

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, 305 West Third Street 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.ci.oxnard.ca.us.



AGENDA

OXNARD CITY COUNCIL

*OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

*OXNARD FINANCING AUTHORITY

*OXNARD HOUSING AUTHORITY

Regular Meetings

City Council Chambers, 305 West Third Street, Oxnard

February 2, 2016

4:30 P.M. Closed Session

5:00 P.M. Study Session

7:00 P.M. Opening Ceremonies

A. ROLL CALL/POSTING OF AGENDA

*** The Oxnard Community Development Commission Successor Agency, the Oxnard Financing Authority and the Oxnard Housing Authority will not meet because there are no items requiring consideration on this date.**

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

C. CLOSED SESSION – (Please see Page 5 for a description of the closed session items)

Q. STUDY SESSION – 5:00 P.M.

Community Development Department

1. **SUBJECT:** City of Oxnard Downtown Vision Plan, Presented by Congress for the New Urbanism-California Chapter ("CNU").

RECOMMENDATION: Receive a verbal presentation by CNU resulting from a 5-day workshop charrette and provide input and direction to Staff on a Vision Plan for the Downtown

Legislative Body: CC

Contact: Kymberly Horner

Phone: 385-7853

D. OPENING CEREMONIES – 7:00 P.M.

Pledge of allegiance to the flag of the United States.

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

City of Oxnard internet address: www.ci.oxnard.ca.us.

E. CEREMONIAL CALENDAR

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

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the City Manager/ Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing. The presiding officer shall limit public comments to three minutes.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

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

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for December 15, 2015 and January 5, 2016. (001)

RECOMMENDATION: Approve.

Legislative Body: CC

Contact: Daniel Martinez

Phone: 385-7803

City Manager Department

2. SUBJECT: Agreements for City Council Review. (015)

RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

Development Services Department

3. SUBJECT: Adoption of Ordinance No. 2903. (017)

RECOMMENDATION: Adopt Ordinance No. 2903 upholding the Planning Commission's recommendation relating to 2231-2274 Statham Boulevard and 2311 Statham Boulevard to: (i) approve Planning and Zoning Permit No. 15-570-02 (Zone Change) to change the existing zoning designation from Light Manufacturing (M-1) to Limited Manufacturing (M-L); and (ii) amend the City of Oxnard Zoning Map to change the zoning designations, subject to the findings and conditions set forth in Planning Commission Resolution No. 2015-38.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7868

Police Department

4. SUBJECT: State of California Grant for Selective Traffic Enforcement. (021)

RECOMMENDATION: Adopt a resolution: 1) Authorizing the City Manager to execute and submit an application for \$350,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2016/17 Selective Traffic Enforcement Program; 2) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 3) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of OTS funds; and 4) Authorizing the Chief of Police or designee to submit all program related progress or status reports.

Legislative Body: CC

Contact: Jeri Williams

Phone: 385-7624

Public Works Department

5. SUBJECT: Water Conservation and Stormwater Support Grant Application. (025)

RECOMMENDATION: Adopt a resolution authorizing the City Manager to submit an application for \$50,000 in grant funds from the National Fish and Wildlife Foundation, to be used to support ongoing water conservation and stormwater management efforts.

Legislative Body: CC

Contact: Daniel Rydberg

Phone: 385-8280

J. PUBLIC HEARINGS

K. APPOINTMENT ITEMS

L. REPORTS

Development Services Department

1. SUBJECT: Change Order No. 126 for Security Paving Co. Inc. for Rice/101 Interchange. (029)

RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 126 for Project Specification No. PW03-19 with Security Paving Co., Inc. (A-7228) to decrease the amount by \$455,237 (a new total of \$35,835,331.75) for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7868

2. SUBJECT: Planning and Zoning Permit No. 15-650-01 (Street Naming), Ogden Court. (041)

RECOMMENDATION: Adopt a Resolution Approving the Request to Name a Currently Unnamed Street "Ogden Court".

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7868

3. SUBJECT: Resolution of Intention to Amend and Update the Local Coastal Program (LCP). (047)

RECOMMENDATION: Adopt a resolution of intention to amend and update the Oxnard Local Coastal Program (LCP), Planning and Zoning Permit (PZ) No. 15-410-03, and recognize and authorize that select amendments related to urgency Ordinance 2891 that expires on June 30, 2016 prohibiting the expansion of existing, or development of new, electrical generating facilities within the Oxnard Coastal Zone may be adopted in advance of the comprehensive LCP update.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7868

Finance Department

4. SUBJECT: Review of the City's Financial Management Policies. (053)

RECOMMENDATION: Receive and file the attached update on the City's Financial Management Policies.

Legislative Body: CC

Contact: Joseph Lillio

Phone: 385-7475

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

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

City Clerk Department

1. SUBJECT: Appointment of Citizen Advisory Groups. (071)

RECOMMENDATION: That the Mayor, with approval of the City Council, 1) appoint: a) One member to the Cultural Arts Commission; b) One member to the Parks, Recreation & Community Services Commission and c) Two members to the Senior Services Commission; and. 2) That the City Council appoint: One member to the Community Relations Commission.

Legislative Body: CC

Contact: Daniel Martinez

Phone: 385-7803

O. PUBLIC COMMENTS ON REPORTS

At this time, a person may address the legislative body only on matters appearing on the reports. The presiding officer shall permit a person to address the legislative body after the staff presentation on the report and before the consideration of the report by the legislative body. The presiding officer shall limit public comments to three minutes.

P. PUBLIC COMMENTS ON STUDY SESSION

At this time, a person may address the legislative body only on matters appearing on the study session agenda. The presiding officer shall permit a person to address the legislative body after the staff presentation on the item and before the consideration of the item by the legislative body. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION – Continued from Page 1

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

CC Government Code Section 54956.9(d)(2)
In Re the Late Claim Application of Kay Brunner

City Attorney Claim No. 2015-0204

Significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) in one potential case, Claimant: Kay Brunner.

The Interim City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Anticipated Litigation. The purpose of the closed session is for the City Council to consider whether to allow the late claim of Kay Brunner to be filed.

R. ADJOURNMENT

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
December 15, 2015

A. ROLL CALL/POSTING OF AGENDA

At 4:35 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Carmen Ramirez, Bryan A. MacDonald and Dorina Padilla were present. Councilmembers Tim Flynn and Bert Perello were absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Ramirez presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Greg Nyhoff, City Manager; Maria Hurtado, Assistant City Manager; Scott Whitney, Assistant City Manager; Stephen Fischer, Interim City Attorney and Jeri Williams, Police Chief.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 4:37 p.m. the City Council recessed to a closed session, 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, Claimant: Raul Arias, City of Oxnard Claim No. 2015-0186.

At 5:04 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 5:05 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Flynn and Councilmember Perello were present and Mayor Flynn presided. Additional staff members present were: Joseph Lillio, Chief Financial Officer; Tobin Cosio, Human Resources Director; Ashley Golden, Development Services Director; Daniel Rydberg, Interim Utilities Director; Todd Housley, Deputy Public Works Director; Michael Henderson, General Services Manager; Cynthia Daniels, Project Manager and Eric Sonstegard, Assistant Police Chief.

Q. STUDY SESSION

Finance Department

1. SUBJECT: Status Update on Budget Reduction Goals – Fiscal Year (FY) 2015-16. (001)
RECOMMENDATION: Receive a status update on budget reduction goals for Fiscal Year 2015-16.

DISCUSSION: The City Manager reviewed: the efforts to reduce budget costs; impact to services; audit information; past use of “vacant” positions to balance budget; budget reduction goals and other possible budget reduction options.

The Chief Financial Officer and David Milligan, Financial Consultant, commented on finance controls, budget reconciliations and “budget” projections including Transient Occupancy Tax (TOT) revenues.

The Human Resources Director outlined the hiring process including recruitment.

Public comments were received from: Jim Lavery; Cyndi Hookstra; Francine Castanon; Larry Stein; Steve Nash; Martin Jones; Inez Tuttle and Woodrow Thomas.

The City Council discussed: use of consultants; recommendations of City Manager; the hiring process; projected "budget" savings; projected revenues (collection of fees) and having an on-going "financial" progress report.

ACTION: Received and provided comments to staff.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Resolution to Donna Angell for 27 Years of Service (009)
DISCUSSION: The Police Chief and Development Services Director commented on the work of Donna Angell.
ACTION: Approve **Resolution No. 14,878** (Flynn/Ramirez) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.
2. SUBJECT: A Visitor From the North Pole
DISCUSSION: Santa Claus wished everyone a Merry Christmas and invited the community to the Oxnard Santa tour.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Al Velasquez (opposed utility rate increases); Theodore Christensen (questioned insurance increase); George Miller (federal immigration process); Pat Brown (presenting public comments at meeting); Larry Stein (public records); Inez Tuttle (homelessness issues); Peggy Rivers (homelessness issues) and Woodrow Thomas.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: City Manager and Development Services Director (I-2(a)); Project Manager (I-3) and General Services Manager (I-5 & I-7).

At 7:54 p.m., Mayor Pro Tem Ramirez left the meeting due to possible conflict of interest (Eastwood Park) and at 7:58 p.m. Mayor Pro Tem Ramirez returned.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Bruce Schoppe (I-2(a)); Janis McCormick (I-2(a)); Shirley Godwin (I-2(a)); Michael Stubblefield (I-2(a)); Pat Brown (I-2(a)); and Steve Nash (I-2(a)).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for October 27, and November 3, 2015; and Minutes of the Special Meeting of the Oxnard City Council for October 29, 2015. (011)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (023)
RECOMMENDATION: Approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.

Development Services

3. SUBJECT: Transportation Development Act (TDA) Bicycle/Pedestrian Funds Resolution and Budget Appropriation for \$38,256. (025)
RECOMMENDATION: 1) Adopt **Resolution No. 14,879** approving the submittal of a claim to the Ventura County Transportation Commission (VCTC) for allocation of Fiscal Year (FY) 2015/16 TDA Article 3 bicycle/pedestrian funds in the amount of \$38,256 for pedestrian safety beacons at 13 crosswalk locations; and 2) Recognize revenue and appropriate \$38,256 to Project No. 153101 for "Crosswalk Beacons 2015" for the pedestrian safety beacons project.
4. SUBJECT: Approval of Public Access Easement and Deed Restrictions for that certain real property located at 935 Mandalay Beach Road (APN No. 191-0-051-110). (031)
RECOMMENDATION: Approve Public Access Easement and Deed Restrictions (A-7847) for that certain real property located at 935 Mandalay Beach Road (APN No. 191-0-051-110) pursuant to Section 17-39 of the Oxnard City Code, authorize the Mayor to execute the Public Access Easement and Deed Restrictions, authorize the Mayor to execute the attached Certificate of Acceptance, and authorize City staff to record the Public Access Easement and Deed Restrictions on the behalf of the City.

General Services Division

5. SUBJECT: Approval of Plans and Specifications for GS16-02 Eastwood Park Improvements Project. (041)
RECOMMENDATION: Approve plans and specifications for Project Specification No. GS16-02 Eastwood Park Improvements for the reconstruction of the burnt out roof of the restroom building at Eastwood Park, lighting improvements at Eastwood Park; replacement of a monument sign at Eastwood Park; and authorize staff to conduct a public bid for this project.*
6. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for GS13-17 Beck Park Playground Equipment Installation. (043)
RECOMMENDATION: Award contract to the lowest responsible and responsive bidder, R.E. Schultz Construction Company (A-7851) in the amount of \$143,500 for Beck Park Playground Equipment Installation Project, and authorize the purchasing agent to issue and execute the contract upon receipt of final documents.

7. SUBJECT: Approval of Lowest Responsible Responsive Bid and Authorization to Issue and Execute a Contract for Three Parks Improvement Project: Colonia Park (GS11-12), Wilson Park (GS15-16); and Campus Park (GS16-08). (081)

RECOMMENDATION: 1) Award contract to the lowest responsible and responsive bidder, C.S. Legacy Construction Company (A-7852) in the amount of \$588,097 for a Three Parks Improvement Project: Colonia Park (GS11-12); Wilson Park (GS15-16); and Campus Park (GS16-08); and authorize the Purchasing Agent to issue and execute the contract upon receipt of final documents from C.S. Legacy Construction Company; and 2) Approve a Budget Adjustment transferring \$133,121 from Beck Park Housing & Community Development (HCD) to Wilson Park (GS15-16) in the amount of \$100,733; Campus Park (GS16-08) in the amount of \$29,286; and Colonia Park (GS11-12) in the amount of \$3,102; and a Budget Adjustment transferring \$53,132 in Quimby funds from the Citywide Park Rehab Program to Colonia Park (GS11-12).*

8. SUBJECT: First Amendment to Agreement with Harbor Offshore, Incorporated for On Call Diving and Maintenance Services for Mandalay Waterways of Mandalay Bay, Westport and Seabridge Communities. (163)

RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to the Agreement with Harbor Offshore, Incorporated (A-7736) to increase the amount by \$500,000 from an agreement value of \$250,000 to \$750,000 and extend the expiration date from December 15, 2015 to December 16, 2017.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (MacDonald/Perello) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. Abstain: Ramirez (I-5) only and MacDonald (I-7) only.

J. PUBLIC HEARINGS

K. APPOINTMENT ITEMS

L. REPORTS

Finance Department

1. SUBJECT: Update on the City's Annual Financial Audit. (179)

RECOMMENDATION: Receive an update on the annual financial audit.

DISCUSSION: The Chief Financial Officer and David Milligan, Financial Consultant; John Prentice, Managing Partner; Eden Casareno, Engagement Partner and Don Ecker, Director, Consulting and Transactions, reviewed the audit process and reported financial problems including "non" reporting of liabilities; bank reconciliation; golf course issues and deferred compensation fund.

Public comments received from: Larry Stein; Phillip Molina; Al Velasquez and Steve Nash.

The Council discussed: the need for software; monitoring of financial records, reconciliations of funds, closed session discussions and financial practices of past City Council(s).

ACTION: The Council received and provided comments to staff.

RECESS

At 9:36 p.m., the City Council recessed and at 9:46 p.m., the City Council reconvened.

ACTION: The Council voted to continue the meeting unanimously.

Development Services Department

2. SUBJECT: Citywide Sidewalk Survey Final Report and Recommendations. (181)
RECOMMENDATION: Adopt **Resolution No. 14,880** approving the Final Report and adopting the negative declaration for the citywide sidewalk survey and recommendations for improvements to the pedestrian facilities within the public rights of way adjacent to areas built before 1992, consistent with available funding.
DISCUSSION: The Project Manager and Brad Becker, Sally Swanson Architects, and Chelsea Richer, Fehr and Peers, briefly reviewed the survey for “upgrade of crosswalks” and public outreach.

Public comment was received from: Pat Brown (curb cut).

ACTION: Approved as recommended. (MacDonald/Perello) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

3. SUBJECT: Fourteenth Amendment to Agreement with AECOM Technical Services, Inc. (AECOM) for the Rice Avenue/Santa Clara Avenue Interchange Improvement Project at U.S. Highway 101. (299)
RECOMMENDATION: Approve and authorize the City Manager to execute a Fourteenth Amendment to the Agreement with AECOM (A-7235) to increase the amount by \$113,537 from an Agreement value of \$5,142,454 to \$5,255,991 and revise the project scope, schedule, and fees for claims management and project closeout activities, and extend the expiration date from December 31, 2015 to June 30, 2016 for construction management services for the Rice Avenue/Santa Clara Avenue interchange improvement project at U.S. Highway 101.
ACTION: Approved as recommended (Ramirez/Padilla) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.
4. SUBJECT: Change Order 124 for Security Paving Co. Inc. to increase the amount by \$281,734.20 (a total of \$36,284,285.38) for Project Specification No. PW03-19 for Rice Avenue/Santa Clara Avenue Interchange Improvements at Highway 101. (309)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 124 for Project Specification No. PW03-19 with Security Paving Co., Inc. (A-7228) to increase the amount by \$281,734.20 (a new total of \$36,284,285.38) for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101.
ACTION: Approved as recommended. (MacDonald/ Perello) Ayes: Perello, Flynn, Ramirez, MacDonald and Padilla.

General Services Department

5. SUBJECT: First Amendment With Ecology Auto Parts, Incorporated for Supplemental Waste Hauling Transfer Services. (321)
RECOMMENDATION: Approve and authorize the Mayor to execute the First Amendment to the Agreement with Ecology Auto Parts, Incorporated (Ecology) (A-7766), to increase the amount by \$150,000 from an agreement value of \$1,950,000 to \$2,100,000 and to extend the expiration date from February 15, 2016 to February 15, 2018, for supplemental waste transfer hauling services.
ACTION: Approved as recommended. (Perello/MacDonald) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.

Human Resources Department

6. SUBJECT: Adoption of Resolutions (I) Approving Paying and Reporting the Value of Employer Paid Member Contributions to CalPERS for Unrepresented Top Management Employees, (II) To Tax Defer Member-Paid Contributions, and (III) Repealing and Replacing Resolution No. 14,721 Establishing the Salary and Benefits for Unrepresented Employees. (353)
RECOMMENDATION: 1) Adopt **Resolution No. 14,881** to approve paying and reporting the value of employer paid member contributions for unrepresented top management employees; 2) Adopt **Resolution No. 14,882** to tax defer member paid contributions – IRC 414(h)(2) Employer Pickup for all employees and employee groups; and 3) Adopt **Resolution No. 14,883** repealing and replacing Resolution No. 14,721 establishing the salary and benefits for unrepresented employees.
DISCUSSION: The Human Resources Director reviewed the benefits to be recognized by the City Council and future payment of retirement costs by top management employees.
ACTION: Approved as recommended. (Ramirez/Perello) Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.
7. SUBJECT: Adoption of **Resolution No. 14,884** Approving the Paying and Reporting the Value of Employer Paid Member Contributions to CalPERS for City Council Including the Mayor. (407)
RECOMMENDATION: Adopt a Resolution approving the paying and reporting the value of employer paid member contributions for City Council including the Mayor.
ACTION: Approved as recommended and starting date would be as soon as possible. (Macdonald/Ramirez) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

Police Department

8. SUBJECT: Federal and State Asset Forfeiture Funds. (413)
RECOMMENDATION: Approve a budget appropriation from fund balance in the amount of \$178,000 for the use of Federal (\$148,000) and State (\$30,000) asset forfeiture funds allocated to the City of Oxnard Police Department. The funds will be used for training and equipment purchases including body-worn cameras (BWC).
DISCUSSION: The Police Chief and Assistant Police Chief outlined how funds are spent and items purchased.

Public comment was received from: Larry Stein.

The City Council discussed “use” of forfeiture funds.

ACTION: Approved as recommended. (Padilla/Perello) Ayes: Padilla, Perello, Flynn, Ramirez and MacDonald.

M. REPORT OF CITY MANAGER

The City Manager discussed City of Oxnard being closed Christmas Eve and Santa to the Sea Run.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed: Santa Clara levee (Perello); need to create a vision and mission to address the Homelessness issue (Padilla) and create a Downtown Plan vision (Padilla/Greg Nyhoff).

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 11:02 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

January 5, 2016

A. ROLL CALL/POSTING OF AGENDA

At 5:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Maria Hurtado, Assistant City Manager; Scott Whitney, Assistant City Manager; Tobin Cosio, Human Resources Director and Jefferson Billingsley, Deputy City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:05 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54957.6, to review the status of labor negotiations and to review its available funds and funding priorities for the sole purpose of providing instructions to the City's negotiator, Tobin Cosio, Director of Human Resources, regarding: Employee organizations: International Association of Firefighters, AFL-CIO (IAFF), Local No. 1684; Oxnard Peace Officers' Association (OPOA); Service Employees International Union CTW, CLC, Local 721 (SEIU Local 721); International Union of Operating Engineers AFL-CIO, Local No. 501 (IUOE Local 501); Oxnard Public Safety Management Employees' Association (Police Unit); Oxnard Public Safety Management Employees' Association (Fire Unit); and Oxnard Mid-Managers' Association (OMMA); **Unrepresented employees:** Assistant City Manager, Chief Financial Officer, City Clerk, City Treasurer, Deputy City Manager, Development Services Director, Fire Chief, Housing Director, Human Resources Director, Economic Development Director, I.T. Director, Library Director, Police Chief, Utilities Director (**Department Directors**); Assistant City Attorney, Assistant Director of Human Resources, Community Relations and Public Affairs Manager, Deputy City Attorney, Law Office Manager, Human Resources Manager, Workers' Compensation Manager, Management Analyst III (C) (**Confidential Mid-Managers**); Accountant II (C80), Accounting Technician (C67), Administrative Assistant (C70), Administrative Legal Assistant (C70), Administrative Legal Secretary I (C25), Administrative Legal Secretary II (C35), Administrative Legal Secretary III (C50), Administrative Secretary I (C15), Administrative Secretary II (C30), Administrative Secretary III (C40), Administrative Services Assistant (C70), Administrative Technician (C60), Employee Relations Coordinator (C67), Executive Assistant I (C80), Executive Assistant II (C85), Human Resources Technician (C70), Office Assistant I (C10), Office Assistant II (C20), Paralegal (C75), Safety Specialist (C72), Senior Administrative Legal Secretary (C65), Senior Administrative Secretary (C55), Senior Benefits Coordinator (C75), Senior Human Resources Coordinator (C75), Workers' Compensation Specialist (C69) (**Confidential Employees**); unrepresented Limited Benefit Employees.

At 6:05 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:09 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Flynn presided. Additional staff members present were: Eric Sonstegard, Assistant Police Chief; Jason Benites, Assistant Police Chief; Ashley Golden, Development Services Director; Kymberly Horner, Economic Development Director; Daniel Rydberg, Utilities Director; Pete Martinez, Wastewater Collect Supervisor and Eric Humel, City Corps Coordinator.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Oxnard College Men's Soccer for Winning the CCCAA State Championship.
DISCUSSION: Mayor Flynn on behalf of the City of Oxnard presented a commendation to the Oxnard College Men's Soccer team.
2. SUBJECT: Recognition of Coach Greaney for Receiving National Coach of the Year Award
DISCUSSION: Mayor Flynn on behalf of the City of Oxnard recognized Coach Greaney for being selected as National Coach of the Year.

ITEMS REMOVED FROM AGENDA

Mayor Flynn requested Appointment of Citizen Advisory Groups (N-1) be removed from agenda.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ventura Fernandez; Al Velasquez (proposed utility rate increase, NRC power plant negotiations, Channel Islands Harbor agreement); Ed Ellis (Ormond Beach); Susan Neilsen (Heritage Square cook book); Julia Chambers (Children's Museum); Aaron Starr ("utility protest" post card); George Miller (rebuilding costs of waste plant); Lucero Risas (apartment parking); Gary Jarrison (Utility bill); Celeste Gamino (Southwind Community Park lights); and Pat Brown (proposed utility rates).

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments was received from: Assistant Police Chief (Sonstegard) (I-2(a)) and Assistant Police Chief (Benites) (I-2(b)).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA**I. INFORMATION/CONSENT AGENDA****City Clerk Department**

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for November 10 and 17, 2015; and Minutes of the Special Meeting of the Oxnard City Council for November 23, 2015. (001)
RECOMMENDATION: Approve.

City Manager Department2. SUBJECT: Agreements for City Council Review. (017)

RECOMMENDATION: Approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Ramirez/Perello)

Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

J. PUBLIC HEARINGSK. APPOINTMENT ITEMSL. REPORTSCity Attorney Department1. SUBJECT: Ordinance Imposing Smoking Regulations in Recreational Areas. (021)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance enacting smoking regulations for recreational areas in the City.

DISCUSSION: The Assistant City Attorney reviewed the proposed ordinance including public outreach, second hand smoke and public/private property restrictions.

Public comments received from: Kaz Iwanamoto, Primo Castro and Gabriel Teran.

The City Council discussed: possible smoking restrictions; need for clarification of private property and public property restrictions; community outreach & input and enforcement.

ACTION: Moved to have proposed ordinance returned to Parks & Recreation to strengthen the proposed Ordinance (Flynn/Ramirez) unanimously.

City Manager Department2. SUBJECT: Organization Assessment: Status Update on the Implementation Action Plan's for the 128 Recommendations. (027)

RECOMMENDATION: Receive a status update on the Organizational Assessment's Implementation Action Plans (IAP's) that prioritizes the 128 recommendations adopted by Council on July 21, 2015.

DISCUSSION: The Assistant City Manager (Hurtado) commented on process of items including the development of the 457b retirement plan, reclassification of Human Resources position, development of Internal Audit Program and development of 4 year IT Master Plan

The Human Resources Director reviewed the creation of "Position Control System" who would review personnel recruitment information including job description (announcing schedule of interview & testing) and update of recruitment flyers.

Public comment received from: Steve Nash.

The City Council discussed the work of staff including efforts to update the application program and financial data update.

ACTION: Received report and provided comments.

Development Services Department

3. SUBJECT: City of Oxnard Development Update. (105)

RECOMMENDATION: Receive an update on development in the City of Oxnard.

DISCUSSION: The Development Services Director reviewed planning services; in-lieu fees, development impact fees and development project list which included residential, commercial and industrial project.

The Economic Development Director commented on contacting "Trader Joes" store regarding a location in Oxnard.

At 9:24 p.m., Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 9:26 p.m. Mayor Flynn returned the meeting and presided.

Public comments received from: Pat Brown and Steve Nash.

The City Council discussed: in-lieu housing fees (affordable housing); development impact fees; proposed third Esplanade Tower restrictions; industrial property uses; location of Oxnard Airport; greenbelt agreements and impact of "short-term" rental of houses.

ACTION: Received report and provided comments.

Public Works Department

4. SUBJECT: Environmental Protection Agency (EPA) Workforce Development and Job Training Grant. (107)

RECOMMENDATION: Adopt a resolution authorizing the City Manager to submit an application for \$200,000 in U.S. Environmental Protection Agency (EPA) grant funds, to be used for the Environmental Workforce Development and Job Training Grant Program.

DISCUSSION: The Utilities Director and City Corps Coordinator outlined the request for the grant for City Corps service to provide training and certification programs.

The City Council discussed the use of grant funding to train City individuals.

ACTION: Approved as recommended, **Resolution No. 14,885.** (Ramirez/Perello) Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

5. SUBJECT: Verbal Report on the Upcoming El Niño Winter Storm Season. (133)

RECOMMENDATION: Receive a verbal report on the upcoming El Niño Winter Storm Season and the steps being taken to mitigate the effects for residences and businesses of the City.

DISCUSSION: The Utilities Director and Wastewater Collect Supervisor reviewed the forecasted El Nino season with February being the wettest month with maintenance of storm drains, catch basin, flooding problem areas (Mandalay Beach Road, Wagon Wheel) and pilot pump program at Mandalay Beach Road.

Public comment received from: Walter Hagedohn.

The City Council discussed the Mandalay Beach Road pilot program.

ACTION: The City Council received report and provided comments to staff.

M. REPORT OF CITY MANAGER

1. SUBJECT: Receive Verbal Report on Oxnard Community Development Commission Successor Agency and Update Status of Redevelopment Activities in the City of Oxnard.
RECOMMENDATION: Receive and consider report.
DISCUSSION: The Economic Development Director commented on the transfer of parking lots, Visitor Center and Heritage Hall to the City. She also commented on the long-range plan of former redevelopment properties for sale and future downtown development planning.

Public comments received from: Greg Kenny; Steve Nash and Abel Magana.

The City Council/Successor Agency discussed possible grouping of properties for development of downtown, public information outreach, City's rights and State reliquidation requirements.

ACTION: The City Council provided comments and directions to staff.

COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

At 10:58 p.m. the joint meeting with the Commission Development Commission Successor Agency concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

City Clerk Department

1. SUBJECT: Appointment of Citizen Advisory Groups. (135)
RECOMMENDATION: That the Mayor, with approval of the City Council, 1) appoint: a) One member to the Cultural Arts Commission; b) One member to the Parks, Recreation & Community Services Commission and c) Two members to the Senior Services Commission; and, 2) That the City Council appoint: One member to the Community Relations Commission.
ACTION: Continue to future date

The City Council discussed: Gold Transit moving to North Oxnard site (MacDonald); Utility rate information being presented to the public (Flynn/Ramirez/Perello); support of Winter Warming Shelter (Ramirez) and short-term "residential" issues (Perello).

O. PUBLIC COMMENTS ON REPORTS

P. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSION

R. ADJOURNMENT

At 11:07 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem

DRAFT



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: I-2

DATE: February 2, 2016

TO: City Council

FROM: Greg Nyhoff, City Manager
Office of the City Manager

A handwritten signature in cursive script, appearing to read "Greg Nyhoff", written over the printed name and title.

SUBJECT: Agreements for City Council Review

CONTACT: Greg Nyhoff, City Manager
greg.nyhoff@ci.oxnard.ca.us, 385-7430

RECOMMENDATION

That City Council, pursuant to Ordinance 2835, and Resolution No. 13,932, approve and authorize the City Manager to execute the agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.

BACKGROUND

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

FINANCIAL IMPACT

Funding information is included on the attached list.

Attachment - #1 – List of Agreements/Contracts and/or Change Orders/Amendments

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.

City Manager Contract List for 02/02/2016

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

A Agreement for K-9 Training Services

Vendor: Precision K-9
Type: Original Agreement
Agreement No.: 7154-15-PO
Amendment No.: N/A
Purchase Order No.:
Begin Date:
End Date: 05/31/2017
Term:

Amount to be Approved: \$40,000
Current FY Amount: \$13,500
Total Contract Amount: \$40,000
Funding Source: General Fund
Vendor Selection Process: Negotiated Contract
of Bidders: N/A
Project Manager: Commander Kevin Baysinger
Department: Police
Telephone: 797-5774
Email:

Purpose: This agreement is for K-9 handler training for the Oxnard Police Department K-9 Unit. The vendor provides training in obedience, protection and other specialized K-9 services at the K-9 Training Field in Oxnard, CA. The K-9 Unit has utilized all three law enforcement K-9 trainers within Ventura County over the past two years. Precision K-9 has demonstrated that it meets the needs and expectations of the K-9 Unit, while being the only service to conduct training within the City of Oxnard, and solely for Oxnard PD's K-9 Unit. There are no other law enforcement K-9 training services in Ventura County. Two other out of county L.E. K-9 training services were also reviewed, but were not viable options because of their locations.

ATTACHMENT
PAGE 1 OF 1

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2903

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 15-570-02 (ZONE CHANGE) TO CHANGE THE EXISTING ZONING DESIGNATION FROM LIGHT INDUSTRIAL (M-1) TO LIMITED MANUFACTURING (M-L), AMENDING THE CITY OF OXNARD ZONING MAP FOR THE PROPERTIES LOCATED AT 2311 STATHAM BOULEVARD AND 2231 THROUGH 2274 STATHAM BOULEVARD, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PASTOR FERNANDO FRANCO WITH VICTORY OUTREACH CHURCH ON BEHALF OF PROPERTY OWNER GRUNY, LLC 423 NORTH FIFTH STREET, PORT HUENEME, CALIFORNIA 93041.

WHEREAS, on June 4, 2015, Pastor Fernando Franco with Victory Outreach Church on behalf of the property owner, Gruny, LLC (the “**Applicant**” and/or “**Permittee**”) submitted a request to change the existing zoning designation from Light Industrial (M-1) to Limited Manufacturing (M-L) for the properties located at 2311 Statham Boulevard (220-0-010-215), and 2231 through 2274 Statham Boulevard (220-0-010-405 through 475) (the “**Project**”), filed by Pastor Fernando Franco with Victory Outreach Church on behalf of property Owner Gruny, LLC 423 North Fifth Street, Port Hueneme, California 93041 (the “**Applicant**”); and

WHEREAS, on December 17, 2015, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider Applicant’s request to existing zoning designation from Light Industrial (M-1) to Limited Manufacturing (M-L) for the properties located at 2311 Statham Boulevard (220-0-010-215), and 2231 through 2274 Statham Boulevard (220-0-010-405 through 475) (the “**Project**”) in accordance with Section 16-530 through 16-553 of Oxnard City Code; and

WHEREAS, the City Council carefully reviewed Planning Commission Resolution No. 2015-38 recommending approval of Zone Change No. 15-570-02; and

WHEREAS, the City of Oxnard published notice of the City Council public hearing on the proposed Project in the Vida Newspaper pursuant to Government Code Section 65854 and 65090; and

WHEREAS, the City of Oxnard mailed notices to all the property owners of the subject real properties as shown on the latest equalized assessment roll and all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real properties that are the subject of the Planning Commission public hearing pursuant to Government Code Section 65854 and 65091; and

WHEREAS, Government Code Section 65860(a) requires that all City zoning be consistent with the City of Oxnard 2030 General Plan; and

WHEREAS, the City Council finds, after review of the Planning Commission Staff Report and all written and oral evidence presented at the public hearing, that the proposed Project is consistent with the City of Oxnard 2030 General Plan as amended for the reasons set forth in Section 6.b of the Staff Report; and

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

Part 1. With respect to 2311 Statham Boulevard (220-0-010-215), and 2231 through 2274 Statham Boulevard (220-0-010-405 through 475), (i) the zoning governing is changed from Light Industrial (M-1) to Limited Manufacturing (M-L); and (ii) the City of Oxnard Zoning Map is changed for said properties as shown in Exhibit "A", attached hereto and incorporated herein by reference.

Part 2. Pursuant to Government Code Section 65863.5, the City Clerk shall mail a copy of this ordinance to the Assessor of Ventura County within thirty (30) days from the adoption of this ordinance.

Part 3. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. 2903 was first read on January 26, 2016, and finally adopted on _____, to become effective thirty (30) days thereafter.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the City Council of the City of Oxnard on the day of
2016, by the following vote:

AYES:

NOES:

ABSENT:

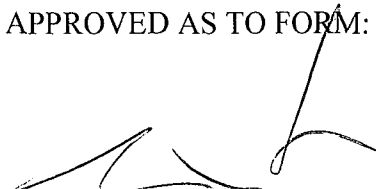
ABSTAIN:

Tim Flynn, Mayor

ATTEST:

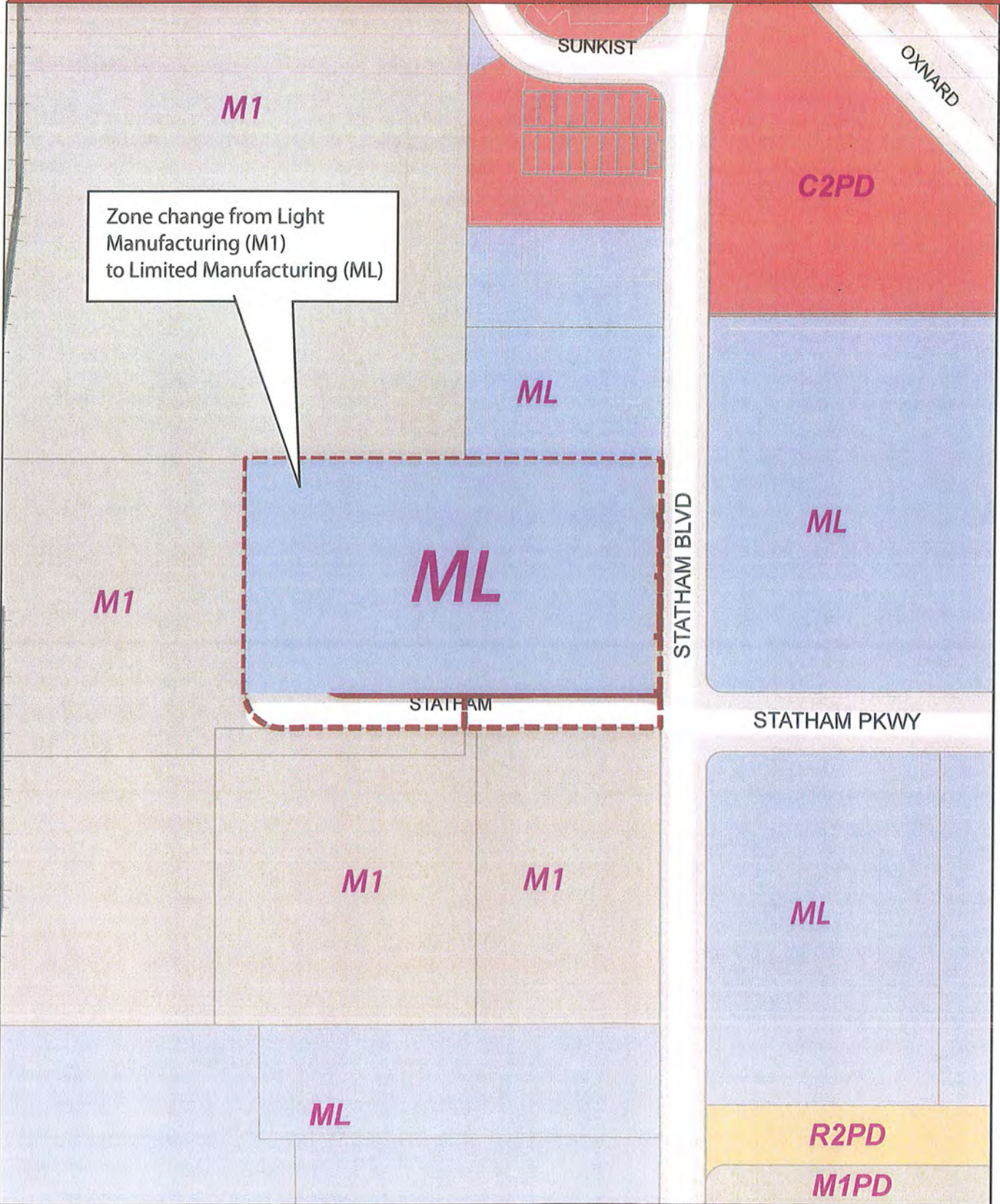
Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

Zoning Change



CLIP BY
OXNARD
CALIFORNIA
Oxnard Planning
July 1, 2015

PZ 15-520-02, 15-570-02, 15-560-02
Location: 2311 Statham Bl
APN: 220010215
Victory Outreach

0 37.5 75 150 225 300 Feet

Zoning Change
Exhibit A

1:2,000



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: I-4

DATE: February 2, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Jeri Williams, Police Chief

SUBJECT: State of California Grant for Selective Traffic Enforcement

CONTACT: Randy Latimer, Police Department
Randy.Latimer@oxnardpd.org, 385-7600

RECOMMENDATION

That City Council adopt a resolution:

1. Authorizing the City Manager to execute and submit an application for \$350,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2016/17 Selective Traffic Enforcement Program.
2. Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award.
3. Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of OTS funds.
4. Authorizing the Chief of Police or designee to submit all program related progress or status reports.

BACKGROUND

The State of California, OTS has offered grant funding to assist the City in reducing the number of injury and fatal traffic collisions that occur on our City's roadways. The Police Department wishes to apply for the grant titled "Selective Traffic Enforcement Program" in the amount of \$350,000.

Over the past 21 years, OTS has provided funding for programs that help reduce the amount of fatal and injury-related traffic collisions within the City. A major emphasis has been related to

keeping Driving Under the Influence (DUI), and Drugged (DUID) drivers off our roadways and to educating City residents about the dangers of drinking and driving. While working in conjunction with OTS, the number of fatal and injury-related traffic collisions in the City has decreased. In addition, alcohol related incidents have also decreased.

This funding will allow continued enforcement and education in order to keep the residents of Oxnard safe from DUI and DUID drivers. The City can accomplish this goal by reducing the amount of alcohol and drug-related traffic collisions. Taking different proactive approaches to DUI and DUID enforcement, continued public education aimed at the youth in our community, and maximum enforcement on all DUI and DUID-related crimes are strategies employed in this grant. This grant will also provide funding to address the issue of collisions related to other unsafe driving habits such as speeding, following too close and distracted driving.

This grant looks at continuing with proactive and innovative approaches to combating DUI and DUID collisions and will allow the Police Department to continue conducting warrant operations that target multiple DUI and DUID offenders who have violated their probation terms and have failed to appear in court.

This grant also looks at targeting the “worst of the worst” and repeat DUI and DUID offenders. These offenders are drivers who are already on probation and have suspended or revoked driver licenses; however, these offenders continue to drive motor vehicles and more importantly, drive while intoxicated. Officers will continue to conduct surveillance operations that will result in the arrest of these offenders.

Finally, grant funding will assist in providing continued public education geared towards bicyclists of all ages, coupled with enhanced enforcement to ensure the City’s bicycling population is safe. It will also provide funding for two (2) police motorcycles if approved.

FINANCIAL IMPACT

None at this time. The Selective Traffic Enforcement Program Grant will not require a local match contribution. Funding would include overtime and minor equipment costs. If approved, grant funds will be recognized and appropriated upon award.

ATTACHMENTS

Attachment #1 - City Council Resolution approving submittal of grant application

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
APPROVING SUBMITTAL OF GRANT APPLICATION FOR THE
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

WHEREAS, City Council Resolution No. 12,053 sets out the procedures by which City staff may submit grant applications, following approval by resolution of the City Council; and

WHEREAS, the Police Department has requested that City Council approve the submittal of an application to the State of California, Office of Traffic Safety for \$350,000.00 in Office of Traffic Safety grant funds, to be used for selective traffic enforcement.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for grant funds to be used for selective traffic enforcement and resolves to recognize grant revenue in the amount of \$350,000.00 from the State of California, Office of Traffic Safety. The City Council further resolves that the City Manager or designee is authorized to execute grant agreements; the Finance Director or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Chief of Police or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED THIS 2nd day of February 2016 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Tim Flynn, Mayor

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: I-5

DATE: February 2, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Daniel Ryberg, Public Works Director

SUBJECT: Water Conservation and Stormwater Support Grant Application

CONTACT: Eric Humel, Public Works
Eric.Humel@ci.oxnard.ca.us, 271-2231

RECOMMENDATION

That the City Council adopt a resolution authorizing the City Manager to submit an application for \$50,000 in grant funds from the National Fish and Wildlife Foundation, to be used to support ongoing water conservation and stormwater management efforts.

BACKGROUND

In May 2015, the State Water Resources Control Board declared a city-specific plan to implement the Governor's 25% reduction directive, wherein Oxnard is mandated to reduce water production by 12% each month, as compared to the 2013 (pre-drought) monthly usage figures. Since 2014, the City of Oxnard has implemented water conservation measures to ensure consistency with the State regulations. With a proactive public outreach program, the City of Oxnard's Water Resources Division hopes to encourage the efficient use of its water resources and raise community awareness regarding the importance of water conservation. Outreach efforts include offering "Ocean Friendly Garden" workshops to residents, and supported the installation of these gardens. These gardens benefit the community by reducing the water consumption of residences, while also sequestering stormwater and filtering it through the soil before it recharges groundwater supplies.

The Water Conservation Division has utilized the City Corps program to support the ocean friendly garden workshops. City Corps trainees have attended the community workshops, and support the on-the-ground installation of the ocean friendly gardens at residents' homes, as well

as on City-owned properties. These efforts support the job training, service learning, and community building efforts of City Corps, while also yielding environmental outcomes and bolstering the community services of the City.

Related to this work, the National Fish and Wildlife Foundation (NFWF) has issued a request for proposals for their 2016 Five Star and Urban Waters Restoration Program. Approximately \$2,450,000 in funding will be available, with awards ranging from \$20,000 to \$50,000. The purpose of the grant program is to develop community capacity to sustain local natural resources for future generations by providing modest financial assistance focused on improving water quality, watersheds, and the species and habitats they support. Projects can include a variety of ecological improvements including stormwater management, along with targeted community outreach, education and stewardship.

The NFWF grant funds, if awarded, will increase the outcomes of current City water conservation projects. The grant funds will be used to pay for increased City Corps support of the City's water conservation efforts. The grant funds will also enable the City to support the installation of an increased number of ocean friendly garden projects. The grant funds will allow City Corps to involve more young people in the job training, service learning, and community building outcomes that the Water Conservation support projects entail.

The grant funds will also be used to support increased water conservation outreach and education efforts which reach the young people of Oxnard through school tours at the AWPf, as well as at school-site coordinated projects. These efforts inculcate conservation values and practices that will conserve the city's resources into the future, and effect change among the city's residents through the influence of the young people of Oxnard.

FINANCIAL IMPACT

Upon award, staff will return to Council to recognize grant and appropriate match funding. Matching funds will come from Water Operating Fund, and in-kind services. The city would then recognize the National Fish and Wildlife Foundation grant of \$50,000 along with the proposed City contribution of the mandatory 1:1 match.

ATTACHMENTS

Attachment #1: Resolution Approving Submittal of Grant Application

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
APPROVING SUBMITTAL OF A GRANT APPLICATION

WHEREAS, City Council Resolution No. 12,053 sets out the procedure by which City staff may submit grant applications, following approval by resolution of the City Council; and

WHEREAS, the Public Works Department in cooperation with the City Corps Program has requested that City Council approve the submittal of an application to the National Fish and Wildlife Foundation for \$50,000 to be used for the management of stormwater, including outreach, education, and training on watershed protection practices.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for the National Fish and Wildlife Foundation's Five Star and Urban Waters Restoration Program. The Council further resolves that the City Manager or designee is authorized to execute grant agreements; the Finance Director or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Public Works Director or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED THIS ____ day of February, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, Interim City Attorney

Attachment No. 1
Page 1 of 1



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: L-1

DATE: February 2, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

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

FROM: Ashley Golden, Development Services Director

A handwritten signature in black ink, appearing to read "Ashley Golden".

SUBJECT: Change Order No. 126 for Security Paving Co. Inc. for Rice/101 Interchange

CONTACT: Cynthia Daniels, Development Services
Cynthia.Daniels@ci.oxnard.ca.us, 385-7871

RECOMMENDATION

That City Council approve and authorize the Mayor to execute Change Order No. 126 for Project Specification No. PW03-19 with Security Paving Co., Inc. to decrease the amount by \$455,237 (a new total of \$35,835,331.75) for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101 (Agreement No. A-7228).

BACKGROUND

This final change order adjusts costs of the bid item quantities and change orders, balancing the payments to reflect the amount actually installed by the contractor and verified in the field by the City's consultant construction manager, AECOM Technical Services. The construction bid included 212 bid items. Security Paving Co. Inc. was awarded the construction contract for the Rice Avenue/Santa Clara Avenue interchange improvements at U.S. Highway 101 on October 20, 2009 for \$31,189,493.23. Work started in February 2010. Work included constructing roadways and a bridge; widening the freeway; replacing city sewer, water, and drainage systems; and installing highway planting, irrigation, signals, lighting, signs, public art, fencing, and electrical systems. The schedule at award was 743 calendar days to complete the project. The current completion date is June 20, 2014 (1,594 calendar days). The contractor finished construction in February 2015. The notice of completion was recorded in May 2015, and all retention released.

FINANCIAL IMPACT

The change order would decrease the amount of Agreement No. A-7228 by \$455,237 to a total of \$35,835,331.75, which is 14.9 percent above the original award amount. The decrease from the change order will be unencumbered from the construction contract. Federal and state grants, an assessment district, HERO redevelopment funds, California's underground storage tank cleanup fund, and city contributions funded the project (Attachment 3 is a table of city contributions). Attachment 2 is a summary of the change orders approved to date.

ATTACHMENTS

- 1 - Change Order 126
- 2 - Summary of Change Orders to Date
- 3 - Table of City Contributions

[X] CONTR ADMIN
[X] ACCOUNTING
[X] CONTRACTOR
[X] PURCHASING SERVICE
[X] CONTRACT INSPECTION



Department Contact: Cynthia Daniels

Phone: 385-7871

CHANGE ORDER NO. 126

Date: 12/17/2015

Contractor Name.: **Security Paving Co. Inc.**

Project Title: **Rice/Hwy 101 Interchange Improvements**

Specification No.: **PW03-19**

Contract No.: **A-7228**

P.O. No.: **3516**

Fed. Proj. No.: **STPL 5129(012), ESPL 5129(058),
HPLUL 5129(051/056/063), TILUL 5129(057)**

Account No.: **000-0000-000-0001**

Account No.: **000-0000-000-0002**

Account No.: **000-0000-000-0003**

Account No.: **000-0000-000-0004**

Account No.: **000-0000-000-0005**

Project No.: **873114** \$ -

Project No.: **873114** \$ -

Project No.: **873114** \$ -

Project No.: **000004** \$ -

Project No.: **000005** \$ -

You are hereby directed to make the following changes in this contract:

Description:

Item No.	Description	Quantity	Units	Unit Price	Net Amount
9	Sand Bag Barrier	M	-2,807.00	\$ 6.50	(\$18,245.50)
100.113	Repairing MBGR	LS	-14,143.79	\$ 1.00	(\$14,143.79)
100.115	Replace damaged signal pole	LS	-2,000.00	\$ 1.00	(\$2,000.00)
100.116	Install for telephone service	LS	-3,087.78	\$ 1.00	(\$3,087.78)
100.118	Repair MBGR	LS	-5,591.40	\$ 1.00	(\$5,591.40)
100.119	Repair sidewalks	LS	-3,764.86	\$ 1.00	(\$3,764.86)
12	Storm drain inlet protection	EA	-29.00	\$ 125.00	(\$3,625.00)
17-S	Flashing arrow sign	EA	2.00	\$ 500.00	\$1,000.00
18-S	Type III barricade	EA	40.00	\$ 80.00	\$3,200.00
19-S	Temp pavement mark--paint	M2	37.21	\$ 21.40	\$796.36
21-S	Channelizer- surface mount	EA	-329.00	\$ 35.00	(\$11,515.00)
23-S	Temporary sign overlay	M2	-3.55	\$ 280.00	(\$994.00)
25-S	Portable changeable sign	EA	1.00	\$ 5,000.00	\$5,000.00
26-S	Temp Railing-Type K	M	36.00	\$ 37.00	\$1,332.00
28	Abandon culvert	M	-12.00	\$ 65.00	(\$780.00)
29	Abandon steel pipe	M	-274.88	\$ 65.00	(\$17,867.15)
30	Abandon sewer	M	7.90	\$ 49.00	\$387.10
31	Obliterate surfacing	M2	2,138.77	\$ 1.55	\$3,315.10
32	Remove chain link fence	M	544.00	\$ 10.75	\$5,848.00
35	Remove traffic stripe	M	-25,263.54	\$ 0.91	(\$22,989.82)
36	Remove pavement marking	M2	-374.22	\$ 17.10	(\$6,399.11)
37	Remove pavement marker	EA	-3,835.00	\$ 0.80	(\$3,068.00)
40	Remove culvert	M	12.79	\$ 130.00	\$1,662.70
41	Remove pipe	M	92.77	\$ 65.00	\$6,030.05
44	Remove retaining wall	M	-65.00	\$ 60.00	(\$3,900.00)
45	Remove sewer pipe	M	84.70	\$ 20.00	\$1,694.00
47	Relocate sign post	EA	-3.00	\$ 348.00	(\$1,044.00)
50	Adjust manhole	EA	2.00	\$ 900.00	\$1,800.00
52	Modify sewer manhole base	EA	-2.00	\$ 2,250.00	(\$4,500.00)
53-S	Cold plane AC pavement	M2	-2,020.80	\$ 3.00	(\$6,062.40)
54	Remove concrete	M3	83.75	\$ 45.00	\$3,768.75
55	Remove concrete barrier	M	-20.00	\$ 37.00	(\$740.00)
60	Roadway excavation	M3	8,624.26	\$ 9.20	\$79,343.20
72-S	Erosion control Type D	M2	-67.00	\$ 12.80	(\$857.60)
77-S	300 MM HDPE pipe	M	-3.84	\$ 147.00	(\$564.47)
78-S	450 MM HDPE pipe	M	0.75	\$ 375.00	\$281.25
79	Class 2 aggregate base	M3	-691.01	\$ 36.50	(\$25,221.82)
80	Class 3 aggregate base	M3	235.21	\$ 34.90	\$8,208.83
82	Hot mix asphalt B-HMA B	Tonn	744.09	\$ 83.75	\$62,317.55
83	pavement reinforcing fabric	M2	-1.00	\$ 2.50	(\$2.50)
84	Place AC misc area	M2	525.08	\$ 4.80	\$2,520.38
85	Place AC dike Type A	M	(13.00)	\$ 13.90	(\$180.70)
86	Place AC dike Type E	M	-268.91	\$ 13.90	(\$3,737.85)
87	Place AC dike Type F	M	-3.91	\$ 13.90	(\$54.41)
88	Concrete pavement	M3	-69.97	\$ 198.00	(\$13,854.65)
89	Class 4 aggregate base	M3	-15.89	\$ 30.10	(\$478.29)
CCO 3	Settlement monitoring	LS	-66,660.49	\$ 1.00	(\$66,660.49)
CCO 4	Removed buried objects	LS	-3,332.62	\$ 1.00	(\$3,332.62)

Item No.	Description	Quantity	Units	Unit Price	Net Amount
CCO5	Maintain freeway lighting	LS	-2,455.52	\$ 1.00	(\$2,455.52)
CCO 6	Drainage reconciling	LS	1,838.23	\$ 1.00	\$1,838.23
CCO8	Detouring traffic-Edison 66 kV	LS	1,811.71	\$ 1.00	\$1,811.71
CCO9	Excavate 45" water line	LS	-4,760.26	\$ 1.00	(\$4,760.26)
CCO 11	Increase items SWPPP	LS	-1,487.81	\$ 1.00	(\$1,487.81)
CCO 13	Install temp sidewalk	LS	591.98	\$ 1.00	\$591.98
CCO 14	NPDES General permit	LS	-64.45	\$ 1.00	(\$64.45)
CCO 15	Extra excavation & import	LS	-2,197.98	\$ 1.00	(\$2,197.98)
CCO 19	Adjust sewer line elevations	LS	-55,532.55	\$ 1.00	(\$55,532.55)
CCO 20	Remove Type I concrete channel		-20,931.93	\$ 1.00	(\$20,931.93)
CCO 27	Relocate off ramp lights	LS	-14,842.33	\$ 1.00	(\$14,842.33)
CCO 29	Sewer bypass line	LS	-44.61	\$ 1.00	(\$44.61)
CCO 31	Add/decrease/delete water line		-14,945.11	\$ 1.00	(\$14,945.11)
CCO 32	Survey services	LS	-18,764.20	\$ 1.00	(\$18,764.20)
CCO 34	Utilities potholing	LS	-65.65	\$ 1.00	(\$65.65)
CCO 36	Add MBGR	LS	-7,094.18	\$ 1.00	(\$7,094.18)
CCO 40	Sign guard rails & barriers	LS	-14,330.21	\$ 1.00	(\$14,330.21)
CCO 43	CT req'd MBGR adj.	LS	2,168.61	\$ 1.00	\$2,168.61
CCO 46	Modify drainage sys #10	LS	-2,094.97	\$ 1.00	(\$2,094.97)
CCO 48	Modify gas sta. driveway	LS	3,968.88	\$ 1.00	\$3,968.88
CCO 49	12" water line Ventura Blvd	LS	-21,050.07	\$ 1.00	(\$21,050.07)
CCO 53	Shoulder widen NB on-ramp	LS	-11,187.88	\$ 1.00	(\$11,187.88)
CCO 54	Paving portion Ventura Bl	LS	-44,553.50	\$ 1.00	(\$44,553.50)
CCO 55	Splicing overhead sig poles	LS	-9,432.24	\$ 1.00	(\$9,432.24)
CCO 57	Analysis testing req'd	LS	-0.30	\$ 1.00	(\$0.30)
CCO 58	Credit for revised shoulders	LS	-45,866.52	\$ 1.00	(\$45,866.52)
CCO 60	Add'l traffic control	LS	-689.71	\$ 1.00	(\$689.71)
CCO 61	Embankment drain pipe	LS	-2,112.00	\$ 1.00	(\$2,112.00)
CCO 62	Realign ROW fence	LS	976.86	\$ 1.00	\$976.86
CCO 64	Deduct utility line items	LS	26,133.55	\$ 1.00	\$26,133.55
CCO 65	Install retaining wall & fence		-1,933.03	\$ 1.00	(\$1,933.03)
CCO 66	Labor to remove	LS	-6,873.49	\$ 1.00	(\$6,873.49)
CCO 72	Pave area DS#4 & fence	LS	-16,347.75	\$ 1.00	(\$16,347.75)
CCO 76	Regrade DG area basin	LS	-1,431.59	\$ 1.00	(\$1,431.59)
CCO 83	install irrigation crossover	LS	-6,934.52	\$ 1.00	(\$6,934.52)
CCO 93	Additional SWPPP	LS	-1,895.25	\$ 1.00	(\$1,895.25)
CCO 95	Replaced/damaged controller	LS	-2,410.17	\$ 1.00	(\$2,410.17)
CCO 97	Replace sidewalk Santa Clara	LS	5,156.47	\$ 1.00	\$5,156.47
CCO 98	SWPPP annual report	LS	-427.87	\$ 1.00	(\$427.87)
CCO 103	Repair collision damage	LS	-4,581.79	\$ 1.00	(\$4,581.79)
CCO 105	Repair crash cushions	LS	3,817.28	\$ 1.00	\$3,817.28
CCO 120	Vehicle accident repairs	LS	-446.14	\$ 1.00	(\$446.14)
CCO 122	Clean drain	LS	-2,467.88	\$ 1.00	(\$2,467.88)
	install irrigation crossover		-7,285.23	\$ 1.00	(\$7,285.23)
C60	Install irrigation & landscaping		-2,851.78	\$ 1.00	(\$2,851.78)
C76	Extra work remove/dispose rock		-11,240.00	\$ 1.00	(\$11,240.00)
C80	Deductive amount		16,865.92	\$ 1.00	\$16,865.92
C81	Added amount		-9,344.00	\$ 1.00	(\$9,344.00)
x103-F	Minor concrete	M3	0.30	\$ 2,385.00	\$703.58
x105-S	Joint seal (MR 50MM)	M	2.00	\$ 150.00	\$300.00
x115	Roadside sign - one post	LS	-2.00	\$ 348.00	(\$696.00)
x116	Roadside sign - two post	LS	-1.00	\$ 803.00	(\$803.00)
x117	Install sign (strap and...)	LS	-1	\$ 160.00	(\$160.00)
x118	450 MM RC Pipe	M	80.57	\$ 156.00	\$12,568.92
x120	750 MM RC Pipe	M	4.00	\$ 228.00	\$912.00
x121	450 M Corrugated Pipe	M	-3.35	\$ 213.00	(\$713.98)
x123	100 Plastic pipe edge dr	M	-5.40	\$ 78.00	(\$421.20)
x125	300 MM Corrugated steel pipe	M	-0.40	\$ 215.00	(\$86.00)
x126	Welded steel pipe casing	M	-44.87	\$ 275.00	(\$12,339.25)
x127	750 MM welded steel casing	M	12.60	\$ 350.00	\$4,410.00
x129	Jacked 750 MM Welded steel pipe	M	-52.00	\$ 2,082.00	(\$108,264.00)
x130	Jacked 750 MM Welded steel pipe	M	-0.23	\$ 2,082.00	(\$488.54)
x131	300 MM Ductile iron pipe	M	5.72	\$ 222.00	\$1,270.06
x133	400 MM Ductile iron pipe	M	90.77	\$ 235.00	\$21,330.02
x134	400 MM Welded steel pipe	M	-118.70	\$ 155.00	(\$18,398.50)
x139	150 MM Gate valve	EA	-1.00	\$ 1,445.00	(\$1,445.00)
x141	250 MM Gate valve	EA	-1.00	\$ 2,355.00	(\$2,355.00)
x145	100 MM Air vacuum release valve	EA	-5.00	\$ 7,810.00	(\$39,050.00)
x146	200 MM air vacuum release valve	EA	-1.00	\$ 8,560.00	(\$8,560.00)
x151	500 air vacuum release valve	EA	-5.00	\$ 4,710.00	(\$23,550.00)
x153	900 MM precast concrete inlet	M	-1.60	\$ 642.00	(\$1,027.20)

Item No.	Description	Quantity	Units	Unit Price	Net Amount
x154	375 MM Vitrified clay pipe	M	272.00	\$ 369.00	100,368.00
x159	Minor concrete (ditch lining)	M3	145.67	\$ 555.00	80,846.85
x160	Minor concrete (misc. construction)	M3	12.94	\$ 423.00	5,473.62
x161	Minor concrete (colored paving)	M2	-262.50	\$ 88.00	(23,100.00)
x164-s	Chain link fence (Type CI-1.8)	M	79.66	\$ 44.35	3,532.92
x165-s	Chain link fence (Type CI-1.2)	M	-80.54	\$ 44.40	(3,575.98)
x168	Delineator Class 1	EA	-20.00	\$ 37.50	(750.00)
x169	Object marker (Type P)	EA	-9.00	\$ 91.00	(819.00)
x171	Barrier marker (reflective)	EA	-149.00	\$ 8.55	(1,273.95)
x175-F	Cable railing	M	-0.50	\$ 183.00	(91.50)
x180	Concrete barrier (Type 60C)	M	-65.47	\$ 365.00	(23,896.55)
x182	Concrete barrier (Type 738B mod)	M	-0.08	\$ 295.00	(24.78)
x183-F	Concrete barrier (Type 738 modifi)	M	-0.19	\$ 167.00	(32.40)
x184-S	Thermoplastic pavement marking	M2	-371.00	\$ 32.10	(11,909.10)
x185-S	100 MM Thermoplastic traffic strip	M	-11,660.00	\$ 1.07	(12,476.20)
x186-S	200 MM Thermoplastic traffic strip	M	-519.00	\$ 1.50	(778.50)
x187-S	200 MM Thermoplastic traffic strip	M	-1,207.00	\$ 1.39	(1,677.73)
x189-S	100 MM Thermoplastic Traffic strip	M	944.00	\$ 0.75	708.00
x190-S	Paint traffic stripe (2 coat)	M	-266.00	\$ 0.43	(114.38)
x191-S	Paint pavement marking (2-coat)	M2	-390.37	\$ 23.55	(9,193.21)
x192-S	Pavement marker (non-reflective)	EA	312.00	\$ 1.07	333.84
x193-s	Pavement marker (retroreflective)	EA	-731.00	\$ 2.15	(1,571.65)
x229	Rip rap	Tonn	1.75	\$ 150.00	262.50
	Misc adjustment for Expedition en	LS	-1.00	\$ 14,211.80	(14,211.80)
					(455,237.00)

Reasons for Changes:

To account for actual quantities.

1. Amount of original contract	\$ 31,189,493.23
2. Sum of prior change orders (NO. <u>1</u> THRU <u>125</u>)	5,101,075.52
3. Sum of contract prior to this change order	36,290,568.75
4. Amount of this change order	(\$455,237.00)
5. Sum of contract including this change order	\$ 35,835,331.75

Contract time will be changed by 0 days

Completion date of this change order is

6/20/2014

City Council/Mayor _____ Date _____

Contractor _____ Date _____

Attest: City Clerk _____ Date _____

N/A _____ Date _____

Project Manager _____ Date _____

Department Director _____ Date _____

AECON Technical Services _____ Date _____

Contract Compliance Committee _____ Date _____

Ins for City of Oxnard _____ Date _____

Budget/Grants _____ Date _____

Dept Section/Purchasing Agent _____ Date _____

N/A _____ Date _____

City Manager _____ Date _____

Item No.	Description	Quantity	Units	Unit Price	Net Amount
x154	375 MM Vitrified clay pipe	M	272.00	\$ 369.00	\$100,368.00
x159	Minor concrete (ditch lining)	M3	145.67	\$ 555.00	\$80,846.85
x160	Minor concrete (misc. construction)	M3	12.94	\$ 423.00	\$5,473.62
x161	Minor concrete (colored paving)	M2	-262.50	\$ 88.00	(\$23,100.00)
x164-s	Chain link fence (Type CI-1.8)	M	79.66	\$ 44.35	\$3,532.92
x165-s	Chain link fence (Type CI-1.2)	M	-80.54	\$ 44.40	(\$3,575.98)
x168	Delineator Class 1	EA	-20.00	\$ 37.50	(\$750.00)
x169	Object marker (Type P)	EA	-9.00	\$ 91.00	(\$819.00)
x171	Barrier marker (reflective)	EA	-149.00	\$ 8.55	(\$1,273.95)
x175-F	Cable railing	M	-0.50	\$ 183.00	(\$91.50)
x180	Concrete barrier (Type 60C)	M	-65.47	\$ 365.00	(\$23,896.55)
x182	Concrete barrier (Type 736B mod)	M	-0.08	\$ 295.00	(\$24.78)
x183-F	Concrete barrier (Type 736 modifi)	M	-0.19	\$ 167.00	(\$32.40)
x184-S	Thermoplastic pavement marking	M2	-371.00	\$ 32.10	(\$11,909.10)
X185-S	100 MM Thermoplastic traffic strip	M	-11,660.00	\$ 1.07	(\$12,476.20)
x186-S	200 MM Thermoplastic traffic strip	M	-519.00	\$ 1.50	(\$778.50)
x187-S	200 MM Thermoplastic traffic strip	M	-1,207.00	\$ 1.39	(\$1,677.73)
x189-S	100 MM Thermoplastic Traffic strip	M	944.00	\$ 0.75	\$708.00
x190-S	Paint traffic stripe (2 coat)	M	-266.00	\$ 0.43	(\$114.38)
x191-S	Paint pavement marking (2-coat)	M2	-390.37	\$ 23.55	(\$9,193.21)
x192-S	Pavement marker (non-reflective)	EA	312.00	\$ 1.07	\$333.84
x193-s	Pavement marker (retroreflective)	EA	-731.00	\$ 2.15	(\$1,571.65)
x229	Rip rap	Tonn	1.75	\$ 150.00	\$262.50
	Misc adjustment for Expedition err	LS	-1.00	\$ 14,211.80	(\$14,211.80)
					(\$455,237.00)

Reasons for Changes:

To account for actual quantities.

1. Amount of original contract	\$ 31,189,493.23
2. Sum of prior change orders (NO. 1 THRU 125)	5,101,075.52
3. Sum of contract prior to this change order	36,290,568.75
4. Amount of this change order	(\$455,237.00)
5. Sum of contract including this change order	\$ 35,835,331.75

Contract time will be changed by 0 days

6/20/2014

Completion date of this change order is

City Council/Mayor Date

Attest: City Clerk Date

Project Manager Date

City Engineer Date

Dept/Section/Purchasing Agent Date

Contractor Date 12/29/15

Department Director Date

Contract Compliance Committee Date 1/5/16

Budget/Grants Date

N/A

City Manager Date

CONTRACT CHANGE ORDER SUMMARY**Rice Ave - Santa Clara Ave Interchange Improvements Over Highway 101****CONTRACT AMOUNT = \$31,189,493.23****City of Oxnard - PW03-19**

CCO NUMBER	CCO DESCRIPTION	METHOD OF PAY	CCO AMOUNT AUTHORIZED	APPROVAL DATE	CHANGES TO DAYS
1	Pothole and Shoulder Repair (+9 days)	EWFA	\$119,224.00	3/25/2010	9
2	Additional Traffic Control	EWFA	\$30,000.00	4/27/2010	
3	Geotech Test Pile	EWFA	\$136,097.69	7/19/2010	
4	Remove Buried Manmade Objects	EWFA	\$15,000.00	7/19/2010	
5	Maintain Highway Lighting	EWFA	\$35,000.00	7/19/2010	
6	Drainage Revisions	ACUP / EWFA	\$62,373.75	7/19/2010	
7	Steel casing	ACLS	\$33,580.00	9/8/2010	
8	Santa Clara detour	Incr Item/EWFA	\$21,274.30	9/8/2010	
9	Waterline (45") monitoring	EWFA	\$6,000.00	9/8/2010	
10	Change Pipe Pile Thickness (Credit)	ACUP (Credit)	(\$316,007.50)	9/8/2010	
11	Additional SWPPP Measures	ACUP	\$50,000.00	9/8/2010	
12	Remove excess fill due to survey discrepancy, removing additional chain link fence due to survey discrepancy	Incr Item/EWFA	\$24,851.81	9/8/2010	
13	Temporary sidewalk (V1)	EWFA	\$17,000.00	9/8/2010	
14	SWPPP/ New general Permit Requirements	ACUP/Items	\$193,744.45	7/31/2012	
15	Remove embankment fill next to 45" water line	Incr Item/EWFA	\$245,292.50	12/14/2010	
16	Utility Tables	NO COST	\$0.00	11/29/2010	
17	Shell Station driveway	Incr Item/EWFA		N/A	
18	Pavement Repair (+1 day)	EWLS	\$91,442.08	12/14/2010	1
19	Sewer Elevation Changes (MH 3 & 4)	EWFA	\$23,855.00	9/15/2011	
20	DS 4 Type 1 channel changes	EWFA	\$30,504.67	10/11/2011	
21	Caltrans City Spec Conflicts	Unilateral (EWFA)	\$0.00		
22	Concrete V Ditch Changes DS3 DS4	ACLS			
23	County Sewer Relocation	ACLS	\$9,710.96	9/9/2011	
24	QC/QC Pay Factor 1	NO COST	\$0.00	4/7/2011	
25	Wick Drains	EWFA / EWAP	(\$5,651.00)	8/22/2011	
26	Wick Drain Material	NO COST	\$0.00	4/7/2011	
27	Type 60 Barrier Lighting	EWFA/ ACLS	\$20,000.00	4/7/2011	
28	V-ditch at V2	Item Inc/EWLS	\$44,443.36	10/11/2011	
29	Sewer Bypass	EWFA/EWAP	\$135,999.62	7/26/2011	
30	DS # 3 Channel Alignment	No Cost	\$0.00	6/1/2011	
31	Water Lines	EWFA/AP/LS	\$862,223.13	7/12/2011	
32	Survey by Contractor	Lump Sum/EWFA	\$116,952.75	7/26/2011	
33	Survey by Contractor	EWLS	\$24,000.00	6/21/2011	
34	Potholing	EWFA	\$24,000.00	8/22/2001	
35	Survey bust Abut 3	ACLS	\$18,804.80	9/27/2011	
36	Traffic Opening	NO COST	\$0.00	11/16/2011	

CONTRACT CHANGE ORDER SUMMARY**Rice Ave - Santa Clara Ave Interchange Improvements Over Highway 101**

CONTRACT AMOUNT =

\$31,189,493.23

City of Oxnard • PW03-19

CCO NUMBER	CCO DESCRIPTION	METHOD OF PAY	CCO AMOUNT AUTHORIZED	APPROVAL DATE	CHANGES TO DAYS
37	R2 Loading	Item Inc/EWUP	\$7,734.19	9/27/2011	
38	Oil Price Index Adjustment	ACLS	\$201,249.26	7/31/2012	
39	Settlement Monitors	ACLS	\$40,462.80	12/6/2011	
40	MBGR @ OH Signs	EWFA/Item Dec/UP	\$53,148.51	12/6/2011	
41	Credit for CCO # 40	Dec in EW	(\$18,900.00)	1/26/2012	
42	Additional MBGR	Item Increase	\$23,457.62	3/20/2012	
43	Close NB MBGR	Item Increase/Decrease	\$10,196.20	3/21/2012	
44	Additional Calendar Days (+74 days)	NO COST	\$0.00	3/12/2012	74
45	Delete Gateway Sign	Item Delete	(\$23,750.00)	3/19/2012	
46	Modify drainage system #10	EWFA/Inc/Dec	\$36,483.42	5/1/2012	
47	Delete surveyors	Deleted change order	\$0.00	4/18/2012	
48	Modify gas station driveway	EWFA/Inc/Dec/ACLS	\$31,680.39	5/1/2012	
49	Ventura Blvd water line	EWFA/Inc/Dec/ACLS	\$314,134.00	5/15/2012	
50	Portland concrete cement specification	ACLS	\$325,621.92	7/31/2012	
51	Not used				
52	Not used				
53	Widen northbound shoulder on-ramp	EWFA	\$15,000.00	6/27/2012	
54	Ventura Blvd west	Inc/Dec	\$48,518.70	7/31/2012	
55	Splice overhead sign poles		\$69,554.88	7/31/2012	
56	Water lines service laterals	EWFA/ACLS	\$16,586.83	7/17/2012	
57	Pile driving tests	ACLS	\$52,658.86	7/31/2012	
58	Revised shoulder structural section	ACLS/Inc/Dec	(\$29,564.93)	10/2/2012	
59	MSE wall top panels				
60	Additional Traffic Control	EWFA	\$24,000.00	9/20/2012	
61	Drain pipe	EWFA	\$22,500.00	12/5/2012	
62	Move right of way fence	EWFA	\$18,000.00	11/26/2012	
63	Plant Establishment (+365 days)	NA	\$0.00	7/25/2013	365
64	Deduction for sewer line	EWFA/Dec	(\$21,856.71)	1/23/2013	
65	Retaining wall, chain link fence, & slope paving	EWFA	\$45,000.00	4/23/2013	
66	Remove Buried Manmade Objects--Asphalt Slab	EWFA	\$24,000.00	4/24/2013	
67	Missing irrigation cross over	EWFA	\$20,000.00	4/23/2013	
68	Landscaping for Sunbelt	EWFA	\$7,500.00	5/17/2013	
69	Landscaping revisions	ACUP, ACLS	(\$108,429.08)	1/28/2014	
70	Asphalt paving index	ACLS	\$94,991.44	1/28/2014	
71	Not used				
72	Asphalt NB 101 at Nyeland Acres	EWFA	\$40,000.00	10/15/2013	

CONTRACT CHANGE ORDER SUMMARY**Rice Ave - Santa Clara Ave Interchange Improvements Over Highway 101****CONTRACT AMOUNT = \$31,189,493.23****City of Oxnard • PW03-19**

CCO NUMBER	CCO DESCRIPTION	METHOD OF PAY	CCO AMOUNT AUTHORIZED	APPROVAL DATE	CHANGES TO DAYS
73	Fence, claim settlement	ACLS	\$12,293.13	1/29/2014	
74	Replace mulch with erosion control in detention basin \$30,514.88	EWAP, ACUP	\$30,514.88	11/5/2013	
75	Additional SWPPP \$52,400.25	EWAP	\$52,400.25	11/5/2013	
76	Re-grade detention basin for decomposed granite edge	EWFA	\$7,000.00	9/26/2013	
77	Rice & Gonzales median repair \$17,072.27 (+2 days)	EWAP	\$17,072.27	10/3/2013	2
78	Gas station slope landscaping	EWAP	\$20,949.08	1/22/2014	
79	Place excess rock in swale	N/A	\$0.00	10/29/2013	
80	Dispose of rocks	EWAP	\$15,000.00	11/7/2013	
81	More SWPPP--Annual Report	EWAP	\$1,312.50	11/21/2013	
82	Rock Blanket	NO COST	\$0.00	2/21/2014	
83	Bore in Auto Center for median irrigation	EWFA	\$20,000.00	12/3/2013	
84	Extra work for conflicts 2010-2012	EWAP	\$218,077.08	1/14/2014	
85	Additional Traffic Control	ACLS	\$14,119.16	1/7/2014	
86	Additional Potholing	EWAP	\$27,169.70	1/14/2014	
87	Pumps & Irrigation Controllers	ACLS	\$11,182.52	12/23/2013	
88	Auto Center median	ACLS	\$19,040.70	12/23/2013	
89	Misc. Work	ACLS	\$20,660.89	1/22/2014	
90	Misc. Work Sunbelt et al.	ACLS	\$24,887.22	1/22/2014	
91	Grind & Pave Santa Clara	ACLS	\$23,911.00	1/22/2014	
92	Weed clearing	ACLS	\$39,000.00	4/8/2014	
93	Additional SWPPP	ACUP	\$15,036.00	1/22/2014	
94	Mobile home park extra work	ACLS	\$7,397.19	1/22/2014	
95	Replace irrigation controller	EWAP, EWFA	\$14,131.48	1/23/2014	
96	Irrigation Credits	ACLS	(\$56,674.54)	5/29/2014	
97	Sidewalk Repair Santa Clara	EWFA	\$12,000.00	2/20/2014	
98	More SWPPP--Annual Report	EWAP	\$2,331.00	2/20/2014	
99	Emergency Repair Guard Rail	ACLS	\$6,759.90	3/24/2014	
100	Sewer Bypass Extra Work	ACLS	\$23,969.36	3/6/2014	
101	Weep Holes	ACLS	\$43,768.81	4/8/2014	
102	Repair MGBR from accident	ACLS, EWFA	\$12,981.75	3/19/2014	
103	Repair fence, asphalt from collision	EWFA	\$7,000.00	4/3/2014	
104	Extend MBGR NB 101 Ramp	EWAP	\$1,123.08	6/9/2014	
105	Replace crash barrels	EWAP	\$5,338.11	8/14/2014	
106	Sewer line, misc. work	EWAP	\$24,079.58	6/17/2014	
107	Sleeve in drainage system	EWAP	\$18,255.00	7/7/2014	

CONTRACT CHANGE ORDER SUMMARY**Rice Ave - Santa Clara Ave Interchange Improvements Over Highway 101**

CONTRACT AMOUNT =

\$31,189,493.23

City of Oxnard - PW03-19

CCO NUMBER	CCO DESCRIPTION	METHOD OF PAY	CCO AMOUNT AUTHORIZED	APPROVAL DATE	CHANGES TO DAYS
108	Weed clearing	EWAP	\$12,074.57	7/7/2014	
109	Misc extra work	EWAP	\$17,827.64	7/7/2014	
110	Misc extra work 2010-2013	EWAP	\$19,786.21	7/16/2014	
111	Drainage pipe, embankment	EWAP	\$14,061.16	7/15/2014	
112	Item Adjustments	ACLS	\$168,287.00	10/28/2014	
113	MBGR Repair for collisions	EWFA	\$15,000.00	2/19/2015	
114	Item Adjustment #28 Water Line Credit	ACLS	(\$62,560.07)	3/3/2015	
115	Replace damaged traffic pole	EWAP, EWFA	\$11,171.02	9/16/2014	
116	Verizon wires for ramp meter	EWFA	\$5,000.00	9/18/2014	
117	Delete pre-construction video	N/A	\$0.00	10/16/2014	
118	Repair low spot, MBGR	EWFA	\$8,500.00	11/5/2014	
119	Repair sidewalk cracks	EWFA	\$12,500.00	1/20/2015	
120	Repair MBGR from collision	EWFA	\$10,000.00	1/20/2015	
121	Delay claim for 45" water line	ACLS	\$445,321.80	10/14/2015	245
122	Clean drainage inlets	EWFA	\$6,000.00	3/19/2015	
123	Maintenance signs for asphalt	ACLS	\$8,306.85	9/22/2015	
124	Delay claims for TIAs #2-6	ACLS	\$281,734.20	12/15/2015	155
125	Sweeping	EWAP	\$6,283.37	11/17/2015	
126	Final balancing order	Inc/Dec	(\$455,237.00)		
	APPROVED CCO TOTAL		\$4,645,838.52	14.9%	851

**APPROVED CONTRACT
AMOUNT:****\$35,835,331.75**

** EWAP Extra work at Agreed Price
 EWFA Extra Work at Force Account
 Adjustment of Compensation at
 ACUP Unit Price
 Adjustment of Compensation at
 ACLS Agreed Lump Sum
 Inc/Dec Item Increase / Item Decrease
 DT Deferred Time

City Contributions

Fund Name	Fund Number	Budget Amount
Transportation Development Fund	184	\$ 291,502
Capital Outlay Fund	301	\$ 1,760,687
Circulation System Improvement Fees	354	\$ 9,745,088
Water Operating Fund	601	\$ 406,787
Wastewater Collection Fund	611	\$ 31,600
Total		\$ 12,235,664



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: L-2

DATE: February 2, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Ashley Golden, Development Services Director

SUBJECT: Planning and Zoning Permit No. 15-650-01 (Street Naming), Ogden Court

CONTACT: Dan O'Friel, Development Services
dan.ofriel@ci.oxnard.ca.us, 385-7868

RECOMMENDATION

That City Council Adopt a Resolution Approving the Request to Name a Currently Unnamed Street "Ogden Court".

BACKGROUND

There is an unnamed street off Auto Center Drive within the Rose-Santa Clara Corridor Specific Plan area. The 435-foot unnamed street section intersects with Auto Center Drive approximately 670-feet west of the intersection of Santa Clara Avenue and Auto Center Drive. City Council action is necessary to officially name a street. On September 5, 2013, the Street Naming Committee (SNC) reviewed and recommended "Ogden Court" as the name for the unnamed street.

The SNC makes recommendations based on City Council Resolution No. 13,448, which established street naming policies such as the City's alphabetical grid system, thematic quadrants, ease of spelling and pronunciation, and conflicts with similar existing named streets. The street is located within the Del Norte Quadrant which establishes that streets be assigned a geographic place name (such as cities, countries, rivers, valleys, mountain, lakes, or parks). Ogden is the name of a City in the State of Utah with a population of approximately 85,000 that is approximately 10 miles east of the Great Salt Lakes and 40 miles north of Salt Lake City. The street name suffix is Court because of the street's physical configuration.

The street abuts three commercial properties, Gibbs International Truck Center, Security Self Storage, and Valley Trailer Villa. None of the properties have addresses on the subject street and Gibbs International is the only property with secondary access. The self-storage facility has buildings backing up to street side and the trailer park has a 60 foot portion that abuts an unfinished portion of the street, but no access is available. The Police Department requested the street be named to facilitate response calls for service.

The proposed street renaming is exempt from the California Environmental Quality in accordance with Section 15061(b)(3) of the CEQA Guidelines, which applies to projects involving activities that can be seen with certainty to have no possibility for causing a significant effect on the environment, such as the proposed street naming. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

FINANCIAL IMPACT

None.

ATTACHMENTS

- 1 - Street Naming Location Exhibit
- 2 - Resolution

PZ 15-650-01
Street name dedication
"Ogden Court"

OGDEN CT

AUTO CENTER DR

SANTA CLARA AV

VENTURA BL

101 FWY NORTH

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVE PLANNING AND ZONING PERMIT NO. 15-650-01 (STREET NAMING) TO NAME A CURRENTLY UNNAMED STREET THAT INTERSECTS WITH AUTO CENTER DRIVE AND IS LOCATED APPROXIMATELY 670-FEET WESTERLY OF THE INTERSECTION OF SANTA CLARA AVENUE AND AUTO CENTER DRIVE. FILED BY THE CITY OF OXNARD, PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.

WHEREAS, in accordance with City Council Resolution No. 14,448, the Street Naming Committee has reviewed and recommended that the City Council approve Planning and Zoning Permit No. 15-650-01, to name an unnamed street within the Rose-Santa Clara Corridor Specific Plan, filed by the City of Oxnard, Planning Division; and

WHEREAS, the California Environmental Quality Act (CEQA) provides a general rule exemption in accordance with State CEQA Guidelines section 15061(b)(3) for projects that have no potential for causing significant effects on the environment; and

WHEREAS, the Street Naming Committee has followed the procedure and policies as set forth in City Council Resolution No. 13,448; and

WHEREAS, the Street Naming Committee determined that there are no site addresses along the existing unnamed street; and

WHEREAS, the Street Naming Committee is in favor of naming the unnamed street as "Ogden Court"; and

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the request (Planning & Zoning Permit No. 15-650-01) to name the currently unnamed street as "Ogden Court" is hereby approved.

[SIGNATURES ON FOLLOWING PAGE]

Attachment 2
Page 1 of 2

PASSED AND ADOPTED this ____ day of _____ 2016, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, Interim City Attorney



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: L-3

DATE: February 2, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Ashley Golden, Development Services Director

SUBJECT: Resolution of Intention to Amend and Update the Local Coastal Program (LCP)

CONTACT: Chris Williamson, Development Services
Chris.Williamson@ci.oxnard.ca.us, 385-8156

RECOMMENDATION

That the City Council adopt a resolution of intention to amend and update the Oxnard Local Coastal Program (LCP), Planning and Zoning Permit (PZ) No. 15-410-03, and recognize and authorize that select amendments related to urgency Ordinance 2891 that expires on June 30, 2016 prohibiting the expansion of existing, or development of new, electrical generating facilities within the Oxnard Coastal Zone may be adopted in advance of the comprehensive LCP update.

BACKGROUND

Per City Code Section 17-57(C)(8)(a), initiation of one or more amendments related to urgency Ordinance 2891 and/or the comprehensive LCP update requires adoption of a resolution of intention by either the Planning Commission or the City Council. In the present case because Ordinance 2891 was initiated by the City Council, the Resolution of Intention to Amend the Oxnard LCP should be adopted by the City Council.

Adopted in late 2011, the Oxnard 2030 General Plan includes Community Development (CD) Goal CD-21, "Update the Oxnard Local Coastal Program," with four implementing policies that provide direction for: CD-21.1) Removal of Liquid Natural Gas Reference, CD-21.2) Modify non-Coastal Dependent Energy Uses, CD-21.3) Future Use of Coastal Power Plants, and CD-21.4) Coastal Zone Land Use Designation Changes. In addition, Goal CD-22 calls for the restoration of the Ormond Beach wetlands. In 2012, the City began working with The Nature

Conservancy (TNC) as TNC and expert partners used dynamic sea level rise modeling to project changes in coastal storm hazards under 2030, 2060, and 2100 National Research Council climate change scenarios for the Oxnard coast. In tandem with TNC's project, the California Coastal Commission (Commission) initiated a state-wide LCP update grant program and developed and adopted the Sea Level Rise Policy Guidance for use in LCP updates and permit processing. In 2014, the City received two Commission grant awards totaling \$150,000 to comprehensively update the Oxnard LCP, which was originally completed in 1982 and includes minimal consideration to sea level rise. Consultants were retained in August of 2015 and the LCP update is in progress consistent with the 2030 General Plan and Commission guidelines. Initial LCP update public meetings were held on October 29 and November 4, 2015.

The Oxnard Coastal Zone has a wide range of natural habitat areas, recreational marinas and beaches, urban and commercial uses, and public infrastructure including three regional electric-generation power plants: Ormond Beach Generating Station (OBGS), Mandalay Generating Station (MGS), and the Southern California Edison (SCE) McGrath Peaker Plant. The OBGS and MGS are Once-Through-Cooling (OTC) facilities that are mandated to comply with the State Water Quality Control Board (WQCB) Policy on the Use of Coastal and Estuarine Water for Power Plant Cooling (OTC Policy) by December 31, 2020. NRG, the owner operator of both OTC facilities, has filed with the California Energy Commission (CEC) to replace the over 50-year old MGS with a new facility that does not use ocean water for cooling. WQCB documents indicate the OBGS will comply, but compliance does not necessarily lead to decommissioning and/or demolition of the OBGS. The SCE McGrath Peaker Plant is not subject to the OTC policy.

Under the City's 1982 LCP, energy generation facilities are allowed uses within the Oxnard LCP Energy Coastal (EC) subzone even if they are not coastal dependent. The EC-designated areas are located adjacent to the Pacific Ocean between public beaches, endangered species protected habitat areas, and wetlands restoration areas and EC areas are subject to existing and increasing coastal hazards and flooding based on TNC modeling consistent with Coastal Commission scenarios. The Federal Emergency Management Agency's (FEMA) California Coastal Analysis and Mapping (CCAMP) preliminary working maps show the OBGS completely surrounded by coastal flooding and the flood zone reaching to top of the dune in front of the MGS, a dune that NRG states will protect the new MGS until the year 2050. Because both the MGS is seeking a CEC permit for a replacement facility and NRG may yet seek to extend the operation of the OGS past 2020, or even seek a new facility, on July 1, 2014, the City Council unanimously adopted Ordinance No. 2882, an interim urgency measure imposing a moratorium on the approval of any special use permit, coastal development permit or any other discretionary City permit or approval for the construction, expansion, replacement, modification or alteration of any facilities for the on-site generation of electricity with a capacity greater than 25 MW on any property located within the Oxnard Coastal Zone. On July 29, 2014, the City Council unanimously adopted Ordinance No. 2884, which extended the urgency moratorium to June 30, 2015. On May 19, 2015, the City Council unanimously adopted Ordinance No. 2891 which extended the moratorium to June 30, 2016.

FINANCIAL IMPACT

Funding for the LCP update currently exists from grants previously awarded by California Coastal Commission and Ocean Protection in the amount of \$150,000 and General Plan Maintenance Fee funds in the amount of \$208,000. These funds totaling \$358,000 have been appropriated in the Local Coastal Plan Update Project #14IN01. An additional \$50,000 is currently encumbered for two consultants advising the City on the NRG power plant permitting process. General Plan Maintenance Fee revenues will be recommended for appropriation to the project and brought before City Council for additional funding required in the future.

In a letter to the Executive Director of the Coastal Commission dated November 18, 2015, attorneys for NRG asserted that the City was improperly using LCP grant funds to 'target' NRG. The Executive Director replied in December 18, 2015 letter that there was no misuse of LCP funds and that the City was not precluded from proposing LCP-related actions during the LCP Update period.

ATTACHMENT

1 - Resolution of Intention to Amend the Oxnard Local Coastal Program

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD OF
INTENT TO AMEND THE OXNARD LOCAL COASTAL PROGRAM. FILED
BY ASHLEY GOLDEN, DEVELOPMENT SERVICES DEPARTMENT, CITY
OF OXNARD, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.**

WHEREAS, the City of Oxnard adopted a Local Coastal Program (LCP) in 1982 consisting of a Coastal Land Use Plan and a corresponding implementation program (IP) adopted in 1986, the LCP was certified by the California Coastal Commission, and both the Land Use Plan and IP have been variously amended since their respective adoptions; and

WHEREAS, the Oxnard 2030 General Plan, adopted in 2011, includes Goal CD-21, "Update the Oxnard Local Coastal Program;" and

WHEREAS, the Development Services Department initiated four applications for State grants beginning in 2012 to provide funding for the LCP update; on April, 23, 2014 the California Coastal Commission and Ocean Protection Council released an announcement of LCP update grant funding opportunity; on July 7, 2014, the Development Services Department Director submitted a grant application requesting a total of \$150,000 to update the Oxnard LCP; and at their respective meetings in November and December, 2015 the California Coastal Commission and Ocean Protection Council approved a total of \$150,000 in grants for the Oxnard LCP update; and

WHEREAS, between January and September 2015, the Development Services Department Director and City Council approved a grant agreement with the California Coastal Commission, staff initiated a search for and retained a team of LCP update consultants; and the LCP update consultants have initiated several LCP update tasks including a sea level risk coastal hazards report that was presented to the public at two meeting in late 2015; and

WHEREAS, the LCP update sea level risk coastal hazards report indicates that the Ormond Beach and Mandalay Generating Stations are at risk for existing and future-with-sea-level-rise coastal hazards including king tides, wave run up, coastal storm surge, coastal erosion, riverine flooding, and tsunami inundation; and

WHEREAS, the Development Services Department Director provided this same coastal hazard evidence to the California Public Utilities Commission and the California Energy Commission in their respective ongoing reviews of the proposed NRG Puente Power Plant project located adjacent to the Mandalay Generating Station; and

WHEREAS, recently released Federal Emergency Management Agency's (FEMA) California Coastal Analysis and Mapping (CCAMP) preliminary working maps show the Ormond Beach Generating Station surrounded by coastal flooding and the flood zone reaching to top of the dune in front of the Mandalay Generating Station, a dune that NRG states will protect the new Puente Power Plant until the year 2050 even with expected sea level rise; and

WHEREAS, as NRG is seeking an Energy Commission permit for the Puente Power Plant and NRG may yet seek to extend the operation of the Ormond Beach Generation Station past 2020 or even seek a new facility, on July 1, 2014, the City Council unanimously adopted Ordinance No. 2882, an interim urgency measure imposing a moratorium on the approval of any special use permit, coastal development permit or any other discretionary City permit or approval for

the construction, expansion, replacement, modification or alteration of any facilities for the on-site generation of electricity with a capacity greater than 25 MW on any property located within the Oxnard Coastal Zone; and on July 29, 2014, the City Council unanimously adopted Ordinance No. 2884 extending the urgency moratorium to June 30, 2015 and on May 19, 2015, the City Council unanimously adopted Ordinance No. 2891 extending the moratorium to June 30, 2016; and

WHEREAS, there is a possibility that the proposed Puente Power Plant project may be evaluated against the current Oxnard 1982 LCP that does not include recently completed coastal hazards mapping, vulnerability analyses, and adaptation and mitigation policies; and

WHEREAS, Southern California Edison characterizes the NRG Puente Power Plant as a critical energy generation facility for the Moorpark subarea of the Big Creek load pocket and evidence strongly suggests that development of the project would result in a critical public energy-generation infrastructure being in a location subject to existing and increasing coastal hazards that jeopardize its reliability during its 30 year operating life; and

WHEREAS, Public Resource Code section 21080.9 provides an exemption from the California Environmental Quality Act (CEQA) for activities and approvals by local governments related to local coastal programs, and that the California Energy Commission has sole jurisdiction over the siting permit and environmental review for a power generation plant over 50 MW; and

WHEREAS, in accordance with Section 30514 of the California Public Resource Code, a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the City Council and all written and oral evidence presented, the City Council finds that:

1. The City of Oxnard intends to comprehensively update the 1982 Oxnard Local Coastal Program consisting of the Coastal Land Use Plan and the Implementation Plan consistent with the 2007 Coastal Commission Local Coastal Plan Update Guide and the 2015 Sea Level Rise Policy Guidance.
2. The City of Oxnard intends to propose one or more LCP amendments related to Urgency Ordinance 2891 in advance of the comprehensive LCP update amendment that are intended to be consistent with the subsequent comprehensive LCP update and necessitated by the June 30, 2015 expiration of Ordinance 2891.

PASSED, APPROVED, AND ADOPTED this 2nd day of February, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Tim Flynn, Mayor

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, Interim City Attorney



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report

AGENDA ITEM NO.: L-4

DATE: February 2, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

A handwritten signature in blue ink, appearing to read "Greg Nyhoff", with a small mark below it.

FROM: Joseph Lillio, Chief Financial Officer
Finance Department

SUBJECT: Review of the City's Financial Management Policies

CONTACT: Joseph Lillio
Joseph.lillio@ci.oxnard.ca.us, 385-7475

RECOMMENDATION

That City Council receive and file the attached update on the City's Financial Management Policies.

OVERVIEW

One of the 128 recommendations in the Organizational assessments recommends a review of the City's Financial Management policies (FMP's). The purpose of this staff report is to review the City's FMP's adopted by the City Council, identify whether the City is currently in compliance with specific policies, and identify next steps to becoming compliant with policies where there is non-compliance. In one case, staff recommends a suspension of one City policy until the City's finances stabilize as memorialized by the multi-year financial forecast.

The FMP's are important City Council policy directives to staff. These FMP's essentially provide staff direction on how the Council wishes to manage and be accountable for the use of financial resources. The organizational assessment identified that while the FMP's were relatively comprehensive, staff was neither complying with every policy nor informing Council about non-compliance. The Organizational Assessment recommends that staff either affirm that the FMP's are being followed or provide plans to address them. The goal of this report is to respond to this recommendation.

Staff has reviewed the FMP's and has included a comment column where we attempt to summarize the relative compliance with each policy along with a color coded column, (delineated by green, yellow, or red) as an easy visual marker to depict the status of each. When applicable, we then summarize next steps to compliance along with estimated timelines.

We have highlighted key points found in Appendix A below including proposed additions to the FMP's.

DISCUSSION

This review describes the current situation in the City and refers to future actions to improve compliance with the City Council's policies and to improve the policies themselves, given the great understanding provided by this policy review related to the City's past practices. These FMP's are one of the most important City Council directives in that these FMP's outline spending priorities; how the annual budget should be developed and changed during the year, when necessary; how the City will fund the budget; how much risk the City is willing to assume through the setting aside of reserves; how the City should manage the public infrastructure and assets; setting parameters on debt; and the level of accountability expected around the use of public funds. Most important among those will be the fiscal health and sustainability elements of the City's implementation of Priority Based Budgeting (PBB). The foundation for a successful PBB effort is a hard look at the City's financial reality and development of a plan to improve and sustain financial health and to assure dependable delivery of high priority, high quality services. Compliance with existing policies and expansion of the City Council's financial policies will be a key element in setting the foundation for the future.

Budget Guidelines: The one policy that we suggest be suspended (highlighted in red) until the City's finances stabilize is the directive of a two-year budget. Given the multi-year forecast suggests that we have more work ahead of us in order to balance future budgets and possibly increase our fund balances in line with the FMP goals, we recommend an annual budget for now. Once our finances appear stabilized as informed with an updated multi-year financial forecast, we can revisit the adoption of a two-year budget. You will also note our commitment to PBB and meeting the spirit and intent of FMP 1.4 where the budget should include and discuss policy options around service levels. We have also commissioned and will maintain a multi-year financial forecast to provide context for the budget, something that would have ameliorated the difficult financial situation that we found ourselves in for the FY 15-16 budget.

Capital Planning and Project Priorities: As you know, we did not propose a new Capital Improvement Plan (CIP) and budget along with the FY 15-16 operating budget submittal. This is primarily due to the need to retool the entire capital planning and budget process to be more in line with the capital related policies outlined in the FMP's. You will also note the enhanced emphasis on master plans for certain infrastructure categories which is critical to protecting assets and the delivery of services. You will also note our recommendation to add to the FMP's that master plans should be developed for City facilities and parks as well.

User Fees and Rates: This FMP category is mainly about apportioning and recovering costs of certain services that provide a private benefit. As a general rule, taxes pay for services that are available to everyone on an equal basis such as public safety services. Fees and charges are typically apportioned based on a proportional individual benefit (or cost to provide that service) such as utility charges or recreation classes. The City can make a policy choice to subsidize some of these services with taxes if

they see some other general benefits to the community. However, to even have this conversation, the City must calculate the true costs of these services. The FMP's call for this to be done annually and the City's tracking of all (indirect and direct) costs for these services are outdated and the uniform schedule of recommended fees and charges have not been updated for years. We have contracted with a firm to bring our practices up to date and staff will be trained to update this on an annual basis.

Fund Balance and Reserve Policies: These two policies cover similar topics in that many people use "reserves" and "fund balance" interchangeably in that they reflect a conscious setting aside of funds to provide a cushion for unexpected or cyclical events that are hard to quantify e.g. recession or drought or for expected events that are also difficult to quantify e.g. lawsuits, workers compensation claims, etc. We are recommending an addition to the Fund Balance policy that will require cash and/or fund balances (estimated beginning and ending) to be accounted for in the budget document. Without disclosure of estimated cash / fund balances, deficit spending can be easily masked. You will also note that we are not meeting the fund balance targets for the general fund. We also need to thoroughly evaluate our risk management funds (workers compensation and liability) vis-à-vis this FMP to ensure we are not inappropriately exposing the general fund to risk. The City's reserve policies will be discussed in the presentation to City Council.

The following reserve policies in utilities were brought before City Council on January 19, 2016:

1. **Utility Best Practices.** Utility operations will adhere to published industry best practices, as they may be adjusted from time to time. The primary goal of the best practices policy is to ensure that the physical and financial integrity and stability of each utility is maintained consistently with industry best practices so that City residents and businesses receive reliable, safe, stable and cost effective utility services. Staffing levels, maintenance, and CIP funding will be adequate to provide reliability and risk within industry best practices.
2. **Revenue Enhancement.** Each utility will maximize its use of grants, optimize the use of low interest loans, and leverage partnerships with other public and private agencies to reduce utility enterprise costs and impacts to customer rates.
3. **Debt Coverage Ratio.** Each utility enterprise will strive to maintain a minimum debt coverage ratio of 1.25 or such other applicable ratio as may be imposed or established from time to time, to optimize bonding capacity and interest rates. To the extent achieving this debt coverage policy requires extraordinary utility rate increases, the City will use its best efforts to meet this policy objective over time while also mitigating the consequences of extraordinary rate increases on utility customers.
4. **Debt Term.** Each utility shall strive to limit its use of debt funding for large value CIP's such that the term of any debt shall be limited to no longer than 75% of the anticipated useful life of the CIP facilities being funded.

5. Reserves. Each utility enterprise fund shall strive to establish and maintain total on-hand cash reserves of at least 90 days of operations and maintenance expenditures, one year of the depreciation value of capital assets, and 180 days of debt service obligation.
6. Use of Debt Financing. Each utility enterprise fund shall also strive to establish and maintain on-hand cash reserves sufficient to cash fund CIP's consistent with the following principles: a) 100% cash funding of assets with useful life less than 15 years, and b) 50% cash funding of CIP's that include assets with useful life over 15 years. Consistent with this policy on debt financing, the blend of cash and debt funding of each significant CIP will be determined on a case by case basis, given the then existing enterprise fund financial conditions.

Methods for Issuing Debt: This section speaks to certain bond rating objectives of AA for all debt. You will note that our general fund Issuer Credit Rating is A+ with a negative credit watch. The water bonds are now A+ with a negative credit watch, wastewater has recently been confirmed by Standard & Poor's with a BBB rating, and solidwaste has recently been confirmed by Standard & Poor's with a A-rating . These are all below the Council FMP goal. It is important to note that ratings below the AA add substantial interest costs (\$\$ millions) to new debt issues contingent on the size of the issuance and the relative deviation from the AA standard. Staff is currently discussing with Council the potential of going to the credit markets for the Water, Wastewater and Solid Waste funds and concurrently evaluating fee increases to fund that debt. How the fee (increase) issue directly impacts the bond ratings (and substantial interest cost swings) and this policy was discussed during the Council meeting on January 19th. Also, by June 30, 2016, the City will be issuing RFP's for Financial Advisors (currently First Southwest) and Bond Counsel. These are two key consulting positions for the issuance of debt, ongoing debt administration and advisory roll in ratings review of the City and it's utilities.

Asset Management: This proposed new section adds a new category of expensive assets that need to be planned for and replaced in a timely basis given they directly impact the delivery of cost effective services. Up to now, the City has not adequately inventoried and set aside funds to timely replace fleet and information technology assets.

FINANCIAL IMPACT

Any current year financial impacts associated with new FMP compliance activities are already budgeted or will be taken separately to Council for review as a separate action item along with associated costs. Any future year costs will be included as part of future budget submittals.

ATTACHMENTS:

Attachment 1 : Status review of the City's Financial Management Policies

This review of the City's Financial Management Policies includes a status column that delineates whether there is compliance with each policy.

Green  : **Current Compliance:** City practices are fully in compliance with the stated policy.

Yellow  : **Current Non-Compliance:** City practices are not fully in compliance with the policy but the estimated date to achieve compliance is delineated in "Next Steps to Compliance".

Red  : **Current Non-Compliance and Cannot Comply:** City practices are not currently complying with the Policy and staff recommends suspending attempts to pursue compliance at this time. This may necessitate a change in the policy in the future.

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Budget Policies					
1	Budget Guidelines	1) The City Council will approve a multi-year revenue and expenditure forecast, which will provide parameters for the budget development process.	Accomplished with FY15-16 Budget Forecast		Forecast will be updated annually as a precursor to the budget process.
		2) The budget process will include the development of a balanced two-year budget. The two-year budget will include an approach that City Council approves appropriations for a one-year operating budget and capital improvement plan.	The 2-year budget will be put on hold for the near-term until the City's long-term financial status stabilizes.		Until the City's long-term financial status stabilizes, we recommend using a one-year budget cycle.
		3) The budget will be organized in a department/service level format.	Currently the budget is organized at the departmental level but with little service level discussion/information.		The FY 16-17 budget will include discussion of a multi-year plan of service levels, performance and a Priority Based Budgeting process/format
		4) The budget development process will include the identification and evaluation of policy options for service levels. However, the adopted budget will include only those policy options approved by City Council.	The FY 15-16 included some discussion of service levels and options in budget workshops as part of cuts only.		Implementation of Priority Based Budgeting principles will begin in FY the FY 16-17 Budget and service levels and priorities will be the focus of the FY 17-18 budget.

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
2	Appropriation Priorities	1) In evaluating the level of appropriations for department enhancements, or expense reductions, staff will apply the following principles in the priority order given: a. Essential services that provide for the health, safety and welfare of residents. b. Adequate ongoing maintenance of facilities and equipment. c. All other services. 2) When reductions in personnel are necessary to reduce expenditures, to the greatest extent possible this will be accomplished through normal attrition.	Accomplished with FY15-16 Budget Target Savings in delivering a Balanced Budget given the City financial assessments & findings		Note that the implementation of Priority Based Budgeting will require adoption of a more comprehensive priority system. Policies to implement that system will be proposed for adoptions by the City Council as part of that process.
3	Supplemental Services	1) The City Council may budget for certain services that may also be provided by other governmental agencies or the private sector. The provision of these services will be based on a demonstrated community need or benefit over time. When appropriate, these services will be supported in whole or in part by user fees.	The City has not undertaken a review of its service mix to determine if there are alternative service providers. It did make the policy decision to take the solid waste operation in-house, which is entirely supported by fees.		Priority based budgeting will provide a framework for evaluation of services that may be provided by more than one entity.
4	Appropriation Changes	1) Changes to the City Council adopted budget for the fiscal year shall occur as follows: a. By City Council action for all changes that either increase or decrease fund appropriations adopted in the annual budget appropriation resolution. b. By the City Manager for appropriation transfers between departments within a fund. c. By the Department Director for appropriation transfers between programs, as long as funding is available in the department as a whole.	While we are in full Compliance with the policy itself, the IAP policy 1a.7 will be discussed in the Spring of 2016 and we will be recommending changes to it.		The Assessment recommended a review and change in the level of budget control—see IAP 1a.7.

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Capital Improvement Program Policies					
5	Capital Planning Period	1) Staff will budget all capital improvements in accordance with an adopted Capital Improvement Project (CIP) Plan.	Resource constraints prevented inclusion of capital projects and important capital maintenance and replacement programs in the FY 15-16 Budget.		Reintroduction of the CIP in the FY 16-17 budget will be based on asset master plans and other sources and will carefully distinguish between one-time and ongoing expenditures.
		2) The City's long-range capital planning period will be a minimum of five years, or longer where appropriate.	The City's CIP has historically been 5 years however as discussed elsewhere in this template, the City has completed Master Plans in selected areas that have a much longer planning horizon		
		3) The Five-Year Capital Improvement Project Plan will be reviewed and approved by City Council every other year or as needed based on economic and funding outlooks. City Council will approve appropriations annually. Appropriation changes will be in accordance with Section I.D.	The current CIP was last updated in FY 13-14. Given the evolving City financial position for FY 15-16, we suspended the CIP for one year.		The Five-Year Capital Improvement Project Plan is underway and will be incorporated into the FY16-17 Budget cycle
		4) The CIP Plan will be in conformance with and support the City's major planning documents: the most current General Plan, project specific plans, and Citywide master plans for related infrastructure improvements.	Resource constraints have limited the usefulness of capital planning in recent years, often producing work lists rather than feasible plans.		CIP Plans will be submitted to the Planning Commission to assure compliance with the City's General Plan.
		5) Staff will prepare strategic plans and master plans for major infrastructure and utility improvements with a 10- or 20-year planning horizon when appropriate.	Many of our master plans are outdated and in process of being updated. The Facilities category does not have a master plan. We recommend adding to this policy that master plans should be prepared for City facilities and parks as well.		Utility Master Plans are expected to be completed in FY15-16. Facility master plan will be evaluated and considered in the FY 2016-17 budget.
6	Capital Project Priorities	1) Staff will evaluate and prioritize each proposed capital project against the following criteria: - o Linkage with community needs as identified in the City's major planning documents. - o Cost/benefit analysis identifying all financial and community impacts of the project. - o Identification of available funding resources. - o Projects that maintain and preserve existing facilities	These criteria are generally used in the respective master plans associated with capital assets and/or in the CIP process. However, the CIP document can better articulate the application of these criteria in the selection of projects. Staff will propose		The CIP plan for FY 16-17 will use these priorities. A five year plan will be prepared consistent with Priority Based Budgeting principles in subsequent years.

ATTACHMENT 1
With service costing
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City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

		○ Projects that replace existing facilities which no longer meet the needs of the community or that can no longer be maintained cost effectively. ○ Projects that provide new and expanded services to the community.	a safety focused priority for Council consideration in the FY 16-17 CIP.		systems in place staff will recommend analysis of maintenance and facility program and operation costs in CIP priorities.
7	Capital Project Management	1) Capital projects will be managed in a phased approach. The project phases will become a framework for appropriate decision points and reporting. The phasing will consist of: a. Conceptual/schematic proposal b. Preliminary design and cost estimate c. Engineering and final design d. Bid administration e. Acquisition/construction f. Project closeout g. Each capital improvement project will have a project manager who will prepare the project proposal, ensure that required phases are completed on schedule, authorize payment of expenditures approved as required by the City's Purchasing Manual, ensure that all regulations and laws are observed, periodically report project status, track project expenditures and perform the project closeout according to current procedures.	Defining parameter for proposed Capital Project. Public Works Director and project manager to ensure compliance and criteria are met for each capital project.		

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Revenue Policies					
8	Maintenance of Revenues	1) The City Council will attempt to maintain a diversified and stable revenue base to shelter the City from short-term fluctuations in any one revenue source.	City has a diverse revenue portfolio		The City's User Fee project will enhance the diversity in the revenue base. It is due to be completed in spring of 2016
		2) The City Council will promote an increase in the City's revenue base through economic development programs that maintain and enhance a vigorous local economy.	The City Council business attraction and retention plan will implemented which will increase revenues.		City staff will focus on implementation of the Council's business attraction and retention plan.
		3) The City Council will seek to supplement the City's revenue base through the identification of and application for State and federal grant funds, which will support identified needs.	City Staff has continuously sought grant funding whenever possible. However, there is an additional Council policy that requires a cost/benefit evaluation with the grants, which is not being done.		The Assessment IAP recommendation 2.27 is due to be completed in 7/16, which updates the grant policy and reaffirms the need to evaluate all costs associated with accepting grants.
9	User Fees and Rates	1) The City Council will attempt to recover the costs of services providing a private benefit to users through the imposition of user fees and charges.	User Fees & Rates have not been updated in a timely basis.		City has issued RFP to conduct User Fees Study which is underway and expected to completed by Spring 2016. In addition the City plans to release an RFP to conduct development impact fee and Community Facilities District studies to mitigate the impacts of future development.
		2) The City Council will establish all user fees and charges at a level related to the direct and indirect costs of providing services and the degree of public versus private benefit.			
		3) Staff will recalculate annually the full costs of activities supported by user fees and rates to identify the impact of inflation and other cost increases.			
		4) The City Council will set fees and user rates for each enterprise fund (e.g., water, wastewater, solid waste) at a level that fully supports the total direct and indirect costs of the activity.	The City has had extensive workshops and meetings over the past year addressing the setting of fees and user rates and what is sustainable.		City Council held a public hearing on January 19 to address the adoption of the fees and rates for each utility.
10	Revenue Collection	1) Staff will take all cost effective actions available to collect revenues	The assessment report found no revenue enforcement officer in the Treasurer's Office, no regular bad debt review and write off and a possible bifurcation of collection duties for accounts		The Assessment IAP includes recommendations 1b.13 to review and evaluate all collection efforts; staff will bring back recommended policy changes during the FY 16-17.

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

			receivables.		17 budget; will address auditing all account receivables and reporting to Council; and creation of bad debt policy.
		2) Staff will grant use fee waivers and debt forgiveness under the following conditions: a. All requests will be approved or disapproved by the City Council on a case by case basis b. Each request will be considered and City Council action will be by resolution. c. All categorical fee waivers will be subject to a sunset provision as determined by the City Council	Currently, some waivers are approved by staff and Council does not take formal action		We will evaluate how we are doing business and bring back staff recommendations
		3) Staff will not grant development and permit fee waivers			
11	Interest Earnings	1) Staff will assign interest earnings to the appropriate fund based on available cash balances.	Compliance; Interest earnings is allocated on monthly basis.		
		2) Investment policies will be reviewed annually by the Investment Review Committee and the City Council.	Compliance; Report is presented to Council annually.		

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Fund Balance Policy					
12	Fund Balance Policy: Establishes the procedures for reporting unrestricted fund balance in the General Fund financial statements. Certain commitments and assignments of fund balance will help ensure that there will be adequate financial resources to protect the City against unforeseen circumstances and events such as revenue shortfalls and unanticipated expenditures. The policy also authorizes and directs the Chief Financial Officer to prepare financial reports, which categorize fund balance in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.	1) There are five separate components of fund balance, each of which identifies the extent to which the City is bound to honor constraints on the specific purposes for which amounts can be spent. Standards for these components are established in the Governmental Accounting Standards Board's Statement 58. ○ Nonspendable fund balance ○ Restricted fund balance ○ Committed fund balance ○ Assigned fund balance ○ Unassigned fund balance	Complete in each audit cycle. However, we recommend an addition to this policy. This policy speaks to accounting for fund balances consistent with generally accepted accounting principles in the Comprehensive Annual Financial Report (CAFR). This policy should also require an accounting of fund balances (both projected beginning and ending) in the budget document. As you may know, this lack of fund balances in the budget was a contributor to the City's financial challenges in developing the FY 15-16 Budget.		
		2) Nonspendable and Restricted fund balance are not addressed in this policy due to the nature of their restrictions.			
		3) Committed Fund Balance: The City Council, as the City's highest level of decision-making authority, may commit fund balance for specific purposes pursuant to constraints imposed by formal actions taken, such as ordinance or resolution. These committed amounts cannot be used for any other purposes unless the City Council removes or changes the specified use by taking the same type of action it employed to commit those amounts. City Council action to commit fund balance should occur within the fiscal reporting period; however the amount can be determined in the subsequent period.			
		4) Assigned Fund Balance: Amounts that are constrained by the City's intent to be used for specific purposes, but are neither restricted nor committed, should be reported as assigned fund balance. This policy hereby designates the authority to assign amounts to be used for specific purposes to the Chief Financial Officer for the purpose of reporting these amounts in the annual financial statements.			Will recommend policy change to City Manager or his/her designee. This will be incorporated in the FY 16-17 budget.
		5) Unassigned Fund Balance: These are residual positive net resources of the general fund in excess of what can be properly classified in one of the other four categories.			
Reserve Policies					

13	Reserve Policies	1) Adequate reserves will be maintained for all known liabilities, including payable employee leave balances, workers' compensation, and self insured retention limits.	Currently being evaluated by staff		An assessment of our reserves will be discussed in the FY 16-17 budget document. It will be updated at each budget cycle. It may take several budget cycles to meet compliance.
		2) The City Council will endeavor to maintain an operating reserve equal to 18 percent of the General Fund operating budget. The operating reserve shall be available to: cover cash flow requirements; meet unanticipated revenue shortfalls;	The FY15-16 projected ending fund balance is at 11%.		Staff will continue to evaluate and pursue opportunities to bring reserve to the 18% goal in future budget cycles.
		3) Take advantage of unexpected opportunities; invest in projects with a rapid payback; ensure against physical or natural disasters; and provide interest earnings.	Staff will continue to evaluate and build emergency reserve in future years. City currently invests available cash in the investment portfolio.		Staff will continue to evaluate and pursue opportunities to incorporate these reserve policy goals in future budget cycles.
		4) The City Council will endeavor to maintain operating reserves in the Water and Wastewater Utility Enterprise Funds equal to 25 percent of the operating budgets, and reserves in the Solid Waste Enterprise Fund equal to 9 percent of the operating budget.	The assessment says, using the 13-14 CAFR that water and wastewater were complying with this but Solid Waste was not		Staff will review the adequacy of reserves during each annual budget process.

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Debt Policies					
14	Use of Debt	1) Any tax and revenue anticipation borrowing will be consistent with State and federal laws and regulations. 2) The City Council will review the issuance of long term debt only for: a. Construction and acquisition of land, capital improvements, or equipment when the useful life of the asset is equal to or greater than the term of the debt. b. The creation of contractually required reserves. c. The payment of judicial awards or settlements or the establishment of actuarial reserves to pay such awards. 3) Debt financing will not be appropriate for current operating or maintenance expenses or for any recurring purposes.	In Compliance		
15	Conditions of Use	1) The City Council will use long term debt to finance a major equipment acquisition, a capital project, or reserve only if a cost/benefit analysis establishes that the financial and community benefits of the financing exceed the costs. 2) Benefits can include, but are not limited to, the following: a. Present value benefit: The current cost plus the financing cost is less than the future cost of the project or acquisition. b. Maintenance value benefit: The financing cost is less than the maintenance cost of deferring the project or acquisition. c. Equity benefit: Financing provides a method of spreading the cost of a project or acquisition back to the users of the project or acquisition over time. d. Community benefit: Debt financing of the project or acquisition enables the City Council to meet an immediate community need. 3) Debt financing will be used only when project revenues or other identified revenue sources are sufficient to service the debt.	In Compliance		

		4) The City Council by resolution will periodically establish industry standard bond debt ratios to assess maximum debt carrying capacity and will apply these ratios to each proposed debt.	In Compliance However, we are recommending and additional policy directive for this category that states: staff will conduct an annual evaluation of our debt load and accrued leave balances as part of the annual budget process as stated in IAP 1b.16		Each adopted budget will ensure we are in compliance with bond covenants.
		5) When the City obtains debt financing on behalf of or benefiting a third party (as with assessment districts) such debt will be issued in conformance with existing City Council priorities and policies without contingent liability of the City and with all costs of issuance and administration fully reimbursed by the third party.			
16	Methods for Issuing Debt	1) Staff will retain the following contract advisors for the issuance of debt: a. Bond Counsel: To be selected by RFP periodically. b. Special Counsel To be selected by RFP periodically to protect the City's interest in complex negotiations and document review. c. Financial Advisor - To be selected by RFP periodically to assist the City in assessing financing opportunities and options, selection of underwriters, preparation of all required financing documents, and other financial advisory assistance as required. d. Underwriters - To be selected periodically by RFP for negotiated financings. For bond issues that are competitively bid, underwriter will be selected on the basis of lowest true interest cost (TIC).	Items B through D are in compliance; Last RFP for Bond counsel "Item A" is 2010.		The City will be issuing RFPs for Financial Advisor and Bond Counsel by June 2016.
		2) The City Council's preference is to issue fixed rate long term debt with level debt service, but variable rate debt or other debt service structure may be considered if an economic advantage is identified for a particular project.	In compliance		

		3) Bond proceeds will be held by an independent bank acting as trustee or fiscal agent.			
		4) The City Council's bond rating objective for the City for all debt issues is a Standard & Poor's rating of AA. Credit enhancements will be used to achieve higher ratings when there is an economic benefit.	City General Fund is currently A+ with negative watch by S&P in September 2015 In October 2015 S&P reviewed the Utilities - Water is A+ with a negative outlook. Wastewater is BBB with a stable outlook. Solid Waste is A- with a stable outlook.		The next steps are: Utility funds – Council to adopt rate increase and updated reserve policies, General Fund – continue to monitor the five year forecast and identify opportunities to achieve fiscal sustainability.

City of Oxnard's Council Financial Management Policies
Implementation Action Plan 1b.8

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Accounting Policies					
17	Accounting Standards	1) The City's accounting systems and procedures will comply with the Generally Accepted Accounting Principles (GAAP) and standards promulgated by the Financial Accounting Standards Board (FASB) and the Governmental Accounting Standards Board (GASB) to the extent necessary to achieve an unmodified audit opinion and adequate internal controls.	The financial and disclosure impact of issues identified in the Assessment are under review at this time and the City will work with the auditors, as well as the internal auditor to assure GAAP compliance; Internal Controls are being reviewed and assessed by the auditors.		In December 2015, Council approved an internal audit program which Staff has issued the RFP for in January 2016. A key part of their scope of services will be to complete an audit of our internal controls. This will be done in the first half of 2016 and continue into 2017.
		2) The City will adopt the Historical Cost method of fixed asset reporting to comply with GASB and the capitalization policy will be \$5,000 or more.	In compliance		
		3) Staff will prepare regular monthly, quarterly, and annual financial reports to present a summary of financial performance and position.	Monthly expenditure reports are currently provided by General Fund, Measure O, and Enterprise Funds.		Staff will begin to prepare regular monthly, quarterly, and annual reports.
		4) Staff will provide full disclosure in the annual financial statements and bond representations.	In compliance		
		5) The City's budgetary system will be integrated and compatible with the accounting system.			
18	Independent Auditor	1) The City will retain an independent certified auditing firm to annually conduct an audit of the financial records in accordance with all State and federal requirements.	In compliance - We recommend an addition to item #3. However, in no event should an auditor's engagement extend more than five consecutive years.		
		2) The selection of the City's audit firm will be by an RFP submitted to a limited number of qualified audit firms with recognized credentials in municipal auditing.			
		3) In order to promote continuity in the audit process, the engagement of the audit firm will be for a minimum period of three years. Such three-year engagement may be extended on an annual basis at the option of the City Manager.			

Policy #	Policies	Implementation Steps	Comments	Status	Next Steps to Compliance
Risk Management Policies					
19	City-maintained Risk Management Program for Public Liability, Workers' Compensation, and Loss of Property Exposures	1) The City will maintain a risk management program for public liability, workers' compensation, and loss of property exposures. This program will emphasize avoidance of risk, whenever possible, funding for losses which cannot be avoided, and transfer of risk to third parties whenever appropriate.			
		2) The risk management process will include the systematic and continuous identification of loss perils and exposures, the analysis of these perils and exposures in terms of frequency and severity probabilities, the application of sound risk control procedures and the financing of risk consistent with the City's financial resources.			
		3) If the loss potential in dollars for a particular risk is substantial and cannot be absorbed within the City's annual operating budget, the staff will develop and maintain a program of purchased insurance, funded self insurance, or debt.			
		4) Staff will endeavor to promptly settle justified claims but will vigorously defend claims which are doubtful, frivolous, or unsupported.			
		5) Staff will maintain separate self insurance funds to identify and segregate the financial resources necessary to cover insurance premiums and self insured retentions. a. Revenues into the insurance funds will be generated by charges to operating programs allocated to reflect loss experience. b. Resources will be established at the end of each year to fund liability for open claims, incurred but not reported claims, and a catastrophic loss reserve as periodically recommended by an independent actuarial consultant, or as authorized for GAAP	The worker's compensation fund currently has a negative fund balance due to accrued liabilities. The City does not have enough resources to pay for all accrued liabilities.		City staff will be reviewing the worker's compensation actuarial report and conduct a study to fully fund the worker's compensation fund.

		6) To assist in the overall administration of the risk management program, the City Council will utilize the following consultants: - o Claims adjuster for workers' compensation and public liability/property damage. - o Claims auditor, actuarial consultant, and risk management program auditor. - o Insurance broker of record.			(to verify with Mike)
<i>New Proposed Policies</i>					
20	Asset Management	1) <i>Staff will maintain a comprehensive inventory of all vehicles and related equipment, monitor their usage and condition and manage a replacement fund to provide for the acquisition, depreciation, and replacement of City vehicles and large equipment. Charges to departments are calculated based on actual operating costs and a replacement charge for vehicles used by each department. Staff will periodically evaluate usage and dispose of assets that are not being utilized.</i>	The City currently doesn't have a replacement fund for vehicles and related equipment.		The Assessment IAP recommendation II.18 calls for a fleet utilization study and eventual replacement fund designation be completed by 12/31/17.
		2) <i>Staff will maintain an Information Technology (IT) master plan that regularly evaluates the condition of its IT infrastructure and its functionality vis-à-vis departmental information needs. The City will maintain a computer replacement fund. This fund will be supported by charges to departments.</i>	An information Technology master plan was presented to City Council in December 2015		Discussion of funding Phase I of the I.T. master plan is scheduled for the January 26, 2016 Council meeting.



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Council

AGENDA ITEM NO.: N-1

DATE: February 2, 2016
TO: City Council
FROM: Daniel Martinez, Oxnard City Clerk
SUBJECT: Appointment of Citizen Advisory Groups
CONTACT: Daniel Martinez, Oxnard City Clerk
Daniel.Martinez@ci.oxnard.ca.us 805-385-7803

RECOMMENDATION

1. That the Mayor, with approval of the City Council, appoint:
 - a. One member to the Cultural Arts Commission;
 - b. One member to the Parks, Recreation & Community Services Commission;
 - c. Two members to the Senior Services Commission; and.
2. That the City Council appoint: One member to the Community Relations Commission.

BACKGROUND

Appointments to Citizen Advisory Groups are usually made following a general election involving the office of Mayor. These proposed appointments are due to vacancies and a need to have enough commissioners for a required quorum.

Staff recommends that the Mayor, with approval of the City Council, appoint: one individual to the Cultural Arts Commission; one individual to the Parks, Recreation & Community Services Commission and two individuals to the Senior Services Commission.

Staff recommends that the City Council, as a whole, appoint: one individual to the Community Relations Commission. The City Council nominates individuals and will be polled as to their selection for the commission.

Applications are available and may be submitted at the Oxnard City Clerk's Office during the entire year. Applicants have been recruited through local advertisement placed in the newspaper, through government channel, on the City's web site, in neighborhood packets and by public notice at City Hall. Applications are valid for one year and efforts are made to contact applications to renew application if desired. .

FINANCIAL IMPACT None.

ATTACHMENTS

Attachment 1 – Vacancy Lists

VACANCY LIST
CULTURAL ARTS COMMISSION
9 Members with 2-year terms
Need to fill 1 Position to Expire 12/31/16

<u>INCUMBENT NAME</u>	<u>TERM NUMBER</u>	<u>EXPIRATION DATE</u>
1. Cortese, Margaret	1	12-31-16
2. De Vries, Deborah	1	12-31-16
3. Gomez, Javier	1	12-31-16
4. Gonzales, Jesus	1	12-31-16
5. Hirata, Oneita	1	12-31-16
6. Kelly, Autumn	1	12-31-16
7. Morla, Christine	1	12-31-16
8. Perez, Cesar	1	12-31-16
9. VACANT	1	12-31-16

APPLICANTS

1. Akin, Debra
2. Limbaugh, Patricia
3. Placencia, Pete
4. Ramirez, Jose Manuel
5. Woodland, Mary Ann

(Appointed by the Mayor)

Service Term: 9 Members 2-year terms to coincide with the term of the Mayor
Meeting Schedule: Second Wednesday of each month, 5:00 p.m., City Council Chambers
Staff Liaison: Michelle Kantor
Creation: 11/18/14; O-2886
MUST FILE STATEMENT OF ECONOMIC INTERESTS FORM

VACANCY LIST
PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION
7 Members with 2-year terms
Need to fill 1 Position to Expire 12/31/16

<u>INCUMBENT NAME</u>	<u>TERM NUMBER</u>	<u>EXPIRATION DATE</u>
1. Barber, Johnnie	8	12-31-16
2. Greene Moraga, Cherie	1	12-31-16
3. Ocampo, Aurelio	1	12-31-16
4. Poirier, Roger	1	12-31-16
5. Postel, Gloria	8	12-31-16
6. Summersille, Dale	1	12-31-16
7. VACANT	1	12-31-16

APPLICANTS

1. Cody, Donald B.
2. Guerra, Lilly
3. Lemos, Paul
4. Lopez, Adam Santos
5. Lopez, Tiffany
6. Ortiz Jr., Federico
7. Villa, Jack
8. Whitecomb, Angela

Appointed by Mayor - O-2657, 5/18/04 Terms Coincide with Mayor.

Service Term: 9 members 2- year terms

Meeting Schedule: Fourth Wednesday of each month, 5:30 p.m., at the City Council Chambers

Staff Liaison: Gregory Barnes

Creation: 5/02/78, R-7328; R-8402; 9/14/82

VACANCY LIST
SENIOR SERVICES COMMISSION
9 Members with 2-year terms
Need to fill 2 Positions to Expire 12/31/16

<u>INCUMBENT NAME</u>	<u>TERM NUMBER</u>	<u>EXPIRATION DATE</u>
1. Brainard, Kay	1	12-31-16
2. Fischer, Ron	1	12-31-16
3. Lanker, Kathie	1	12-31-16
4. Madrid, Alice	1	12-31-16
5. Owens, Clark	1	12-31-16
6. Sweetland, Alice	1	12-31-16
7. Yu, Lourdes Villareal	1	12-31-16
8. VACANT	1	12-31-16
9. VACANT	1	12-31-16

APPLICANTS

1. Clemens, Albert
2. Garcia, Reynaldo
3. Hussung, Valerie
4. Johnson, Shirley
5. McCafferty, Cathy

Appointed by Mayor - O-2657, 5/18/04 Terms Coincide with Mayor.

Service Term: 9 members 2- year terms

Meeting Schedule: Second Tuesday of each month, 9:00 a.m., at the Oxnard Public Library

Staff Liaison: Gregory Barnes and Renee Rakestraw

Creation: 5/02/78, R-7328; R-8402; 9/14/82

VACANCY LIST
COMMUNITY RELATIONS COMMISSION
7 Members with 2-year terms
Need to fill 1 Position to Expire 12/31/16

<u>INCUMBENT NAME</u>	<u>TERM NUMBER</u>	<u>EXPIRATION DATE</u>
1. Davitt-Cornyn, Theadora	1	12-31-16
2. Kelly, Travis	1	12-31-16
3. Moreno, Jaime	1	12-31-16
4. Quintana, Mario	1	12-31-16
5. Reynoso, Juan	1	12-31-16
6. Sorkin, George	1	12-31-16
7. VACANT	1	12-31-16

APPLICANTS

1. Akin, Debra
2. Baxter, Mike
3. Lopez, Adam Santos
4. Lopez, Tiffany
5. Molina, Phillip
6. Ortiz, Federico
6. Ramirez, Jose Manuel
7. Stallion, Helaine

(Appointed by Council -- O-2322 Part 1(A) on 12/14/93)

Service Term: 7 members, 2-year terms

Meeting schedule: Third Monday of each month, 6:00 p.m., City Council Chambers

Staff Liaison Luis Guereca

Creation: 10/12/61 O-722; 05/19/98 O-2467; 2/26/13 O-2863