) Height limit - No building shall be erected, nor shall any existing building be moved, structurally altered, added to or enlarged, to exceed in height the limit established by this chapter for the zone in which such land, building or premises is located.

(C) Nonconforming use limitation - While a nonconforming use exists on any lot no other use of more restricted classification shall be permitted, even though such other use would otherwise be a conforming use.

(D) Use limitation in zones - No building or other improvement shall be erected or moved onto any lot or other parcel of real property, and no existing building shall be moved into, reconstructed, structurally altered, added to or enlarged, nor shall any land, building improvement or premises be used, or arranged, for any purpose other than a use permitted in the zone in which the same are located.

(E) Yard limitation - No yard or other open space provided about any building complying with the regulations of this chapter or amendments thereto shall be considered as providing a yard or open space for any other building or structure.

(F) Cannabis-related uses – No cannabis-related uses are allowed.”

Section 12. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 13. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City's Zoning Code.

Section 14. Exempt from CEQA. The City Council determines and finds that this ordinance is exempt from the California Environmental Quality Act under section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 15. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Section 16. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____, 2017, finally adopted on _____, 2017, to become effective thirty (30) days thereafter.

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CHAPTER 16 OF THE OXNARD CITY CODE TO PROHIBIT CANNABIS AND CANNABIS RELATED USES UNLESS SPECIFICALLY PROVIDED IN INDIVIDUAL ZONES, AND TO SPECIFICALLY PROHIBIT SUCH USES IN THE FOLLOWING ZONES: COMMERCIAL OFFICE (C-O), NEIGHBORHOOD SHOPPING (C-1), GENERAL COMMERCIAL (C-2), CENTRAL BUSINESS DISTRICT (CBD), COMMERCIAL AND LIGHT MANUFACTURING (CM), BUSINESS AND RESEARCH PARK (BRP), LIMITED MANUFACTURING (M-L), AND LIGHT MANUFACTURING (M-1) ZONES)

WHEREAS, on October 9, 2015 Governor Brown signed three bills into law (AB 266, AB 243, and SB 643) which collectively are known as the Medical Marijuana Regulation and Safety Act (“MMRSA”); and

WHEREAS, MMRSA established a state licensing scheme for commercial medical cannabis uses while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a state license; and

WHEREAS, on November 8, 2016, California voters approved Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), which generally sets forth comprehensive statutory provisions regulating nonmedical/recreational cannabis at all levels of use and commerce; and

WHEREAS, AUMA authorizes local jurisdictions to enforce state laws and regulations for nonmedical/recreational cannabis businesses, to enact additional local requirements for nonmedical/recreational cannabis businesses, and to ban nonmedical/recreational businesses; and

WHEREAS, on June 27, 2017, Governor Brown signed into law Senate Bill 94 which created a single regulatory scheme for both medical and non-medical marijuana known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA); and

WHEREAS, MAUCRSA retains the provisions of prior law which grant local jurisdictions control over whether cannabis businesses may operate in their jurisdictions; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that the City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, specific cannabis activities can adversely affect the health, safety, and well-being of City residents; and

WHEREAS, City regulation of cannabis activities is proper and necessary to protect the public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Section 1. Section 16-10 of the Oxnard City Code is hereby amended to read as follows:

“SEC. 16-10. DEFINITIONS.

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

(1) **ACCESSORY BUILDING** - Any structure built for the support, shelter, or enclosure of property that is separate from but related, subordinate, and secondary to the main use of the property, such as but not limited to: storage sheds, greenhouses, and garages.

(2) **ACCESSORY DWELLING UNIT** - An independent living facility for one or more persons located entirely within or attached to an existing legal structure or as a detached structure that includes permanent provisions for living, sleeping, eating, cooking and sanitation, and is situated on the same parcel as an existing primary single-family dwelling, but is subordinate to and smaller than the primary dwelling.

(3) **ACCESSORY SIGN** - Any sign which advertises goods manufactured or produced, goods for sale, or services rendered on the property upon which such sign is located, also known as an on-premise sign.

(4) **ACCESSORY STRUCTURE** - A man-made object other than ornamental statuary, having a permanent location on the ground and more than six inches above the finished grade that is separate from but related, subordinate, and secondary to the main use of the property, such as but not limited to: patio covers, gazebos, and children's play structures.

(5) **ACCESSORY USE** - A use of property separate from, but related, subordinate and secondary to, the main use of the property.

(6) **ADULT DAY CARE FACILITY** - A State-licensed facility that provides less than 24-hour per day care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals.

(7) **ADULT HEALTH CARE CENTER** - Any family day home, day care center, or social rehabilitation center, as defined in Cal. Health and Safety Code, Section 1570.7, and licensed by the State Department of Health, which provides, on less than a 24-hour basis, nonmedical care to adults in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual.

(8) **ALLEY** - Any public thoroughfare for the use of pedestrians or vehicles, not less than 10 feet nor more than 30 feet wide, which has been deeded or dedicated to the city as a secondary means of access to abutting property.

(9) **ANTIQUÉ SHOP** - A retail business that sells works of art, furniture, decorative objects and the like, all of which are at least 30 years old.

(10) **APARTMENT** - A room or suite of rooms in a multi-family dwelling designated as a residence for one family and containing one kitchen.

(11) **APARTMENT HOTEL** - A building containing six or more apartments, designated for use as second or temporary dwellings for transient guests.

(12) **APARTMENT HOUSE** - Any building which is designed to be or is in fact occupied as the residence of two or more families living independently of each other in such building, in separate apartments, and where such apartments are rented or leased for a period of not less than one month.

(13) **AUTOMOBILE REPAIR GARAGE** - A building used for the overhaul and repair of vehicles, including body repairs, engine overhaul, upholstery work, parts rebuilding and like activities.

(14) **AUTOMOBILE SERVICE STATION** - Any business which dispenses gasoline and which may also sell other automotive-related and nonrelated goods and services, but which excludes auto body work, complete engine and transmission overhaul and rebuilding and similar intensive vehicle-related services.

(15) **AUTOMOBILE WRECKING** - The dismantling or destruction of one or more motorcycles or motor vehicles.

(16) **BABYSITTING** - The care of one or more children by an individual in a home on a temporary basis, and without benefit of formal advertising or established hours of business.

(17) **BASEMENT** - A story partly underground with less than one-half its height above the average finished grade.

(18) **BED AND BREAKFAST INN** - An establishment, originally built as a single-family residence, operated by a resident owner and containing three to five guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days.

(19) **BEDROOM** - Any room that is or can be used for sleeping purposes, including any room other than a kitchen, bathroom, or utility service room, such as a study, den and loft.

(20) **BUILDING** - Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

(21) **BUILDING HEIGHT** - Total height of a building measured from the average finished grade at the base of the building to the highest point of the building.

(22) **BUILDING SITE** - The area, including all required yards, open space and parking, which a main building and its accessory buildings and uses occupy.

(23) **BUSINESS** - Any use of property for profit requiring a business license.

(24) **CANNABIS** - Shall have the same meaning as set forth in Business and Professions Code Section 26001(f), as that section now appears or may hereinafter be amended or renumbered.

(25) **CAR WASH (MECHANICAL)** - Any operation which provides for the washing of motor vehicles primarily through the use of mechanical equipment which may include conveyor chains, blowers, steam guns, roller brushes, high pressure vacuum units and similar equipment.

(26) **CAR WASH (NONMECHANICAL, SELF-SERVICE)** - Any operation which provides for the washing of motor vehicles by the customer, which employs persons only to check, maintain and supervise the use of the facility and equipment, and which has equipment limited to water softeners, water heaters, soap mixing tanks, low pressure vacuum units and similar equipment that produces only a low volume of sound.

(27) **CHILD CARE CENTER** - A State-licensed child care facility other than a family day care home, in which less than 24-hour per day nonmedical care and supervision is provided in a group setting for children.

(28) **CHURCH** - A building operated primarily for worship or for promotion of religious activities excluding other buildings or activities maintained by religious organizations such as educational institutions, hospitals, homeless shelters and day care centers or operations that are commercial in nature.

(29) **CLUB** - An association of persons for some common, nonprofit purpose excluding groups organized primarily to render a service which is customarily carried on as a business.

(30) **COMMERCIAL DISTRICT** - Stores and businesses located in a shopping center of more than 10 acres but less than 30 acres and designed to serve several neighborhoods.

(31) **COMMERCIAL SCHOOL** - A nonaccredited school providing training or personal improvement, such as a beauty college, dance school, business school, or gymnasium.

(32) **COMMISSION** - The planning commission of the city.

(33) **COMMON AREA** - Any area or space designed for joint use by tenants occupying mobile home parks, condominiums, planned residential groups and similar residential developments.

(34) **COMMUNITY APARTMENT PROJECT** - A project in which an undivided interest in the property is coupled with the right of exclusive occupancy of any apartment located thereon.

(35) **COMMUNITY CARE FACILITY** - A State-licensed facility maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children and/or adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, as further defined in Section 1502 of the Cal. Health and Safety Code.

(36) **CONDOMINIUM** - An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a building on real property such as a residence.

(37) **CONGREGATE LIVING HEALTH FACILITY** - A State-licensed residential home with a non-institutional home-like environment that provides 24-hour medical supervision and skilled nursing with services for persons who are physically disabled, have a diagnosis of terminal illness, or are catastrophically and severely disabled, as further defined in Cal. Health and Safety Code, Section 1250.

(38) **CORNER LOT** - A lot having frontage on two intersecting streets.

(39) **DETACHED BUILDING** - Any building that is not physically joined to another building by a common wall.

(40) **DIRECTOR** - The city's development services director or designee.

(41) **DRIVE-IN THEATER** - A motion picture theater containing a vehicle parking area where patrons remain in their vehicles to view the entertainment presented on one or more screens.

(42) **DRIVE-THRU FACILITY** - A facility which, by its design, allows people to receive goods and/or services while remaining in their motor vehicles.

(43) **DUPLEX** - A building containing two dwelling units.

(44) **DWELLING UNIT** - A room or suite of rooms designed as a residence for one family and containing one kitchen.

(45) **EDUCATIONAL INSTITUTION** - An institution offering academic instruction or training leading to a degree, or accredited by the State, including private colleges or trade schools but not including dance schools, business schools, and similar commercial establishments.

(46) **EMERGENCY SHELTER FOR FAMILIES** - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, "disabled" means persons with special needs, including

mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions.

(47) **EMERGENCY SHELTER, PERMANENT** - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay.

(48) **EMERGENCY SHELTER, TEMPORARY** - A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a 12-month period. No individual or household shall be denied emergency shelter because of an inability to pay.

(49) **ENTERTAINMENT** - Any performance or activity defined herein; provided, however, that the term does not include vocal music or music from a single, unamplified, stringed instrument, including piano.

(50) **FAMILY** - A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses; but not including residents of commercial group living such as hotels, dormitories and fraternities.

(51) **FARMWORKER** - An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.

(52) **FARMWORKER EMPLOYEE HOUSING** - A residential use of one or more single or multifamily dwelling units and accessory dwellings of the same type and in the same zone, and/or group quarters structures with common dining area. A farmworker housing complex does not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed.

(53) **FAST FOOD RESTAURANT** - An establishment whose principal business is sale of pre-prepared or rapidly prepared food served in disposable packaging directly to the customer, for consumption either within the restaurant building or off premises.

(54) **FRONT LOT LINE** - The line dividing a lot or parcel from an officially designated street; provided, however, that if the street is without frontage, the commission shall designate the front lot line.

(55) **FRONT YARD** - The yard measured the full width of the lot, lying between the front lot line and the closest portion of the main building.

(56) **FRONTAGE** - The portion of a lot, parcel or site that abuts a dedicated public street, not an alley.

(57) **FRONTAGE OF BLOCK** - The length of a block measured between two cross streets whereon more than four lots have frontage.

(58) **GARAGE** - An accessory building or portion of the main building having a minimum of four walls, and designed and used principally for the housing of motor vehicles.

(59) **GENERAL COMMERCIAL** - Individual stores and businesses where each establishment is located on a separate lot, with separate parking and loading facilities and not in a shopping center.

(60) GUEST HOUSE - An accessory building for the housing of temporary guests, not containing a kitchen and not being rented or leased.

(61) HABITABLE ROOM - Any room used, or intended or designed to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

(62) HOME FINDING AGENCY - Any individual or organization engaged in finding homes or other facilities as defined in the Cal. Code of Regulations, for placement of persons of any age for temporary or permanent care, or adoption, including providing continuing social services to such persons.

(63) HOME OCCUPATION - Gainful employment engaged in by the occupants of a dwelling, which is incidental and subordinate to and compatible with the residential use of the property and surrounding residential uses.

(64) HOTEL - A building providing separate bedrooms or baths for the accommodation of travelers, semipermanent residents and the like, where no kitchen facility is provided, whether known as a hotel, motel, or rooming house.

(65) INLAND WATERWAY - A body of water confined to a channel which permits navigation by vessels and ships and is connected directly to the ocean.

(66) INSTITUTION - An organization having a social, educational, or religious purpose such as a school, church, hospital, club or lodge.

(67) INTERIOR LOT - A lot having lots adjoining on two sides.

(68) INTERIOR YARD SPACE - The area on the lot behind the front setback line which is open from ground to sky and used as private open space except as otherwise permitted in this chapter.

(69) JUNK - Scraps of copper, wood, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked motor vehicles or parts thereof, iron, steel and other scrap ferrous or nonferrous material.

(70) KEY LOT - A lot whose side lot forms the rear lot line of a reversed corner lot.

(71) KITCHEN - Any room used, or intended or designed to be used for cooking and preparing food.

(72) LANDSCAPING - The treatment and maintenance of a yard area with predominantly vegetative materials, such as lawn or ground cover, shrubs or trees, and ornamental flagstone, brick or rock work and the like, organized in a manner designed to create or enhance a specific appearance.

(73) LARGE FAMILY DAY CARE HOME - A State-licensed facility that provides care, protection and supervision for seven to 14 children in the provider's own home for periods less than 24 hours per day, as further defined in Cal. Health and Safety Code, Section 1596.78.

(74) LOT - A parcel of real property officially subdivided and recorded prior to or according to chapter 15 of this code.

(75) LOT AREA - The number of square feet enclosed by the lot lines of a lot.

(76) LOT DEPTH - The average lineal distance between the front and rear lot lines, measured perpendicular to the front lot line.

(77) LOT WIDTH - The lineal width of a lot measured at the midpoint between the front lot line and rear lot line.

(78) **MAIN BUILDING** - The building wherein the principal use of a lot or parcel is conducted, including attached structures where more than eight lineal feet of a wall is commonly used.

(79) **MAJOR RECREATIONAL EQUIPMENT** - Items designed to be used as temporary dwellings for recreational outings, or designed to be used for other recreational purposes, such as travel trailers, trailer coaches, pickup campers, motorized dwellings, tent trailers, boats and boat trailers.

(80) **MARIJUANA** – Shall have the same meaning as cannabis.

(81) **MINI-WAREHOUSE** - Any structure designed, built or used as individual compartments for five or more occupants on a lease or rental basis for the purpose of storage of any item for a period of more than 48 hours.

(82) **MOBILE HOME** - A manufactured relocatable vehicle, other than a motor vehicle, designed or equipped for human residential habitation and for being drawn by a motor vehicle.

(83) **MOBILE HOME LOT** - A parcel of land in a mobile home park rented and used exclusively by the occupants of the mobile home located on that lot.

(84) **MOBILE HOME PARK** - A contiguous area or tract of land of at least 16 acres under single ownership which has been planned and improved for the placement of mobile homes for nontransient residential use.

(85) **MOBILE HOME STAND** - The part of a mobile home lot reserved for the placement of a mobile home.

(86) **MOBILE OFFICE** - A vehicle other than a motor vehicle designed or used as an office for industrial, professional or commercial purposes, and designed to be drawn by a motor vehicle.

(87) **MOTEL** - A building or group of buildings or units attached, semi-attached or detached, designed to serve as temporary sleeping quarters for transient persons, whether known as a motel, auto court, tourist court or bungalow court, excluding an adult motel, as defined in section 16- 336(A)(5).

(88) **MOTION PICTURE THEATER** - An establishment containing two or fewer screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

(89) **MOTOR VEHICLE** - A device by which any person or property may be propelled, moved, or drawn upon a public street, excepting a device moved by human power.

(90) **MULTI-FAMILY DWELLING** - A building containing two or more dwelling units.

(91) **MULTIPLEX MOTION PICTURE THEATER** - An establishment containing three or more screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

(92) **NEIGHBORHOOD COMMERCIAL** - Stores and businesses located in a shopping center of less than ten acres and designed to serve a local neighborhood rather than several neighborhoods.

(93) **NONACCESSORY SIGN** - A sign which advertises products, services or other uses not associated with any use established on the premises on which such sign is located, also known as an off-premise sign and including, but not restricted to, billboards and outdoor advertising structures.

(94) **NONCONFORMING** - Buildings or uses which become not permitted or not in compliance with zoning regulations by reason of changes in the zoning regulations or land use zone classification of the property on which such building or uses are located.

(95) OCCUPIED AREA - That area of an individual mobile home lot which has been covered by a mobile home and its accessory structures.

(96) PARKING SPACE - A rectangular space, clearly delineated on the ground or pavement, of dimensions required elsewhere in this chapter, to be used for the parking or stopping of motor vehicles.

(97) PARKING STRUCTURE - A structure used for the parking of vehicles where parking is accommodated on two or more levels.

(98) PATIO - A deck or paved area not extending above the first floor level of a building and open to the sky.

(99) PATIO SHELTER - A covered shelter for semi-outdoor recreational activities, which is enclosed on no more than two sides, whether or not the remaining two sides are partially enclosed by a low wall, supporting structural members, lattice work, louvers, screens and the like.

(100) PAWNSHOP - An establishment that engages in the business of loaning money on the security of pledges of personal property, and purchasing and selling personal property.

(101) PERGOLA - An open-work structure or lattice having at least 50% of its roof open to the sky.

(102) PERMANENT STORAGE - The storage of any item of personal property for a period of more than 48 hours.

(103) PERMANENT STRUCTURE - Any object having a solid foundation or fixed location on the ground.

(104) PRIMARY DWELLING UNIT - The main residential structure containing one dwelling unit located on a single-family lot.

(105) PRIVATE SCHOOL - An accredited private school or college providing academic or trade education.

(106) PRIVATE STREET - A privately owned vehicular right-of-way used as access by two or more lots which do not have frontage on a public street.

(107) PRODUCT ASSEMBLY PLANT - Production facilities primarily engaged in final or partial assembling or packaging of premanufactured, treated, or fabricated components, materials or products.

(108) PUBLIC CAMPGROUND - A public area wherein major recreational equipment may be placed as temporary dwellings.

(109) PUBLIC PARKING LOT - A parking lot for motor vehicles created to serve the public either as a separate business or as an accessory use to a business, whether owned by a governmental agency or by a private person or business.

(110) QUARRY - Any premises or site from which rock, sand, gravel, stone, earth, soil or any other mineral is removed or excavated for the purpose of sale, excluding the necessary grading or excavating of a building site under a valid building permit.

(111) REAR LOT LINE - The lot line most nearly parallel to the front lot line and dividing the lot from an alley or adjoining lot; provided, however, that the planning commission shall designate the rear lot line for through lots.

(112) REAR YARD - The yard measured the full width of the lot, lying between the rear lot line and the nearest portion of the main building.

(113) RECREATION COMMERCIAL - Indoor or outdoor sport, game, or recreational activity which may occur within a building or as outdoor activities, including but not limited to arenas, stadiums, rinks, golf courses, ranges, auditoriums, or theaters.

(114) **REQUIRED YARD** - The yard area required by this chapter.

(115) **RESEARCH AND DEVELOPMENT** - Facilities or establishments primarily performing research or development of industrial or scientific products.

(116) **RESIDENTIAL CARE FACILITY FOR THE ELDERLY** - A housing arrangement of residents at least 60 years of age, where personal care and supervision are provided, as defined in Section 1569.2 of the Cal. Health and Safety Code.

(117) **REVERSED CORNER LOT** - A corner lot whose rear lot line abuts the side lot line of an adjoining lot.

(118) **SCRAP METAL PROCESSING FACILITY** - Any property which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

(119) **SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITY** - A State-licensed residential facility with seven or more residents that provides a range of community dining and/or recreation areas integrated with individual apartment units that may have individual cooking facilities; that provides at least one non-medical and/or medical support service to residents such as housekeeping, laundry, media room facility, library, hair care, recreation, and transportation services; that is restricted to qualifying residents or senior citizens as those terms are defined in Cal. Civil Code, Section 51.11; that may include a secure area(s) for residents with limited memory or cognitive abilities and/or limited physical mobility; and that is subject to the regulations for Planned Residential Groups set forth in section 16-466 of this code.

(120) **SIDE LOT LINE** - All other lot lines that are not front or rear lot lines.

(121) **SIDE STREET** - A street providing secondary frontage to a lot, and having an angle between 45 to 140 degrees at its intersection with the street providing principal frontage for the lot in question.

(122) **SIDE YARD** - The yard lying between the side lot line and the closest portion of the main building and between the front and rear yards.

(123) **SINGLE-FAMILY DWELLING** - A building containing one dwelling unit whether built as a detached building or as an attached townhouse type of unit that does not involve common ownership or adjacent parcels of real property. The definition of single family dwelling does not include Farmworker Employee Housing, but shall include Farmworker Employee Housing projects with six or fewer residents as allowed by State law.

(124) **SMALL RESIDENTIAL HEALTH OR CARE FACILITY** - A facility licensed, authorized or certified by the State that provides nonmedical health or care services to six or fewer persons (except as otherwise provided herein), which State statutes identify as a residential use of property subject only to standards and restrictions applicable to other dwellings of the same type in the same zone, including but not limited to: a congregate living facility, as defined in Cal. Health and Safety Code Section 1250, having no more than six beds; an intermediate care facility/developmentally disabled habilitative, as defined in Cal. Health and Safety Code Section 1250, serving no more than six persons; an intermediate care facility/developmentally disabled-nursing, as defined in Cal. Health and Safety Code Section 1250, having no more than six beds; a State-licensed residential care facility, as defined in Cal. Health and Safety Code Section 1568.01, serving no more than six persons; a small family day care home serving no more than eight children, as defined in Cal. Health and Safety Code Section 1596.78; a pediatric day health and respite care facility, as defined in Cal. Health and Safety Code Section 1760.2, having no more than six beds; an alcoholism or drug abuse recovery or treatment facility, as defined in Cal. Health and Safety Code Section 11834.02, serving no more than six persons; and a State-

authorized, certified or licensed family care home, foster home or group home providing care on a 24-hour a day basis to six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, as referred to in Cal. Welfare and Institutions Code Section 5116.

(125) **STORY** - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above; also, if the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered as a story.

(126) **STREET** - Land dedicated to or owned by a city, county, or State and designated as a public right-of-way, but not including an alley as defined herein.

(127) **STRUCTURAL ALTERATIONS** - Any change to a bearing wall, column, beam, joist, roof, rafter or other supporting member of a building or structure.

(128) **STRUCTURE** - A man-made object other than ornamental statuary, having a permanent location on the ground, and more than six inches above the finished grade.

(129) **SUBTERRANEAN GARAGE** - Any enclosed motor vehicle storage area of which any portion extends below the average grade of the project site.

(130) **SUPPORTIVE HOUSING** - Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

(131) **SWAP MEET** - Any indoor or outdoor facility containing multiple tenant spaces, stalls or booths from which new or used merchandise, crafts, or food are sold, exchanged or bought by separate vendors. An admission fee may or may not be charged. Any facility bearing the name of, or otherwise being promoted as a swap meet or flea market, shall constitute a swap meet for purposes of this chapter.

(132) **TANDEM PARKING SPACE** - A parking space located so that it abuts a second parking space, such that vehicular access to that second space can be made only through the abutting space.

(133) **THEATER** - A motion picture theater or an establishment regularly featuring live performance of dramatic productions for any form of consideration.

(134) **THRIFT STORE or SECONDHAND STORE** - A retail business that engages or specializes in the sale of previously owned, secondhand or used merchandise, in which the area devoted to such merchandise is larger than 25% of the total floor area devoted to retail sales; provided, however, that this definition does not include antique shops or specialty retail stores that sell only one type of used merchandise, including but not limited to used record stores, used bookstores, used furniture stores, and sports trading card stores.

(135) **THROUGH LOT** - An interior lot whose front and rear lot lines both abut public streets.

(136) **TIMESHARE** - Dwelling units or commercial transient quarters (such as hotel or motel rooms) divided for purposes of marketing and sale into at least 12 annual time segments of

not less than one week or more than 30 days during which the units or quarters may be occupied, with the annual right of occupancy extended over a specified period of time.

(137) TOWNHOUSE - A single-family dwelling unit attached to one or more other single-family dwelling units with each dwelling unit occupying a separate lot.

(138) TOWNHOUSE CONDOMINIUM - A townhouse, having associated with it an undivided interest in common in a parcel of real property that is contiguous with the townhouse lots.

(139) TRADITIONAL BED AND BREAKFAST - An establishment which contains no more than two guest bedrooms each of which is available for rent to the general public for up to 29 consecutive days.

(140) TRAILER - A vehicle designed to be towed behind an automobile or truck.

(141) TRAILER PARK - Any area where one or more mobile homes are located.

(142) TRANSIENT - A tourist or other person abiding in the city for a short period of time.

(143) TRANSITIONAL HOUSING - Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code Sections 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

(144) USE - Utilization of property or buildings for a specific purpose.

(145) USE AREA - An open or yard area, uncovered by building or structures, used as the main use or accessory use of a lot or parcel.

(146) USED CAR JUNK AREAS - Any property which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

(147) VEHICLE - Automobile or two-axled truck, customarily used for private transportation, including self-propelled motor homes, recreational and off-road vehicles, utility and travel trailers, and boats and boat trailers.

(148) WORK/LIVE - A business establishment, part of which may be used as an accessory dwelling unit by the business operator or employee.

(149) YARD - An open area on a private lot or parcel, unobstructed by buildings or structures from the ground to the sky, except by encroachments permitted in this chapter.

(150) YARD AREA - The area of yard on a given lot expressed in numbers of square feet.”

Section 2. Section 16-115 is added to the Oxnard City Code to read as follows:

“SEC. 16-115. CANNABIS USES PROHIBITED.

All cannabis-related uses are prohibited in the C-O Commercial Office Zone.”

Section 3. Section 16-124 of the Oxnard City Code is amended to read as follows:

“SEC. 16-124. PROHIBITED USES.

The following uses shall not be permitted in the C-1 zone:

- (A) New residential uses. Existing residential uses shall be subject to the provisions herein;
- (B) Conversion of dwellings to commercial uses unless a special use permit is approved as provided in sections 16-530 through 16-553;
- (C) Drive-in or take-out café or restaurant;
- (D) Food delivery, catering or food pickup or take-out establishments;
- (E) Bars, cocktail lounges and the like;
- (F) Liquor stores;
- (G) Advertising structures other than those permitted in article IX of this chapter; and
- (H) Cannabis-related uses.”

Section 4. Section 16-143 is added to the Oxnard City Code to read as follows:

“SEC. 16-143. CANNABIS USES PROHIBITED.

All cannabis-related uses are prohibited in C-2 General Commercial Zone.”

Section 5. Section 16-149 of the Oxnard City Code is amended to read as follows:

“SEC. 16-149. PROHIBITED USES.

The following uses are prohibited in the CBD zone and shall not be considered similar uses as determined by the manager:

- (A) Bars which are not accessory to restaurants;
- (B) Drive-in restaurants/drive-through restaurants;
- (C) Internally illuminated outdoor vending machines visible from a public street or public parking lot;
- (D) Massage therapy not located on the same premises as and as an ancillary use to a medical office, or to premises where active exercise activities are performed for the purpose of physical fitness, or to premises where personal grooming services are provided;
- (E) Mini-warehouses and self storage facilities;
- (F) Outdoor advertising signs (billboards);
- (G) Outdoor storage and assembly, except as otherwise permitted by this chapter;
- (H) Social services (including soup kitchens, charitable food distribution centers, drug/alcohol treatment and rehab centers that serve more than six persons) and emergency shelters;
- (I) Swap meets;
- (J) Thrift stores and secondhand stores; and
- (K) Cannabis-related uses, including the sale or production of products containing cannabis or cannabis components.”

Section 6. Section 16-164 of the Oxnard City Code is amended to read as follows:

“SEC. 16-164. PROHIBITED USES.

The following uses are prohibited in the C-M zone:

- (A) Residential uses, except as permitted in sections 16-162 and 16-163. Existing residential uses shall be considered to be nonconforming uses;
- (B) Conversion of dwellings to commercial manufacturing uses;
- (C) Any combination of residential and nonresidential uses at the same time on a lot or in any structure thereon;
- (D) Trailer parks or mobile home parks that rent to transients;
- (E) Advertising structures other than those permitted in article IX of this chapter;
- (F) Cannabis-related uses, including manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components; and
- (G) Any commercial use not specifically permitted by sections 16-162 or 16-163.”

Section 7. Section 16-178 of the Oxnard City Code is amended to read as follows:

“SEC. 16-178. PROHIBITED USES.

The following uses are prohibited in the BRP Zone:

- (A) Residential uses other than caretakers and senior and/or senior assisted living residential facility;
- (B) Commercial retail sales other than those permitted or conditionally permitted in this district;
- (C) Mini-warehouses;
- (D) Manufacturing processes involving explosive or hazardous materials;
- (E) Outdoor storage or assembly;
- (F) Outdoor advertising signs (billboards);
- (G) Scrap metal processing facility;
- (H) Automobile or truck service not in conjunction with an automobile service station; and
- (I) Cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components.”

Section 8. Section 16-191 of Oxnard City Code is amended to read as follows:

“SEC. 16-191. PROHIBITED USES.

The following uses are expressly prohibited in the M-L zone:

- (A) Commercial retail uses, except for the adult businesses referred to in section 16-188;
- (B) Multiple-family dwellings and motels;
- (C) Single-family dwellings, except as provided in this division;
- (D) Radio, television and microwave transmission towers;
- (E) Goods or products that are hazardous, toxic or obnoxious, and obnoxious industrial uses that adversely affect the environment or exhibit an unusual degree of hazard; and
- (F) Cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components.”

Section 9. Section 16-226 of the Oxnard City Code is amended to read as follows:

“SEC. 16-226. PROHIBITED USES.

The following uses are expressly prohibited in the light manufacturing zone:

- (A) Single-family dwellings, except as provided in section 16-225;
- (B) Multiple-family dwellings, hotels and motels;
- (C) Commercial retail uses, except for the adult businesses referred to in section 16-221 and except as provided in section 16-223;
- (D) Obnoxious industrial uses, which adversely affect the environment or which exhibit an unusual degree of hazard;
- (E) Off-site nonaccessory signs or billboards;
- (F) Work/live uses; and
- (G) Cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components.”

Section 10. Section 16-251 is added to the Oxnard City Code to read as follows:

“SEC. 16-251. CANNABIS USES PROHIBITED.

All cannabis-related uses, including the growing of cannabis and the manufacturing, compounding, processing, packaging and/or treatment of products containing cannabis or cannabis components, are prohibited in the M-2 Heavy Manufacturing Zone.”

Section 11. Section 16-258 of the Oxnard City Code is amended to read as follows:

“SEC. 16-258. PROHIBITED USES

The following uses are expressly prohibited in the C-R zone:(A) Feed lots; and
(B) Cannabis-related uses, including the growing of cannabis and the sale of cannabis and any products containing cannabis or cannabis components.”

Section 12. Section 16-330 of the Oxnard City Code is amended to read as follows:

“SEC. 16-330. GENERAL PROHIBITIONS.

Except as may be specifically provided in individual zones, the following prohibitions shall be in force:

- (A) Area and yard regulations - No building shall be erected, nor shall any existing building be moved, structurally altered, added to, enlarged, reconstructed or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the building site requirements and the area and yard regulations established by this chapter for the zone in which such building is located.

(B) Height limit - No building shall be erected, nor shall any existing building be moved, structurally altered, added to or enlarged, to exceed in height the limit established by this chapter for the zone in which such land, building or premises is located.

(C) Nonconforming use limitation - While a nonconforming use exists on any lot no other use of more restricted classification shall be permitted, even though such other use would otherwise be a conforming use.

(D) Use limitation in zones - No building or other improvement shall be erected or moved onto any lot or other parcel of real property, and no existing building shall be moved into, reconstructed, structurally altered, added to or enlarged, nor shall any land, building improvement or premises be used, or arranged, for any purpose other than a use permitted in the zone in which the same are located.

(E) Yard limitation - No yard or other open space provided about any building complying with the regulations of this chapter or amendments thereto shall be considered as providing a yard or open space for any other building or structure.

(F) Cannabis-related uses – No cannabis-related uses are allowed.”

Section 13. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 14. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City’s Zoning Code.

Section 15. Exempt from CEQA. The City Council determines and finds that this ordinance is exempt from the California Environmental Quality Act under section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 16. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council’s adoption of the ordinance.

Section 17. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____, 2017, finally adopted on _____, 2017, to become effective thirty (30) days thereafter.

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: November 7, 2017

TO: City Council

FROM: Stephen Fischer
City Attorney

SUBJECT: Medical Cannabis Delivery Study Session (5/20/10)

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

RECOMMENDATION:

That City Council hold a study session and provide input on proposed draft medical cannabis delivery regulations.

BACKGROUND

On November 8, 2016, California voters passed the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") as Proposition 64. AUMA legalized the nonmedical use of marijuana by persons 21 years of age and over, the personal cultivation of up to six marijuana plants per household, and certain commercial marijuana businesses. Medical use of cannabis was approved by the voters via proposition 215 in 1996 and various regulations have been adopted via subsequent legislation. The terms marijuana and cannabis are used interchangeably in this report, but cannabis is now the preferred term under state regulations and is used in the draft ordinance.

All commercial cannabis businesses must have a state license in order to operate, but AUMA does not limit the City's authority to adopt and enforce local ordinances regulating or prohibiting state-licensed cannabis businesses. It is anticipated that the state will begin issuing licenses by January 1, 2018. On June 27, the Governor signed SB 94 which created a new single regulatory system for both medical and commercial cannabis activities, known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). Under the newly enacted program the City retains regulatory authority but bears the burden of providing the state licensing authority with its local ordinances and regulations related to cannabis. Delivery of medical cannabis under

the draft regulations will also be a state regulated cannabis activity.

Delivery of marijuana/cannabis is currently prohibited under Oxnard City Code section 7-283. On July 18 the City council gave policy direction to revise existing regulations to allow for deliveries of medical cannabis into the City. Under the proposed regulations, medical cannabis may be delivered to a primary caregiver or qualified patient by a holder of a city issued medical cannabis delivery permit. The main points of the proposed regulations are detailed below.

PROPOSED REGULATIONS

General

A physical base of operation within the city is not permitted, only deliveries from a licensed facility outside the city are allowed.

A qualified patient or primary caregiver transporting medical cannabis for his or her own personal use is exempt from the regulations.

Medical cannabis delivery operations must have all required state and local permits.

Applications

Every delivery service must first apply for a medical cannabis delivery permit, pay all associated fees, and:

- Submit a background check as determined by the police chief.
- Supply a valid driver's license(s) and driving record for all delivery drivers, and current registration for any and all delivery vehicle(s).
- Present proof of their permit to operate a dispensary from the city or county in which the dispensary is located and proof of required state license(s) issued by the state.

Grounds for denial, suspension, or revocation.

A medical cannabis delivery permit (or renewal) may be denied, and an existing license may be revoked or suspended, if a delivery driver, permit holder, or applicant:

- Has knowingly made a false statement in a material matter either in the application or in any reports or other documents.
- Does not maintain and operate a delivery vehicle and other equipment in the manner and in the condition required by law and applicable regulations.

- The applicant or any delivery driver has a conviction involving driving under the influence of alcohol or drugs within the past three years or any prior felony conviction.
- The applicant or any delivery driver is or has been required to register as a sex offender under the provisions of Penal Code Section 290 or has any convictions involving elder abuse.
- Within 3 years immediately preceding the application, has been under suspension, revocation or probation by the California DMV for a cause involving the safe operation of a motor vehicle, or has been convicted of driving under the influence involving bodily injury or reckless driving involving bodily injury.
- Within 3 years immediately preceding the application, has been found responsible for a motor vehicle accident causing death or personal injury.
- Within 1 year immediately preceding the application has been involved in three or more motor vehicle accidents unless evidence shows that none of the accidents were caused by or the fault of the delivery driver, license holder, or applicant.
- Has failed to pay the required fees or remit city taxes.

Delivery Regulations

- No delivery service shall deliver or authorize the delivery of any cannabis other than medical cannabis to a qualified patient or primary caregiver.
- Each delivery service shall maintain a written record of every request for medical cannabis.
- All orders shall be securely packaged and labelled by name of the patient.
- A delivery driver may possess no more than 8 ounces of dried cannabis or cannabis products that in total contain no more than 200 milligrams of THC.
- Delivery drivers shall be at least 21 years of age and shall be employees of the delivery service or an independent contractor.
- A list of the names and contact information of each delivery driver shall be maintained by the delivery service and updates provided on a continual basis.
- Delivery drivers shall not conduct cash transactions.
- Cannabis shall be secured in a locked container in the delivery vehicle and shall not be accessible while the vehicle is in use.

- All medical cannabis shall be tested for potency, pesticides, and microbiological ingredients to ensure products are safe for use by qualified patients.
- Testing information and credentials for medical cannabis shall be readily available for inspection by code enforcement and police officers.
- Delivery vehicles shall not advertise any commercial cannabis activity nor advertise the name of the dispensary.
- Deliveries shall only be directly to the residence or business address of the qualified patient or that person's primary caregiver.
- Deliveries shall occur only between the hours of 6:00 a.m. and 6:00 p.m.

This item is brought forward for discussion and input from the public, the City Council, and those involved in the cannabis industry. After this discussion and input a finalized version, along with a resolution establishing applicable fees, will be brought back to the City Council for adoption.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

Approval of medical cannabis delivery services would result in an increase in revenue from any resulting business tax certificates. The increase would depend on the number of services which apply and are approved.

ATTACHMENTS:

Attachment A: Draft cannabis delivery ordinance

ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD ADDING
 ARTICLE XV TO CHAPTER 11 OF THE OXNARD CITY CODE AND AMENDING
 SECTION 7-283 RELATED TO DELIVERY OF MEDICAL CANNABIS

.....

WHEREAS, California voters approved Proposition 215 (Health and Safety Code Sections 11362.5 *et seq.*), entitled the Compassionate Use Act (CUA), in 1996, for which the intent was to ensure that seriously ill individuals have the right to obtain and use marijuana for medical purposes when recommended by a physician. The CUA also exempted patients and their primary caregivers from criminal prosecution or sanctions under H&S Code Sections 11357 and 11358; and

WHEREAS, the California Legislature passed Senate Bill 420 (Health & Safety Code Sections 11362.7 *et seq.*) in 2003 to create the Medical Marijuana Program (MMPA), which established a voluntary program for the issuance of medical marijuana identification cards for qualified patients; set limits on the amount of marijuana any individual could possess; and provided an exemption from State criminal liability for persons “who associate within the State of California in order collectively or cooperatively to cultivate marijuana for medical purposes”; and

WHEREAS, on October 9, 2015 Governor Brown signed three bills into law (AB 266, AB 243, and SB 643) which collectively are known as the Medical Marijuana Regulation and Safety Act (MMRSA). MMRSA established a state licensing scheme for commercial medical cannabis uses while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a state license. MMRSA allows a City to regulate cannabis delivery activities; and

WHEREAS, on November 8, 2016, California voters approved Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), which generally sets forth comprehensive statutory provisions regulating nonmedical/recreational cannabis at all levels of use and commerce. AUMA authorizes local jurisdictions to enforce state laws and regulations for nonmedical/recreational cannabis businesses, to enact additional local requirements for nonmedical/recreational cannabis businesses, and to ban nonmedical/recreational businesses; and

WHEREAS, on June 27, 2017 Governor Brown signed into law Senate Bill 94 which created a single regulatory scheme for both medical and non-medical marijuana known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). MAUCRSA retains the provisions of prior law which grant local jurisdictions control over whether cannabis businesses may operate in their jurisdictions; and

WHEREAS, the City Council finds that unregulated cannabis delivery activities can adversely affect the health, safety, and well-being of City residents. Citywide regulation and

licensing of medical cannabis delivery is proper and necessary to minimize the risks of criminal activity and other impacts that may result from such activities; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that the City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City wishes to add Article XV (Medical Cannabis Delivery) to Chapter 11 (Permits) of the Oxnard City Code and amend section 7-283 of the Oxnard City Code to establish a regulatory system for the delivery of medical cannabis to qualified patients and primary caregivers.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Article XV of Chapter 11 of the Oxnard City Code is hereby added to read as follows:

“ARTICLE XV. MEDICAL CANNABIS DELIVERY

SEC. 11-390. DEFINITIONS.

The following definitions apply to this article:

(A) CANNABIS - shall have the same meaning as set forth in Business and Professions Code Section 26001(f) as that section now appears or may hereafter be amended or renumbered.

(B) COLLECTOR - the city manager or designee.

(C) DELIVERY DRIVER - any person who drives or operates a delivery vehicle for a delivery service by which medical cannabis is delivered.

(D) DELIVERY SERVICE - a person engaged in the business, whether for profit or nonprofit, of owning, controlling and/or operating one or more delivery vehicles which transport, carry, distribute, and/or deliver medical cannabis anywhere in the city.

(E) DELIVERY VEHICLE - a motor vehicle, as that term is defined in the California Vehicle Code, used for the transportation of medical cannabis.

(F) MEDICAL CANNABIS - shall have the same meaning as set forth in Business and Professions Code Section 26001(ai) as that section now appears or may hereafter be amended or renumbered and includes medical cannabis products.

(G) MEDICAL CANNABIS DELIVERY PERMIT and PERMIT - a permit issued pursuant to this article.

(H) PERSON - shall have the same meaning as set forth in Business and Professions Code Section 26001(ap) as that section now appears or may hereafter be amended or renumbered.

(I) PRIMARY CAREGIVER - shall have the same meaning as set forth in Health and Safety Code Section 11362.7 as that section now appears or may hereafter be amended or renumbered.

(J) QUALIFIED PATIENT - shall have the meaning set forth in California Health and Safety Code Section 11362.7 and also includes a person with an identification card as defined in that section as it now appears or may hereafter be amended or renumbered.

SEC. 11-391. PERMIT REQUIRED, COMPLIANCE WITH OTHER LAWS

(A) Notwithstanding the general prohibition of section 7-283 of this code, medical cannabis may be delivered to a primary caregiver or qualified patient by a holder of a valid and current medical cannabis delivery permit issued by the collector pursuant to this article.

(B) A business tax certificate shall be obtained pursuant to section 11-4 of this code prior to issuance of a medical cannabis delivery permit. The issuance of a permit shall not eliminate compliance with any other requirements, including the requirement for another permit, certificate or clearance, imposed by any other local, state, or federal rule, regulation, or law.

(C) A medical cannabis delivery permit issued under this article is non-transferrable.

(D) Nothing in this article shall be construed to allow a delivery service to have a physical base of operation within the city.

SEC. 11-392. PERMIT EXCEPTION

A qualified patient or primary caregiver engaged in the transportation of medical cannabis for his or her own personal use is exempt from the requirement of obtaining a medical cannabis delivery permit.

SEC. 11-393. TERM; FEES

(A) Every delivery service shall first apply to the collector for a medical cannabis delivery permit and pay a permit application fee, an annual renewal fee, and any associated incidental fees.

(B) All permits issued to delivery services shall be valid for a term of 12 months from issuance or as indicated on the permit.

(C) None of the fees established pursuant to this article may be prorated or refunded by the city to an applicant.

(D) All fees applicable to this article shall be as established by resolution of the city council.

SEC. 11-394. APPLICATION FOR PERMIT AND RENEWAL.

(A) Every application for a medical cannabis delivery permit shall be signed by the applicant and shall contain:

(1) Name and address of the applicant. If the applicant is an entity, such as a corporation, the application shall have names and address for the business and/or service of legal process and other notices to the entity. Any applicant and recipient of a medical cannabis delivery permit shall have an obligation to continuously provide updated contact information.

(2) All applicants and delivery drivers shall submit a background check as determined by the police chief.

(3) Valid driver's license(s) and driving record for all delivery drivers, and current registration for any and all delivery vehicle(s).

(3) The applicant shall present proof of their permit to operate a dispensary from the city or county in which the dispensary is located and shall present proof of required state license(s) issued by the state licensing authority as defined in Business and Professions Code Section 26010 as that section now appears or may hereafter be amended or renumbered.

(4) Whether the applicant has been cited or fined by any other city or a county for a violation of that city's or county's municipal code regulations concerning cannabis related uses or cannabis activities.

(5) All information required of applicants for a city business tax certificate.

SEC. 11-395. INVESTIGATION OF APPLICATION; DECISION AND NOTIFICATION.

(A) Each application shall be referred to the collector or designated department in the city for review.

(B) The collector shall notify the applicant in writing of a decision on an application. A decision on an application (or renewal) shall be to issue a valid medical cannabis delivery service permit (or renewal) or deny the application and not issue a permit. A decision from the collector shall be made within 30 business days of receipt of a complete (or deemed complete) application; provided, however, that the inability of the city to decide an application within such timeframe shall not be grounds for any administrative or judicial action or liability whatsoever against the city.

(C) A decision for denial of an application shall include the reasons therefor, and shall advise the applicant of the right to appeal. No permit shall be issued unless a successful appeal of the denial is made.

SEC. 11-396. SUSPENSION OR REVOCATION OF PERMIT.

(A) The collector may give notice to a delivery service of its intention to revoke a medical cannabis delivery permit. If there is an apparent risk to the general public's health, safety or

welfare for the delivery service to continue operations pending a revocation hearing, the collector may immediately suspend the permit and all rights and privileges thereunder until the hearing on revocation.

(B) The notice shall specify the reasons for the proposed revocation in sufficient detail so as to fully inform the delivery service of the reasons which have caused the notice to be given, and if the permit has been suspended, the reasons for such suspension.

SEC. 11-397. GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION.

(A) A medical cannabis delivery permit (or renewal) may be denied, and an existing license may be revoked or suspended, if a delivery driver, permit holder, or applicant:

(1) Has knowingly made a false statement in a material matter either in his or her application (or renewal) or in any reports or other documents furnished by him or her to the city.

(2) Does not maintain and operate a delivery vehicle and other equipment in the manner and in the condition required by law and applicable state and city regulations.

(3) The applicant or any delivery driver has a conviction involving driving under the influence of alcohol or drugs within the past three years or any prior felony conviction.

(4) The applicant or any delivery driver is or has been required to register as a sex offender under the provisions of Penal Code Section 290 or has any convictions involving elder abuse.

(5) Within 3 years immediately preceding the application submittal date (or renewal), has been under suspension, revocation or probation by the California Department of Motor Vehicles for a cause involving the safe operation of a motor vehicle, or has been convicted of driving under the influence involving bodily injury or reckless driving involving bodily injury.

(6) Within 3 years immediately preceding the application submittal date (or renewal), has been found responsible for a motor vehicle accident causing death or personal injury.

(7) Within 1 year immediately preceding the application submittal date (or renewal), has been involved in three or more motor vehicle accidents unless evidence shows that none of the accidents were caused by or the fault of the delivery driver, license holder, or applicant.

(8) Has failed to pay the required permit fees or remit city taxes.

(9) Has violated any provision of this article, any other provision of the city's code, or any state law concerning the regulation of cannabis.

(B) The grounds for denial identified above are based on the powers of the city under its general police power and obligation to protect and promote the public health, safety, and welfare. Nothing in this section shall preclude the police chief or other city or law enforcement official from providing grounds for the denial of an application, or a revocation or suspension of an

existing permit, based on relevant facts and circumstances that affect the ability of a delivery driver or delivery service to comply with this article.

(C) The decision to permanently revoke or temporarily suspend a permit shall be at the discretion of the collector based on the underlying circumstances.

SEC. 11-398. APPEAL OF DENIAL OF APPLICATION OR SUSPENSION OR REVOCATION OF PERMIT.

(A) An appeal of the decision to deny an application or suspend or revoke a permit shall utilize the procedures and timelines set forth in Chapter 1, Article V of this code.

(B) Upon receiving a written appeal, the collector shall schedule a hearing pursuant to the procedures set forth in section 1-58. The purpose of the hearing is for the applicant to state any reasons why the permit should not be denied, suspended or revoked.

(C) The failure of any person to file an appeal in accordance with these provisions shall constitute a waiver of the right to an administrative hearing and be deemed a failure to exhaust administrative remedies.

SEC. 11-399. DELIVERY SERVICE REGULATIONS

(A) Each delivery service shall comply with all local and state laws, including those specified in Business and Professions Code Section 26090 as that section now appears or may hereafter be amended or renumbered.

(B) No delivery service shall deliver or authorize the delivery of any cannabis other than medical cannabis to a qualified patient or primary caregiver.

(C) Each delivery service shall maintain a written record of every request for medical cannabis, including the name of the requestor, whether they are a qualified patient or primary caregiver, the address for the delivery, the quantity and type of cannabis requested, the date and time the delivery request is received, the delivery vehicle that is assigned to make the delivery, and the delivery driver who is assigned to make the delivery.

(D) All orders shall be securely packaged and labelled by name of the qualified patient. Each delivery service shall assure that every delivery driver shall have a copy of the record of the delivery request during the delivery of any medical cannabis in the city.

(E) Whenever a delivery vehicle is making a delivery pursuant to this article, no delivery service shall permit any person other than a delivery driver, permitted in accordance with this article, to operate its delivery vehicles in the city. All delivery drivers shall maintain a copy of the current permit within the delivery vehicle.

(F) A delivery driver may possess no more than 8 ounces of dried cannabis or cannabis products that in total contain no more than 200 milligrams of THC. These limits may be adjusted in accordance with paragraph S of this section.

(G) Delivery drivers shall be at least 21 years of age and shall provide proof that they are employees of the delivery service or an independent contractor under binding agreement with the delivery service as a delivery driver.

(H) A list of the names and contact information of each delivery driver shall be maintained by the delivery service and updates shall be provided to the collector on a continual basis whenever a new delivery driver is added. The delivery service shall immediately provide the names and contact information of delivery drivers to the city upon request.

(I) Each delivery vehicle shall display a city business tax certificate vehicle identification sticker. A list of all delivery vehicles shall be maintained by the delivery service and updates shall be provided to the collector on a continual basis whenever a new delivery vehicle is added.

(J) All transactions shall be on a cashless basis and delivery drivers shall not conduct cash transactions.

(K) Cannabis shall be secured in a locked container in the delivery vehicle and shall not be accessible while the delivery vehicle is in use.

(L) All medical cannabis shall be tested for potency, pesticides, and microbiological ingredients to ensure products are safe for use by qualified patients.

(M) Testing information and credentials for medical cannabis shall be readily available for inspection by code enforcement and police officers, and delivered within 24 hours if not immediately available.

(N) Each delivery service shall maintain accurate records of cannabis activity as required by Business & Professions Code Section 26160 as that section now appears or may hereafter be amended or renumbered.

(O) Each delivery service shall pay all applicable state and local taxes for the delivery of medical cannabis within the city.

(P) Delivery vehicles shall not advertise any commercial cannabis activity nor shall it advertise the name of the dispensary.

(Q) Deliveries shall be directly to the residence or business address of the qualified patient or that person's primary caregiver. Any other delivery or transaction is prohibited.

(R) Deliveries shall occur only between the hours of 6:00 a.m. and 6:00 p.m.

(S) The city manager is delegated authority to enact administrative policies consistent with this ordinance.

SEC. 11-400. INSURANCE AND HOLD HARMLESS REQUIREMENTS.

(A) No medical cannabis delivery permit shall be issued until the applicant first files with the city a certificate of insurance, on a form acceptable by the city. The certificate shall provide evidence of insurance in amounts and with conditions acceptable to the city and shall be approved by the risk manager.

(B) Each delivery service shall, and by acceptance of the permit, does agree to indemnify, defend, and hold harmless the city, its officers, agents and employees from any and all damages, claims, liabilities, costs (including attorney's fees), suits or other expenses resulting from and arising out of the delivery service's operations.

SEC. 11-401. ENFORCEMENT.

(A) The remedies provided by this article are cumulative and in addition to any other remedies available at law or in equity.

(B) A violation of any section of this article and any use or condition caused, or permitted to exist, in violation of any provision of this article shall be, and hereby is declared to be, a public nuisance and may be abated by the city.

(C) A violation of any section of this article may also be enforced under sections 1-10(B)(2) and (3) of the city code. Sections 1-10(A) and (B)(1) of the city code shall not apply to violations of this article.

Part 2. Section 7-283 of the Oxnard City Code is hereby amended to read as follows:

“SEC. 7-283. DELIVERY OF MARIJUANA PROHIBITED.

Marijuana delivery by any person or entity, including clinics, collectives, cooperatives and dispensaries, is prohibited within the city, except for medical marijuana/cannabis delivery by an entity permitted under the provisions of Article XV of Chapter 11 of this code.”

Part 3. The foregoing recitals are true and correct.

Part 4. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Part 5. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City's Zoning Code.

Part 6. Exempt from CEQA. The City Council determines and finds that this ordinance is exempt from the California Environmental Quality Act under section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Part 7. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Part 8. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____, 2017, finally adopted on _____, 2017, to become effective thirty (30) days thereafter.
[Target date to allow implementation time]

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

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CITY COUNCIL
AGENDA REPORT

TYPE OF ITEM: Report

AGENDA ITEM NO.: 3

DATE: November 7, 2017

TO: City Council

THROUGH: Greg Nyhoff
City Manager

A handwritten signature in blue ink, appearing to read "Greg Nyhoff".

FROM: Jim Throop
Chief Financial Officer

Jim Throop

SUBJECT: Recognized Obligation Payment Schedule (ROPS) Clean-Up (60/25/10)

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

RECOMMENDATION:

Receive and file a report describing the clean-up of the City's ROPS, and the required Prior Period Adjustment (PPA) in order to finalize the clean-up, thus allowing the next ROPS to be submitted in accordance with Department of Finance requirements.

BACKGROUND

The City of Oxnard's prior Redevelopment Agency (RDA) was initially created in 1968, and prior to the dissolution of the RDA, the City had five separate RDA project areas.

Under AB 1484 and SB 107 which implemented the dissolution of redevelopment agencies statewide, the Agency is required to prepare a Recognized Obligation Payment Schedule (ROPS) on a yearly basis starting July 1, 2016, which identifies the former Redevelopment Agency's enforceable obligations and sources of payment for those obligations. The Agency is required to submit an approved ROPS to the Department of Finance (DOF) and the Ventura County Auditor-Controller (CAC) each year by February 1st. In accordance with AB 1484 and SB107, the CAC has the opportunity to review ROPS and object to the inclusion of items and the proposed funding sources.

The ROPS includes the Successor Agency's legally binding and enforceable obligations

Recognized Obligation Payment Schedule (ROPS) Clean-Up (60/25/10)

November 7, 2017

Page 2

covering the following categories: 1) bond payments; 2) indebtedness obligations (including loans, housing agreements, and similar obligations); 3) contracts or agreements necessary for continued administration or operation of Agency; and 4) Agency administrative cost allowance.

Due to large staff turnover in the Finance department, it was deemed prudent for an outside, forensic accountant, with expertise in ROPS accounting, to review the ROPS and assist the City in making any necessary adjustments.

The consultant found that there was a need for updating the ROPS due primarily to the continually changing legislation and how city staff was to account for allowable expenses related to the ROPS.

The results created the need for the City to submit to the County Auditor/Controller a Prior Period Adjustment form for the recommended adjustments prior to FY2016-17. These adjustments will bring the ROPS in line with current required ROPS regulations. On a 'go forward' basis, the ROPS forms have been decreased in the number of accounts from well over 100, to a manageable 20+ accounts. This will allow City staff to better manage the entire process. In addition, the City will be using the assistance of an outside consultant to help create and review the annual ROPS prior to submission to the County and the DOF to ensure its conformance to current regulations.

STRATEGIC PRIORITIES

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

Goal 1. To help foster a healthy and accountable corporate foundation by strengthening the support functions of the organization, which include Finance, Information Technology and Human Resources.

Objective 1a. Ensure the 128 recommendations outlined in the organizational assessment are implemented through the 3 phased implementation action plans adopted by Council in July, 2015 and provide periodic reports to Council on the status of the implementation plans.

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

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

Recognized Obligation Payment Schedule (ROPS) Clean-Up (60/25/10)

November 7, 2017

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Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

Objective 1a. Focus available resources on a comprehensive effort to promote economic activity in Oxnard, including a marketing program that communicates the City's available resources and assets.

Goal 2. Enhance business development throughout the City.

Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Objective 2c. Capitalize on historic, cultural and natural resources.

Goal 5. Revitalize Oxnard's downtown and pursue economic development opportunities.

Objective 5a. Develop a vision and plan (with timelines) for downtown revitalization to create a vibrant center for our community, emphasizing cultural arts, diversity and historic assets.

FINANCIAL IMPACT

This clean-up of the ROPS will allow for better accounting of allowed expenses by the Dept. of Finance (DOF). During the clean-up of the ROPS it appears that there were expenses attributed to the ROPS over a number of years, but not allowed by the DOF. This has happened to many cities due to the continually changing legislation controlling the elimination of all RDAs. The outcome of the clean-up is that the General Fund will need to transfer approximately \$388,000 to the Successor Agency Fund (formerly the RDA), which in turn will be returned to the County of Ventura Auditor/Controller for dispersal to all property taxing agencies within the City of Oxnard. The City of Oxnard is expected to receive back from this dispersal approximately 18%, or \$70,000, which will be deposited back to the General Fund. Further clean-up allowed for the transitioning remaining construction bond proceeds from the Successor Agency Fund to the City's Capital Improvement Fund (CIP). The approximately \$10 million in remaining bond proceeds may be used the three respective areas for which they were originally budgeted, Ormond Beach, Southwinds, and the HERO project areas. Proposals for the use of the proceeds will be brought to City Council at a future date.

ATTACHMENTS:

Attachment A: FPTF Oxnard Successor Agency Analysis

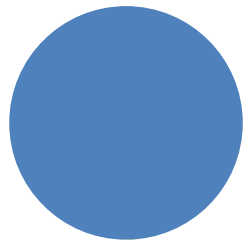
Successor Agency Financial Analysis

City of Oxnard
Fiscal Policy Task Force Presentation
October 11, 2017

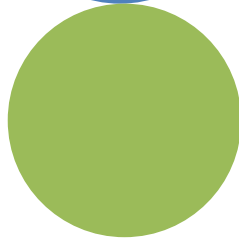
Introductions

- Susan Mayer, CPA, CPFO

Key Questions To Be Addressed



What is Agency's Cash Position?



How and When can Cash be Deployed?

Today's Outline

Refresher

Tax Increment Revenue
and Cash Waterfall

Best Practices

Keys to Successful
Administration

Current Project

Analysis of Spending and
Cash Status

Clean Up

Prior Year Issues &
General Fund Impacts

June 30, 2017

Working Capital and
How It Can Be Used

2017-18 Spending

What are Agency's
Annual Disbursements?

Key Terminology

Successor Agency

- Successor to former Redevelopment Agency
- Established 2012 to wind down affairs of former RDA
- Continues until bonds are retired (no acceleration)

RPTTF

- Redevelopment Property Tax Trust Fund
- Administered by County
- Distributed to Successor Agency based upon approved ROPS

ROPS

- Recognized Obligation Payment Schedule
- Basis for County Distribution of Tax Revenue to Agency

DOF

- State Department of Finance
- Review/Approves all Successor Agency disbursements

Tax Revenue Water Fall

Property Valuation

Appreciation After
Project Area Formation

"Frozen Base"
At Project Area Formation

1% Tax Revenue Distribution

Before 2012

"Tax Increment", 100% distributed to Redevelopment Agency

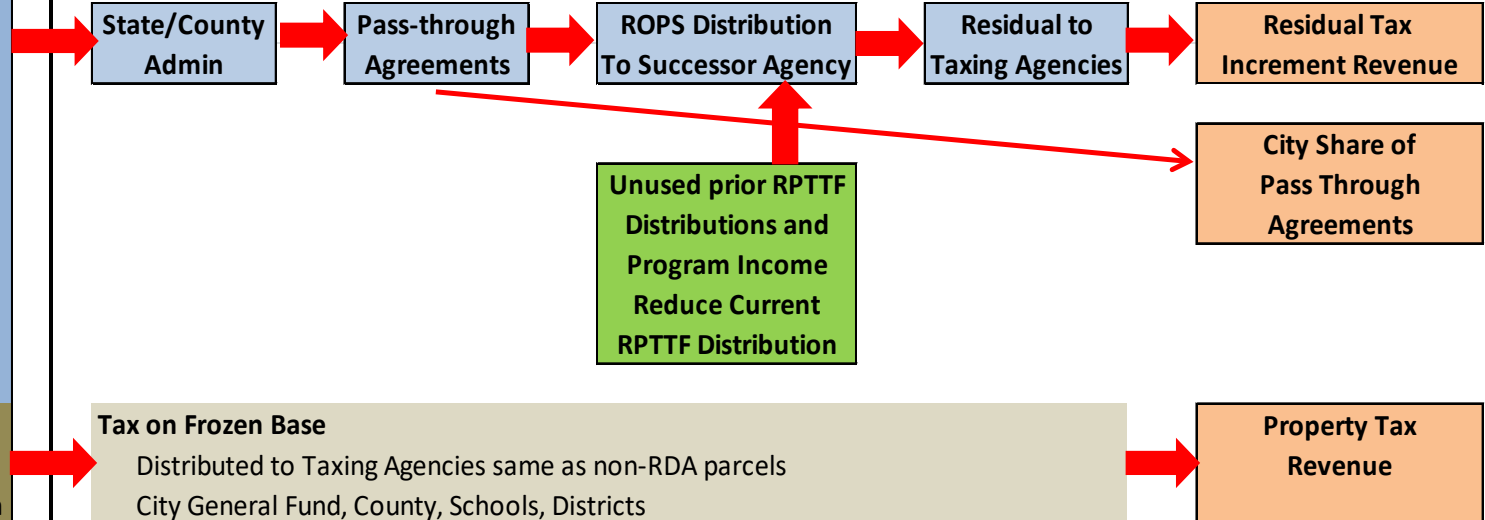
Since 2012

"RPTTF"

County "Redevelopment Property Tax Trust Fund"

Available for ROPS; Approved amounts distributed; Residual to taxing agencies

General Fund



June 2017 Tax Distribution

RPTTF Tax Deposits

Combined 5 project areas

Secured, Unsecured, Supplemental Taxes \$ 12,676,429

State, County Admin Fees (275,670)

Pass through Agreements (3,918,766)

Approved ROPS Distribution (July to Dec 2017) (5,614,172)

Residual Tax Increment to Taxing Agencies \$ 2,867,821

City General Fund Share 18% 513,298

ROPS Process

Preparation

Agency Staff Prepares
Cash Flow Requirements
for Upcoming Year

Successor Agency and
Oversight Board
Approvals

Midyear Amendment
(If Necessary)

DOF Review

State Review and
Document Requests

State Issues Approval
Letter; Meet and Confer
Over Disputes

County Distributes
Authorized RPTTF in
June and January (“A”
and “B” Cycles)

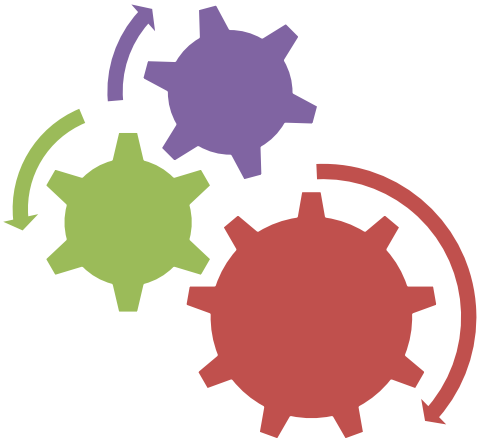
Spending and True-UP

Agency spends up to
authorized amounts by
ROPS line

Agency reports actuals
on “Report of Prior
Period Adjustments”

Unused RPTTF
recaptured by County by
shorting subsequent
RPTTF disbursement

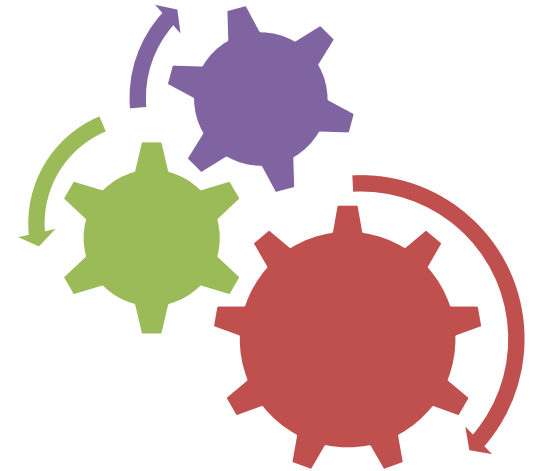
Successor Agency Challenges Common to All Cities



- Complex and Changing State Law
- New Budget and Accounting Concepts
“Enforceable Obligation”
- Precise Advance Cash Flow Planning
- No Provision for Fund Balance/
Contingency
- DOF override of local authority
- Economic Development Staff Reductions

Additional Challenges For Oxnard

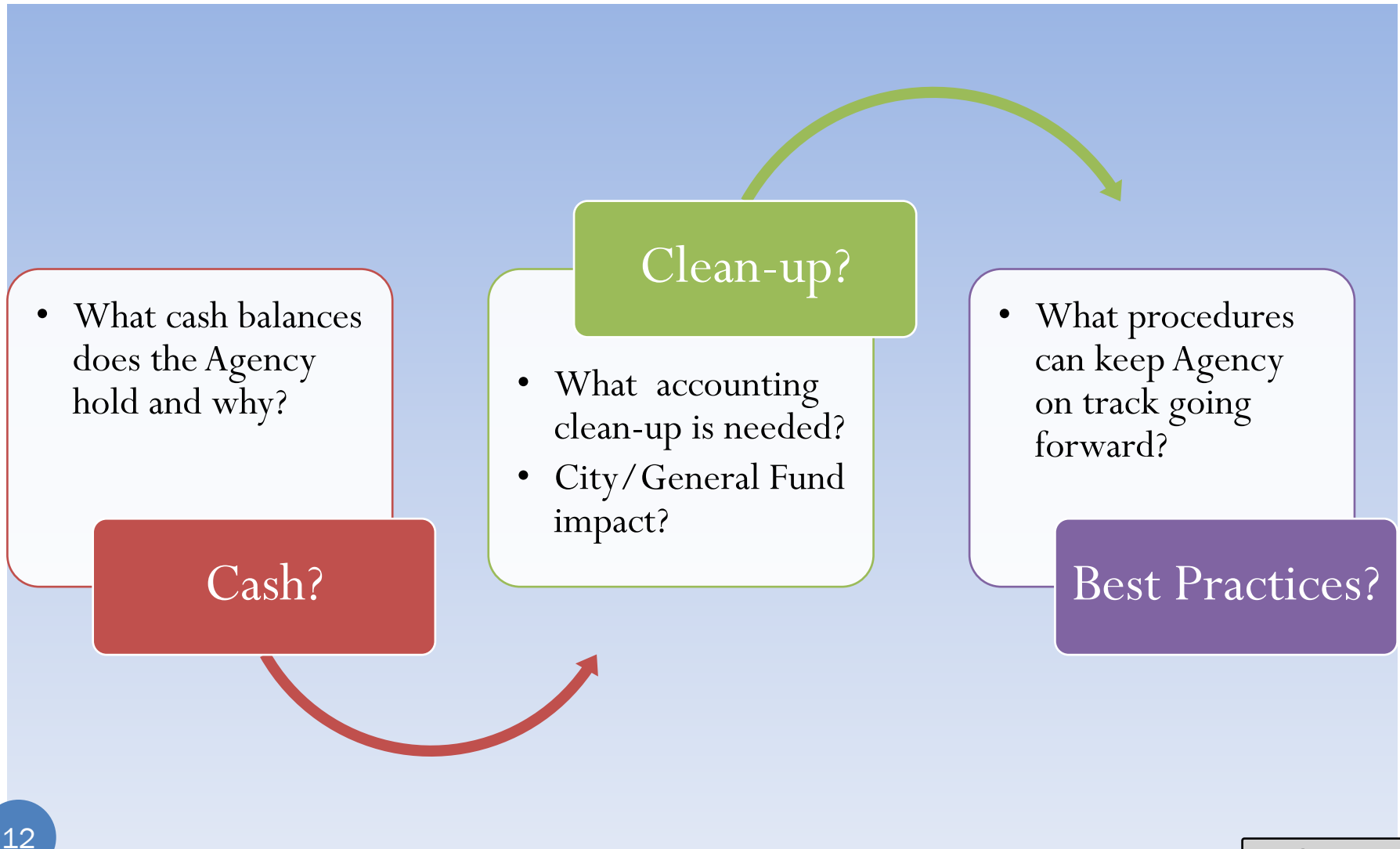
- 100+ ROPS Funding Lines
- Major Development Agreements
- Litigation, settlement agreement overdrew available revenue
- City loans with exhaustive DOF review
- Unspent Bond Proceeds
- Finance staff turnover
- Administrative costs in excess of cap
- Cash shortfalls



Keys to Successful ROPS

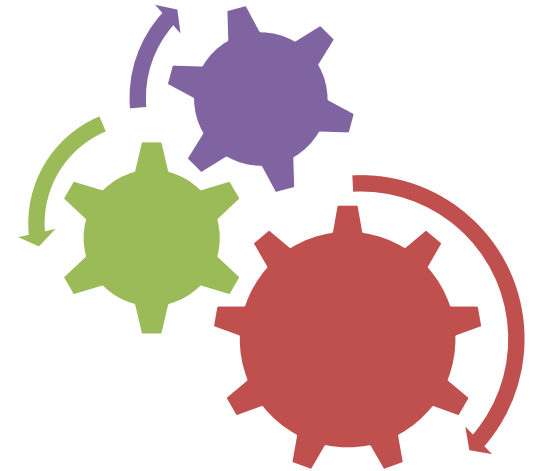


Current Analysis Project



Project Approach and Scope

- Analyzed General Ledger for 2015-16, 2016-17
- Analyzed Agency's ROPS reports of prior expenditures from 2012 to 2015
- Identified missing, ineligible, or unexpected balances for additional research by City Staff
- Facilitated communication between Economic Development and Finance Staff
- Recommended "catch up" reimbursements to/from City General Fund



Findings

1

- Finance Department turnover since 2012 has left gaps in Agency's financial administration

2

- Early year staff didn't effectively use ROPS line limits, resulting in unreimbursed expenditures

3

- In later years, City staff and loan reimbursements were unrecorded, not timely paid to City

4

- City both over and uncharged overhead in different years; scope of admin cap not understood

5

- Developer deposit records have been out-of-date; deposits untapped to pay for cost of agreements

Remedies Implemented

2015-16 &
2016-17

Pre-2015

2017-18

Remedies Implemented

2015-16 & 2016-17

- 2015-17 General Ledger activity reviewed with Program and Finance Staff
- Costs allocated where possible to ROPS lines
- Eligible costs identified and City reimbursements recorded
- Admin overhead adjusted to maximize allowance
- 2015-16 Report of Prior Period Adjustments submitted to County

Pre-2015

2017-18

Remedies Implemented

2015-16 &
2016-17

Pre-2015

2017-18

- Pre-2015 excess overhead charges identified from submitted reports
- City backfill proposed
- June 2017 financial statement prior period adjustment

Remedies Implemented

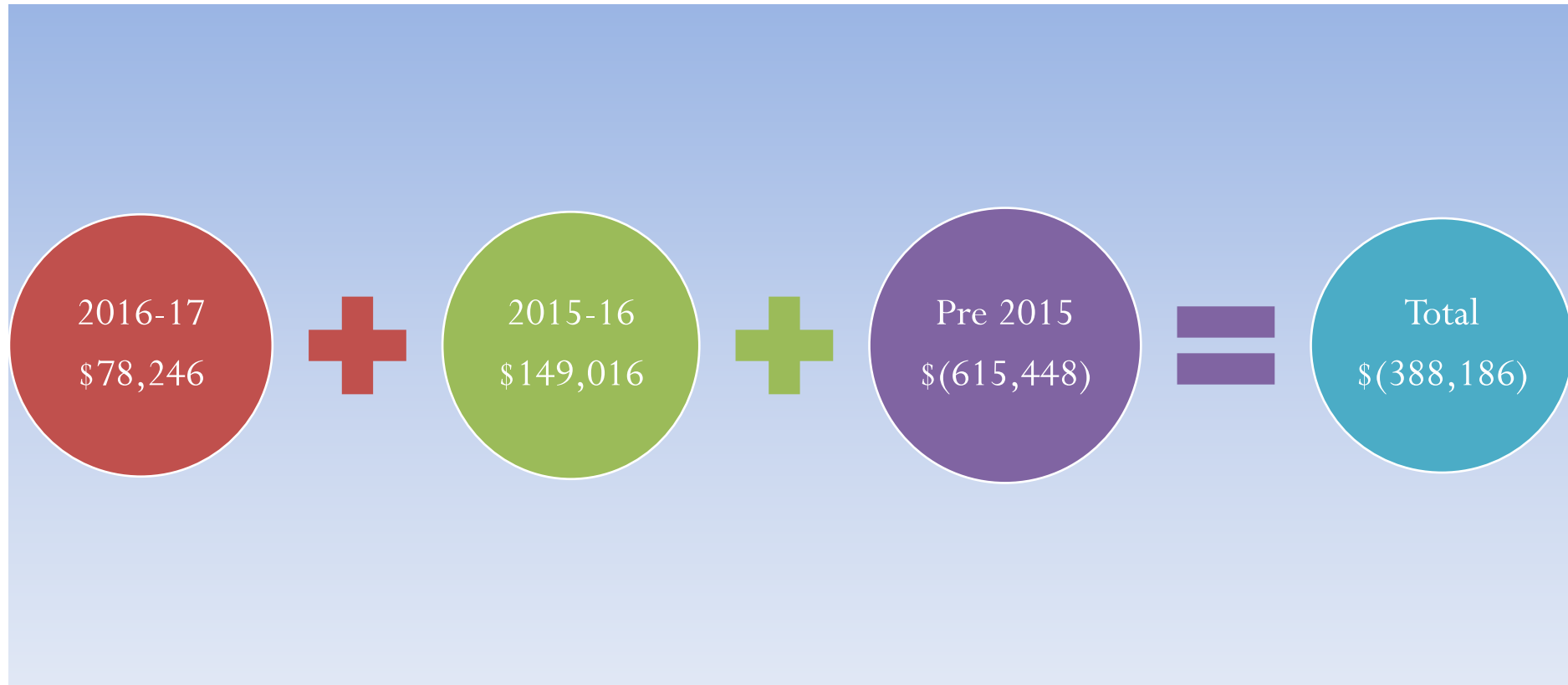
2015-16 &
2016-17

Pre-2015

2017-18

- 2017-18 ROPS updated for DOF adjustments and approvals
- General ledger accounts set for each ROPS line item
- Staff hours sheet designed to track eligible project management reimbursements

Clean Up: General Fund Impact



Why Do Successor Agencies Have Large Cash Balances?

All Successor Agencies

- Taxes Distributed in Advance of ROPS Cycle
- Unspent Prior RPTTF (Recapture delayed by SB107)
- Program Income (Rents, Loan Collections)
- Bond Reserves

Unique to Oxnard

- Bond Proceeds Approved for Transfer to City
- Legal Settlement - \$1 million
- Loan Collection/Payoff - \$500,000

Measuring June 30 2017 Position

Working Capital Includes:

1. Successor Agency bank account balance
2. Bond trustee bank account balances
3. Reimbursements due to/from City
4. Current operating receivables
5. Current payables
 - ROPS 16-17 expenditures disbursed after year-end

Excludes:

1. Long Term Loan Receivables
2. Long Term Bonds Payable

June 2017 Working Capital Balance

Operating Balances

Cash	\$ 11,362,080
Reimbursement due from City	400,247
Accounts/Deposits Payable	(1,518,958)
	10,243,369

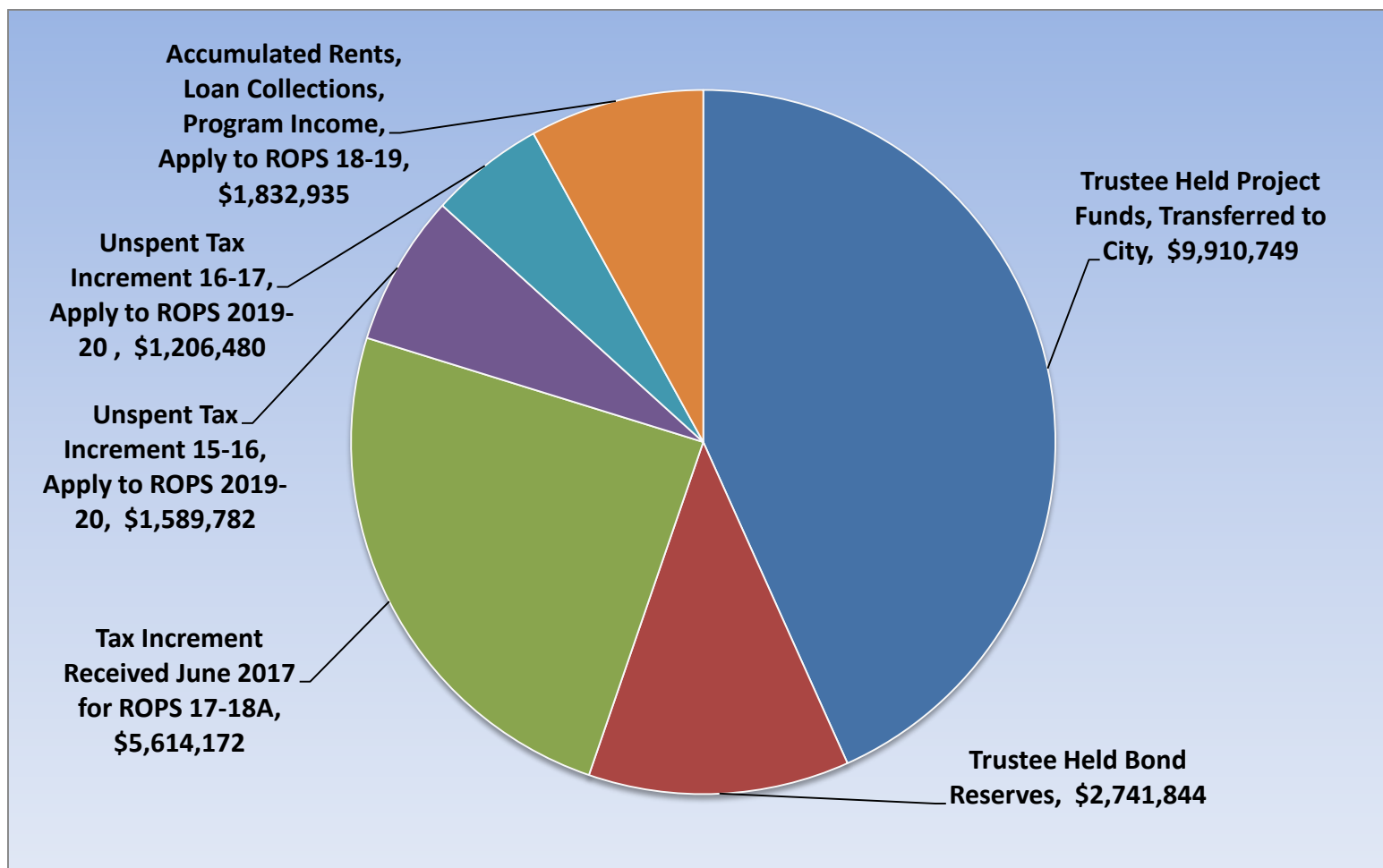
Bond Trustee Balances

Bond Reserves	2,741,844
Construction Proceeds	9,910,749
	12,652,593

Total	\$ 22,895,962
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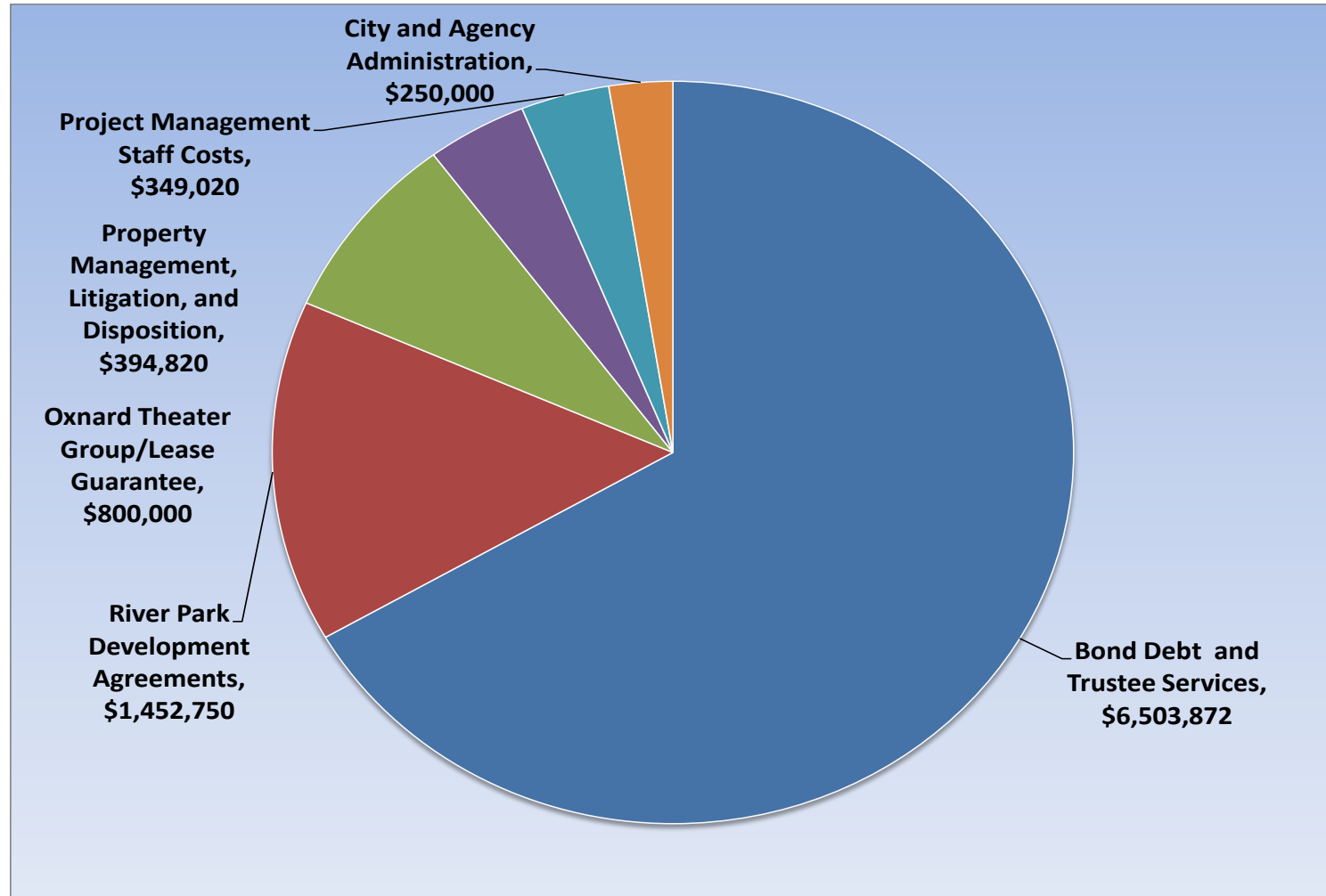
June 2017

\$22.9 Million Working Capital Held by Successor Agency*



2017-18

\$9.7 Million Authorized Expenditures



Next Steps

1. June 2017 Audit
2. County review of 2015-16 Report of Prior Actuals
3. Monitor 2017-18 ROPS expenditures
4. Develop City budget for transferred bond proceeds
5. Begin preparation of 2018-19 ROPS (Due Feb 2018)
6. Transition to County-wide Oversight Board (July 2018)
7. Submit 2016-17 Report of Prior Actuals (October 2018)
8. Continue ROPS cycles through final bond maturity (2036)



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 4

DATE: November 7, 2017

TO: City Council

THROUGH: Greg Nyhoff
City Manager

A handwritten signature in blue ink, appearing to read "Greg Nyhoff".

FROM: Jim Throop
Chief Financial Officer

SUBJECT: Receive the September 2017 Major Funds Monthly Report (5/15/5)

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

RECOMMENDATION:

That City Council receive and file the September 2017 Major Funds Monthly Report.

BACKGROUND

City Council adopted a resolution requiring staff to report on the financial status of the city's major funds no later than 30 days after the end of the preceding month. The September status report was posted on the city website on October 19, 2017.

STRATEGIC PRIORITIES

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

Goal 1. To help foster a healthy and accountable corporate foundation by strengthening the support functions of the organization, which include Finance, Information Technology and Human Resources.

Receive the September 2017 Major Funds Monthly Report (5/15/5)

November 7, 2017

Page 2

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

Objective 2b. Prepare Quarterly Budget Updates and have month-end financial reports available via City's Website.

Objective 2c. Create a standardized template to present financial and other data to the general public.

FINANCIAL IMPACT

There is no financial impact on Council receipt and file of this report.

ATTACHMENTS:

Attachment A: September 2017 Month-End Report

Fund Description	FY17-18 Revised Budget	Year-To-Date Actuals Thru. Sept. 2017
General Fund Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$24.31	\$24.31
Revenues	124.97	9.59
Expenditures	125.93	27.59
Net Annual Activity	-0.96	-18.00
PERS Advance Payment / Cash Adj.		1.72
Estimated Outstanding Encumbrances		1.66
FY17-18 Month-End Closing Estimated Fund Balance *	\$23.35	\$2.92
Measure O Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$10.17	\$10.17
Revenues	15.95	1.46
Expenditures	12.99	2.75
Net Annual Activity	2.97	-1.28
PERS Advance Payment / Cash Adj.		0.03
Estimated Outstanding Encumbrances		0.34
FY17-18 Month-End Closing Estimated Fund Balance *	\$13.14	\$8.51
Water Funds Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$28.75	\$28.75
Revenues	60.31	11.65
Expenditures	58.91	8.16
Net Annual Activity	1.39	3.49
PERS Advance Payment / Cash Adj.		0.33
Estimated Outstanding Encumbrances		1.32
FY17-18 Month-End Closing Estimated Fund Balance *	\$30.14	\$30.59
WasteWater Funds Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$14.43	\$14.43
Revenues	63.10	14.18
Expenditures	62.07	10.12
Net Annual Activity	1.03	4.06
PERS Advance Payment / Cash Adj.		0.40
Estimated Outstanding Encumbrances		2.08
FY17-18 Month-End Closing Estimated Fund Balance *	\$15.45	\$16.00
Environmental Resources Funds Budget Summary		
Estimated Preliminary / Unaudited FY16-17 Period 12 Closing	\$17.77	\$17.77
Revenues	44.34	6.25
Expenditures	45.92	8.67
Net Annual Activity	-1.58	-2.42
PERS Advance Payment / Cash Adj.		0.66
Estimated Outstanding Encumbrances		7.27
FY17-18 Month-End Closing Estimated Fund Balance *	\$16.19	\$7.43

* This is not the CASH Balance. Fund Balances estimated are based on Preliminary & Pre-audited of current year-end closed Period 12 of FY16-17.

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**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: 5

DATE: November 7, 2017

TO: City Council

FROM: Phillip Molina
City Treasurer

A handwritten signature in cursive script that reads "Phillip - Molina".

SUBJECT: Quarterly Investment Report for the First Quarter FY 2017-18 (10/10/5)

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

RECOMMENDATION:

That the City Council review and accept the report.

BACKGROUND

The City of Oxnard's September 30, 2017 investment report will be brief this reporting period and is required to be submitted to the City Clerk and the City Council as prescribed in California Government Code 41004. This report, however, does not show the fund balances, nor disbursements, nor total receipts of the City of Oxnard, because Oxnard Municipal Code identifies that the Oxnard Finance Department is charged with producing that information. This report does reflect the monthly investment information in the similar format that has been presented in previous months along with the amounts in the Bank statements as of 9/30/ 2017.

First, it is our intention to show the public, the Mayor, and City Council the amounts in each city bank account so that you can see the percentage of available cash to the amount actually invested.

Next, we will show you in a bar chart the amounts invested separated by their maturity date or year. This will allow you to see the ladder or spread of the investments in order to generate a higher return.

Treasurer's Quarterly Investment Report (10/10/5)

November 7, 2017

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Third, we identify the cash flows over the last 15 months so you can judge the management of the cash and determine whether there are periods during the year when more money is available for short periods overnight investments versus 2, 3, 4, or 5 year maturities.

Fourth, we will show you the daily cash position for Friday September 29, 2017 so that you can see how the Treasurer's department reviews our cash balances each and every day to assure that the city has sufficient liquidity to cover its obligations.

And last, we provide you and the public with the detailed list of every investment that the city currently holds as of Saturday, September 30, 2017.

This information is being provided to you using both charts and graphs. The charts are presented so that the Mayor, Council and the public can begin to learn the actual amounts in the city's accounts. The graphs are created in order to show trends, and relationships that are best understood in that method of presentation.

So while this report is brief in the number of pages, we hope to respond to any questions you may have.

FINANCIAL IMPACT

The City's total amount invested as of September 30, 2017 at par value was \$162,915,000.00 at a cost of \$162,858,010.90. Effective management and investment of these funds provide a positive financial benefit to the City as long as each instrument is held until maturity.

Cash balances on September 29, 2017 in each authorized city bank account with Bank of America are:

	As of September 29, 2017	Amount Invested in Sweep Account
OXNARD BANK ACCOUNTS		
General Bank account	\$ 5,245,322.67	\$ -
Successor Agency	\$ 10,037,683.68	\$ -
Parking	\$ 8,704.24	\$ -
AIMS W/C	\$ 18,716.42	\$ -
TOTAL	\$ 15,310,427.01	\$ -

(Pursuant to bank statements)

As of August 5, 2017 the City is no longer using the Bank of America overnight sweep account for two reasons: 1. The present daily interest in the DDA (Direct Deposit Account) is higher than the previous sweep account (.04% compared to .018%), and 2. the investment company that Bank of America used for the sweep account did not provide the collateralized security as required by State law, while keeping our funds in Bank of America DDA account does collateralize at 110%. For these 2 reasons I am no longer using the sweep account, but the city

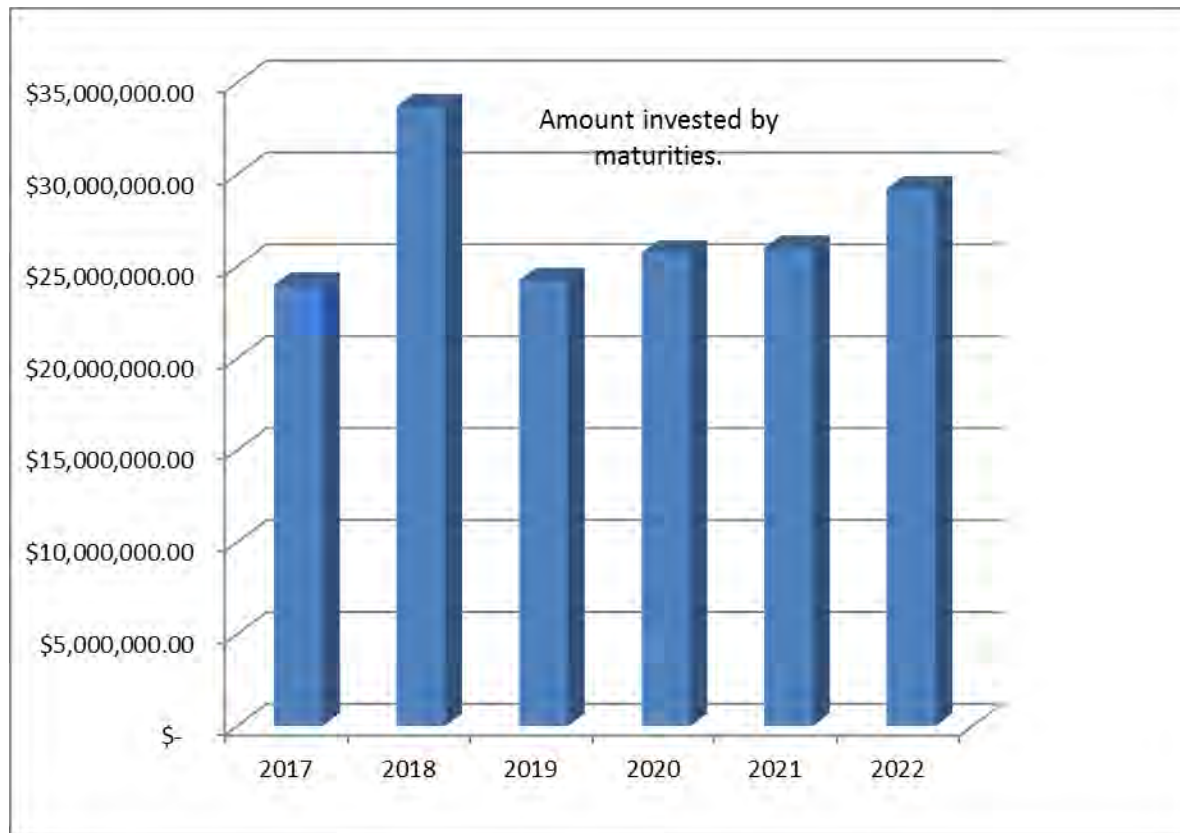
Treasurer's Quarterly Investment Report (10/10/5)

November 7, 2017

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will earn a higher rate on the full amount retained in the City's bank account. You should note that none of the cash in either the Successor Agency bank account, or the Parking Citation bank account, or the AIMS W/C (Workers' Compensation) bank accounts are invested.

The total amount investments with a par value of \$162,915,000.00 and a market value of \$161,967,490.00 were purchased in order to provide greater return by diminishing the amount in LAIF and spreading that over the 2,3,4, and 5 year terms.



(through September 30 , 2017)

Next you will see the daily cash position report used to determine how much to invest each day.

DAILY CASH POSITION WORKSHEET - GENERAL ACCOUNT

DATE: 09/29/17

	CREDIT ESTIMATE	DESCRIPTION
Collected/Closing Avail Bal	\$ 6,406,148.42	As of 09/28/17
1 Day Float	495,519.32	
Investment Coupon	\$ 5,000.00	
Investment Call	\$ 1,000,000.00	FHLMC @ 2% due 12/29/20
Parking Citation	\$ 55,122.20	

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TOTAL CREDITS	\$ 7,961,789.94	
	DEBIT	
	ESTIMATE	
Accounts Payable to Clear	\$ 628,939.00	
Payroll to Clear	100,000.00	
Direct Deposit	2,727,732.42	
Other	147,456.55	B of A Leasing
Other	352,244.05	Fleet
Other	1,471,808.70	Calleguas
Other	58,225.00	HOME- Victor Rosas
Other	114,431.24	VCLA
TOTAL DEBITS	\$ 5,600,836.96	
COMPENSATING		
BALANCE	\$ 2,360,952.98	

Finally the cost of the investments, the face value, and the market value as of September 30, 2017 is provided so that at a glance you can see the summary of the entire portfolio, the risk, and the growth in earnings from the previously reported quarterly yield of 1.465 to 1.53% .

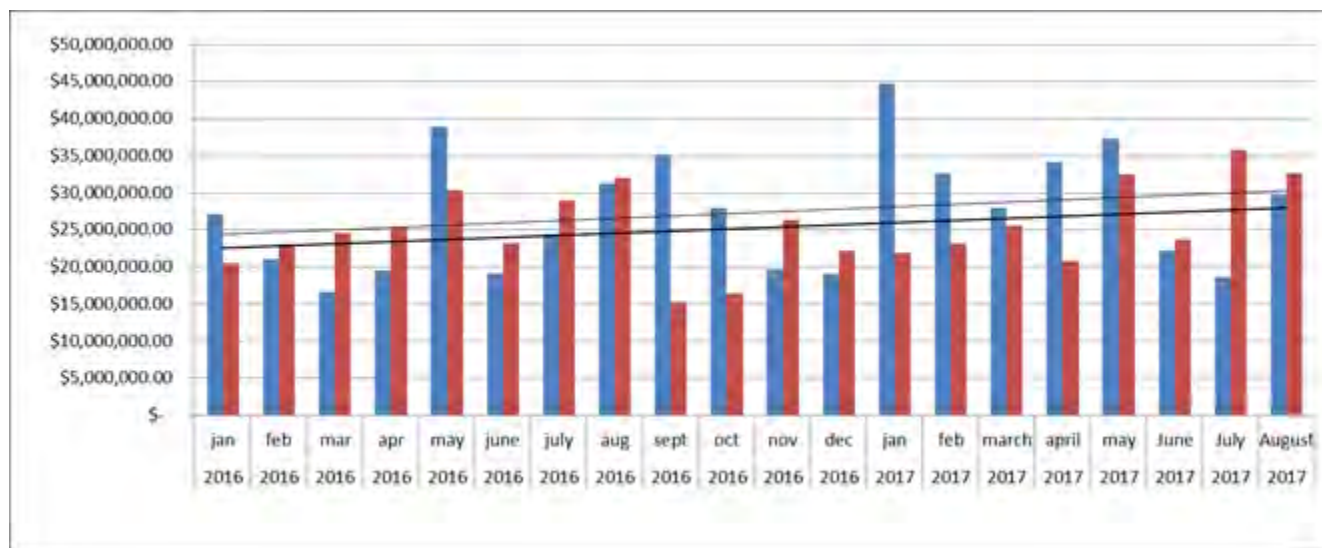
	For quarter ending and as of 9/30/17	For quarter ending June 30, 2017
Cost of investments (book value)	\$ 162,858,010.90	\$ 189,858,287.86
Par or face value	\$ 162,915,000.00	\$ 189,915,000.00
Market value as estimated	\$ 161,967,490.00	\$ 189,022,887.37
Total earnings per quarter	\$ 652,886.98	\$ 671,437.13
Earned interest Yield this month	1.530%	1.487%
Gain/Loss if forced to sell	\$ (890,520.90)	\$ (835,400.49)

When we look at the monthly cash flows of over 15 months we found that the month with the highest cash outflow was July 2017 with an outflow of \$35.7 million. And the fact that we had million invested in LAIF, which can be drawn down within one day, means there should be no normal condition that would require the Treasurer to sell investments before their maturity.

Treasurer's Quarterly Investment Report (10/10/5)

November 7, 2017

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[Blue = Cash inflow]

Red = Cash outflow]

ATTACHMENTS:

Attachment A: Market Report as of 9-2017

As Of Date: 09/30/2017

Date Basis: Settlement

City of Oxnard - Treasurer's Office

Inv. No.	Description	CUSIP	Purchase Maturity	Coupon YTM TR	Current Par / Share Current Book	Market Value Market Price	Curr Accr Int Price Source
Inv Type: 12 FEDERAL HOME LOAN BANK BONDS							
16951	FHLB	313383AV3	06/12/2013	1.000000	2,000,000.00	1,992,980.00	6,055.56
			06/12/2018	1.000000	2,000,000.00	99.649000	SUNGARD
16952	FHLB	313383A68	06/13/2013	1.080000	2,000,000.00	1,996,580.00	6,480.00
			06/13/2018	1.080000	2,000,000.00	99.829000	SUNGARD
16954	FHLB	313383HQ7	06/27/2013	1.200000	2,000,000.00	2,000,560.00	6,266.67
			06/27/2018	1.200000	2,000,000.00	100.028000	SUNGARD
16955	FHLB	313383HQ7	06/27/2013	1.200000	2,000,000.00	2,000,560.00	6,266.67
			06/27/2018	1.200000	2,000,000.00	100.028000	SUNGARD
16978	FHLB	3130A45D0	02/20/2015	1.250000	2,000,000.00	1,994,220.00	2,847.22
			02/20/2019	1.250000	2,000,000.00	99.711000	SUNGARD
16996	FHLB	3130A6YW1	01/22/2016	1.700000	2,000,000.00	2,000,580.00	6,516.67
			01/22/2020	1.700000	2,000,000.00	100.029000	SUNGARD
17006	FHLB	3130A9NK3	10/27/2016	1.375000	2,000,000.00	1,970,360.00	13,368.06
			10/06/2020	1.377552	1,999,822.50	98.518000	SUNGARD
17007	FHLB	3130A9WK3	10/28/2016	1.400000	1,000,000.00	986,680.00	5,950.00
			10/28/2020	1.400000	1,000,000.00	98.668000	SUNGARD
17011	FHLB	3130A9MG3	11/04/2016	1.500000	2,000,000.00	1,957,240.00	15,083.33
			09/30/2021	1.521140	1,998,369.63	97.862000	SUNGARD
17012	FHLB	3130A9WN7	11/04/2016	1.600000	2,000,000.00	1,968,340.00	13,600.00
			10/28/2021	1.600000	2,000,000.00	98.417000	SUNGARD
17014	FHLB	3130A9Z61	11/09/2016	1.500000	2,000,000.00	1,980,460.00	11,833.33
			11/09/2021	1.510420	1,999,099.67	99.023000	SUNGARD
17016	FHLB	3130A9VY4	11/23/2016	1.650000	2,000,000.00	1,964,560.00	11,733.33
			11/23/2021	1.650000	2,000,000.00	98.228000	SUNGARD
17017	FHLB	3130AAGY8	12/30/2016	2.150000	2,000,000.00	2,000,180.00	10,988.89
			09/29/2021	2.150000	2,000,000.00	100.009000	SUNGARD
17018	FHLB	3130AABG2	12/30/2016	1.875000	2,000,000.00	2,001,640.00	12,708.33
			11/29/2021	2.003904	1,988,991.15	100.082000	SUNGARD
17019	FHLB	3130AABG2	12/30/2016	1.875000	2,000,000.00	2,001,640.00	12,708.33
			11/29/2021	2.032146	1,986,591.55	100.082000	SUNGARD
17046	FHLB	3130AAM47	04/27/2017	1.200000	2,000,000.00	1,994,380.00	10,333.34
			10/26/2018	1.200000	2,000,066.67	99.719000	SUNGARD
17053	FHLB	3130AAM47	04/27/2017	1.200000	2,000,000.00	1,994,380.00	10,333.34
			10/26/2018	1.200000	2,000,066.67	99.719000	SUNGARD
17056	FHLB	3130AAM47	05/01/2017	1.200000	2,000,000.00	1,994,380.00	10,333.33
			10/26/2018	1.200000	2,000,333.33	99.719000	SUNGARD
17061	FHLB	3130ABCS3	05/18/2017	2.100000	2,000,000.00	1,987,180.00	15,516.67

Att

As Of Date: 09/30/2017

Date Basis: Settlement

City of Oxnard - Treasurer's Office

Inv. No.	Description	CUSIP	Purchase Maturity	Coupon YTM TR	Current Par / Share Current Book	Market Value Market Price	Curr Accr Int Price Source
			05/18/2022	2.100000	2,000,000.00	99.359000	SUNGARD
17062	FHLB	3130ABCF1	05/23/2017	1.500000	2,000,000.00	1,998,820.00	10,666.67
			05/23/2022	1.500000	2,000,000.00	99.941000	SUNGARD
17065	FHLB	3130ABCS3	05/25/2017	2.100000	2,000,000.00	1,987,180.00	15,516.67
			05/18/2022	2.100000	2,000,816.67	99.359000	SUNGARD
17079	FHLB	3130ABVU7	07/27/2017	1.625000	2,000,000.00	1,990,020.00	5,777.78
			07/27/2020	1.625000	2,000,000.00	99.501000	SUNGARD
17081	FHLB	3130AC2H6	08/30/2017	2.160000	2,000,000.00	1,984,380.00	3,720.00
			08/24/2022	2.160000	2,000,000.00	99.219000	SUNGARD
Subtotal				1.543830	45,000,000.00	44,747,300.00	224,604.19
				1.557988	44,974,157.84	99.438444	

Inv Type: 13 FEDERAL NATIONAL MORTGAGE ASSN

16942	FNMA	3136G1BK4	02/05/2013	1.000000	2,000,000.00	1,997,440.00	3,111.11
			02/05/2018	1.000000	2,000,000.00	99.872000	SUNGARD
16947	FNMA	3136G1LE7	05/15/2013	1.010000	1,000,000.00	998,840.00	3,815.56
			05/15/2018	1.010000	1,000,000.00	99.884000	SUNGARD
16948	FNMA	3135G0XG3	05/21/2013	1.000000	1,000,000.00	998,490.00	3,611.11
			05/21/2018	1.000000	1,000,000.00	99.849000	SUNGARD
16999	FNMA	3136G34L6	09/06/2016	1.125000	2,000,000.00	1,980,240.00	1,562.50
			09/06/2019	1.167522	1,998,335.62	99.012000	SUNGARD
17002	FNMA	3136G4BV4	09/30/2016	1.450000	2,000,000.00	1,966,260.00	14,580.56
			09/30/2020	1.450000	2,000,000.00	98.313000	SUNGARD
17003	FNMA	3136G37F6	09/30/2016	1.500000	2,000,000.00	1,939,840.00	15,083.33
			09/30/2021	1.541715	1,996,801.75	96.992000	SUNGARD
17008	FNMA	3136G4GK3	10/31/2016	1.350000	2,000,000.00	1,970,600.00	4,725.00
			07/28/2020	1.350000	2,000,000.00	98.530000	SUNGARD
17009	FNMA	3136G4FA6	10/28/2016	1.625000	2,000,000.00	1,947,560.00	13,812.50
			10/28/2021	1.625000	2,000,000.00	97.378000	SUNGARD
17013	FNMA	3136G4FW8	11/07/2016	1.300000	1,500,000.00	1,478,385.00	7,800.00
			05/07/2020	1.300000	1,500,000.00	98.559000	SUNGARD
17039	FNMA	3135G0F73	03/30/2017	1.500000	2,000,000.00	1,986,600.00	10,083.33
			11/30/2020	1.708016	1,985,941.49	99.330000	SUNGARD
Subtotal				1.317553	17,500,000.00	17,264,255.00	78,185.00
				1.350810	17,481,078.86	98.652886	

Inv Type: 17 FEDERAL FARM CREDIT BANK BONDS

16944	FFCB	3133ECL44	04/11/2013	1.000000	2,000,000.00	1,996,160.00	9,444.44
			04/11/2018	1.000000	2,000,000.00	99.808000	SUNGARD
16950	FFCB	3133ECRP1	06/11/2013	1.150000	1,250,000.00	1,249,975.00	4,392.36

Att

As Of Date: 09/30/2017

Date Basis: Settlement

City of Oxnard - Treasurer's Office

Inv. No.	Description	CUSIP	Purchase Maturity	Coupon YTM TR	Current Par / Share Current Book	Market Value Market Price	Curr Accr Int Price Source
			06/11/2018	1.150000	1,250,000.00	99.998000	SUNGARD
16969	FFCB	3133EDLX8	05/21/2014	1.320000	2,000,000.00	2,001,780.00	9,533.33
			05/21/2018	1.320000	2,000,000.00	100.089000	SUNGARD
16990	FFCB	3133EE2W9	07/01/2015	1.050000	2,000,000.00	1,999,380.00	1,750.00
			03/01/2018	1.050000	2,000,000.00	99.969000	SUNGARD
16994	FFCB	3133EFKY2	10/30/2015	1.360000	2,000,000.00	1,983,600.00	11,560.00
			10/28/2019	1.360000	2,000,000.00	99.180000	SUNGARD
16995	FFCB	3133EFPR2	11/19/2015	1.600000	2,000,000.00	1,999,600.00	11,733.33
			11/19/2019	1.600000	2,000,000.00	99.980000	SUNGARD
16997	FFCB	3133EF2L0	04/13/2016	1.400000	2,000,000.00	1,979,840.00	13,066.67
			04/13/2020	1.400000	2,000,000.00	98.992000	SUNGARD
17000	FFCB	3133EGTM7	09/08/2016	1.375000	2,000,000.00	1,973,660.00	1,756.94
			09/08/2020	1.375000	2,000,000.00	98.683000	SUNGARD
17001	FFCB	3133EGVK8	09/21/2016	1.350000	2,000,000.00	1,972,160.00	750.00
			09/21/2020	1.350000	2,000,000.00	98.608000	SUNGARD
17004	FFCB	3133EGWZ4	10/04/2016	1.420000	2,000,000.00	1,944,000.00	13,963.33
			10/04/2021	1.430398	1,999,100.22	97.200000	SUNGARD
17005	FFCB	3133EGYB5	10/14/2016	1.540000	2,000,000.00	1,944,520.00	14,458.89
			10/12/2021	1.542081	1,999,819.85	97.226000	SUNGARD
17010	FFCB	3133EGC29	11/02/2016	1.350000	2,000,000.00	1,970,900.00	11,175.00
			11/02/2020	1.350000	2,000,000.00	98.545000	SUNGARD
17015	FFCB	3133EGG82	11/15/2016	1.520000	2,000,000.00	1,958,080.00	11,484.44
			11/15/2021	1.520000	2,000,000.00	97.904000	SUNGARD
17051	FFCB	3133EHGA5	04/26/2017	1.440000	2,000,000.00	1,993,800.00	12,800.00
			10/21/2019	1.448191	2,000,000.00	99.690000	SUNGARD
17052	FFCB	3133EHGA5	04/26/2017	1.440000	2,000,000.00	1,993,800.00	12,800.00
			10/21/2019	1.448191	2,000,000.00	99.690000	SUNGARD
17057	FFCB	3133EHGS6	05/01/2017	2.030000	2,000,000.00	1,980,220.00	17,593.34
			04/25/2022	2.061792	1,997,676.67	99.011000	SUNGARD
17058	FFCB	3133EHHF3	05/03/2017	1.250000	1,000,000.00	997,810.00	5,208.33
			11/01/2018	1.256761	999,969.44	99.781000	SUNGARD
17059	FFCB	3133EHHF3	05/03/2017	1.250000	2,000,000.00	1,995,620.00	10,416.67
			11/01/2018	1.256761	1,999,938.89	99.781000	SUNGARD
17066	FFCB	3133EHJY0	05/25/2017	2.070000	2,000,000.00	1,972,240.00	14,720.00
			05/23/2022	2.070000	2,000,230.00	98.612000	SUNGARD
Subtotal				1.426655	36,250,000.00	35,907,145.00	188,607.07
				1.430559	36,246,735.07	99.054193	

Inv Type: 23 OTHER GOVERNMENT AGENCIES

As Of Date: 09/30/2017

Date Basis: Settlement

City of Oxnard - Treasurer's Office

Inv. No.	Description	CUSIP	Purchase Maturity	Coupon YTM TR	Current Par / Share Current Book	Market Value Market Price	Curr Accr Int Price Source
17020	FHLMC	3134GAC28	12/30/2016	2.200000	2,000,000.00	2,000,060.00	11,244.44
			12/29/2021	2.215930	1,998,649.59	100.003000	SUNGARD
17023	FHLMC	3134GAK86	01/26/2017	2.200000	2,000,000.00	1,996,660.00	7,944.44
			01/26/2022	2.200000	2,000,000.00	99.833000	SUNGARD
17024	FHLMC	3134GAK86	01/26/2017	2.200000	2,000,000.00	1,996,660.00	7,944.44
			01/26/2022	2.200000	2,000,000.00	99.833000	SUNGARD
17025	FHLMC	3134GAK86	01/26/2017	2.200000	2,000,000.00	1,996,660.00	7,944.44
			01/26/2022	2.200000	2,000,000.00	99.833000	SUNGARD
17035	FHLMC	3134GA7F5	03/27/2017	1.625000	2,000,000.00	1,988,160.00	8,486.11
			12/27/2019	1.653321	1,998,638.81	99.408000	SUNGARD
17036	FHLMC	3134GA7F5	03/27/2017	1.625000	2,000,000.00	1,988,160.00	8,486.11
			12/27/2019	1.653321	1,998,638.81	99.408000	SUNGARD
17038	FHLMC	3134GBFM9	03/30/2017	1.570000	2,000,000.00	1,998,380.00	348.89
			09/27/2019	1.570000	2,000,000.00	99.919000	SUNGARD
17041	FHLMC	3134GBFM9	03/30/2017	1.570000	2,000,000.00	1,998,380.00	348.89
			09/27/2019	1.570000	2,000,000.00	99.919000	SUNGARD
17042	FHLMC	3134GBFM9	03/30/2017	1.570000	2,000,000.00	1,998,380.00	348.89
			09/27/2019	1.570000	2,000,000.00	99.919000	SUNGARD
17045	FHLMC	3134GAJQ8	04/03/2017	1.150000	2,000,000.00	1,994,940.00	1,086.11
			09/14/2018	1.192527	1,999,160.53	99.747000	SUNGARD
17047	FHLMC	3134GBHW5	04/27/2017	1.625000	1,000,000.00	996,730.00	6,951.39
			07/27/2020	1.625000	1,000,000.00	99.673000	SUNGARD
17048	FHLMC	3134GBHW5	04/27/2017	1.625000	2,000,000.00	1,993,460.00	13,902.78
			07/27/2020	1.625000	2,000,000.00	99.673000	SUNGARD
17049	FHLMC	3134GBJZ6	04/27/2017	2.100000	2,000,000.00	1,987,340.00	17,966.67
			04/27/2022	2.100000	2,000,000.00	99.367000	SUNGARD
17054	FHLMC	3134GBJA1	04/27/2017	2.100000	2,000,000.00	1,990,560.00	17,966.67
			04/27/2022	2.108471	1,999,200.00	99.528000	SUNGARD
17055	FHLMC	3134GBKY7	05/01/2017	2.125000	2,000,000.00	1,989,220.00	18,180.55
			04/27/2022	2.125000	2,000,472.22	99.461000	SUNGARD
17060	FHLMC	3134GAVW1	05/08/2017	1.050000	1,000,000.00	994,840.00	4,200.00
			11/07/2018	1.303725	996,279.17	99.484000	SUNGARD
17067	FHLMC	3134GBNJ7	05/25/2017	2.125000	1,000,000.00	995,950.00	7,437.50
			05/25/2022	2.125000	1,000,000.00	99.595000	SUNGARD
17071	FHLMC	3134GBPW6	05/30/2017	2.200000	1,000,000.00	995,950.00	7,394.44
			05/27/2022	2.200000	1,000,000.00	99.595000	SUNGARD
17078	FHLMC	3134GBRW4	06/15/2017	1.500000	2,000,000.00	1,994,620.00	8,833.33
			06/15/2022	1.500000	2,000,000.00	99.731000	SUNGARD

As Of Date: 09/30/2017

Date Basis: Settlement

City of Oxnard - Treasurer's Office

Inv. No.	Description	CUSIP	Purchase Maturity	Coupon YTM TR	Current Par /Share Current Book	Market Value Market Price	Curr Accr Int Price Source
17080	FHLMC	3134GBXZ0	07/25/2017	1.500000	2,000,000.00	1,991,000.00	5,500.00
			10/25/2019	1.500000	2,000,000.00	99.550000	SUNGARD
			Subtotal	1.797866	36,000,000.00	35,886,110.00	162,516.09
				1.811752	35,991,039.13	99.683639	

Inv Type: 60 CERTIFICATE OF DEPOSIT

16959	CD	17284CTY0	11/14/2013	2.150000	245,000.00	245,000.00	2,005.98
			11/14/2018	2.150000	245,000.00	100.000000	BOOK
16960	CD	0606247G2	11/12/2013	2.200000	245,000.00	245,000.00	2,082.16
			11/13/2018	2.200000	245,000.00	100.000000	BOOK
16961	CD	795450RJ6	11/13/2013	2.000000	245,000.00	245,000.00	1,879.46
			11/13/2018	2.000000	245,000.00	100.000000	BOOK
16981	CD	38148JPQ8	04/01/2015	1.900000	245,000.00	245,000.00	2,321.13
			04/01/2020	1.900000	245,000.00	100.000000	BOOK
16983	CD	29976DWE6	04/15/2015	1.100000	245,000.00	243,257.23	1,240.43
			04/13/2018	1.100000	245,000.00	99.288667	SUNGARD
17063	CD	1404203A6	05/24/2017	2.400000	245,000.00	245,000.00	2,094.25
			05/24/2022	2.400000	245,000.00	100.000000	BOOK
17064	CD	14042RFW6	05/24/2017	2.400000	245,000.00	245,000.00	2,094.25
			05/24/2022	2.400000	245,000.00	100.000000	BOOK
17068	CD	02006L2W2	05/25/2017	1.450000	245,000.00	245,000.00	1,255.54
			11/26/2018	1.450000	245,000.00	100.000000	BOOK
17070	CD	87165EMK0	05/26/2017	2.400000	245,000.00	245,000.00	2,062.03
			05/26/2022	2.400000	245,000.00	100.000000	BOOK
17075	CD	90421MAA1	05/31/2017	1.400000	245,000.00	245,000.00	1,155.86
			11/30/2018	1.400000	245,000.00	100.000000	BOOK
17076	CD	38148PKJ5	05/31/2017	2.400000	245,000.00	245,000.00	1,981.48
			05/31/2022	2.400000	245,000.00	100.000000	BOOK
			Subtotal	1.981818	2,695,000.00	2,693,257.23	20,172.57
				1.981818	2,695,000.00	99.935333	

Inv Type: 62 CERTIFICATE OF DEPOSIT MONTHLY

16980	CD	43738AFU5	03/30/2015	1.500000	245,000.00	245,000.00	292.02
			03/29/2019	1.500000	245,000.00	100.000000	BOOK
17069	CD	89388CBQ0	05/26/2017	1.400000	245,000.00	245,000.00	46.99
			11/26/2018	1.400000	245,000.00	100.000000	BOOK
17072	CD	31931TEH4	05/31/2017	1.400000	245,000.00	245,000.00	291.32
			11/30/2018	1.400000	245,000.00	100.000000	BOOK
17073	CD	20033AUB0	05/31/2017	2.350000	245,000.00	245,000.00	488.99
			05/31/2022	2.350000	245,000.00	100.000000	BOOK

Att

Inventory by Market Value

M.5.a

As Of Date: 09/30/2017

Date Basis: Settlement

City of Oxnard - Treasurer's Office

Inv. No.	Description	CUSIP	Purchase Maturity	Coupon YTM TR	Current Par /Share Current Book	Market Value Market Price	Curr Accr Int Price Source
17074	CD	23322GPK7	05/31/2017	1.400000	245,000.00	245,000.00	291.32
			11/30/2018	1.400000	245,000.00	100.000000	BOOK
17077	CD	58403B6P6	06/02/2017	1.400000	245,000.00	245,000.00	272.52
			12/02/2018	1.400000	245,000.00	100.000000	BOOK
Subtotal				1.575000	1,470,000.00	1,470,000.00	1,683.16
				1.575000	1,470,000.00	100.000000	
Inv Type: 85 DEPOSIT NOTES							
16943	MTN	25468PCV6	03/05/2013	1.100000	2,000,000.00	1,999,420.00	7,333.33
			12/01/2017	1.100000	2,000,000.00	99.971000	SUNGARD
Subtotal				1.100000	2,000,000.00	1,999,420.00	7,333.33
				1.100000	2,000,000.00	99.971000	
Inv Type: 99 LAIF							
16434	LOCAL AGENCY INVEST		07/01/2002	1.051000	22,000,000.00	22,000,000.00	72,373.01
			10/01/2017	1.051000	22,000,000.00	100.000000	BOOK
Subtotal				1.051000	22,000,000.00	22,000,000.00	72,373.01
				1.051000	22,000,000.00	100.000000	
Grand Total				Count 91	1.485107	162,915,000.00	161,967,487.23
					1.496525	162,858,010.90	99.418401

*Includes Accrued Discount: **\$5,981.17**
Earned Interest Yield This Period: **1.532%**

As Of Date: 09/30/2017

Date Basis: Settlement

Run: 10/04/2017 05:50:41 PM

Reporting Currency: Local

City of Oxnard - Treasurer's Office

Assets (000's)	Current Par	Current Book	Market	MKT/Book	Yield
FEDERAL HOME LOAN BANK BONDS	45,000.00	44,974.16	44,747.30	99.50%	1.56%
FEDERAL NATIONAL MORTGAGE ASSN	17,500.00	17,481.08	17,264.26	98.76%	1.35%
FEDERAL FARM CREDIT BANK BONDS	36,250.00	36,246.74	35,907.15	99.06%	1.43%
OTHER GOVERNMENT AGENCIES	36,000.00	35,991.04	35,886.11	99.71%	1.81%
CERTIFICATE OF DEPOSIT	2,695.00	2,695.00	2,693.26	99.94%	1.98%
CERTIFICATE OF DEPOSIT MONTHLY	1,470.00	1,470.00	1,470.00	100.00%	1.58%
DEPOSIT NOTES	2,000.00	2,000.00	1,999.42	99.97%	1.10%
LAIF	22,000.00	22,000.00	22,000.00	100.00%	1.05%
Totals(000's)	162,915.00	162,858.01	161,967.49	99.45%	1.50%

Asset Allocation

