

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 Meeting
305 West Third Street, Oxnard
April 12, 2016
4:30 P.M. Closed Session
6:00 PM Regular Session

A. ROLL CALL/POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: OXNARD CITY COUNCIL AND OXNARD HOUSING AUTHORITY

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION 4:30 P.M. (SEE PAGE 4 FOR A DESCRIPTION OF CLOSED SESSION ITEMS).

D. OPENING CEREMONIES

Pledge of allegiance to the flag of the United States

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of April, 2016 as "Sexual Assault Month".

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. 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.

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

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

City of Oxnard internet address: www.oxnard.org

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:** Approve Minutes of the Regular Meeting of the Oxnard City Council for March 22, 2016 and Minutes of the Regular Meetings of the Oxnard Housing Authority for March 21, October 27, November 3, 10 17, and December 1, 8, 15, 2015 and January 5, 12, 19, 26, February 2, 9, 23, March 1, 15, 22, 29, and April 5, 2016.

RECOMMENDATION: Approve.

Legislative Body: CC/HA

Contact: Daniel Martinez

Phone: 385-7803

City Manager Department

2. **SUBJECT:** Agreement for City Council Review

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.

Legislative Body: CC

Contact: Greg Nyhoff

Phone: 385-7430

Cultural and Community Service Department

3. **SUBJECT:** Jr. High Grad Night - Six Flags Magic Mountain Excursion

RECOMMENDATION: That City Council authorize 1) The City Manager to approve Purchase Order No. 5786 in the amount of \$51,515.50 for Six Flags Magic Mountain tickets and Purchase Order No. 5785 in the amount of \$38,350 to Star-Dust Tours, Inc. dba The Bus to be used for transportation for the Jr. High Grad Night on June 3 and June 4, 2016. 2) Approve a budget appropriation recognizing \$89,866 of revenues in tickets sales and appropriating \$89,866 for purchase of the tickets and transportation of Jr. Grad Night.

Legislative Body: CC

Contact: Terrel Harrison

Phone: 385-8101

Development Services Department

4. **SUBJECT:** Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) "The Courts at La Colonia Village". Filed Jointly by the Oxnard Housing Authority (OHA), 435 South D Street, Oxnard, CA 93030 and John Bigley, Urban Housing Communities, LLC, 2000 East Fourth Street, Suite 205, Santa Ana, CA 92705.

RECOMMENDATION: That the City Council adopt a resolution approving Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) for property located at the northeast corner of the intersection of East First Street and North Marquita Street, subject to certain findings and conditions.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

J. PUBLIC HEARINGS

Housing Department

1. SUBJECT: Five-Year & Annual Agency Plan and Five-Year Capital Fund for Low Rent Public Housing

RECOMMENDATION: That the Board of Commissioners of the Housing Authority of the City of Oxnard: 1) Hold a public hearing to receive comments concerning the second year of the Five-Year Agency Plan and the 2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and 2) Adopt a resolution: (a) Approving the Five-Year and Annual Agency Plan for the Housing Authority; (b) Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures; (c) Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with HUD's policies and procedures regarding the Five-Year Agency Plan; (d) Approving the 2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and (e) Authorizing the Housing Director to accept and expend the funds as indicated in the revised 2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan.

Legislative Body: HA

Contact: Arturo Casillas

Phone: 385-8094

K. APPOINTMENT ITEMS

L. REPORTS

Development Services Department

1. SUBJECT: Possible Amendments to the Oxnard City Urban Restriction Boundary (CURB) and the Save Open Space and Agricultural Resources (SOAR) Ordinance

RECOMMENDATION: That City Council: 1) Receive a report analyzing two potential SOAR initiatives (SOAR 2030 and SOAR 2050) and explaining SUSTAIN VC's county initiative. 2) Provide direction to staff regarding placing an initiative to amend the CURB and/or SOAR Ordinance before qualified City of Oxnard voters at a statewide election.

Legislative Body: CC

Contact: Ashley Golden

Phone: 385-7882

Finance Department

2. SUBJECT: Utilities Mid-Year Budget Update

RECOMMENDATION: That City Council receive a mid-year budget update report on Utilities.

Legislative Body: CC

Contact: Maria Hurtado

Phone: 385-7430

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 REPORTSO. 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.

Q. STUDY SESSIONC. CLOSED SESSION1. Conference with Legal Counsel – Labor Negotiations

CC Agency designated representatives: J. Tabin Cosio, Director of Human Resources; and Jon Holtzman, City's labor attorney. 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 C

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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 C

2. Public Employee Performance Evaluation

CC Title: City Manager

The Interim City Attorney requested that this item be discussed in closed session under the Brown Act exception of Government Code section 54957(b)(1) (public employee performance evaluation).

R. ADJOURNMENT



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 1

DATE: April 12, 2016

TO: City Council

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

FROM: Daniel Martinez, City Clerk

SUBJECT: Approve Minutes of the Regular Meeting of the Oxnard City Council for March 22, 2016 and Minutes of the Regular Meetings of the Oxnard Housing Authority for March 21, October 27, November 3, 10 17, and December 1, 8, 15, 2015 and January 5, 12, 19, 26, February 2, 9, 23, March 1, 15, 22, 29, and April 5, 2016.

CONTACT: Daniel Martinez, City Clerk
Daniel.Martinez@oxnard.org, 385-7803

RECOMMENDATION

Approve.

ATTACHMENTS:

Attachment No. A 03/22/2016 Regular Council Minutes
No. B 04/21/2015 Regular Housing Minutes
No. C 10/27/2015 Regular Housing Minutes
No. D 11/03/2015 Regular Housing Minutes
No. E 11/10/2015 Regular Housing Minutes
No. F 11/17/2015 Regular Housing Minutes
No. G 12/01/2015 Regular Housing Minutes
No. H 12/08/2015 Regular Housing Minutes
No. I 12/15/2015 Regular Housing Minutes
No. J 01/05/2016 Regular Housing Minutes
No. K 01/12/2016 Regular Housing Minutes
No. L 01/19/2016 Regular Housing Minutes

Approve Minutes of March 22, 2016.

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No. M 01/26/2016 Regular Housing Minutes
No. N 02/02/2016 Regular Housing Minutes
No. O 02/09/2016 Regular Housing Minutes
No. P 02/23/2016 Regular Housing Minutes
No. Q 03/01/2016 Regular Housing Minutes
No. R 03/15/2016 Regular Housing Minutes
No. S 03/22/2016 Regular Housing Minutes
No. T 03/29/2016 Regular Housing Minutes
No. U 04/05/2016 Regular Housing Minutes

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

March 22, 2016

A. ROLL CALL/POSTING OF AGENDA

At 4:36 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 and Stephen Fischer, Interim City Attorney.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMSC. CLOSED SESSION

At 4:37 p.m., the City Council recessed to a closed session, pursuant to Government Code section 54957.6(a), to provide instructions to the City's negotiators regarding position of City Attorney.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6(a), to review the status of labor negotiations and to review its available of funds and funding priorities for the purpose of providing instructions to the City's negotiators, J Tabin Cosio, Director of Human Resources, and Jon Holzman, City's labor attorney, regarding the position titles: 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 4:41 Councilmember Perello was present. At 4:47 Mayor Flynn was present and presided.

#: cc160322 (1202 : Approve Minutes of March 22, 2016.)

The City Council also recessed to a closed session, pursuant to Government Code section 54956.9(d)(2), based on existing facts and circumstances, there is a significant exposure to litigation against the City in one potential case, pertaining to the separation from City employment of former Fire Chief James Williams.

At 6:16 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 6:17 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers with Councilmember Perello absent. The meeting opened with the pledge of allegiance to the flag of the United States by members of the Inlakech Cultural Arts Center, followed by a moment of silence for Ernest Almanza, Lino Corona, former Human Resources Director, husband of Karen Burnham former Assistant City Manager and victims of the Belgium bombing. Mayor Flynn presided. Additional staff members present were: Jeri Williams, Police Chief; Bryan Brice, Fire Chief; Tabin Cosio, Human Resources Director; Daniel Rydberg, Utilities Director and Michael More, Financial Resources Manager and Terrel Harrison, Recreation Supervisor/PAL Co-Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to PAL for Accommodations for the Winter Warming Shelter.

DISCUSSION: Mayor Flynn presented a commendation to PAL for the efforts to accommodate the Winter Warming Shelter when the National Guard Center was closed for several days during a winter storm. Terrel Harrison, Recreation Supervisor/PAL Co-Director accepted the commendation on behalf of PAL.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Javier Gomez (Inlakech Cultural Arts Center); Ed Ellis (whistle blower system); Steve Nash (post retirement system); Dick Jaquez (proposed power plant); Sergio Perez (soccer expansion at Oxnard College park); Francine Castanon (PAL assisting Homeless shelter service) and Pat Brown (funding municipal "solid waste" service).

At 6:39p.m., Councilmember Perello was present.

The following individuals express support to extend SOAR to 2050: Juan Gonzalez; Elaine Crandall; Martin Kaplan; Lydia Kaplan; Brian Keane; Laura Ochoa; Jack Draper; Michael Stubblefield; Janis McDormick; Elizabeth White; Judy Dugan; Lauraine Effress and Larry Stein.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Correction of Clerical Error in Ordinance No. 2901 Establishing Wastewater System User Fees and Charges. (001)

RECOMMENDATION: Approve a correction of the clerical error in Ordinance No. 2901 dated January 26, 2016.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (005)
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) Local Transportation Fund (LTF) Allocations for Fiscal Year 2016-17. (011)
RECOMMENDATION: Authorize the Development Services Director to submit a claim to Gold Coast Transit District (GCTD) for \$511,059 for Fiscal Year (FY) 2016/17 Transportation Development Act (TDA) Local Transportation Fund (LTF).

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

J. PUBLIC HEARINGSK. APPOINTMENT ITEMSL. REPORTSCity Manager Department

1. SUBJECT: Use of Professional Subject Matter Experts and Overview of the City's Talent Development Initiative. (015)
RECOMMENDATION: Receive a report on the City's use of professional subject matter experts and the overview of the City's talent development initiative Legislative Body.
DISCUSSION: The City Manager reviewed the use and reasons for hiring professional consultants (experience), the schedule to accomplish the goals of the City and future reductions of consultant use.

The Assistant City Manager (Hurtado) reviewed completion of tasks, development of employee's talents, having internal training and performance evaluations.

The Human Resources Director reviewed the restructuring of the Human Resources Department and how it affects citywide factors including selection process and personnel testing.

Public comments received from: Larry Stein; Al Velazquez; Martin Jones and Jim Lavery.

The City Council discussed: reasons to use consultants; the services of the State Controller's Office, status of Human Resources Department; re-invest in municipal employees and investment in the City's infrastructure.

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

Human Resources Department

3. SUBJECT: Approval of Resolution Authorizing Full-Time Equivalent Positions for FY 2015-16.

(037)

RECOMMENDATION: Adopt a resolution repealing Resolution No. 14,903 authorizing full-time equivalent positions for the City of Oxnard for FY 2015-16.

DISCUSSION: The Human Resources Director reviewed the un-funding of City positions and removal from City roster and exam the correct number of employees needed to address City needs.

Public comments received from: Larry Stein and Jim Lavery.

The City Council discussed: the past practice of “using vacant” positions to balance the budget; use of part-time and temporary employees; hiring priorities of the City.

ACTION: Approved as recommended, **Resolution No. 14,905**. (Ramirez/Padilla). Ayes: MacDonald, Padilla, Perello, Flynn and Ramirez.

Police Department

4. SUBJECT: Body Worn Cameras Agreement. (057)

RECOMMENDATION: Approve and authorize the Mayor to execute a five-year agreement (contract number A-7858) with TASER International, Inc. for the purchase and implementation of Body-Worn Cameras and annual licensing agreement in the amount of approximately \$375,608.65.

DISCUSSION: The Police Chief reviewed the selection process of TASER equipment.

Public comments received from: Larry Stein, Sandra Sudac and Al Velasquez.

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

Fire Department

2. SUBJECT: Verbal Report on Fire Department Accomplishments and Goals. (035)

RECOMMENDATION: Receive a verbal report on the suppression, prevention, and community outreach efforts of Fire Department.

DISCUSSION: The Fire Chief commented on the services provided by the Fire Department including training, Emergency Medical Services (EMS), public outreach and grant writing.

Public comments received from: Pat Brown and Larry Stein.

The City Council discussed several issues including grant writing, use of EMS, regional training and other services provided by Fire Department.

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

M. REPORT OF CITY MANAGERCity Manager Department

1. SUBJECT: Consider Council Member Perello's Request to Add an Item on the Agenda Related to (1) the Number of Beaches Situated Within the City of Oxnard City Limits, and (2) Explore the Option of Approaching the County to Patrol Beaches Within the City of Oxnard. (095)
RECOMMENDATION: That City Council discuss and determine whether an item related to (1) the number of beaches with the City of Oxnard City limits, and (2) exploring the option of the costs associated with the County patrolling City of Oxnard beaches should be placed on a future City Council agenda for Council discussion.
DISCUSSION: The City Council discussed the possibility of having life guard on Oxnard beaches including funding (using "priority based" budgeting) and examining community needs.

Public comments received from: Pat Brown, Larry Stein and Al Velasquez.

The City Manager stated "budget" funding options would be presented to the City Council during upcoming "priority based" budgeting process.

ACTION: The City Council provided comments to staff.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

Mayor Pro Tem Ramirez requested placement of City Council discussion of extending the SOAR expiration date from 2030 to 2050 on a future agenda for discussion; the Transportation Grant for Rice Road intersection (Ramirez) and judgement ruling regarding Supplemental Post Retirement Benefit (Perello).

O. PUBLIC COMMENTS ON REPORTSP. PUBLIC COMMENTS ON STUDY SESSIONQ. STUDY SESSIONF. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Al Velasquez (wastewater rates) and Dan Pinedo (recovery of funds regarding "post retirement" benefit)

R. ADJOURNMENT

At 11:31 p.m. the City Council concurred to adjourn the meeting.

 DANIEL MARTINEZ
 City Clerk

 TIM FLYNN
 Mayor

 CARMEN RAMIREZ
 Mayor Pro Tem

MINUTES
OXNARD HOUSING AUTHORITY
Regular Meeting
April 21, 2015

A. ROLL CALL/POSTING OF AGENDA

At 6:02 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council. Commissioners Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Commissioners Jose Andrade and Francisco Vega were absent. The Deputy Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, secretary Designate; Greg Nyhoff, Executive Secretary; Stephen Fischer, Interim General Counsel; Jeri Williams, Police Chief and Carrie Sabatini, Interim Housing Director.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Jim Peters. Chairman Flynn presided.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS

K. REPORTS

L. REPORT OF SECRETARY

M. HOUSING AUTHORITY BUSINESS/COMMITTEE REPORTS

City Attorney Department

1. SUBJECT: Resolutions Amending Rules of Procedure for the Conduct of Meetings. (009)
RECOMMENDATION: Adopt **Resolution No. 1284** to amend their respective Rules of Procedure for the conduct of meetings regarding the order of business for the information/consent agenda.

#: ha150421 (1202 : Approve Minutes of March 22, 2016.)

DISCUSSION: The Interim General Counsel reviewed the process and changes to format.

Public comment was received from: Dan Pinedo; Larry Stein and George Miller.

The Commissioners discussed the need to run meetings effectively and provided directions to staff.

ACTION: Move to approve as recommended. (Padilla/Ramirez) Ramirez, MacDonanld, Padilla, Perello and Flynn. Absent: Andrade and Vega.

N. PUBLIC COMMENTS ON REPORTS

O. PUBLIC COMMENTS ON STUDY SESSION

P. STUDY SESSION

Q. REVIEW OF INFORMATION/CONSENT AGENDA

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

S. INFORMATION/CONSENT AGENDA

CITY COUNCIL

At 9:08 p.m. the joint meeting with the City Council concluded.

T. ADJOURNMENT

At 9:08 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
October 27, 2015

A. ROLL CALL/POSTING OF AGENDA

At 5:43 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council. Commissioners Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. Commissioners Jose Andrade and Francisco Vega were absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Greg Nyhoff, Executive Secretary and Stephen Fischer, Interim General Counsel.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMSC. CLOSED SESSIOND. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

3. CEREMONIAL CALENDARF. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDAG. REVIEW OF INFORMATION/CONSENT AGENDAH. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDAI. INFORMATION/CONSENT AGENDACity Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard Housing Authority for June 9, 16 and 23, July 7, 14, 21 and 28, September 1, 15 and 22, and October 6, 13 and 20, 2015. (015)
RECOMMENDATION: Approve.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Ramirez/Padilla)
Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn. Absent: Andrade and Vega.

L. REPORTSJ. PUBLIC HEARINGS

#: ha151027 (1202 : Approve Minutes of March 22, 2016.)

K. APPOINTMENT ITEMSL. REPORTSHousing Department2. SUBJECT: Winter Warming Shelter for the Homeless. (051)

RECOMMENDATION: 1) That the City Council direct staff to work with the City of Ventura and the County of Ventura, and local non-profit service provider organizations to organize a Winter Warming Shelter for the Homeless and authorize the City Manager, or designee, to execute any necessary agreements and contracts towards this end; and 2) That the Housing Authority Board of Commissioners approve and authorize the use of \$40,000 of Housing Authority Central Fund reserves to fund the Winter Warming Shelter for the Homeless on a one-time basis.

DISCUSSION: The Housing Director outlined the funding and services to be provided for homelessness services

Public comments received from: Peggy Rivera; Larry Stein; Steve Huber and Susan Brinkmeyer.

The Compliance Services Manager commented on the need for future planning and CDBG funding.

The Commissioners discussed: funding of “winter” shelter; siting of “homeless facilities” zoning within City; contract of Peter Brown (former Homelessness Manager); “Laura’s Law” regarding mental health and future role of the City.

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

HOUSING AUTHORITY

At 10:06 p.m. the joint meeting with the Housing Authority concluded.

K. APPOINTMENT ITEMSM. REPORT OF SECRETARYCITY COUNCIL

At 10:06 p.m., the joint meeting with the City Council concluded.

N. HOUSING AUTHORITY BUSINESS/COMMITTEE REPORTSO. PUBLIC COMMENTS ON REPORTSP. PUBLIC COMMENTS ON STUDY SESSION

Q. STUDY SESSIONR. ADJOURNMENT

At 10:06 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting
November 3, 2015

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha151103.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES
OXNARD HOUSING AUTHORITY
Regular Meeting
November 10, 2015

A. ROLL CALL/POSTING OF AGENDA

At 6:07 p.m., the regular meeting of the Oxnard Financing Authority convened in the Council Chambers, concurrently with the City Council, Community Development Commission Successor Agency and Housing Authority. Commissioners Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla, Bert Perello, Jose Andrade and Francisco Vega were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Flynn presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Staff members present were: Daniel Martinez, Secretary Designate; Greg Nyhoff, Executive Director; Maria Hurtado, Assistant Executive Director; Scott Whitney, Assistant Executive Director City Manager, Stephen Fischer, Interim General Counsel; Arturo Castillo, Housing Director and Ruth Hopkins, Housing Project Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

J. PUBLIC HEARINGS

K. APPOINTMENT ITEMS

L. REPORTS

Housing Department

2. SUBJECT: Authorization to Proceed with Phase 2 of The Courts Development Project. (381)
RECOMMENDATION: Adopt **Resolution No. 1289** approving Phase 2 of The Courts Housing Project and authorize the Housing Director or designee to take all needed actions in consultation with Authority's General Counsel relative to entering into U.S. Department of Housing and Urban Development (HUD) Disposition Documents, Ground Lease, Right of First Refusal and Option Agreement and any other agreements for the purpose of developing, maintaining and operating Phase 2 of The Courts Housing Project.

#: ha151110 (1202 : Approve Minutes of March 22, 2016.)

DISCUSSION: The Housing Director and Housing Project Manager briefly outlined the proposed development plans including location of laundry rooms.

Mark Urban, United Housing Communities, reviewed funding costs including impact fees, requirements reserves and infrastructure costs.

Mark Manion, General Counsel, outlined the lease of property and Housing Authority options.

Public comments were received from: Pat Brown and George Miller.

The Commissioners discussed: the funding of the development, lease of property and location of laundry rooms.

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

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

1. SUBJECT: 2016 Meeting Schedule for Legislative Bodies. (659)

RECOMMENDATION: The Housing Authority meet on the following dates during the calendar year 2016: January 5, 12 and 26, February 2, 9 and 23, March 1, 15, and 22, April 5, 12, 19 and 26*, May 3, 10, 17 and 24*, June 7, 14, 21 and 28*, July 12, 19 and 26, August **NO MEETINGS**, September 6, 13 and 20, October 4, 11, 18 and 25, November 1 and 15, and December 6, 13 and 20.

DISCUSSION: The Commissioners discussed “not” having a meeting on election night, November 8, 2016 and other possible meeting dates.

ACTION: Approved as recommended with November 8, 2016 (election night) removed from schedule and scheduling the fifth Tuesday of the month for a meeting except after a holiday. (Ramirez/MacDonald). Ayes: MacDonald, Padilla, Andrade, Vega, Flynn and Ramirez. Noes: Perello. (stated his belief that more meetings should be scheduled).

M. REPORT OF EXECUTIVE DIRECTOR

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY/
FINANCING AUTHORITY

At 10:41 p.m. the joint meetings with the City Council, Community Development Commission Successor Agency and Financing Authority concluded.

T. ADJOURNMENT

At 10:41 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairman

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
November 17, 2015

A. ROLL CALL/POSTING OF AGENDA

At 6:04 p.m., the regular meeting of the Oxnard Housing Authority convened in the Council Chambers, concurrently with the City Council. Commissioners Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla, Bert Perello, Jose Andrade and Francisco Vega were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Greg Nyhoff, Executive Secretary and Stephen Fischer, Interim General Counsel.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMSC. CLOSED SESSIOND. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

3. CEREMONIAL CALENDARF. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDAG. REVIEW OF INFORMATION/CONSENT AGENDAH. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDAI. INFORMATION/CONSENT AGENDAHousing Department5. SUBJECT: Housing Authority General Depository Agreement. (029)

RECOMMENDATION: Approve and authorize the Chairman to execute a general depository agreement (form HUD-51999) with Bank of America.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Ramirez/Padilla)
Ayes: Ramirez, MacDonald, Padilla, Perello, Andrade, Vega and Flynn.

L. REPORTSJ. PUBLIC HEARINGSK. APPOINTMENT ITEMS

#: ha151117 (1202 : Approve Minutes of March 22, 2016.)

L. REPORTSK. APPOINTMENT ITEMSCITY COUNCIL

At 7:21 p.m., the joint meeting with the City Council concluded.

N. HOUSING AUTHORITY BUSINESS/COMMITTEE REPORTSM. REPORT OF EXECUTIVE DIRECTORO. PUBLIC COMMENTS ON REPORTSP. PUBLIC COMMENTS ON STUDY SESSIONQ. STUDY SESSIONR. ADJOURNMENT

At 7:21 p.m. the Housing Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting
December 1, 2015

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha151201.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

December 8, 2015

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha151208.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
December 15, 2015

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha151215.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
January 5, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160105.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
January 12, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160112.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
January 19, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160119.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
January 26, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160126.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
February 2, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160202.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
February 9, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160209.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY

Regular Meeting

February 23, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160223.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES
OXNARD HOUSING AUTHORITY
Regular Meeting
March 1, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160301.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
March 15, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160315.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
March 22, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160322.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES

OXNARD HOUSING AUTHORITY
Regular Meeting
March 29, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160329.no (1202 : Approve Minutes of March 22, 2016.)

MINUTES
OXNARD HOUSING AUTHORITY
Regular Meeting
April 5, 2016

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

TIM FLYNN
Chairperson

#: ha160405.no (1202 : Approve Minutes of March 22, 2016.)



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 2

DATE: April 12, 2016

TO: City Council

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

FROM: Greg Nyhoff, City Manager

SUBJECT: Agreement for City Council Review

CONTACT: Greg Nyhoff, City Manager
Greg.Nyhoff@oxnard.org, 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 A – 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

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

Amend current Agreement with our Employee Assistance Program Vendor

Packet Pg. 39

Vendor: Empathia Pacific Inc.
 Type: Amendment
 Agreement No.: 6012-12-HR
 Amendment No.: 1
 Purchase Order No.: 4366
 Begin Date: 01/01/2016
 End Date: 12/31/2016
 Term: 1 year

Amount to be Approved: \$35,000
 Current FY Amount: \$17,500
 Total Contract Amount: \$141,920
 Funding Source: Workers Compensation
 Vendor Selection Process: Request for Proposals (RFP)
 # of Bids/Proposals/Quotes: 2
 Project Manager: Tabin Cosio
 Department: Human Resources
 Telephone: 385-7590
 Email: tabin.cosio@oxnard.org

Purpose: Staff is requesting an amendment to the Empathia Pacific contract for a one-year extension in the amount of \$35,000. Empathia Pacific, Inc. is the City's Employee Assistance Program (EAP) which provides employees with access to a variety of work/life counseling and assistance resources. In 2012, staff issued a Request for Proposal (RFP) and received two proposals. Staff determined that Empathia Pacific, Inc., met all the requirements and provided the lowest cost per employee. The original agreement was for \$106,920 in January, 2013.

B Request to pay for Software

Vendor: DitoGov, LLC
 Type: Purchase Order
 Agreement No.: N/A
 Amendment No.: N/A
 Purchase Order No.: 5800
 Begin Date:
 End Date:
 Term: N/A

Amount to be Approved: \$30,149
 Current FY Amount: \$30,149
 Total Contract Amount: \$30,149
 Funding Source: Capital Outlay Fund
 Vendor Selection Process: Sole Source
 # of Bids/Proposals/Quotes: N/A
 Project Manager: Keith Brooks
 Department: Information Systems
 Telephone: 385-7597
 Email: keith.brooks@oxnard.org

Purpose: Staff is requesting to purchase the DitoGov software system licensing for one year in the amount \$30,149.10. Google's Vault software is integrated with the City's current Google Apps for Government solution. DitoGov is the licensed reseller assigned by Google to the City of Oxnard for this purchase, which is why this is recommended as a sole source.



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 3

DATE: April 12, 2016

TO: City Council

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

FROM: Terrel Harrison, Interim Community Services Manager

SUBJECT: Jr. High Grad Night - Six Flags Magic Mountain Excursion

CONTACT: Terrel Harrison, Cultural & Community Services
Terrel.Harrison@oxnard.org, 385-8101

RECOMMENDATION

That City Council authorize

- 1) The City Manager to approve Purchase Order No. 5786 in the amount of \$51,515.50 for Six Flags Magic Mountain tickets and Purchase Order No. 5785 in the amount of \$38,350 to Star-Dust Tours, Inc. dba The Bus to be used for transportation for the Jr. High Grad Night on June 3 and June 4, 2016.
- 2) Approve a budget appropriation recognizing \$89,866 of revenues in tickets sales and appropriating \$89,866 for purchase of the tickets and transportation of Jr. Grad Night.

BACKGROUND

The City and the Oxnard School District have partnered to coordinate a field trip to Six Flags Magic Mountain for over 1400 8th grade students across 14 schools within the school district for over 36 years. The trip to Six Flags Magic Mountain has been the location of choice for the Jr. High Grad Night event every year. The service package includes approximately 1450 admission tickets (\$50,735.50) and 60 meal tickets (\$780.00) for volunteers/chaperones for a total of \$51,515.50. Magic Mountain is close (50.1 miles away from Oxnard) and offers Jr. High Grad Night for the 8th grade graduates, and although Disneyland has previously been considered, it is further (96 miles away) and only offers services for high school graduates which does not include transportation.

Jr. High Grad Night - Six Flags Magic Mountain Excursion

April 12, 2016

Page 2

Additionally, an informal bid for bus transportation for two days was requested on February 19, 2016. Three bids were received from Star Dust Tours (The Bus), U S Coachways and Barnes Charters. The lowest bid was submitted by The Bus in the amount of \$38,250.

The Departure date is June 3, 2016 at 4 p.m. from Oxnard to Valencia, CA. The return date is June 4, 2016 at 1 a.m. for the trip back to Oxnard.

FINANCIAL IMPACT

The total cost for 1,450 students plus 60 volunteers and chaperones is \$89,769.50, an average cost of \$59.45 per person. Each student must purchase a ticket to participate in the event; the cost of tickets per student is \$70.00. This fee covers not only the above listed expenses but any materials and temporary labor costs that are necessary to the event. Due to the revenue from this event, there is no impact to the General Fund.

ATTACHMENTS

Attachment A:	Purchase Order No.5786 for Magic Mountain Ticket Packages
Attachment B:	Purchase Order No. 5785 for The Bus Transportation Services
Attachment C:	Budget Appropriation



PURCHASE ORDER
CITY OF OXNARD
300 WEST 3RD STREET
OXNARD, CA 93030

I.3.a

**PURCHASE
ORDER NO.
005786**

DATE: 4/5/2016

VENDOR PHONE: (800)342-3606

VENDOR FAX: () -

VENDOR #: 4515

VENDOR ADDRESS: SIX FLAGS MAGIC MOUNTAIN
ATTN: GROUP SALES
P.O. BOX 5500
VALENCIA, CA 91385

SHIP TO: RECREATION SERVICES
555 SOUTH A ST, #265
OXNARD, CA 93030

Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence

DELIVER BY		REQUISITION #	REQUISITION DATE	CONFIRMED BY	
03/21/2016		0000002586	03/14/2016		
FOB		ACCOUNT NUMBER		AUTHORIZED BY	
		10155028058104		RENA BASSETT	
ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE		UNIT COST	EXTENDED COST

1		TICKETS FOR JR HIGH GRAD NIGHT EVENT			
	51,515.50 /			1.0000	51,515.50
	DL				

BUDGET APPROPRIATION TO BE APPRVD BY COUNCIL, APPR
OVAL NOW OF REQ. TO PRINT PO FOR COUNCIL REVIEW.TW

TOTAL PURCHASE AMOUNT

\$51,515.50

In order to receive payment, email all invoices to:
invoices@oxnard.org

In the subject line, reference the Purchase
Order number above.

AUTHORIZED SIGNATURE. _____

By acceptance of this purchase order, you agree to the attached terms and conditions of the City of Oxnard

PURCHASE ORDERS
TERMS AND CONDITIONS

The City Purchasing Officer and the Vendor agree as follows:

1. Vendor shall furnish to City the labor, materials, equipment, supplies and/or services described in the Purchase Order preceding this page.
2. City shall pay to Vendor the price, or prices, specified in the Purchase Order upon delivery of the labor, materials, equipment, supplies and/or services, and acceptance thereof by the City Purchasing Officer, or upon the completion of the services to be performed and acceptance thereof.
3. If the Purchase Order is continuing in nature, City shall pay to Vendor the amount due Vendor for labor, materials, equipment or supplies furnished, or services completed and accepted.
4. Vendor shall deliver the labor, materials, equipment or supplies, or cause the services to be performed, within the time and in the manner specified in the Purchase Order. Vendor shall be excused in performance for delays resulting from causes beyond the control of Vendor.
5. If services are performed or labor furnished to City under the Purchase Order, Vendor agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, willfulness or acts for which Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf would be held strictly liable. Vendor's obligation to defend shall arise when a claim, demand or action is made or filed, whether or not such claim, demand or action results in a determination of liability or damages as to which Vendor is obligated to indemnify and hold harmless.
6. Insurance
 - a) Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance coverage issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverage.
 - i. Commercial general liability insurance, including a contractual liability endorsement, in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability coverage (Occurrence Form CG0001ED, November 1988);
 - ii. Business automobile liability insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Auto Liability Insurance Services Office coverage (Occurrence Form CA000TED, June 1992) covering Code No. 1, "any auto";
 - iii. Workers' compensation insurance in compliance with the laws of the State of California, including employer's liability insurance in an amount not less than \$1,000,000 per claimant.
7. Vendor, in the performance of any services or the furnishing of any labor under this Purchase Order, shall be considered an independent contractor, and Vendor and Vendor's agents and employees shall not be considered officers or employees of the City.
8. Vendor, without the written consent of the City Purchasing Officer, shall not:
 - a) Assign the Purchase Order, or any interest therein, or any money due thereunder; or
 - b) Make any changes, alterations or variations in the terms of the Purchase Order.
9. The cost of inspection on deliveries, or offers to make deliveries that do not meet specifications, will be paid by Vendor or deducted by City from amounts due Vendor.
10. Vendor shall indemnify and hold harmless City, its officers and employees, from liability, claims, loss or expense of any kind or nature on account of any copyrighted or uncopyrighted composition, patented or unpatented process or invention, article or appliance furnished or used under this Purchase Order.
11. Vendor shall comply with all applicable federal, state and local ordinance, laws and regulations and shall obtain and pay for all required licenses and permits, including a City of Oxnard business license.
12. Return or exchange of materials, equipment or supplies will not be permitted without written approval by the City Purchasing Officer.
13. All materials, supplies and equipment furnished under the Purchase Order shall, where applicable, be in full compliance with the Safety Orders and Regulations of the Division of Industrial Safety of the State of California and the Williams-Steiger Federal Occupational Health and Safety Act of 1970.
14. City may terminate this Purchase Order at any time by giving written notice of termination to Vendor. If termination is for cause, termination shall become effective on the date of the notice or at a later date, specified in the notice. If termination is without cause, termination shall become effective five days after the date of the notice or at a later date specified in the notice.
15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

17. The following requirements apply to any Purchase Order funded in whole or in part by federal grant funds.
 - a) Upon expiration of the time specified on the reverse side, this Purchase Order shall terminate unless City and Vendor have mutually agreed in writing to an extension of time.
 - b) If legal action is brought by either party because the other has failed to comply with terms or conditions of this Purchase Order, the prevailing party shall be awarded its attorney's fees and costs in addition to its damages and/or equitable relief.
 - c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
 - d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall have access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.



PURCHASE ORDER
CITY OF OXNARD
300 WEST 3RD STREET
OXNARD, CA 93030

I.3.b

**PURCHASE
ORDER NO.
005785**

DATE: 4/5/2016

VENDOR PHONE: (562)254-0876

VENDOR FAX: (323)278-9030

VENDOR #: 16464

VENDOR ADDRESS: THE BUS
515 MONTEBELLO WAY
MONTEBELLO, CA 90640-5117

SHIP TO: RECREATION SERVICES
555 SOUTH A ST, #265
OXNARD, CA 93030

Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence

DELIVER BY		REQUISITION #	REQUISITION DATE	CONFIRMED BY	
03/21/2016		0000002585	03/14/2016	FRANK GONZALEZ	
FOB		ACCOUNT NUMBER		AUTHORIZED BY	
		10155028058209		RENA BASSETT	
ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE		UNIT COST	EXTENDED COST

1	USES TO TRANSPORT JR HIGH GRAD NIGHT				
	38,250.00 / PARTICIPANTS			1.0000	38,250.00
	DL				

BUDGET APPROPRIATION TO BE APPRVD BY COUNCIL, APPROVAL NEEDED TO PRINT PO FOR COUNCIL REVIEW.TW

TOTAL PURCHASE AMOUNT	\$38,250.00
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In order to receive payment, email all invoices to:
invoices@oxnard.org

In the subject line, reference the Purchase
Order number above.

AUTHORIZED SIGNATURE. _____

By acceptance of this purchase order, you agree to the attached terms and conditions of the City of Oxnard

PURCHASE ORDERS
TERMS AND CONDITIONS

The City Purchasing Officer and the Vendor agree as follows:

1. Vendor shall furnish to City the labor, materials, equipment, supplies and/or services described in the Purchase Order preceding this page.
2. City shall pay to Vendor the price, or prices, specified in the Purchase Order upon delivery of the labor, materials, equipment, supplies and/or services, and acceptance thereof by the City Purchasing Officer, or upon the completion of the services to be performed and acceptance thereof.
3. If the Purchase Order is continuing in nature, City shall pay to Vendor the amount due Vendor for labor, materials, equipment or supplies furnished, or services completed and accepted.
4. Vendor shall deliver the labor, materials, equipment or supplies, or cause the services to be performed, within the time and in the manner specified in the Purchase Order. Vendor shall be excused in performance for delays resulting from causes beyond the control of Vendor.
5. If services are performed or labor furnished to City under the Purchase Order, Vendor agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, willfulness or acts for which Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf would be held strictly liable. Vendor's obligation to defend shall arise when a claim, demand or action is made or filed, whether or not such claim, demand or action results in a determination of liability or damages as to which Vendor is obligated to indemnify and hold harmless.
6. Insurance
 - a) Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance coverage issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverage.
 - i. Commercial general liability insurance, including a contractual liability endorsement, in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability coverage (Occurrence Form CG0001ED, November 1988);
 - ii. Business automobile liability insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Auto Liability Insurance Services Office coverage (Occurrence Form CA000TED, June 1992) covering Code No. 1, "any auto";
 - iii. Workers' compensation insurance in compliance with the laws of the State of California, including employer's liability insurance in an amount not less than \$1,000,000 per claimant.
7. Vendor, in the performance of any services or the furnishing of any labor under this Purchase Order, shall be considered an independent contractor, and Vendor and Vendor's agents and employees shall not be considered officers or employees of the City.
8. Vendor, without the written consent of the City Purchasing Officer, shall not:
 - a) Assign the Purchase Order, or any interest therein, or any money due thereunder; or
 - b) Make any changes, alterations or variations in the terms of the Purchase Order.
9. The cost of inspection on deliveries, or offers to make deliveries that do not meet specifications, will be paid by Vendor or deducted by City from amounts due Vendor.
10. Vendor shall indemnify and hold harmless City, its officers and employees, from liability, claims, loss or expense of any kind or nature on account of any copyrighted or uncopyrighted composition, patented or unpatented process or invention, article or appliance furnished or used under this Purchase Order.
11. Vendor shall comply with all applicable federal, state and local ordinance, laws and regulations and shall obtain and pay for all required licenses and permits, including a City of Oxnard business license.
12. Return or exchange of materials, equipment or supplies will not be permitted without written approval by the City Purchasing Officer.
13. All materials, supplies and equipment furnished under the Purchase Order shall, where applicable, be in full compliance with the Safety Orders and Regulations of the Division of Industrial Safety of the State of California and the Williams-Steiger Federal Occupational Health and Safety Act of 1970.
14. City may terminate this Purchase Order at any time by giving written notice of termination to Vendor. If termination is for cause, termination shall become effective on the date of the notice or at a later date, specified in the notice. If termination is without cause, termination shall become effective five days after the date of the notice or at a later date specified in the notice.
15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

17. The following requirements apply to any Purchase Order funded in whole or in part by federal grant funds.
 - a) Upon expiration of the time specified on the reverse side, this Purchase Order shall terminate unless City and Vendor have mutually agreed in writing to an extension of time.
 - b) If legal action is brought by either party because the other has failed to comply with terms or conditions of this Purchase Order, the prevailing party shall be awarded its attorney's fees and costs in addition to its damages and/or equitable relief.
 - c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
 - d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall have access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.

REQUEST FOR BUDGET APPROPRIATION

Department: Recreation
Project/Program
Manager: Terrel Harrison

Date: March 16, 2016
Phone: 7994

Reason for Appropriation:

Recognize revenue and appropriate funds for the Jr. High Grad Night event for Fiscal Year 2015-2016.

Accounts and Descriptions**AMOUNT**

Fund: General Fund (101)

Revenues/Transfers In**Jr. High Grad Night (Project No. I55162)**

101-5502-554-7369	Event Admission	89,866
	Sub-total Revenues	89,866

Expenditures/Transfers Out**Jr. High Grad Night (Project No. I55162)**

101-5502-805-8104	Supplies - Shop & Field	51,516
101-5502-805-8209	Services - Other Prof/Contract	38,350
	Sub-total Expenditures	89,866

Net Change to Fund Balance	0
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Net Appropriation Change	89,866
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Approvals

Department Director _____

Chief Financial Officer _____

City Manager _____

REQUIRES CITY COUNCIL AUTHORIZATION

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

Packet Pg. 46

#: Attachment C - Budget Appropriation (1165 : Jr. High Grad Night - Six Flags Magic Mountain Excursion)



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Info/Consent

AGENDA ITEM NO.: 4

DATE: April 12, 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. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) "The Courts at La Colonia Village". Filed Jointly by the Oxnard Housing Authority (OHA), 435 South D Street, Oxnard, CA 93030 and John Bigley, Urban Housing Communities, LLC, 2000 East Fourth Street, Suite 205, Santa Ana, CA 92705.

CONTACT: Doug Spondello, Development Services
Doug.Spondello@oxnard.org, 385-3919

RECOMMENDATION

That the City Council adopt a resolution approving Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) for property located at the northeast corner of the intersection of East First Street and North Marquita Street, subject to certain findings and conditions.

BACKGROUND

The existing Oxnard Housing Authority (OHA) public housing community is known as "The Courts at La Colonia Village." These 260 homes were built over 50 years ago by the OHA using U.S. Department of Housing and Urban Development Department (HUD) public housing funds. Due to the age and quality of the original construction, the units are deteriorated, contain asbestos, are poorly insulated, in need of constant repair, and would cost more to modernize than to rebuild. In 2013, OHA retained a new private-sector partner, Urban Housing Communities (UHC) to pursue redevelopment of the site.

Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1)

April 12, 2016

Page 2

On December 9, 2014, the City Council adopted Ordinance No. 2887 and Resolutions Nos. 14707 through 14709. These approvals included a Tentative Subdivision Map for Tract No. 5952 and established development standards and an administrative entitlement procedure to consider replacement of 260 public housing units and development of an additional 41 units in three phases on the 25-acre property bound by Rose Avenue, East First Street, North Marquita Street and Del Sol Park.

On October 6, 2015, the Development Services Director approved Planning and Zoning Permit No. 14-200-10 (Development Design Review Permit) to develop the first phase of the project, consisting of 144 apartments (142 affordable) within 10 buildings, a community center, accessory buildings and associated improvements to the sites and public rights of way.

In March 10, 2016, the Development Services Department issued a Verification of Status form (Attachment No. 4), which indicates that the Final Subdivision Map complies with the State Subdivision Map Act, Oxnard City Code requirements, and the previously approved Tentative Subdivision Map.

The requested Final Subdivision Map for Tract 5952-1 (Planning and Zoning Permit No. 16-300-01) establishes four lots, vacates existing portions of public rights of way, and dedicates land to create new public rights of way to support development of the Project's first phase, previously approved by City Council and the Development Services Director. This first phase occupies an area of 12.063 gross acres.

City Code Section 15-67 allows the Developer to request a maximum 30-day deferral of the submission of documents associated with the final map, following Council approval of the map. In this case, the Developer is requesting to defer security required by the Subdivision Improvement Agreement to allow them to record the map and obtain financing to develop the Project. With the consent of Council, Staff will work with the Developer to ensure that sufficient security for the public improvements is provided within 30 days.

City Council approval of the Final Subdivision Map for Tract 5952-1 is a ministerial act pursuant to City Council Resolution No. 10,851 and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA).

FINANCIAL IMPACT

No financial impacts are associated with the proposed final map.

ATTACHMENTS

- 1 – City Council Resolution
- 2 – Reduction of Final Map
- 3 – City Council Resolution Nos. 14,708 through 14,709 and Ordinance No. 2887
- 4 – Verification of Status Form

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 16-300-01 (FINAL SUBDIVISION MAP FOR TRACT NO. 5952-1) FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF EAST FIRST STREET AND NORTH MARQUITA STREET, WITHIN THE LA COLONIA NEIGHBORHOOD, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY THE OXNARD HOUSING AUTHORITY, 435 SOUTH D STREET, OXNARD, CA 93030 AND URBAN HOUSING COMMUNITIES, LLC, 2000 EAST FOURTH STREET, SUITE 205, SANTA ANA, CA 92705.

WHEREAS, the Tentative Subdivision Map for Tract No. 5952 for property located at the northeast corner of the intersection of East First Street and North Marquita Street, filed by the Oxnard Housing Authority and Urban Housing Communities, LLC, was recommended for approval by the Planning Commission Resolution No. 2014-21 and approved by City Council Resolution No. 14,707, subject to certain conditions; and

WHEREAS, the Final Subdivision Map for Tract No. 5952-1 has been submitted, together with the Subdivision Improvement Agreement proposed to be entered into in connection with the subdivision.

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

SECTION 1. The City Council, in accordance with the California Environmental Quality Act (CEQA), determines that approval of Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) is a ministerial act pursuant to City Council Resolution No. 10,851 and is therefore exempt from the requirements of CEQA.

SECTION 2. Based on review of the City Council Staff Report, all exhibits attached thereto and all written and oral testimony, the City Council hereby finds that: (i) the Final Subdivision Map for Tract No. 5952-1 conforms to the requirements of the Subdivision Map Act, Oxnard 2030 General Plan as adopted, Chapter 15 of the Oxnard City Code, and every condition of conditional approval previously imposed upon the Tentative Subdivision Map for Tract No. 5952; and (ii) the Final Subdivision Map for Tract No. 5952-1 is in substantial compliance with the previously approved Tentative Subdivision Map for Tract No. 5952. Based on the foregoing, the City Council hereby approves Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) and authorizes its recordation.

SECTION 3. Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1) is hereby approved subject to those findings and conditions set forth in City Council Resolution No. 13,886, which are incorporated herein by this reference.

SECTION 4. The City Council hereby approves the Subdivision Improvement Agreement attached hereto as **Exhibit A** and authorizes the Mayor to execute such Agreement.

SECTION 5. The City Council hereby authorizes the City Clerk to execute a certificate on the Final Subdivision Map for Tract No. 5952-1 stating that the City Council approved the Final Subdivision Map and that all offers of dedication shown on the Final Subdivision Map are accepted subject to improvement.

SECTION 6. The City Council hereby authorizes the City Clerk to execute a certificate on the Final Subdivision Map for Tract No. 5952-1 for abandonment of those portions of easement dedicated for public use for street and public utility purposes shown as Amelia Court and Bernarda Court.

SECTION 7. The City Council hereby authorizes a deferral of the submission of security required in support of the Final Map and Subdivision Improvement Agreements, as permitted by City Code Section 15-67.

PASSED AND ADOPTED this 29th day of March, 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

CITY OF OXNARD

SUBDIVISION IMPROVEMENT AGREEMENT

Date of Agreement: December 30, 2015
 Tract No. 5952-01
 Name of Subdivider: UHC 00558 Oxnard LP
 Address: 2000 East Fourth Street, Suite 205
 Santa Ana, CA 92705

This Subdivision Improvement Agreement (“Agreement”) is entered into in the County of Ventura, State of California, between the City of Oxnard (“City”) and the above-named Subdivider (“Subdivider”) pursuant to Government Code section 66462 et seq., of the Subdivision Map Act and the City’s subdivision ordinance. City and Subdivider agree as follows:

1. Agreement to Perform. Subdivider agrees to satisfactorily perform all acts required by City in connection with the subdivision of the above tract.

2. Construction of Improvements.

A. At Subdivider’s sole expense, Subdivider agrees to construct and complete in accordance with City standards all street, drainage, water, sewer, lighting, and other public improvements required for approval of the subdivision of the above tract. Such public improvements are set forth in Section 1 of Exhibit A, attached hereto and incorporated herein by this reference. The estimated cost of such public improvements is listed in Section 2 of Exhibit A.

B. Subdivider agrees to construct and complete City’s portion, if any, of the public improvements as set forth in Section 1 of Exhibit A. Subdivider shall be reimbursed by City for the cost of such construction and completion in accordance with Resolution No. 10,272.

C. The public improvements are public work, as defined in Chapter 1 of Part 7 of Division 2 of the Labor Code, to which Labor Code section 1771 applies. Subdivider shall comply with all requirements of law applicable to such construction.

3. Repairs or Reconstruction. Subdivider shall promptly repair or reconstruct any portion of the public improvements that the Development Services Director (“Director”) determines, in his or her sole discretion, to be unsatisfactory. If Subdivider does not act promptly after reasonable notice from Director, and if City promptly repairs or reconstructs the improvements in order to protect such improvements or the public safety, Subdivider shall pay to City the actual cost of repairs or reconstruction plus 15 percent thereof.

4. Fees and Charges. Developer agrees to pay all fees and charges imposed on the development pursuant to federal and state law and regulations and City ordinances, resolutions and policies.

5. Faithful Performance/Labor and Materials Security. Prior to execution of this Agreement by City, Subdivider shall furnish the City with security in a form approved by the City Attorney, provided, however, that furnishing of security may be deferred for 30 days from date of approval pursuant to City Code section 15-67. Security shall be as follows:

A. 100% of the estimated costs of the public improvements as listed in Section 2 of Exhibit A to secure satisfactory construction and completion of those public improvements.

B. 50% of the estimated costs of the public improvements as listed in Section 2 of Exhibit A to secure prompt payment to any contractor, subcontractor, and/or to persons furnishing labor, materials, or equipment for the construction and completion of the public improvements.

C. No changes or alterations may be made in the construction of the public improvements without the prior approval of Director. Unless otherwise approved, in writing, by Director, Subdivider shall obtain security for 100% of the estimated cost of the public improvements as changed or altered.

6. Release of Security. City agrees that the security furnished by the Subdivider shall be released in the following manner:

A. Security provided for satisfactory construction and completion of the public improvements shall be released upon final completion and acceptance of such construction by Director, subject to the security retained to guarantee that the public improvements are not defective and to pay the costs of enforcement. On written application of Subdivider after partial completion of the construction and acceptance thereof, Director may release a portion of the security. Any partial release shall not be less than 25% or more than 75% of the total security until final completion and acceptance of the public improvements by Director.

B. Security for payment to any contractor, subcontractor, and/or persons furnishing labor, materials, or equipment shall be released 65 days after the recording of a Notice of Completion, or if a Notice of Completion is not recorded, 95 days after the completion of the public improvements. The amount of security released shall be the total security less the amount of all claims of lien that have been recorded and notice given in writing to City. If no such claims of lien have been recorded and no notice given in writing to City, City shall release the security in full.

7. Guarantee of No Defects. Subdivider guarantees that the public improvements shall not be defective in any manner for a period of one year following completion and acceptance thereof by City, and Subdivider agrees to pay City's costs of enforcing such guarantee. Subdivider's guarantee shall be secured by a security in a form approved by the City Attorney equal to 25% of the estimated costs of the public improvements as listed in Section 2 of Exhibit A.

8. Time for Completion.

A. Subdivider shall diligently commence and proceed with the construction so that the public improvements shall be completed and accepted within 12 months after execution of this Agreement by City.

B. If Subdivider is delayed at any time in the progress of the construction by any changes ordered by Director in the scope of Subdivider's construction or by labor disputes, fire, unavoidable casualties or other circumstances beyond Subdivider's control, Director, on written application of Subdivider, may extend the time for completion for a reasonable period. Any extension granted by Director shall be in writing and shall specify the new time for performance.

C. For other good cause shown by Subdivider, Director may extend the time for completion. Any extension granted by Director shall be in writing and shall specify the new time for performance.

D. If the estimated costs of construction of the public improvements have increased, Director may, as a condition of extending the time for completion, require Subdivider to increase the amount of security.

9. Breach of Agreement. Director may declare Subdivider in breach of this Agreement for any of the following reasons:

A. Subdivider does not diligently pursue completion of the public improvements, or any part thereof, or fails to complete the construction of the public improvements within the specified time;

B. Subdivider is adjudged bankrupt, or Subdivider makes a general assignment for the benefit of Subdivider's creditors, or a receiver is appointed in the event of Subdivider's insolvency;

C. Subdivider or any of Subdivider's contractors, subcontractors, agents or employees violate any of the provisions of this Agreement.

10. Use of Security Upon Breach. After notifying Subdivider of Subdivider's breach of this Agreement, Director shall have the following rights with regard to Subdivider's security:

A. To demand that the surety immediately take over and complete the public improvements. The surety shall be obligated to comply with such demand within five days of receipt thereof.

B. To take over and complete the public improvements and use the security to provide for the entire costs thereof.

C. To take other appropriate action to cause the public improvements to be constructed at the expense of Subdivider or Subdivider's surety.

11. Indemnity. Subdivider agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Subdivider or its agents, employees, subconsultants, subcontractors, consultants and other persons acting on Subdivider's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, or acts for which Subdivider or its agents, employees, subconsultants, subcontractors, consultants and other persons acting on Subdivider's behalf would be held strictly liable.

12. Insurance.

A. Prior to execution of this Agreement by City, Subdivider shall obtain and maintain during the performance of this Agreement the insurance coverages as specified in Exhibit INS-Q, attached hereto and incorporated herein by this reference, issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Subdivider obtain and maintain such insurance coverages.

B. Prior to commencement of any construction under this Agreement, Subdivider shall file with the Risk Manager evidence of insurance coverage as specified in Exhibit INS-Q. Evidence of insurance coverage shall be forwarded to the Risk Manager, addressed as specified in Exhibit INS-Q.

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

13. Severability. City and Subdivider agree that the invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision.

14. Waiver of Any Challenge. Subdivider's execution of this Agreement represents full acceptance of the benefits and the burdens associated with the approval of the subdivision of the above tract and Subdivider hereby fully and completely waives all claims, protests, or challenges concerning any fee, condition or obligation imposed by City in its approval of the subdivision.

15. Costs of Enforcement. Subdivider and City agree that the prevailing party's reasonable costs, attorneys' fees (including the reasonable value of the services rendered by the City Attorney Department) and expenses, including investigation fees and expert witness fees, shall be paid by the non-prevailing party in any dispute involving the terms and conditions of this Agreement.

16. Arbitration. Subdivider and City agree that in the event of any dispute with regard to the provisions of this Agreement or the construction of the public improvements, the dispute may be submitted to arbitration upon the mutual agreement of Subdivider and City, under such

procedures as Subdivider and City may agree upon, or, if Subdivider and City cannot agree, then under the Rules of the American Arbitration Association.

17. Waiver of Statute of Limitations. For a period of ten years from the date of this Agreement, Subdivider agrees not to plead the statute of limitations as a defense to the obligations imposed by this Agreement.

18. Notices. All notices provided for herein shall be in writing and shall be effective when delivered in person or sent by registered or certified mail to Subdivider at the address given above or to City, c/o Development Services Director, 214 South "C" Street, Oxnard, California 93030-5738.

19. Amendments. City and Subdivider agree that the terms and conditions of the Agreement may be reviewed and/or modified at any time. Any modifications to this Agreement, however, shall be effective only when agreed to in writing by both Director and Subdivider.

20. Binding on Successors. Subdivider and City agree that this Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of Subdivider and City.

21. Entire Agreement. City and Subdivider agree that this Agreement constitutes the entire agreement of the parties regarding the subject matter described herein and supersedes all prior communications, agreements, and promises, either oral or written.

CITY OF OXNARD

UHC 00558 OXNARD LP

Tim Flynn, Mayor

John Bigley, Co-General Partner

LAS CORTES, INC.

Bryan A. MacDonald, President

ATTEST:

APPROVED AS TO CONTENT:

Daniel Martinez, City Clerk

Paul Wendt
Interim Development Services Manager

APPROVED AS TO FORM:

Stephen M. Fischer, Interim City Attorney

APPROVED AS TO INSURANCE:

Risk Manager

EXHIBIT A
TO
SUBDIVISION IMPROVEMENT AGREEMENT
TRACT NO. 5952-01

SECTION 1. IMPROVEMENT AND RESOLUTIONS.

Detailed Improvement Plan No. 15-20A
Planning Commission Resolution No. 14,707
City Council Resolution No. 2014-21
and any resolution approving the final map.

SECTION 2. ESTIMATED COSTS OF IMPROVEMENTS.

Streets	\$800,000.00
Removals	\$100,000.00
Wastewater facilities	\$160,000.00
Water facilities	\$500,000.00
Storm Drain facilities	\$30,000.00
Monuments and related facilities	\$20,000.00
Grading	-0-
Underground existing utilities	\$125,000.00
TOTAL	\$1,735,000.00

CITY OF OXNARD

SUBDIVISION IMPROVEMENT AGREEMENT

Date of Agreement: December 30, 2015
 Tract No. 5952-01
 Name of Subdivider: UHC 00558 Oxnard LP
 Address: 2000 East Fourth Street, Suite 205
 Santa Ana, CA 92705

This Subdivision Improvement Agreement (“Agreement”) is entered into in the County of Ventura, State of California, between the City of Oxnard (“City”) and the above-named Subdivider (“Subdivider”) pursuant to Government Code section 66462 et seq., of the Subdivision Map Act and the City’s subdivision ordinance. City and Subdivider agree as follows:

1. Agreement to Perform. Subdivider agrees to satisfactorily perform all acts required by City in connection with the subdivision of the above tract.

2. Construction of Improvements.

A. At Subdivider’s sole expense, Subdivider agrees to construct and complete in accordance with City standards all street, drainage, water, sewer, lighting, and other public improvements required for approval of the subdivision of the above tract. Such public improvements are set forth in Section 1 of Exhibit A, attached hereto and incorporated herein by this reference. The estimated cost of such public improvements is listed in Section 2 of Exhibit A.

B. Subdivider agrees to construct and complete City’s portion, if any, of the public improvements as set forth in Section 1 of Exhibit A. Subdivider shall be reimbursed by City for the cost of such construction and completion in accordance with Resolution No. 10,272.

C. The public improvements are public work, as defined in Chapter 1 of Part 7 of Division 2 of the Labor Code, to which Labor Code section 1771 applies. Subdivider shall comply with all requirements of law applicable to such construction.

3. Repairs or Reconstruction. Subdivider shall promptly repair or reconstruct any portion of the public improvements that the Development Services Director (“Director”) determines, in his or her sole discretion, to be unsatisfactory. If Subdivider does not act promptly after reasonable notice from Director, and if City promptly repairs or reconstructs the improvements in order to protect such improvements or the public safety, Subdivider shall pay to City the actual cost of repairs or reconstruction plus 15 percent thereof.

4. Fees and Charges. Developer agrees to pay all fees and charges imposed on the development pursuant to federal and state law and regulations and City ordinances, resolutions and policies.

5. Faithful Performance/Labor and Materials Security. Prior to execution of this Agreement by City, Subdivider shall furnish the City with security in a form approved by the City Attorney, provided, however, that furnishing of security may be deferred for 30 days from date of approval pursuant to City Code section 15-67. Security shall be as follows:

A. 100% of the estimated costs of the public improvements as listed in Section 2 of Exhibit A to secure satisfactory construction and completion of those public improvements.

B. 50% of the estimated costs of the public improvements as listed in Section 2 of Exhibit A to secure prompt payment to any contractor, subcontractor, and/or to persons furnishing labor, materials, or equipment for the construction and completion of the public improvements.

C. No changes or alterations may be made in the construction of the public improvements without the prior approval of Director. Unless otherwise approved, in writing, by Director, Subdivider shall obtain security for 100% of the estimated cost of the public improvements as changed or altered.

6. Release of Security. City agrees that the security furnished by the Subdivider shall be released in the following manner:

A. Security provided for satisfactory construction and completion of the public improvements shall be released upon final completion and acceptance of such construction by Director, subject to the security retained to guarantee that the public improvements are not defective and to pay the costs of enforcement. On written application of Subdivider after partial completion of the construction and acceptance thereof, Director may release a portion of the security. Any partial release shall not be less than 25% or more than 75% of the total security until final completion and acceptance of the public improvements by Director.

B. Security for payment to any contractor, subcontractor, and/or persons furnishing labor, materials, or equipment shall be released 65 days after the recording of a Notice of Completion, or if a Notice of Completion is not recorded, 95 days after the completion of the public improvements. The amount of security released shall be the total security less the amount of all claims of lien that have been recorded and notice given in writing to City. If no such claims of lien have been recorded and no notice given in writing to City, City shall release the security in full.

7. Reserved.

8. Time for Completion.

A. Subdivider shall diligently commence and proceed with the construction so that the public improvements shall be completed and accepted within 12 months after execution of this Agreement by City.

B. If Subdivider is delayed at any time in the progress of the construction by any changes ordered by Director in the scope of Subdivider's construction or by labor disputes, fire, unavoidable casualties or other circumstances beyond Subdivider's control, Director, on written

application of Subdivider, may extend the time for completion for a reasonable period. Any extension granted by Director shall be in writing and shall specify the new time for performance.

C. For other good cause shown by Subdivider, Director may extend the time for completion. Any extension granted by Director shall be in writing and shall specify the new time for performance.

D. If the estimated costs of construction of the public improvements have increased, Director may, as a condition of extending the time for completion, require Subdivider to increase the amount of security.

9. Breach of Agreement. Director may declare Subdivider in breach of this Agreement for any of the following reasons:

A. Subdivider does not diligently pursue completion of the public improvements, or any part thereof, or fails to complete the construction of the public improvements within the specified time;

B. Subdivider is adjudged bankrupt, or Subdivider makes a general assignment for the benefit of Subdivider's creditors, or a receiver is appointed in the event of Subdivider's insolvency;

C. Subdivider or any of Subdivider's contractors, subcontractors, agents or employees violate any of the provisions of this Agreement.

10. Use of Security Upon Breach. After notifying Subdivider of Subdivider's breach of this Agreement, Director shall have the following rights with regard to Subdivider's security:

A. To demand that the surety immediately take over and complete the public improvements. The surety shall be obligated to comply with such demand within five days of receipt thereof.

B. To take over and complete the public improvements and use the security to provide for the entire costs thereof.

C. To take other appropriate action to cause the public improvements to be constructed at the expense of Subdivider or Subdivider's surety.

11. Indemnity. Subdivider agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Subdivider or its agents, employees, subconsultants, subcontractors, consultants and other persons acting on Subdivider's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, or acts

for which Subdivider or its agents, employees, subconsultants, subcontractors, consultants and other persons acting on Subdivider's behalf would be held strictly liable.

12. Insurance.

A. Prior to execution of this Agreement by City, Subdivider shall obtain and maintain during the performance of this Agreement the insurance coverages as specified in Exhibit INS-Q, attached hereto and incorporated herein by this reference, issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Subdivider obtain and maintain such insurance coverages.

B. Prior to commencement of any construction under this Agreement, Subdivider shall file with the Risk Manager evidence of insurance coverage as specified in Exhibit INS-Q. Evidence of insurance coverage shall be forwarded to the Risk Manager, addressed as specified in Exhibit INS-Q.

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

13. Severability. City and Subdivider agree that the invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision.

14. Waiver of Any Challenge. Subdivider's execution of this Agreement represents full acceptance of the benefits and the burdens associated with the approval of the subdivision of the above tract and Subdivider hereby fully and completely waives all claims, protests, or challenges concerning any fee, condition or obligation imposed by City in its approval of the subdivision.

15. Costs of Enforcement. Subdivider and City agree that the prevailing party's reasonable costs, attorneys' fees (including the reasonable value of the services rendered by the City Attorney Department) and expenses, including investigation fees and expert witness fees, shall be paid by the non-prevailing party in any dispute involving the terms and conditions of this Agreement.

16. Arbitration. Subdivider and City agree that in the event of any dispute with regard to the provisions of this Agreement or the construction of the public improvements, the dispute may be submitted to arbitration upon the mutual agreement of Subdivider and City, under such procedures as Subdivider and City may agree upon, or, if Subdivider and City cannot agree, then under the Rules of the American Arbitration Association.

17. Waiver of Statute of Limitations. For a period of ten years from the date of this Agreement, Subdivider agrees not to plead the statute of limitations as a defense to the obligations imposed by this Agreement.

18. Notices. All notices provided for herein shall be in writing and shall be effective when delivered in person or sent by registered or certified mail to Subdivider at the address given

above or to City, c/o Development Services Director, 214 South "C" Street, Oxnard, California 93030-5738.

19. Amendments. City and Subdivider agree that the terms and conditions of the Agreement may be reviewed and/or modified at any time. Any modifications to this Agreement, however, shall be effective only when agreed to in writing by both Director and Subdivider.

20. Binding on Successors. Subdivider and City agree that this Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of Subdivider and City.

21. Entire Agreement. City and Subdivider agree that this Agreement constitutes the entire agreement of the parties regarding the subject matter described herein and supersedes all prior communications, agreements, and promises, either oral or written.

CITY OF OXNARD

UHC 00558 OXNARD LP

Tim Flynn, Mayor

John Bigley, Co-General Partner

LAS CORTES, INC.

Bryan A. MacDonald, President

ATTEST:

APPROVED AS TO CONTENT:

Daniel Martinez, City Clerk

Paul Wendt
Interim Development Services Manager

APPROVED AS TO FORM:

APPROVED AS TO INSURANCE:

Stephen M. Fischer, Interim City Attorney

Joseph Lillio, Risk Manager

EXHIBIT A
TO
SUBDIVISION IMPROVEMENT AGREEMENT
TRACT NO. 5952-01

SECTION 1. IMPROVEMENT AND RESOLUTIONS.

Detailed Improvement Plan No. 15-31A
Planning Commission Resolution No. 14,707
City Council Resolution No. 2014-21
and any resolution approving the final map.

SECTION 2. ESTIMATED COSTS OF IMPROVEMENTS.

Streets	-0-
Removals	\$800,000.00
Wastewater facilities	-0-
Water facilities	-0-
Storm Drain facilities	-0-
Monuments and related facilities	-0-
Grading	-0-
Underground existing utilities	-0-
TOTAL	\$800,000.00

GROSS AREA: 12.063 ACRES

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY STATE THAT THEY ARE THE OWNERS OF, OR ARE INTERESTED IN, THE REAL PROPERTY INCLUDED WITHIN THIS SUBDIVISION ENTITLED TRACT NO. 5952-1, SHOWN ON THIS MAP, THAT THEY ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS TITLE TO SAID REAL PROPERTY, THAT THEY CONSENT TO THE MAKING AND RECORDED OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE EXTERIOR BOUNDARY LINE AND THAT THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD FOR PUBLIC USE, THE RIGHT-OF-WAY FOR ALL STREETS AND HIGHWAYS SHOWN ON THE MAP. THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD FOR PUBLIC USE, THE SIDEWALK EASEMENT AS SHOWN ON THIS MAP. THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD ACCESS RIGHTS ALONG FIRST STREET AND MARQUITA STREET AS SHOWN ON THIS MAP. THAT THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD THE WATER AND SEWER EASEMENTS AS SHOWN ON THIS MAP AND THAT THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD, ALL WATER RIGHTS AND THE RIGHT TO DEVELOP ALL WATER FOUND UNDER SAID LAND BUT WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY.

OWNER:

HOUSING AUTHORITY OF THE CITY OF OXNARD

NAME:
TITLE:**CITY COUNCIL'S CERTIFICATE**

THIS MAP ENTITLED "TRACT MAP NO. 5952-1" CONSISTING OF 6 SHEETS IS PRESENTED TO THE CITY COUNCIL OF THE CITY OF OXNARD OF VENTURA COUNTY, CALIFORNIA AT A REGULAR MEETING OF SAID CITY COUNCIL HELD ON THE DAY OF _____, 20____, FOR APPROVAL. SAID COUNCIL HEREBY APPROVES SAID MAP AND DOES HEREBY ACCEPT THE WATER RIGHTS AS OFFERED HEREON, AND DOES HEREBY ACCEPT FOR PUBLIC USE THE RIGHT-OF-WAY FOR ALL STREETS AND HIGHWAYS AS SHOWN ON THIS MAP. SUBJECT TO IMPROVEMENT, ALSO HEREBY ACCEPTS THE SIDEWALK EASEMENT AS SHOWN ON THIS MAP ALSO HEREBY ACCEPTS DEDICATION OF ACCESS RIGHTS AS SHOWN ON THIS MAP AND ALSO HEREBY ACCEPTS THE WATER AND SEWER EASEMENTS SHOWN ON THIS MAP. IN WITNESS WHEREOF SAID CITY COUNCIL HAS CAUSED THIS CERTIFICATE TO BE SIGNED BY THE MAYOR AND ATTESTED TO BY THE CITY CLERK OF SAID CITY AND THE CORPORATE SEAL OF SAID CITY OF OXNARD TO BE AFFIXED HERETO.

THIS ____ DAY OF _____, 20____

DANIEL MARTINEZ
CITY CLERK OF THE CITY OF OXNARDTIM FLYNN
MAYOR OF THE CITY OF OXNARD**ABANDONMENT CERTIFICATE**

THIS IS TO CERTIFY THAT PURSUANT TO SECTION 66499.201/2 OF THE SUBDIVISION MAP ACT, THE FILING OF THIS TRACT MAP CONSTITUTES ABANDONMENT OF THOSE PORTIONS OF EASEMENTS DEDICATED FOR PUBLIC USE FOR STREET AND PUBLIC UTILITY PURPOSES SHOWN AS AMELIA COURT AND BERNARDA COURT AS SHOWN ON COLONIA VILLAGE TRACT, FILED IN BOOK 21, PAGES 49 AND 50 OF MAPS, LYING WITHIN THE EXTERIOR BOUNDARY OF THIS SUBDIVISION, NOT SHOWN ON THIS MAP.

DANIEL MARTINEZ
CITY CLERK
CITY OF OXNARD

DATE

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

TRACT MAP NO. 5952-1

PORTIONS OF LOTS 1, 6 AND THE UNNAMED LOT, AND ALL OF LOTS 2 THROUGH 5, INCLUSIVE, OF COLONIA VILLAGE TRACT, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 21, PAGES 49 AND 50 OF MAPS RECORDS OF VENTURA COUNTY.

RICK ENGINEERING COMPANY

JULY 2015

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

NOTARY ACKNOWLEDGMENTSTATE OF CALIFORNIA
COUNTY OF _____ON _____, BEFORE ME, _____, A
NOTARY PUBLIC, PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____

NAME:
NOTARY PUBLIC

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

CITY TREASURER'S CERTIFICATE

I, DANIELLE M. NAVAS, CITY TREASURER OF THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE, THERE ARE NO LIENS AGAINST "TRACT MAP NO. 5952-1" OR ANY PART THEREOF FOR UNPAID MUNICIPAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS MUNICIPAL TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF OXNARD
THIS ____ DAY OF _____, 20____

DANIELLE M. NAVAS
CITY TREASURER, CITY OF OXNARD

By: _____

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436(a) (3) (1) OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND/OR OTHER INTERESTS HAVE BEEN OMITTED

AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 8-19-1954 IN BOOK 1223, PAGE 299 OR., IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY.

AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 6-10-1958 IN BOOK 1525, PAGE 154, OR, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY.

AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 1-23-1979 IN BOOK 5311, PAGE 297 OR, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY.

AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 5-29-1979 IN BOOK 5401, PAGE 336 OR, IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA.

AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 8-16-1979 IN BOOK 5465, PAGE 972 OR, IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA.

AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 8-28-1979 IN BOOK 5474, PAGE 301, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY.

AN EASEMENT PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED 5-14-2015 IN INST. NO. 20150514-00073372 OR, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY.

TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED DEC. 01, 1998, BY AND BETWEEN CITY OF OXNARD FINANCING AUTHORITY AS LESSOR AND CITY OF OXNARD AS LESSEE, AS DISCLOSED BY A LEASE AGREEMENT RECORDED JAN. 25, 1999 AS INSTRUMENT NO. 99-013382 OF OFFICIAL RECORDS.

COUNTY TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITY REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT HAVE BEEN FILED AND DEPOSITED WITH ME.

STEVEN HINTZ
COUNTY TAX COLLECTOR
COUNTY OF VENTURABy: _____
DEPUTY COUNTY TAX COLLECTOR

DATE

SHEET 1 OF 6 SHEETS

SURVEYOR'S STATEMENT

I WILLIAM ROHAL, DO HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA AND THAT THIS MAP CONSISTING OF SIX (6) SHEETS IS A TRUE AND COMPLETE REPRESENTATION OF A FIELD SURVEY MADE BY ME OR UNDER MY DIRECTION IN JUNE 2015 AT THE REQUEST OF URBAN HOUSING COMMUNITIES AND THAT ALL MONUMENTS SET IN SUCH POSITIONS WITHIN ONE (1) YEAR OF RECORDED OF THIS MAP, IN COMPLIANCE WITH SECTIONS 66495 AND 66496 OF THE SUBDIVISION MAP ACT AND ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATE: _____

WILLIAM ROHAL, L.S. 8805
EXPIRES 12-31-2016**CITY SURVEYOR'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT MAP NO. 5952-1 AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

JAMES P. FALLON
CITY SURVEYOR
PLS 7807

DATE

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE FINAL MAP ENTITLED TRACT MAP NO. 5952-1 AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL OF THE MAPPING PROVISIONS OF THE SUBDIVISION MAP ACT AND CITY OF OXNARD SUBDIVISION ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

PAUL J. WENDT, RCE 46333
CITY ENGINEER
OF THE CITY OF OXNARD

DATE

SOILS REPORT

THE FOLLOWING SOILS REPORT(S) AND/OR GEOLOGIC REPORT(S) RELATING TO TRACT NO. 5952-1 HAVE BEEN PREPARED:
DATE OF REPORT: DEC 22, 2005
TITLE OF REPORT: GEOTECHNICAL INVESTIGATION REPORT FOR THE COURTS DEVELOPMENT, CITY OF OXNARD, CA.
FIRM NAME: ENVIRONMENTAL EQUALIZERS INC.
ENGINEER (OR GEOLOGIST): JERRY MICHAL
REGISTRATION NO.: BE 2515
LOCATION WHERE ON FILE FOR PUBLIC INSPECTION: CITY OF OXNARD - CITY ENGINEER'S OFFICE.

COUNTY RECORDER'S CERTIFICATE

FILED THIS ____ DAY OF _____, 20____, AT ____ M. IN BOOK ____
OF MISCELLANEOUS RECORDS (MAPS) AT PAGES _____. AT THE REQUEST OF _____

MARK A. LURN
COUNTY RECORDER
COUNTY OF VENTURABy: _____
DEPUTY COUNTY RECORDER

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

TRACT MAP NO. 5952-1

PORTIONS OF LOTS 1, 6 AND THE UNNAMED LOT, AND ALL OF LOTS 2 THROUGH 5, INCLUSIVE, OF COLONIA VILLAGE TRACT, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 21, PAGES 49 AND 50 OF MAPS RECORDS OF VENTURA COUNTY.

HICK ENGINEERING COMPANY

SHEET 4 OF 6 SHEETS

NOTES

1. SEE SHEET NO. 2 FOR LEGEND.
2. SEE SHEET NO. 3 FOR DETAILS & MONUMENTATION LOG.

BOUNDARY ESTABLISHMENT NOTES:

THE ESTABLISHMENT OF COLONIA ROAD BY S.G. BENNETT IN 1954 PER 17 RS 25 IS IN ERROR. THIS IS EVIDENCED BY THE BEARING OF $N89^{\circ}53'24"E$ ON THE SOUTH LINE AND THE DISTANCE OF 682.81' (2.41' LONGER THEN RECORD) ALONG THE WEST LINE OF THE 19.90 ACRE PARCEL. MONUMENTS BY THIS SURVEY ARE REJECTED BY SUBSEQUENT SURVEYS SUCH AS NW CORNER ON 21 MR 49 AND THE NORTHEAST CORNER OF 24 RS 62, THOUGH 21 MR 49 REJECTED THE NORTHERLY BENNETT MONUMENT IT ACCEPTED A BENNETT MONUMENT TO THE SOUTH AS AN ANGLE POINT IN THE CL OF MARQUITA STREET AND THEREFORE, ACCEPTED BY THIS SURVEY.

THE COLONIA VILLAGE TRACT MAP 21 MR 49, SHOWS AN ANGLE POINT IN THE SOUTH BOUNDARY. THE BEARING SHOWN AS $(S89^{\circ}52'12"W \ 218.17')$ SHOULD BE LABELED AS A NW BEARING (WRONG QUADRANT). 11 RS 66 SHOWS A DEFLECTION OF $0^{\circ}09'$. THE DEFLECTION ANGLE ESTABLISHED ON THIS SURVEY IS $0^{\circ}09'58"$.

THE SOUTH BOUNDARY OF 21 MR 49 WAS ESTABLISHED AS FOLLOWS.

- A. SE CORNER ESTABLISHED BY INTERSECTION AS SHOWN ON DETAIL 'A' ON SHEET 3.
- B. POINT ON SOUTH LINE AT THE INTERSECTION WITH THE CL OF NAVARRO STREET ESTABLISHED AS SHOWN ON DETAIL 'C' ON SHEET 3.
- C. ANGLE POINT IN SOUTH LINE ESTABLISHED ON LINE PROLONGED WESTERLY AT RECORD DISTANCE OF 102.75' CALCD FROM 22 MR 29.
- D. NORTH LINE OF 13 MR 95 ESTABLISHED BY HOLDING TIES PER COFB LL-41/82.

THE CL OF EAST FIRST STREET WAS ESTABLISHED 30.00' NORTH OF AND PARALLEL TO THE LINE SHOWN ON DETAIL 'A' ON SHEET 3.

THE NORTH LINE OF EAST FIRST STREET ESTABLISHED 30.00' NORTH OF THE CL AS DESCRIBED ABOVE.

THE NORTH LINE OF LOTS 2-11 OF 21 MR 49 ESTABLISHED AT RECORD DISTANCE FOR THE NE CORNER OF LOT 11 AND PARALLEL TO THE CL OF EAST FIRST STREET PER 21 MR 49.

PROPORTIONING ALONG THE NORTH RIGHT OF WAY OF EAST FIRST STREET SHOWN ON SHEET 3.

THE BEARINGS OF ALL COURT RIGHT OF WAY LINES AND LOT LINES LOTS 2-11 WERE HELD PERPENDICULAR TO EAST FIRST STREET CENTER LINE PER 21 MR 49.

NORTH LINE OF MR 25/51 ESTABLISHED BY FOUND MONUMENTS.

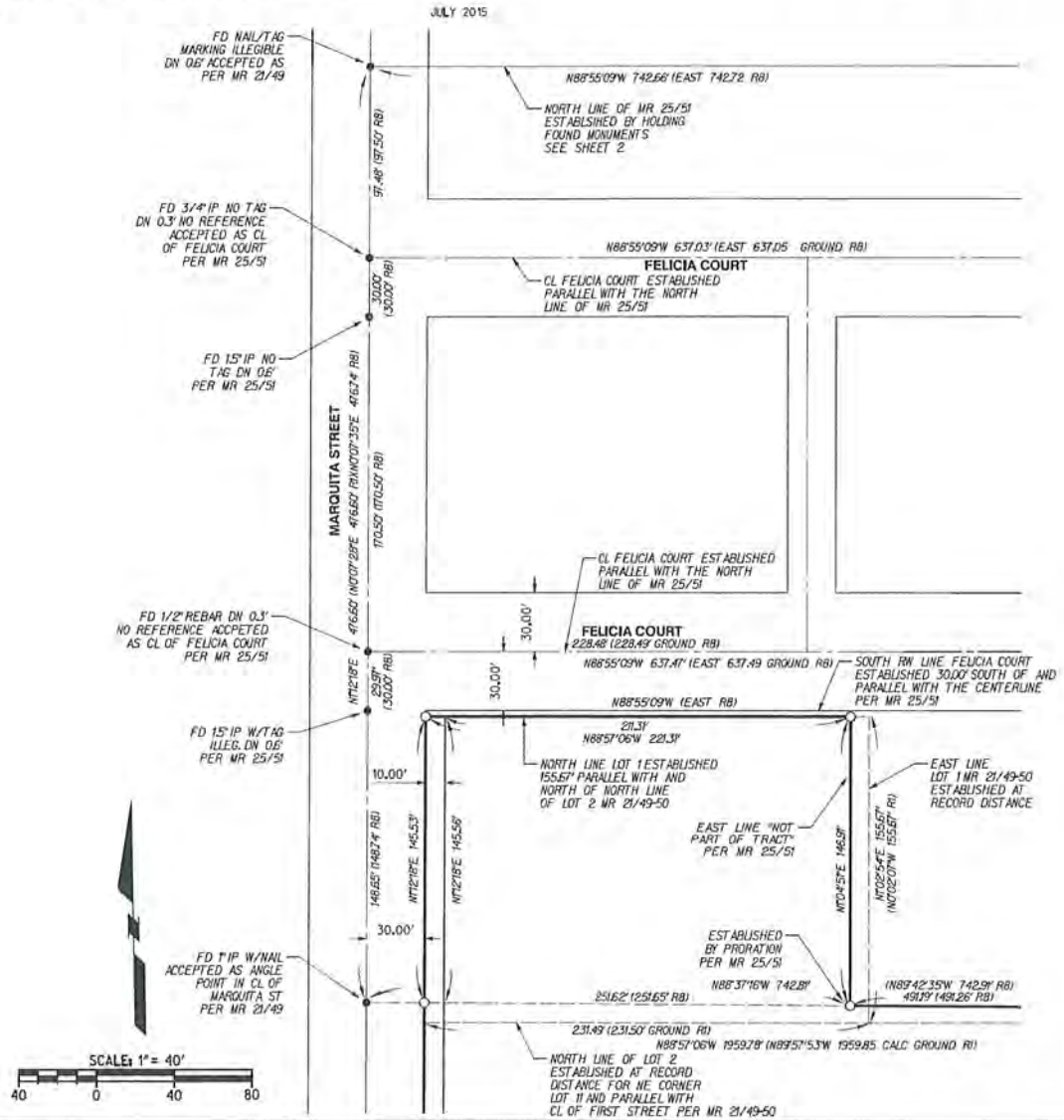
CL OF FELICIA COURT ESTABLISHED PARALLEL TO THE NORTH LINE OF 25 MR 51 HOLDING FOUND MONUMENTS ALONG MARQUITA STREET.

THE SOUTHERLY RIGHT OF WAY LINE OF FELICIA COURT BEING 30.00 FEET SOUTHERLY OF AND PARALLEL WITH THE CL OF FELICIA COURT.

THE NORTH LINE OF LOTS 2-11 OF 21 MR 49 IS ESTABLISHED BY HOLDING THE NORTHEAST CORNER OF LOT 11 AT RECORD DISTANCE AND HOLDING A LINE PARALLEL WITH THE CL OF FIRST STREET PER 21 MR 49.

THE NORTH LINE OF LOT 1, 21 MR 49 ESTABLISHED AT RECORD DISTANCE FROM THE NORTH LINE OF LOT 2 ESTABLISHED ABOVE. THE NORTH LINE OF LOT 1 IS DIFFERENT THEN SOUTH LINE OF FELICIA COURT, THUS THERE IS A GAP BETWEEN THE OWNERSHIP.

CL BEARING FOR ROSE AVENUE ESTABLISHED HOLDING MONUMENT AT COLONIA AND A RECORD DISTANCE PROLONGED ALONG SANTA LUCIA AVENUE.



SCALE: 1" = 40'

SEE SHEET NO. 2

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

TRACT MAP NO. 5952-1

PORTIONS OF LOTS 1, 6 AND THE UNNAMED LOT, AND ALL OF LOTS 2 THROUGH 5, INCLUSIVE, OF COLONIA VILLAGE TRACT, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 21, PAGES 49 AND 50 OF MAPS RECORDS OF VENTURA COUNTY.

RICK ENGINEERING COMPANY

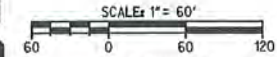
EXISTING EASEMENT DETAIL SHEET

JULY 2015

SHEET 6 OF 6 SHEETS

NOTES

1. SEE SHEET NO. 2 FOR LEGEND
2. SEE SHEET NO. 3 FOR DETAILS & MONUMENTATION LOG.



EASEMENT NOTES

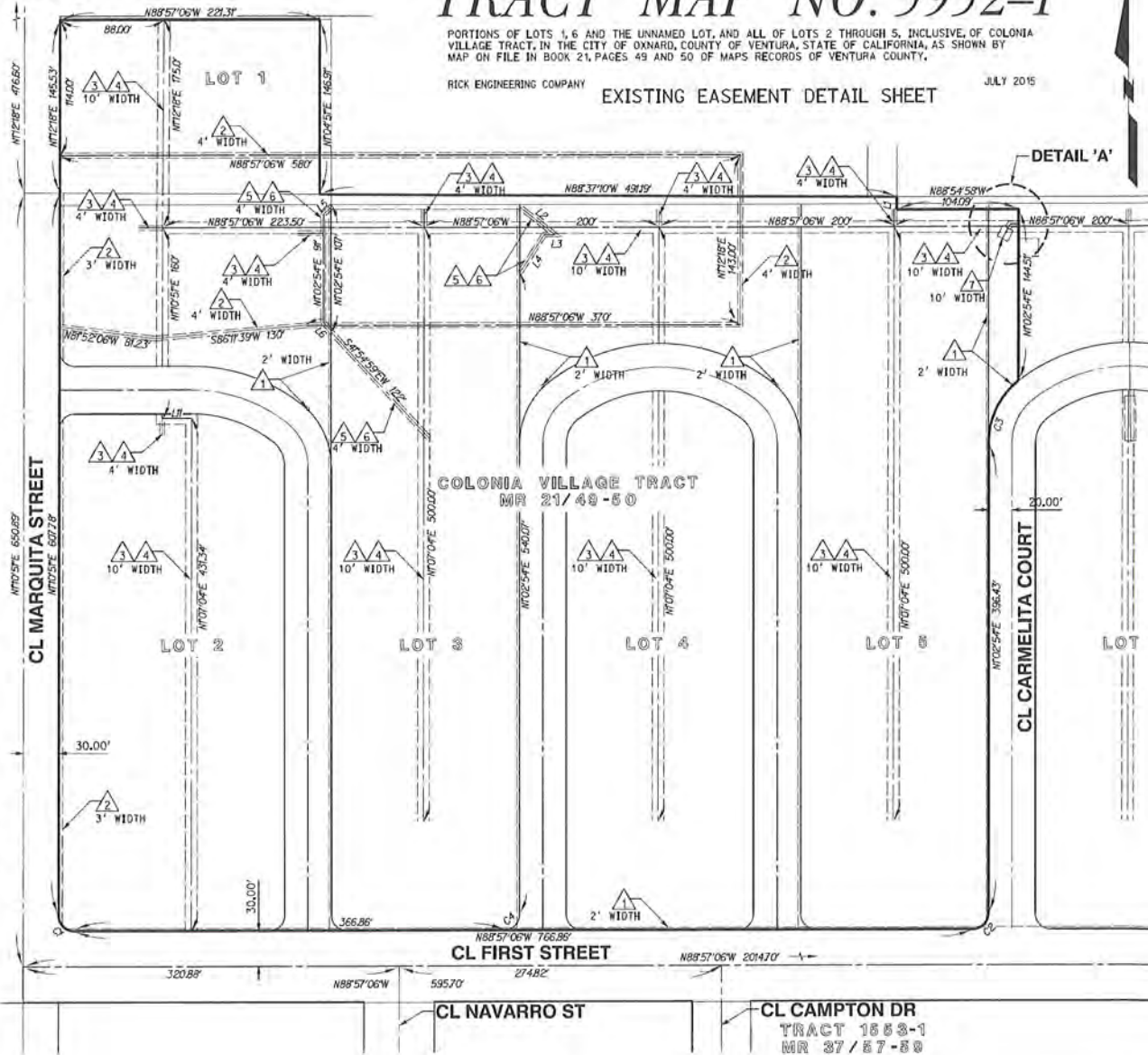
1. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITY PURPOSES RECORDED 8-19-1954 IN BK. 1223, PG. 289.
2. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITY PURPOSES RECORDED 6-10-1958 IN BK. 1625, PG. 154.
3. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITY PURPOSES RECORDED 1-23-1979 IN BK. 5311, PG. 297.
4. AN EASEMENT IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED 5-29-1979 IN BK. 5401, PG. 336.
5. AN EASEMENT IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED 8-16-1979 IN BK. 5465, PG. 372.
6. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITY PURPOSES RECORDED 8-28-1979 IN BK. 5474, PG. 301.
7. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON FOR PUBLIC UTILITY PURPOSES RECORDED 5-15-2015 IN INST. NO. 20150514-00073372

NAME	LINE TABLE DIRECTION	LENGTH
L1	N 1°05'02" E	10.57'
L2	N 50°54'59" W	38.00'
L3	N 88°57'06" W	9.00'
L4	N 34°05'01" W	38.39'
L5	N 49°20'01" W	9.00'
L6	N 41°54'54" W	9.85'
L7	N 88°47'52" W	7.19'
L8	N 29°19'04" W	3.99'
L9	N 29°19'04" W	10.00'
L10	N 1°02'54" E	12.66'
L11	N 88°57'29" W	25.00'

NAME	CURVE TABLE DELTA	RADIUS	ARC
C1	90°07'57"	13.00	20.45'
C2	90°00'00"	13.00	20.42'
C3	52°05'20"	65.93	59.94'
C4	90°00'00"	13.00	20.42'

DETAIL 'A'
N.T.S.

SEE SHEET NO. 2

RAMONA SCHOOL
SUBDIVISION NO. 2
MR 22/23-20

RESOLUTION NO. 14,707

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 14-300-06 (TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5952), FOR PROPERTY BOUNDED BY ROSE AVENUE, DEL SOL PARK, MARQUITA STREET, AND EAST FIRST STREET. FILED BY THE CITY OF OXNARD HOUSING AUTHORITY, 435 SOUTH D STREET, OXNARD, CA 93030 AND URBAN HOUSING COMMUNITIES, LLC, 2000 EAST FOURTH STREET, SUITE 205, SANTA ANA, CA 92705.

WHEREAS, on November 20, 2014, the Planning Commission recommended approval of an application for Planning and Zoning Permit Nos. 14-620-02 (General Plan Amendment); 14-630-02 (Specific Plan Repeal); 14-300-06 (Tentative Subdivision Map for Tract No. 5952) and approved Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group) (the “Project”), filed jointly by the City of Oxnard Housing Authority (OHA) and Urban Housing Communities, LLC (collectively referred to “Applicant” or “Developer” in the record of proceedings); and

WHEREAS, on December 9, 2014, the City Council conducted a duly noticed public hearing and received all written and oral evidence in favor of and in opposition to the Project, considered an application for Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map For Tract No. 5952), and considered approval of Subsequent Mitigated Negative Declaration (“MND”) 2014-02 pursuant to the California Environmental Quality Act (“CEQA”); and

WHEREAS, on December 9, 2014, the City Council adopted Subsequent MND 2014-04 pursuant to CEQA for approval of the Project and found that the Subsequent MND was completed in compliance with CEQA and reflects the independent judgment of the City; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to adopt the Subsequent MND is based is located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map for Tract No. 5952) was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the City Council finds that Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map for Tract No. 5952) complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the City Council finds that Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map for Tract No. 5952) and the design and improvement of the proposed Project are consistent with the City of Oxnard 2030 General Plan and other adopted standards of the City of Oxnard; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and the development will not cause substantial environmental damage, serious public health problems or conflict with any public utility or service easements; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the approval of Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map); and

WHEREAS, the City Council finds that the Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves Planning and Zoning Permit No. 14-300-06 (Tentative Subdivision Map for Tract No. 5952), subject to those certain conditions as set forth in Planning Commission Resolution 2014-21 on file with the Planning Division.

PASSED AND ADOPTED this 9th day of December, 2014 by the following vote:

AYES: Councilmembers Flynn, Ramirez, MacDonald, Padilla and Perello.

NOES: None.

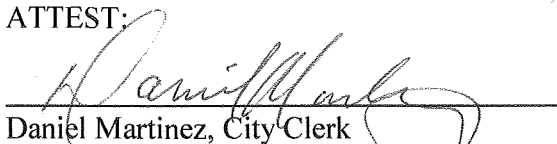
ABSENT: None.

ABSTAIN: None.



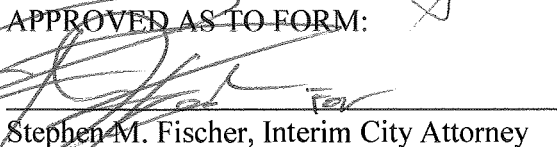
Tim Flynn, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 14,708

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 14-620-02 (GENERAL PLAN AMENDMENT) TO MODIFY TABLE 1-3 AND FIGURE 1-3 OF THE 2030 GENERAL PLAN TO REFLECT THE REPEAL OF THE LAS CORTES SPECIFIC PLAN AND ADOPTING SUBSEQUENT MITIGATED NEGATIVE DECLARATION 2014-04. FILED BY THE CITY OF OXNARD HOUSING AUTHORITY, 435 SOUTH D STREET, OXNARD, CA 93030 AND URBAN HOUSING COMMUNITIES, LLC, 2000 EAST FOURTH STREET, SUITE 205, SANTA ANA, CA 92705.

WHEREAS, on November 20, 2014, the Planning Commission recommended approval of an application for Planning and Zoning Permit Nos. 14-620-02 (General Plan Amendment); 14-630-02 (Specific Plan Repeal); 14-300-06 (Tentative Subdivision Map for Tract No. 5952) and approved Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group) (the **“Project”**), filed jointly by the City of Oxnard Housing Authority (OHA) and Urban Housing Communities, LLC (collectively referred to **“Applicant”** or **“Developer”** in the record of proceedings); and

WHEREAS, on December 9, 2014, the City Council conducted a duly noticed public hearing and received all written and oral evidence in favor of and in opposition to the Project, considered an application for Planning and Zoning Permit No. 14-620-02 (General Plan Amendment), and considered approval of Subsequent Mitigated Negative Declaration (**“MND”**) 2014-02 pursuant to the California Environmental Quality Act (**“CEQA”**); and

WHEREAS, on December 9, 2014, the City Council adopted Subsequent MND 2014-04 pursuant to CEQA for approval of the Project and found that the Subsequent MND was completed in compliance with CEQA and reflects the independent judgment of the City; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to adopt the Subsequent MND is based is located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, staff prepared Subsequent MND 2014-04 for the Project pursuant to CEQA and circulated the same for public review between October 17, 2014 and November 5, 2014; and

WHEREAS, the circulation of Subsequent MND 2014-04 satisfies Government Code Section 65352(a), which requires that the City of Oxnard refer the proposed Project to certain affected local public entities and any federal agency whose operations or lands may be affected by the proposed Project; and

Resolution No. 14,708
PZ No. 14-620-02 (General Plan Amendment)
Page 2 of 3

WHEREAS, the City of Oxnard published notice of the City Council public hearing on the proposed Project in the Ventura County Star pursuant to Government Code section 65090; and

WHEREAS, the City Council finds, after review of all written and oral evidence presented at the public hearing and review of the Subsequent Draft Initial Study for the Project, that the Project is subject to CEQA; but, that there is no substantial evidence that the Project or any of its aspects may have a significant effect on the environment; and

WHEREAS, the Planning Division Manager provided public notice of the City's intent to adopt Subsequent MND 2014-04 for the proposed Project, and the City Council has considered Subsequent MND 2014-04 prior to its adoption; and

WHEREAS, Government Code section 65358(a) only allows an amendment to an adopted general plan if such amendment is in the public interest; and

WHEREAS, the City Council finds, after review of all written and oral evidence presented at the public hearing, that approval of Planning and Zoning Permit No. 14-620-02 (General Plan Amendment) is in the public interest because approval will correct information within the 2030 General Plan that would otherwise be incorrect absent this amendment; and

WHEREAS, Government Code section 65358(b) precludes the City from amending a mandatory element of the City of Oxnard 2030 General Plan more than four times during any calendar year and this present amendment presents only the second amendment to the City of Oxnard 2030 General Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby: (i) approves Planning and Zoning Permit No. 14-620-02 (General Plan Amendment) to modify table 1-3 and figure 1-3 of the 2030 General Plan to reflect the repeal of the Las Cortes Specific Plan as shown in Exhibit "A", attached hereto and incorporated herein by reference; and (ii) adopts Subsequent MND No. 2014-02.

[SIGNATURES ON FOLLOWING PAGE]

Resolution No. 14,708
PZ No. 14-620-02 (General Plan Amendment)
Page 3 of 3

PASSED AND ADOPTED this 9th day of December 2014, by the following vote:

AYES: Councilmembers Flynn, Ramirez, MacDonald, Padilla and Perello.

NOES: None.

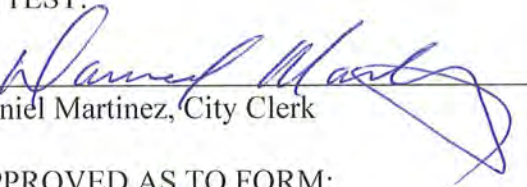
ABSENT: None.

ABSTAIN: None.



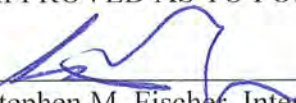
Tim Flynn, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

EXHIBIT A
General Plan Amendment 2014-04

#: Attachment F (b - Reso 14,708) (1170 : Planning and Zoning Permit No. 16-300-01 (Final Subdivision Map for Tract No. 5952-1))

Plans in the City of Oxnard are summarized in Table 1-3 and shown on Figure 1-3.

Table 1-3. Specific Plans as of September 2011

Specific Plan	Acreage	Land Use Mix
Las Brisas	45	Residential and Park
Northfield/ Seagate Business Park	252	Light Industrial, Limited Industrial
Mandalay Bay Phase IV	220	Residential and Coastal Visitor Service
Rose-Santa Clara Corridor	204	Auto Sales and Service, Business Park, Retail Commercial, Commercial/ Manufacturing
Northwest Community	255	Residential, Golf Course
McInnes Ranch Business Park	236	Industrial, Business / Research, Industrial Service Centers
Northwest Golf Course Community	324	Golf course, Institutional, Residential, Public School
Northeast Community	737	Residential, Industrial, Commercial, Schools, Park, and Hospital
Riverpark	701	Residential, Commercial, Parks, Open Space, Schools
Camino Real Business Park	40	Business and Research, Light Industrial
The Village (Wagon Wheel)	56	Residential, Mixed Use, Commercial, Parks
South Shore	323	Residential, Mixed-Use, Parks, Open Space
Teal Club (Proposed)	175	Residential, Commercial, Public Use, Park
Sakioka Farms Business Park (Proposed)	430	Business and Research, Light Industrial
S. Ormond Beach (Proposed)	595	Industrial, Open Space, Wetlands Preserve
TOTAL	4,593	

EXHIBIT

A

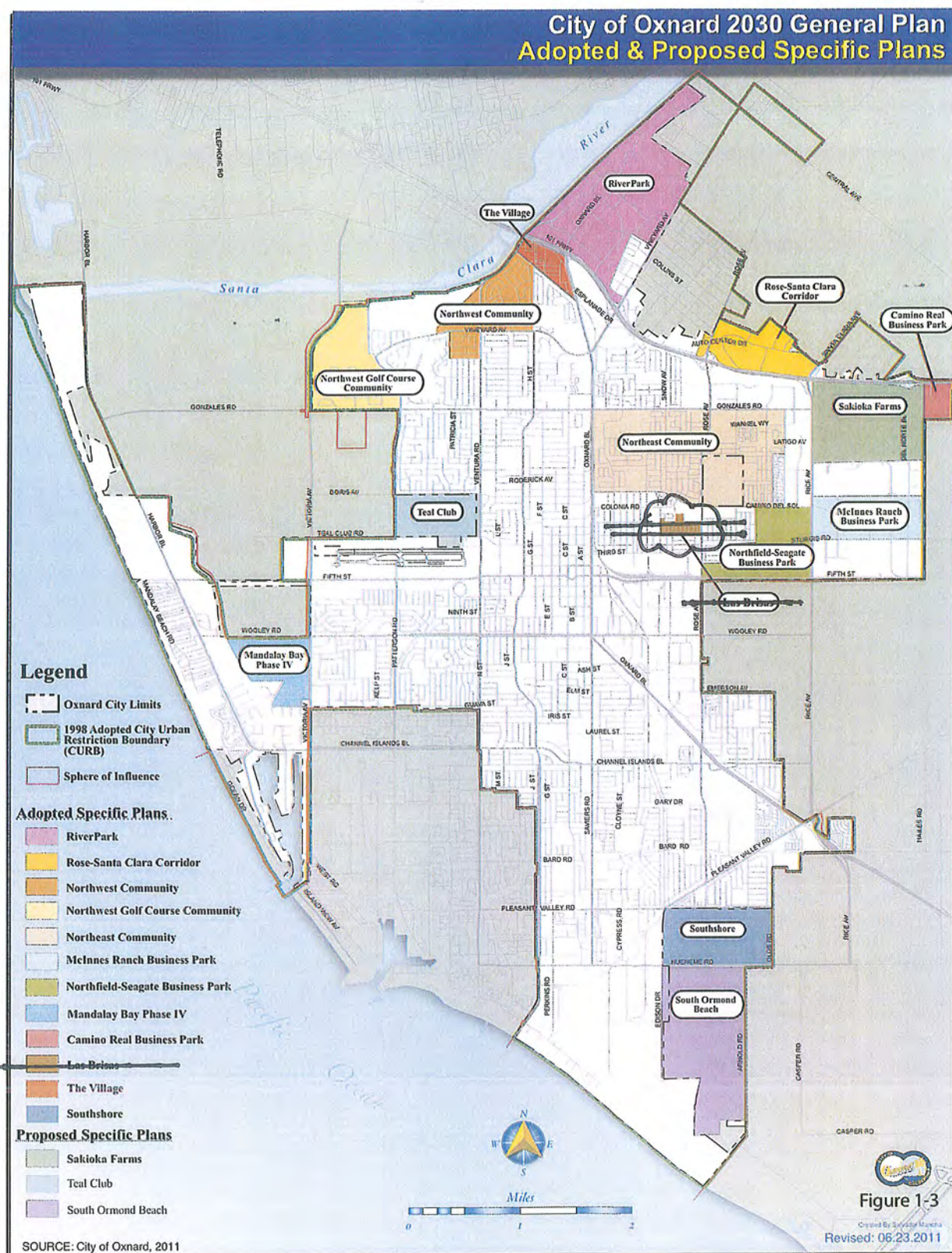


Figure 1-3 Adopted & Proposed Specific Plans (September 2011)

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 14,709

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE DECISION OF THE PLANNING COMMISSION APPROVING PLANNING AND ZONING PERMIT NO. 14-500-07 (SPECIAL USE PERMIT – PLANNED RESIDENTIAL GROUP) TO ESTABLISH DEVELOPMENT STANDARDS AND FUTURE ADMINISTRATIVE ENTITLEMENT PROCEDURES THROUGH A PLANNED RESIDENTIAL GROUP PROGRAM WHICH WILL ALLOW UP TO 305 AFFORDABLE HOUSING UNITS, ANCILLARY PARKS, AND COMMUNITY BUILDINGS WITHIN THREE PHASES ON APPROXIMATELY 25 ACRES OF PROPERTY BOUNDED BY ROSE AVENUE, DEL SOL PARK, MARQUITA STREET, AND EAST FIRST STREET (APNS: 201-0-090-115, 201-0-080-020, AND 201-0-100-025), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY THE CITY OF OXNARD HOUSING AUTHORITY, 435 SOUTH D STREET, OXNARD, CA 93030 AND URBAN HOUSING COMMUNITIES, LLC, 2000 EAST FOURTH STREET, SUITE 205, SANTA ANA, CA 92705.

WHEREAS, on November 20, 2014, the Planning Commission recommended approval of an application for Planning and Zoning Permit Nos. 14-620-02 (General Plan Amendment); 14-630-02 (Specific Plan Repeal); 14-300-06 (Tentative Subdivision Map for Tract No. 5952) and approved Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group) (the “**Project**”), filed jointly by the City of Oxnard Housing Authority (OHA) and Urban Housing Communities, LLC (collectively referred to “**Applicant**” or “**Developer**” in the record of proceedings); and

WHEREAS, on December 9, 2014, the City Council conducted a duly noticed public hearing and received all written and oral evidence in favor of and in opposition to the Project, considered the Planning Division’s appeal of the Planning Commission’s decision on Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group), carefully reviewed the Planning Commission’s decision and all written and oral evidence the Planning Commission relied upon to make its decision, and considered approval of Subsequent Mitigated Negative Declaration (“**MND**”) 2014-02 pursuant to the California Environmental Quality Act (“**CEQA**”); and

WHEREAS, on December 9, 2014, the City Council adopted Subsequent MND 2014-04 pursuant to CEQA for approval of the Project and found that the Subsequent MND was completed in compliance with CEQA and reflects the independent judgment of the City; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to adopt the Subsequent MND is based is located in the Planning Division, and the custodian of the record is the Planning Manager.

Resolution No. 14,709
PZ 14-500-07 (Special Use Permit – Planned Residential Group)
Page 2

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby upholds the decision of the Planning Commission and approves Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group), subject to the conditions set forth in Planning Commission Resolution No. 2014-22.

PASSED AND ADOPTED this 9th day of December, 2014, by the following vote:

AYES: Councilmembers Flynn, Ramirez, MacDonald, Padilla and Perello.

NOES: None.

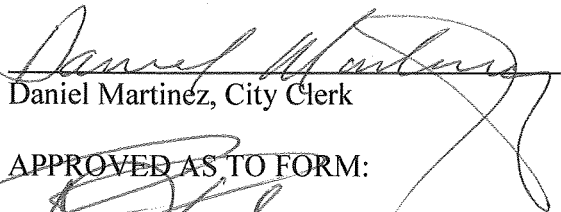
ABSENT: None.

ABSTAIN: None.

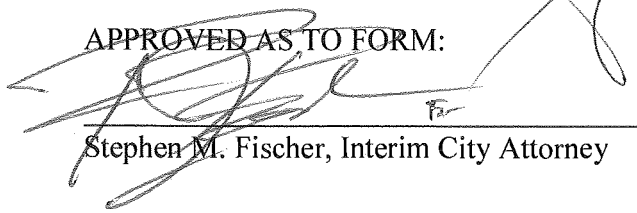


Tim Flynn, Mayor

ATTEST:


Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Stephen M. Fischer, Interim City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2887

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 14-630-02 (SPECIFIC PLAN REPEAL) TO REPEAL THE LAS CORTES SPECIFIC PLAN APPLICABLE TO PROPERTY BOUNDED BY ROSE AVENUE, DEL SOL PARK, MARQUITA STREET, AND EAST FIRST STREET. FILED BY THE CITY OF OXNARD HOUSING AUTHORITY, 435 SOUTH D STREET, OXNARD, CA 93030 AND URBAN HOUSING COMMUNITIES, LLC, 2000 EAST FOURTH STREET, SUITE 205, SANTA ANA, CA 92705.

WHEREAS, on November 20, 2014, the Planning Commission recommended approval of an application for Planning and Zoning Permit Nos. 14-620-02 (General Plan Amendment); 14-630-02 (Specific Plan Repeal); 14-300-06 (Tentative Subdivision Map for Tract No. 5952) and approved Planning and Zoning Permit No. 14-500-07 (Special Use Permit – Planned Residential Group) (the “**Project**”), filed jointly by the City of Oxnard Housing Authority (OHA) and Urban Housing Communities, LLC (collectively referred to “**Applicant**” or “**Developer**” in the record of proceedings); and

WHEREAS, on December 9, 2014, the City Council conducted a duly noticed public hearing and received all written and oral evidence in favor of and in opposition to the Project, considered an application for Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal), and considered approval of Subsequent Mitigated Negative Declaration (“**MND**”) 2014-02 pursuant to the California Environmental Quality Act (“**CEQA**”); and

WHEREAS, on December 9, 2014, the City Council adopted Subsequent MND 2014-04 pursuant to CEQA for approval of the Project and found that the Subsequent MND was completed in compliance with CEQA and reflects the independent judgment of the City; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to adopt the Subsequent MND is based is located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require approval of Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal); and

WHEREAS, the City Council finds after due study and deliberation and public hearings that approval of Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal) is consistent with the 2030 General Plan as amended by Planning and Zoning Permit No. 14-620-02 (General Plan Amendment).

Ordinance No. 2887
 PZ 14-630-02 (Specific Plan Repeal)
 Page 2 of 2

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

SECTION 1. Planning and Zoning Permit No. 14-630-02 (Specific Plan Repeal) to repeal the Las Cortes Specific Plan applicable to property bounded by Rose Avenue, Del Sol Park, Marquita Street, and East First Street is hereby approved; and

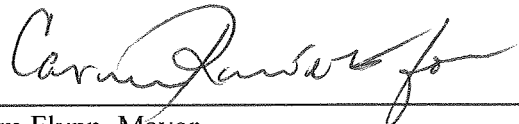
SECTION 2. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. 2887 was first read on December 9, 2014, and finally adopted on 12/16/14 to become effective thirty (30) days thereafter.

AYES: Councilmembers Ramirez, MacDonald, Padilla and Perello.

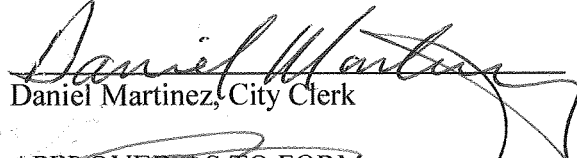
NOES: None.

ABSENT: Mayor Flynn.

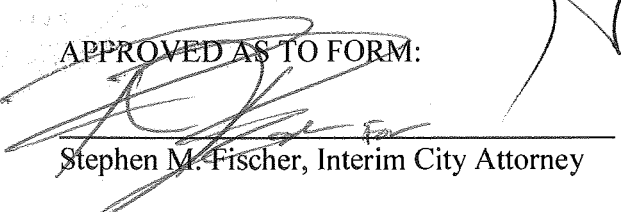
ABSTAIN: None.


 Tim Flynn, Mayor

ATTEST:


 Daniel Martinez, City Clerk

APPROVED AS TO FORM:


 Stephen M. Fischer, Interim City Attorney

Verification of Status

For Maps and Improvement Plans

Development Services - Engineering



Final Map for Tract 5952-1

Project Location:

Northeast of the intersection of First St. & Marquita St.

- ☒ Map requires subdivision improvement agreement.
- ☐ The Development Services Program does not require improvement plans for this development.
- ☒ This Program has reviewed the improvement plans and found them acceptable. Based on our review, we believe these plans comply with the resolution of the Planning Commission and the City Council approving the tentative map for this development.
- ☒ This Program has reviewed the Final Map and Title Sheet and found them acceptable. Based on our review, we believe the map complies with the resolution of the Planning Commission and the City Council approving the tentative map for this development and also with the Subdivision Map Act of the State of California.
- ☒ The Final Map has been signed.

DATE: 3.10.16


 Paul J. Wendt, City Engineer
 Development Services



**CITY COUNCIL
AGENDA REPORT**

**TYPE OF ITEM: Public
Hearing**

AGENDA ITEM NO.: 1

DATE: April 12, 2016

TO: City Council

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

FROM: Arturo Casillas, Housing Director

SUBJECT: Five-Year & Annual Agency Plan and Five-Year Capital Fund for Low Rent
Public Housing

CONTACT: Jesus Andrade, Housing
jesus.andrade@oxnard.org, 200-5830

RECOMMENDATION

That the Board of Commissioners of the Housing Authority of the City of Oxnard: 1) Hold a public hearing to receive comments concerning the second year of the Five-Year Agency Plan and the 2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and 2) Adopt a resolution: (a) Approving the Five-Year and Annual Agency Plan for the Housing Authority; (b) Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures; (c) Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with HUD's policies and procedures regarding the Five-Year Agency Plan; (d) Approving the 2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan; and (e) Authorizing the Housing Director to accept and expend the funds as indicated in the revised 2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan.

BACKGROUND

The Quality Housing and Work Responsibility Act of 1998 (the Act) requires the Housing Authority of the City of Oxnard (OHA) to submit a Five-Year and Annual Agency Plan. The purpose of the Five-Year and Annual Agency Plan, along with the program policies for the Public Housing Program (Admissions and Continued Occupancy Policy) and the Section 8

Housing Choice Voucher Program (Administrative Plan) is to provide a framework for local accountability, along with an easily-identifiable source document where public housing residents, participants in the Section 8 Program, and members of the public may locate basic information regarding a Housing Authority's policies, rules and regulations and services provided by the agency. The current Five-Year Plan covers fiscal years 2015-2019 and the Annual Plan covers fiscal year 2016-2017. Updates must be submitted to HUD at least seventy-five days prior to the beginning of each fiscal year, and must include certifications that the OHA Plan is consistent with the City's Consolidated Plan and is in accordance with HUD requirements.

DISCUSSION

The proposed changes included in the OHA 2016-2017 Annual Agency Plan were made available for public review on January 14, 2016 for forty-five days. The recommended amendments to the Five-Year and Annual Plan include two changes for the Admissions and Continued Occupancy Policy and one change proposed to the Administrative Plan, as specified below.

The first proposed change relates to the Admissions and Continued Occupancy Policies for the Public Housing Program. The Oxnard Housing Authority is required to set “maximum rents” to be used for families where not all members have legal residency status. In order to assist these families, which HUD designates as “mixed families,” the Housing Authority must prorate assistance, charging the non-legal residents full rent, based on the maximum rents. Maximum rents are based on the 95th percentile of overall tenant rents for the Housing Authority, with allowances made for bedroom-size unit distribution. A rent assessment is made then, using our regular formula for legal residents, and charging the maximum rent for family members who do not have legal residency status. The proposed policy updates the maximum rents based on current rents paid by all tenants in the Housing Authority.

The second proposed change also relates to the Admissions and Continued Occupancy Policies. The Oxnard Housing Authority is proposing to adopt a Smoke-Free Policy and Lease Addendum. The United States Department of Housing and Urban Development is encouraging housing authorities to adopt these smoke-free policies. The purpose is a desire to mitigate the irritation and known health hazards of secondhand smoke; the increased risk of fire from smoking; the increased maintenance, cleaning and redecorating costs from smoking; and the high costs of fire insurance for properties where smoking is permitted. The smoke free policy will prohibit the smoking of tobacco products on the entire property, including individual units, common areas and every building and adjoining grounds. All residents, family members, guests and invitees must comply with this policy. Multiple violations of this policy will be deemed a material breach of the Resident Dwelling Agreement and grounds for termination of the Rental Agreement by the Oxnard Housing Authority. HUD also has a proposed rule currently out for comment and review that would institute smoke-free public housing nationally.

The third proposed change relates to the Administrative Plan for the Section 8 Housing Choice Voucher Program. The Oxnard Housing Authority is proposing a change in the assignment of bedrooms to families in the Section 8 Housing Choice Voucher Program. In determining the bedroom size, the initial bedroom will be allocated for the head of household and spouse and no more than one child under the age of three. Thereafter, additional bedrooms will be allocated on a two person per bedroom basis, regardless of gender, relationship of the occupants, or age. An exception may be made to provide an additional bedroom to allow an elderly family member to have a bedroom separate from other family members. In addition, the Oxnard Housing Authority will grant an exception when required as a reasonable accommodation for persons with disabilities, and in the case of a live-in aide. While other proposed changes will be implemented

beginning July 1, 2016, this change will be implemented immediately in the interest of better customer service and to facilitate lease-up in the Section 8 Program.

The last component of the Annual Agency Plan has to do with adoption of an annual budget as well as a five year plan for the Capital Fund Program. The primary purpose of the Capital Fund Program is to preserve and maintain the integrity of the OHA's public housing stock and to fund necessary improvements. For the coming fiscal year, the OHA is presenting a budget of \$1,377,646 for the Capital Fund Program activities, which is the amount allocated to the OHA by HUD. This amount is \$87,298 less than was received last year, and \$443,285 of the new allocation will go towards payment of bonds that were used to renovate 70 public housing apartments on Colonia Road and the Pleasant Valley Village office facility in 2004. The annual budget and five-year plan are set forth in Attachments #1 and #2.

A resolution approving the Five-Year Annual Agency Plan and the 2015-2016 Capital Fund Annual Statement and Five-Year Capital Fund Plan and authorizing the Housing Director to execute and submit the revised plan and budget is set forth in Attachment #3.

The Plan and suggested proposals were submitted to the Resident Advisory Board (RAB) for its review and input. The RAB, consisting of Tenant Commissioners, public housing residents, and Section 8 housing choice voucher participants, conducted public meetings to discuss the Plan on January 14, and February 04, 2016. Oxnard Housing Authority staff made presentations to the RAB at those meetings and responded to inquiries and suggestions from RAB members and others. A significant change being proposed, in response to requests from the RAB relates to the "One Strike" policy. Presently, the whole family is subject to eviction if any family member commits a serious crime. Under the proposed change, only that family member will be terminated from the lease agreement. However, the family will sign an agreement that if the family permits that person to return to live in the dwelling, then the whole family will be subject to eviction. A summary of the comments received are set forth in Attachment #4.

FINANCIAL IMPACT

The approval of the recommended action will enable the OHA to obtain various HUD funds, including approximately \$1.37 million under the Capital Fund. Adoption of an Agency Annual Plan is required for the OHA to receive the funds set forth in the Annual and Five-Year Plan of the Capital Fund Program.

ATTACHMENTS

- Attachment #1 – Proposed Capital Fund Annual Statement for 2016-2017
- #2 – Proposed Capital Fund Program Five-Year Action Plan
- #3 – Resolution Approving the Five-Year Annual Agency Plan and 2015-2016 Capital Fund Annual Statement and Plan and Authorizing the Housing Director to execute and submit the revised plan and budget.
- #4 – Summary of Comments Received

Five Year Annual Agency & Capital Fund Plan
April 12, 2016
Page 5

#5 – Required HUD Certifications

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHIA Name: Oxnard Housing Authority	Grant Type and Number Capital Fund Program Grant No: CA16-P031-501-16 Replacement Housing Factor Grant No:	FFY of Grant: 2016
	Date of CFFP: 1/7/2016	FFY of Grant Approval:

Type of Grant:	☐ Original annual Statement		☐ Reserve for Disasters/Emergencies		☒ Revised Annual Statement (Revision no.: 1)	
	☐ Performance and Evaluation Report for Period Ending:		☐ Final Performance and Evaluation Report			
Line	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹
1	Total non-CFP Funds					
2	1406 Operations (may not exceed 20% of line 24) ²	\$ 297,933.00	\$	275,529.00		
3	1408 Management Improvements	\$ 12,000.00	\$	12,000.00		
4	1410 Management Fees (may not exceed 10% of line 24)	\$ 104,638.00	\$	93,436.00		
5	1411 Audit					
6	1415 Liquidated Damages					
7	1430 A & E Fees	\$ 20,000.00	\$	20,000.00		
8	1430 Advertising	\$ 5,000.00	\$	5,000.00		
9	1430 Planning Salaries/ Benefits	\$ 40,000.00	\$	40,000.00		
10	1440 Site Acquisition					
11	1450 Site Improvement	\$ 18,000.00	\$	18,000.00		
12	1460 Dwelling Structures	\$ 506,380.00	\$	440,000.00		
13	1465 1 Dwelling Equipment - Nonexpendable					
14	1470 Nondwelling Structures					
15	1475 Nondwelling Equipment (Computer Hardware)	\$ 20,000.00	\$	20,000.00		
16	1475 Construction Vehicle	\$ -	\$	-		
17	1485 Demolition					
18	1492 Moving to Work Demonstration					
19	1495 1 Relocation Costs					
20	1499 Development Activities ⁴					
21	1501 Collateralization or Debt Service paid by PHA	\$ 443,285.00	\$	443,285.00		
22	9000 Collateralization or Dept. Service paid Via System of Direct Payment					
23	1502 Contingency (may not exceed 8% of line 24)	\$ 22,429.00	\$	10,396.00		
24	Amount of Annual Grant: (sum of lines 1 - 23)	\$ 1,489,665.00	\$	1,377,646.00		
25	Amount of line 20 Related to LBP Activities					
26	Amount of line 20 Related to Section 504 compliance					
27	Amount of line 20 Related to Security - Soft Costs					
28	Amount of line 20 Related to Security - Hard Costs					
29	Amount of line 20 Related to Energy Conservation Measures					

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHP funds shall be included here

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary			
PHA Name: Oxnard Housing Authority		Grant Type and Number Capital Fund Program Grant No: CA16-P031-501-16 Replacement Housing Factor Grant No:	
		FFY of Grant: 2016 FFY of Grant Approval:	
Type of Grant: ☒ Original annual Statement ☐ Performance and Evaluation Report for Period Ending:		☐ Reserve for Disasters/Emergencies ☒ Revised Annual Statement (Revision no: 1) ☐ Final Performance and Evaluation Report	
Line	Summary by Development Account	Original	Total Estimated Cost
Signature of Executive Director		Date	Signature of Public Housing Director
			Obligated
			Total Actual Cost
			Expend

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

#: Attachment #1 - Proposed Capital Fund Annual Statement for 2016-2017 (1149 : Five Year Annual

Part II: Supporting Pages												
PHA Name:			Grant Type and Number				Federal FFY of Grant:					
Oxnard Housing Authority			Capital Fund Program Grant No: CA16-P031-501-16				2016					
Development Number			General Description of Major Work Categories		Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
Name/PHA-Wide Activities							Original		Revised¹	Funds Obligated ²	Funds Expended ²	
CAL 31-0			Operations		1406		\$ 297,933.00		\$ 275,529.00			
PHA WIDE												
			Professional Development/									
			Professional Development Training				\$ 2,000.00		\$ 2,000.00			
			Consultants/		1408							
			Consultants		1408		\$ 5,000.00		\$ 5,000.00			
			Disaster Preparedness		1408		\$ 1,000.00		\$ 1,000.00			
			Needs Assessment		1408		\$ 4,000.00		\$ 4,000.00			

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

#: Attachment #1 - Proposed Capital Fund Annual Statement for 2016-2017 (1149 : Five Year Annual

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

Part II: Supporting Pages								
PHA Name: Oxnard Housing Authority		Grant Type and Number Capital Fund Program Grant No: CA16-P031-501-16 Replacement Housing Factor Grant No:		CFFP (YES/ No): Yes		Federal FFY of Grant: 2016		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised¹	Funds Obligated ²	Funds Expended ²	
OHA Wide								
CAL 31-2								
Felicia Ct	Fascia Boards (C)	1460		\$ 90,000.00	\$ 90,000.00			
	Total 31-2:			\$ 90,000.00	\$ 90,000.00			
CAL 31-3								
Colonia Road	Flooring (C)	1460		\$ 203,880.00	\$ 210,000.00			
	Total 31-3:			\$ 203,880.00	\$ 210,000.00			
CAL 31-4								
Pleasant Valley	Walls Insulation (C)	1460		\$ 92,500.00	\$ 100,000.00			
	Closet Doors (C)	1460		\$ 120,000.00	\$ 40,000.00			
	Total 31-4:			\$ 212,500.00	\$ 140,000.00			
CAL 31-5								
Plaza Vista				\$ -	\$ -			
	Total 31-5:			\$ -	\$ -			
CAL31-7								
Scattered Sites				\$ -	\$ -			
	Total 31-7:			\$ -	\$ -			
CAL 31-8								
Palm Vista	Wrought Iron Fence (C)	1450		\$ 18,000.00	\$ 18,000.00			
	Total 31-8:			\$ 18,000.00	\$ 18,000.00			
	CA16-P031-501-16 Total:			\$ 1,489,665.00	\$ 1,377,646.00			

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement

² To be completed for the Performance and Evaluation Report

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

: Attachment #1 - Proposed Capital Fund Annual Statement for 2016-2017 (1149 : Five Year Annual

Part II: Supporting Pages						
PHA Name:		Grant Type and Number		Federal FFY of Grant:		
Oxnard Housing Authority		Capital Fund Program Grant No: CA16-P031-501-16		CFFP (YES/ No): Yes		2016
Development Number Name/PHA-Wide Activities		General Description of Major Work Categories		Replacement Housing Factor Grant No:		
		Development Account No.		Quantity		
				Original		
				Revised ¹		
				Funds Obligated ²		Funds Expended ²
				Total Estimated Cost		Total Actual Cost
						Status of Work
CFFP Bond				5,745,000		
Total CFFP Bond:				5,745,000		
Usage						
CFFP Underwriters Discount				86,175		
CFFP Issuance Cost				52,428		
CFFP Debt Service Reserve				456,138		
CFFP Capitalization Interest				130,693		
CFFP Project Construction				5,016,663		
CFFP Rounding Amount				2,903		
Total CFFP Usage:				5,745,000		
CFFP Project Construction Usage						
Details						
CFFP Administration 31-0				362,743		
CFFP Vacancy Cost 31-0				68,014		
CFFP Maintenance Cost 31-0				27,205		
CFFP Contingency 31-0				158,701		
Total 31-0:				616,663		
CFFP Construction Cost 31-3				3,000,000		
Total 31-3:				3,000,000		
CFFP Construction Cost 31-4				1,400,000		
Total 31-4:				1,400,000		
CFFP Total Project Construction Cost:				5,016,663		

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement

² To be completed for the Performance and Evaluation Report

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

US Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

#: Attachment #1 - Proposed Capital Fund Annual Statement for 2016-2017 (1149 : Five Year Annual

Part III: Implementation Schedule for Capital Fund Financing Program					
PHA Name: Oxnard Housing Authority					Federal FY of Grant: 2016
Development Number Name/HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	Actual Obligation End Date	All Funds Expended (Quarter Ending Date)	Actual Expenditure End Date	Reason for Revised target Dates ¹
CAL 31-0	4/12/2018		4/12/2020		
PHA-Wide					
CAL 31-1	4/12/2018		4/12/2020		
The Courts					
CAL 31-2	4/12/2018		4/12/2020		
Felicia Court					
CAL 31-3	4/12/2018		4/12/2020		
Colonia Road					
CAL 31-4	4/12/2018		4/12/2020		
Pleasant Valley					
CAL 31-5	4/12/2018		4/12/2020		
Plaza Vista					
CAL 31-7	4/12/2018		4/12/2020		
Scattered Sites					
CAL 31-8	4/12/2018		4/12/2020		
Palm Vista					

¹ Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name:		Oxnard Housing Authority		☒ Original 5-Year Plan ☐ Revision no:	
Development Number/Name/HA-Wide	Year 1 2016	Work Statement for Year 2 FFY Grant: 2017 PHA FY: 2018	Work Statement for Year 3 FFY Grant: 2018 PHA FY: 2019	Work Statement for Year 4 FFY Grant: 2019 PHA FY: 2020	Work Statement for Year 5 FFY Grant: 2020 PHA FY: 2021
	Annual Statement				
CAL 31-0 OHA-Wide		\$ 964,192.50	\$ 964,215.00	\$ 968,093.75	\$ 985,790.00
OHA Wide Security System		\$ -	\$ -	\$ -	\$ 15,000.00
CAL 31-1 The Courts					
CAL 31-2 Felicia Court		\$ 399,060.00	\$ 275,000.00	\$ 200,000.00	\$ -
CAL 31-3 Colonia Road		\$ -	\$ 190,000.00	\$ -	\$ -
CAL 31-4 Pleasant Valley		\$ 80,000.00	\$ -	\$ 16,000.00	\$ -
CAL 31-5 Plaza Vista		\$ -	\$ 60,000.00	\$ 10,000.00	\$ 59,640.00
CAL 31-7 Scattered Sites		\$ 255,000.00	\$ -	\$ 100,000.00	\$ -
CAL 31-8 Palm Vista		\$ -	\$ -	\$ 210,000.00	\$ 531,776.00
CFP Funds Listed for 5-year planning		\$ 1,698,252.50	\$ 1,489,215.00	\$ 1,504,093.75	\$ 1,592,206.00
Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages - Work Activities

Activities for Year: 1		Activities for Year: 2		Activities for Year: 3	
Year 1		FFY Grant: 2016 PHA FY: 2017		FFY Grant: 2017 PHA FY: 2018	
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
See Annual Statement	PHA-Wide	\$ 300,000.00	PHA-Wide	Operations	\$ 300,000.00
	Cal 31-0		Cal 31-0		
	Management Improvement	\$ 20,000.00		Management Improvement	\$ 20,000.00
	Management Fees	\$ 105,000.00		Management Fees	\$ 105,000.00
	A&E Fees	\$ 20,000.00		A&E Fees	\$ 20,000.00
	Advertising	\$ 5,000.00		Advertising	\$ 5,000.00
	Planning Salaries/ Benefits	\$ 40,000.00		Planning Salaries/ Benefits	\$ 40,000.00
	Computer Hardware	\$ 20,000.00		Computer Hardware	\$ 20,000.00
	CFFP Bond Payment	\$ 439,192.50		CFFP Bond Payment	\$ 439,215.00
	Contingency	\$ 15,000.00		Contingency	\$ 15,000.00
Cal 31-0 Subtotal:		\$ 964,192.50	Cal 31-0 Subtotal:		\$ 964,215.00
Total CFP Estimated Cost					

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages - Work Activities

Activities for Year 1		Activities for Year: 2		Activities for Year: 3	
Year 1		FFY Grant: 2016 PHA FY: 2017		FFY Grant: 2017 PHA FY: 2018	
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
OHA Wide		\$ -	OHA Wide		\$ -
Felicia Court			Felicia Court		
CAL 31-2	Vinyle Flooring	\$ 399,060.00	CAL 31-2	504 Compliance	\$ 240,000.00
				A & E Fees	\$ 14,000.00
				Relocation	\$ 21,000.00
CAL 31-2 Subtotal:		\$ 399,060.00	CAL 31-2 Subtotal:		\$ 275,000.00
Colonia Village			Colonia Village		
CAL 31-3			CAL 31-3	504 Compliance	\$ 161,000.00
				A & E Fees	\$ 14,000.00
				Relocation	\$ 15,000.00
CAL 31-3 Subtotal		\$ -	CAL 31-3 Subtotal		\$ 190,000.00
Pleasant Valley			Pleasant Valley		
CAL 31-4	Closet Doors	\$ 80,000.00	CAL 31-4		
CAL 31-4 Subtotal		\$ 80,000.00	CAL 31-4 Subtotal:		\$ -
Plaza Vista			Plaza Vista		
CAL 31-5			CAL 31-5	504 Compliance	\$ 40,000.00
				A & E Fees	\$ 14,000.00
				Relocation	\$ 6,000.00
CAL 31-5 Subtotal:		\$ -	CAL 31-5 Subtotal:		\$ 60,000.00
Scattered Sites			Scattered Sites		
CAL 31-7	504 Compliance	\$ 220,000.00	CAL 31-7		
	A & E Fees	\$ 14,000.00			
	Relocation	\$ 21,000.00			
CAL 31-7 Subtotal:		\$ 255,000.00	CAL 31-7 Subtotal:		\$ -
Palm Vista			Palm Vista		
CAL 31-8			CAL 31-8		
CAL 31-8 Subtotal:		\$ -	CAL 31-8 Subtotal:		\$ -
Total CFP Estimated Cost		\$ 1,698,252.50			\$ 1,489,215.00

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages ---- Work activities

Activities for Year: 4				Activities for Year: 5			
FFY Grant: 2018				FFY Grant: 2019			
PHA FY: 2019				PHA FY: 2020			
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost		
PHA-Wide	Operations	\$ 300,000.00	PHA-Wide	Operations	\$ 300,000.00		
Cal 31-0			Cal 31-0				
	Management Improvement	\$ 20,000.00		Management Improvement	\$ 20,000.00		
	Management Fees	\$ 105,000.00		Management Fees	\$ 105,000.00		
	A&E Fees	\$ 20,000.00		A&E Fees	\$ 20,000.00		
	Advertising	\$ 5,000.00		Advertising	\$ 5,000.00		
	Planning Salaries/ Benefits	\$ 40,000.00		Planning Salaries/ Benefits	\$ 40,000.00		
	Computer Hardware	\$ 20,000.00		Computer Hardware	\$ 20,000.00		
	CFFP Bond Payment	\$ 443,093.75		CFFP Bond Payment	\$ 440,790.00		
	Contingency	\$ 15,000.00		Contingency	\$ 15,000.00		
				GPNA	\$ 20,000.00		
Cal 31-0 Subtotal:		\$ 968,093.75	Cal 31-0 Subtotal:		\$ 985,790.00		
Total CFP Estimated Cost							

Capital Fund Program Five-Year Action Plan

Part II: Supporting Pages --- Work activities

Activities for Year: 4				Activities for Year: 5			
FFY Grant: 2018 PHA FY: 2019				FFY Grant: 2019 PHA FY: 2020			
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost		
OHA Wide			OHA Wide	Security System	\$ 15,000.00		
Felicia Court			Felicia Court				
CAL 31-2	Windows	\$ 200,000.00	CAL 31-2				
CAL 31-2 Subtotal:		\$ 200,000.00	CAL 31-2 Subtotal:		\$ -		
Colonia Village			Colonia Village				
CAL 31-3			CAL 31-3				
			CAL 31-3 Subtotal		\$ -		
			Pleasant Valley				
			CAL 31-4				
CAL 31-3 Subtotal		\$ -					
Pleasant Valley							
CAL 31-4	504 Compliance	\$ 16,000.00					
CAL 31-4 Subtotal:		\$ 16,000.00	CAL 31-4 Subtotal:		\$ -		
Plaza Vista			Plaza Vista				
CAL 31-5	Plumbing	\$ 10,000.00	CAL 31-5	Parking Area Concrete	\$ 59,640.00		
CAL 31-5 Subtotal:		\$ 10,000.00	CAL 31-5 Subtotal:		\$ 59,640.00		
Scattered Sites							
CAL 31-7	Backyard Patios	\$ 100,000.00	Scattered Sites				
CAL 31-7 Subtotal:		\$ 100,000.00	CAL 31-7				
Palm Vista			CAL 31-7 Subtotal:		\$ -		
CAL 31-8							
			Palm Vista				
	504 Compliance	\$ 175,000.00	CAL 31-8	Kitchen Cabinets	\$ 300,000.00		
	A & E Fees	\$ 14,000.00		Parking Area Concrete	\$ 181,776.00		
	Relocation	\$ 21,000.00		Kitchen New Cleanouts	\$ 50,000.00		
CAL 31-8 Subtotal:		\$ 210,000.00	CAL 31-8 Subtotal:		\$ 531,776.00		
Total CFP Estimated Cost		\$ 1,504,093.75			\$ 1,592,206.00		

HOUSING AUTHORITY OF THE CITY OF OXNARD

RESOLUTION NO. _____

RESOLUTION APPROVING THE FIVE YEAR AND ANNUAL AGENCY PLANS AND
THE 2016-2017 CAPITAL FUND ANNUAL STATEMENT AND FIVE-YEAR CAPITAL
FUND PLAN AND AUTHORIZING THE HOUSING DIRECTOR TO EXECUTE AND
SUBMIT THE PLANS AND CAPITAL FUNDS STATEMENT

WHEREAS, the Housing Authority of the City of Oxnard (OHA) is required by the U.S. Department of Housing and Urban Development (HUD) to develop and adopt a Five-Year Agency Plan, update the same with an Annual Plan (the plan), and submit the second year of the Five-Year and Annual Plans for HUD's review and approval in order to be eligible to receive HUD funding utilized for the OHA's operation; and

WHEREAS, The Housing Authority of the City of Oxnard adopted a Five-Year Plan in 2015; and

WHEREAS, on March 29, 2016, the OHA conducted a public hearing on the proposed second year of the 2015-2019 Five-year plan and the 2016-2017 Annual Plan update and on the proposed 2016-2017 Capital Fund Annual Statement and first year of the Five-Year Capital Fund Plan;

WHEREAS, the OHA wishes to update its plan by adoption of the second year of the 2015-2019 Five-Year Plan, the 2016-2017 Annual Plan and the 2016-2017 Capital Fund Annual Statement and first year of the Five-Year Capital Fund Plan;

NOW THEREFORE, the Board of Commissioners of the Housing Authority of the City of Oxnard resolves as follows:

1. The Commission hereby approves the second year of the 2015-2019 Five-Year Plan, the 2016-2017 Annual Agency Plan and the 2016-2017 Capital Fund Annual Statement and first year of the Five-Year Capital Fund Plan, as presented to the Commission on March 29, 2016; and
2. The Commission authorizes and directs the chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures; and

Attachment _____

Page _____ of _____

3. The Commission authorizes the Housing Director to execute and submit all reports and documents required to comply with HUD's policies and procedures regarding the Agency Plan; and
4. The Commission authorizes the Housing Director to accept and expand the funds as indicated in the revised 2016-2017 Capital Fund Annual Statement and first year of the Five- Year Capital Fund Plan.

APPROVED AND ADOPTED THIS _____ DAY OF _____ 2016 BY THE FOLLOWING VOTE:

AYES

NOES

ABSENT

Tim Flynn, Chairman

Attest:

Daniel Martinez, Secretary-Designate

Approved as to form:

Stephen M. Fischer, Interim General Counsel

Attachment _____

Page _____ of _____

OXNARD HOUSING AUTHORITY
ANNUAL AGENCY PLAN PROPOSED CHANGES
SUMMARY OF TENANT COMMENTS

Although no written comments were received, the following is a summary of verbal comments received at the Resident Advisory Board Meetings:

Resident Advisory Board Meeting Comments

The Resident Advisory Board (RAB) made the following requests at the Resident Advisory Board meetings:

1. Eliminate the \$25.00 late fee for Public Housing tenants;
2. Eliminate the Public Housing Lease provision that four (4) late payments in a calendar year can terminate the lease;
3. Eliminate the policy in the Admissions and Continued Occupancy Policy (ACOP) that does not allow the addition of more than one (1) person to the lease; and
4. Eliminate the policy in the Admissions and Continued Occupancy Policy (ACOP) that does not allow the Oxnard Housing Authority (OHA) to consider allowing the tenant to exclude a household member in order to continue to reside in the assisted unit.

Board members requested that at least one of their requests be met.

The OHA management staff held meetings in which it discussed the four (4) comments above and after careful consideration made the following conclusions.

Regarding the first comment, staff concluded that the \$25.00 late fee is to remain in effect because it is only assessed after the 15th day of the month and it needs to stand to deter late payments.

On the second comment, staff concluded that this lease provision needs to remain in effect as a deterrent to late payment of rent, and staff took into account the fact that in the last three (3) years no families have been evicted based on this clause, showing that it has achieved its desired outcome.

On the third tenant comment, staff concluded that this policy needs to remain in effect to not create overcrowded households. In other words, tenants currently in appropriate unit sizes would quickly become overcrowded with the change of this policy.

On the fourth and final comment, staff concluded that this policy should be changed. This policy change will allow the OHA to consider allowing the tenant family to exclude a household member in order to continue to reside in the assisted unit. The reasoning for the change is to not punish a whole family for the actions of one (1) member. The family will have to agree that if that household member returns, then the OHA will have reason to terminate the lease.

Certifications of Compliance with PHA Plans and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

PHA Certifications of Compliance with the PHA Plan and Related Regulations including Required Civil Rights Certifications

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 2016-2017, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

#: Attachment #5 - Required HUD Certifications (1149 : Five Year Annual Agency & Capital Fund Plan)

12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Housing Authority of the City of Oxnard

PHA Name

CA031

PHA Number/HA Code

 X Annual PHA Plan for Fiscal Year 2016-2017

 5-Year PHA Plan for Fiscal Years 20 - 20

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Authorized Official

Tim Flynn

Signature

Title

Chairman

Date



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report
AGENDA ITEM NO.: 1

DATE: April 12, 2016

TO: City Council

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

FROM: Ashley Golden, Development Services Director

SUBJECT: Possible Amendments to the Oxnard City Urban Restriction Boundary (CURB) and the Save Open Space and Agricultural Resources (SOAR) Ordinance

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

RECOMMENDATION

That City Council: 1) Receive a report analyzing two potential SOAR initiatives (SOAR 2030 and SOAR 2050) and explaining SUSTAIN VC's county initiative. 2) Provide direction to staff regarding placing an initiative to amend the CURB and/or SOAR Ordinance before qualified City of Oxnard voters at a statewide election.

BACKGROUND

Oxnard's SOAR ordinance was enacted on November 3, 1998, and expires on December 31, 2020. Under this ordinance, urban services and urbanized uses are restricted to land within the CURB until December 31, 2020. The ordinance, inclusive of the sunset date of December 31, 2020, is included in the General Plan Programmatic Environmental Impact Report (EIR) and the 2030 General Plan document.

On February 9, 2016 the City Council conducted a study session regarding the SOAR organization's request for the City Council to place their initiative on the November ballot. At the conclusion of the study session City Council requested options and associated timelines related to a SOAR initiative. On March 15, 2016, with a 4-1 vote, City Council directed staff to prepare and analyze a ballot measure to extend SOAR to 2030. On April 4, 2016, with a 3-1 vote, City Council directed staff to return to a future City Council meeting with an analysis of a 2030

Possible Amendments to the Oxnard CURB and SOAR

April 12, 2016

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SOAR, 2050 SOAR, and a comparison of the SOAR organization county-wide initiative (County SOAR 2050) and the Ventura County Coalition of Labor, Agriculture and Business (CoLAB) county-wide initiative “SUSTAIN VC, Stop Sprawl with Sustainable Agriculture” (SUSTAIN VC).

If Council places a SOAR initiative on the ballot, City of Oxnard registered voters will be able to vote on both the City SOAR and a county-wide SOAR. The City initiative would not compete with the county-wide initiative. The county-wide initiative pertains to the unincorporated areas outside the City’s Sphere of Influence. It is possible that there could be competing county-wide initiatives, SOAR 2050 and SUSTAIN VC. The SOAR initiatives for the other cities will not appear on the City of Oxnard ballots. If both county initiatives receive enough votes, the one with the most votes will go into effect.

California Constitution Article II, Section 11(c) provides:

(c) A city or county initiative measure may not contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.

Based on California Constitution Article II, the City cannot place both a 2030 and a 2050 SOAR initiative on the ballot. Regardless of a sunset date of 2030 or 2050, as discussed at the February 9, 2016 and March 15, 2016 City Council meetings, permitting development outside of the CURB boundary, with minor exceptions, requires the vote of the people. Development in areas outside the City limit, but within the CURB requires discretionary review including community input, Planning Commission oversight, City Council approval, California Environmental Quality Act (CEQA) analysis, and approval of Local Agency Formation Commission (LAFCO). In some cases Coastal Commission approval would also be required.

There are six (6) distinct areas that are outside City limits, but within the SOAR and CURB that would be subject to discretionary review permitting proceedings, but not the vote of the people.

1. Ormond Beach, undeveloped land (south of Hueneme Road between Edison Road and Arnold Road);
2. Southshore, undeveloped land (north of Hueneme Road between Edison Drive and Olds Road);
3. Teal Club, undeveloped land (south of Doris Ave, west of Ventura Road, north of Teal Club Road, east of Patterson Road);
4. Nyeland Acres, developed (east of Santa Clara Ave, north of Ventura Blvd, generally west of Almond Drive, and south of Friedrich Road);
5. El Rio, developed (east of Vineyard Avenue, west of Rose Avenue, north of Ventura Boulevard, and to the south of Lemar Avenue); and

Possible Amendments to the Oxnard CURB and SOAR

April 12, 2016

Page 3

6. Rio Mesa High School Area, developed (south of Vineyard Avenue, north of Rose Avenue, east of Central Avenue, and generally west of Strickland Drive);

SOAR 2030: At the March 15, 2016 City Council meeting, Council directed staff to proceed with a City-authored SOAR initiative for the 2016 ballot. That initiative would extend the SOAR sunset date to 2030, consistent with the planning horizon of our 2030 General Plan.

The choice of a General Plan planning horizon is up to each city, but is usually at least 20 years. Oxnard's planning horizon is the year 2030, 10 years beyond 2020 which was used by the previous general plan adopted in 1990. SOAR was adopted in 1998, with an end of 2020, which coincided with the 2020 General Plan sunset date.

State law requires each county and city to prepare and adopt a comprehensive and long-range general plan for its physical development (Government Code Section 65300). A comprehensive general plan provides a city with a consistent framework for land use and other decision-making. The general plan has been called the "constitution" for land use development to emphasize its importance to land use decisions. The Oxnard General Plan update program accomplished the following:

- Provided the public opportunities for meaningful participation in the planning and decision-making process;
- Provided a description of current conditions and trends shaping the City of Oxnard;
- Identified planning issues, opportunities, and challenges that should be addressed in the General Plan;
- Explored land use and policy alternatives;
- Ensured that the General Plan is current, internally consistent, and easy to use;
- Provided guidance in the planning and evaluation of future land and resource decisions; and
- Provided a vision and framework for the future growth of the City.

A general plan typically has three defining features:

1. General - As the name implies, a general plan provides general guidance that will be used to direct future land use and resource decisions; 2
2. Comprehensive - A general plan covers a wide range of social, economic, infrastructure, and natural resource factors. These include topics such as land use, housing, circulation, utilities, public services, recreation, agriculture, biological resources, and many other topics; and
3. Long-range - General plans provide guidance on reaching a future envisioned 20 or more years in the future.

Possible Amendments to the Oxnard CURB and SOAR

April 12, 2016

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During the 2030 General Plan process staff conducted extensive public outreach to develop a plan for our community. That input led to incorporating the existing SOAR language directly into the General Plan and developing policies related to the protection of wetlands, agricultural buffers and preservation, restoration of the Ormond Beach Wetlands, and promoting infill development. The community was greatly involved with planning to the year 2030; therefore, from a comprehensive planning effort staff supports affording the residents the opportunity to extend SOAR to 2030 to be in alignment with the General Plan.

After the March 15, 2016 meeting, our on-call consultants provided a scope of work and cost to manage the project and prepare the CEQA analysis. We examined CEQA exemptions (Class 7 and Class 8), which require an assurance that the environment will be protected. After preliminary review of the exemptions, we determined that the exemptions cannot be relied on because voters can allow development outside the CURB. Since SOAR 2030 is within the General Plan planning horizon, and SOAR 2020 was included in the 2030 General Plan, it is anticipated that the required CEQA analysis will be a General Plan Environmental Impact Report (EIR) addendum.

There are no funds budgeted for the SOAR efforts. For an EIR Addendum, the consultants estimated the costs at approximately \$20,000. There will be additional costs related to advertising, noticing, mailings, copies, and support staff. City Attorney and City Clerk staff time will also be required. The City Clerk will need to hire a consultant, expected to cost about \$55,000, to assist with the ballot process. Lastly, the County will charge the City approximately \$6,000-\$10,000 for election proceedings. The total direct cost for the City to place a SOAR 2030 initiative on the November ballot is estimated at \$85,000, plus the time of salaried staff.

SOAR 2050: At the March 29, 2016 City Council meeting, Council directed staff to return with an analysis of a City-authored SOAR initiative for the 2016 ballot to extend the SOAR sunset date to 2050, which is consistent with what the SOAR organization is seeking throughout the county.

The year 2050 is 20 years past our 2030 General Plan sunset date and 10 years past Southern California's Association of Governments (SCAG) population projections. Our next General Plan update is expected to start after Census 2020 population and housing data are released. We anticipate the next General Plan to plan to the year 2050, which we anticipate will be the same end date as the SCAG population projections and follows the 20 year planning horizons that have been typical in Oxnard. During that General Plan update process, we will have current data (population, traffic, infrastructure studies, etc) to plan for the needs of our community and have quality time to seek input from the community. The data and outreach process could lead to retractions or additions of land to the SOAR boundary, removal of existing areas within SOAR in exchange for land in another area (swaps), and various text amendments.

Since 2050 is 20 years past any CEQA analysis the city has conducted, it is anticipated that the required CEQA analysis for SOAR 2050 would be a mitigated negative declaration (MND). The consultant could examine if an addendum may be utilized, but there may be increased risk to the city. For project management and a MND the consultants estimated their costs at approximately

Possible Amendments to the Oxnard CURB and SOAR

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\$33,000. There will be additional costs related to advertising, noticing, mailings, copies, and support staff. City Attorney and City Clerk staff time will also be required. The City Clerk will need to hire a consultant, expected to cost about \$55,000, to assist with the ballot process. Lastly, the County will charge the City approximately \$6,000 - \$10,000 for election proceedings. The total direct cost for the City to place a SOAR 2050 initiative on the November ballot is estimated at \$98,000, plus the time of salaried staff.

County-Wide Initiatives

The SOAR organization qualified a county-wide SOAR for the November ballot. CoLAB is currently seeking signatures to qualify SUSTAIN VC for the November ballot. The County SOAR, and SUSTAIN VC, do not override the City SOAR. The findings and purpose of both initiatives state they are intended to protect the County's agricultural, open space and rural land and recognize that agricultural is a major contributor to the County of Ventura. The County of Ventura includes 1.17 million acres of land, over half (624,000 acres) of which is protected in national forests, state parks, and conservancies. The SOAR initiative and SUSTAIN VC include additions and modifications to the County General Plan Policies Section 1.6 and 3.2. In fact, many of the additions and modifications are the same. However, there are also distinct differences. Both SUSTAIN VC and County SOAR 2050 included:

1. A new provision to allow The Board of Supervisors (BoS) to "amend, without the vote of the people, rural, Agricultural, or Open Space land use designations to comply with state law regarding the provision of housing for all economic segments of the community, based on substantial evidence and certain findings (SUSTAIN VC Section 2.7.g and County SOAR I.g)
2. The removal of an exception for 8 parcels in Piru (SUSTAIN VC Section 2.7.i (strike thru) and County SOAR I.i (strike thru))
3. A new provision to allow the BoS to rezone land consistent with Existing Community Land Use designations (SUSTAIN VC Section 2.7.k and County SOAR I.k)

SUSTAIN VC: Due to unprecedented challenges facing agricultural including droughts, pest control, buffers, lack of labor, development regulations, and international competition CoLAB drafted SUSTAIN VC to promote the economic viability of agricultural lands through the establishment of policies that support long term investment for agricultural producers. SUSTAIN VC would be in effect until December 31, 2036. Although this initiative includes many proposed revisions to the County General Plan, the County SUSTAIN VC includes five main additions to the County General Plan:

1. Requires the County of Ventura to study the economic impacts of the initiative in a comprehensive study to be completed by January 1, 2026. The study must include analysis of the economic impact to middle class housing and rent affordability, job growth, and traffic due to commuting from the initiative (Section 1.N).

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2. Adds six new goals to section 1.6.1 of the County General Plan, two of which are also included in the SOAR 2050 initiative. The four new goals, which are not included in SOAR 2050, focus on agricultural permit processing procedures, allowances for broad range of agricultural support services, incentives for agricultural landowners, and agricultural focused research facilities (Section 2.C.3, 5-8 of the initiative).
3. Adds a goal to section 1.6.2 of the County General Plan to maintain water resources for production agriculture (Section 2.C.4 of the initiative).
4. The re-designation of Agricultural designated parcels adjacent to an existing primary or secondary public school site that are also adjacent to a city sphere, city urban growth boundary or city limit jurisdictional boundary to an alternate general plan land use designation to reduce conflict between schools and agricultural use (Section 2.C.7.i of the initiative).
5. The re-designation of up to 225 acres of lands throughout the unincorporated lands of the County to allow the processing of locally grown foods (Section 2.C.7.l of the initiative);

If SUSTAIN VC qualifies for the ballot, and is approved by the voters, developments allowed by the initiative are still regulated by the County zoning and general plan and subject to Local Agency Formation Commission (LAFCo) rules.

County SOAR 2050: In order to continue to protect the County's agricultural, rural, and open space lands, the SOAR organization has qualified a update to the provisions of SOAR to the year 2050. Although this initiative includes many proposed revisions to the County General Plan, the County SOAR 2050 includes four main additions to the County General Plan:

1. The addition of language to the Findings and Purpose section related to the negative environmental effects of urban encroachment into agricultural, open space, and rural designed areas (Section 1.H.)
2. An allowance for the BoS, without the vote of the people, to re-designate residential or commercial properties to Rural, Agricultural, or Open Space and the provision that once the lands are re-designated they would become subject to the initiative. (Section I.e of the initiative).
(Currently only Rural properties were able to be re-designated without the vote of the people.)
3. An allowance for the BoS, with a $\frac{4}{5}$ vote, and three specific findings to re-designate up to a total of 12 acres of land through the county (Section I.m of the initiative).
(SUSTAIN VC allows up to 225 acres, does not require a $\frac{4}{5}$ vote or special findings.)
4. Adds "wetlands" to the Land Use Designations definition (pages 11 and 13 of the initiative).

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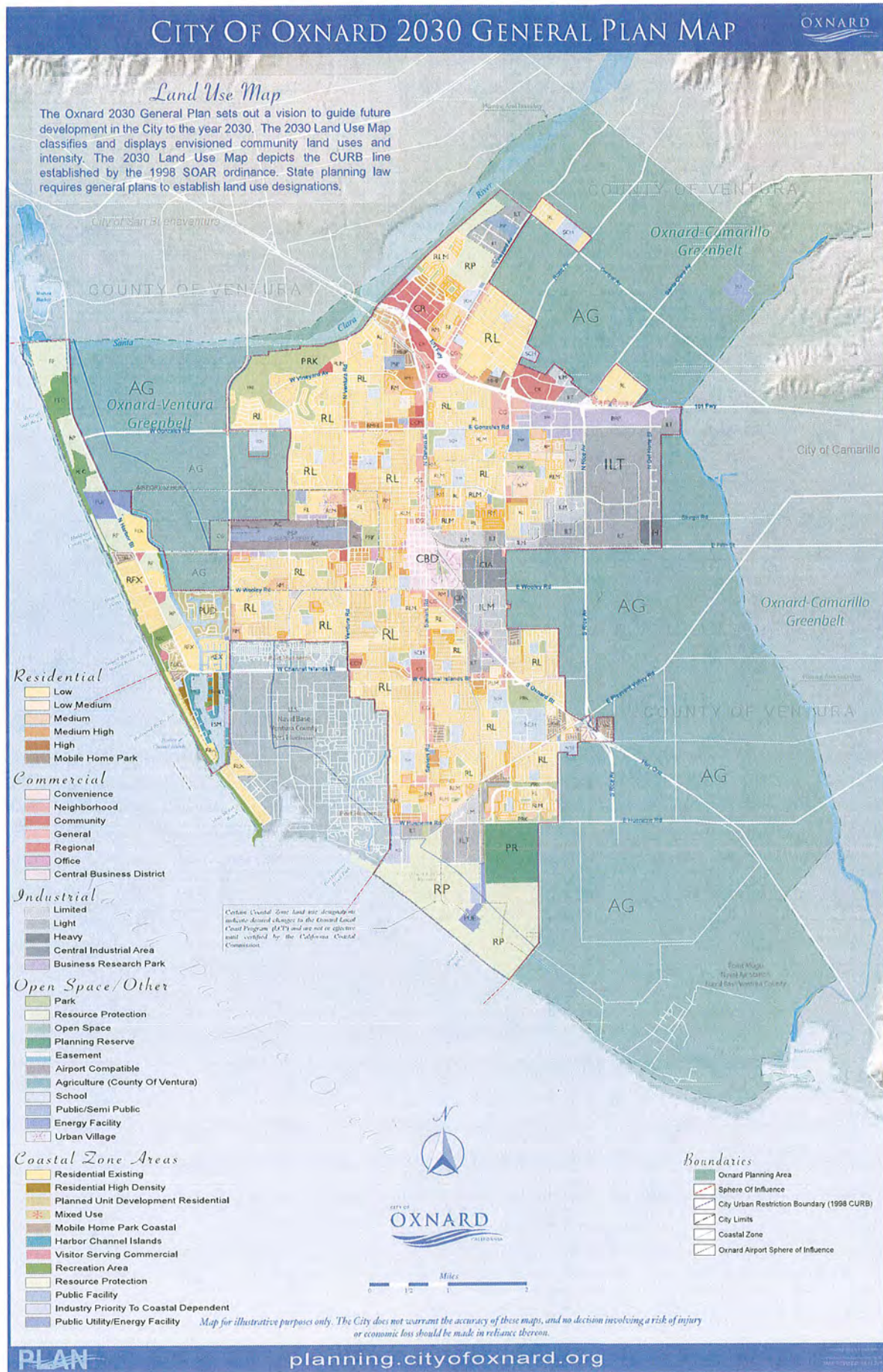
If County SOAR 2050 is approved by the voters, developments allowed by the initiative are still regulated by the County zoning and general plan and subject to Local Agency Formation Commission (LAFCo) rules.

FINANCIAL IMPACT

There are no funds budgeted for SOAR initiative efforts. Placing SOAR 2030 initiative on the ballot is anticipated to cost approximately \$85,000, plus the time of salaried staff. Placing SOAR 2050 initiative on the ballot is anticipated to cost approximately \$98,000, plus the time of salaried staff.

ATTACHMENTS

1. 2030 General Plan
2. SUSTAIN VC Initiative
3. County SOAR initiative



Residential up to 39 dwelling units per acre, live/work, work/live, and mixed uses are strongly encouraged.

INDUSTRIAL

Limited. [FAR is 0.45:1] Light manufacturing, assembly, work/live, and warehousing uses developed to high performance and development standards. All activity occurs within buildings with the exception of incidental outdoor uses.

Light. [FAR is 0.45:1 for manufacturing, 0.60:1 for warehousing] Manufacturing uses where the principal activity occurs within a building, but also permits outdoor assembly, fabrication, work/live, public services, and storage. Uses must follow high development and performance standards. Wholesale and retail sales and services related to the principal uses permitted.

Heavy. [FAR is 0.45:1] Industrial uses that are primarily outdoor and/or within specialized structures that may involve transportation, storage, or use of hazardous materials. Public services permitted.

Central Industrial Area. [Maximum FAR is 0.45:1] Also referred to as Heavy Industrial. The Central Industrial Area is characterized by uses which often involve outdoor use and storage. Agricultural processing and vehicle and equipment storage and repair predominate in this area. In order to be compatible with the adjacent CBD and redevelopment plans, higher development standards may be applied to new uses and the rehabilitation of existing uses. Public services permitted.

Business and Research Park. [FAR is 0.60:1] Professional, administrative, research, and limited manufacturing uses along with limited commercial activities intended to support such uses, integrated into campus-like environments that are oriented towards arterials, freeways, airports, and harbors, and developed to high property and development standards.

Public Utility/Energy Facility. Applies to large electrical generating and transmission facilities. Due to the uniqueness of these types of facilities, the development intensity is established on an individual basis. Renewable energy production facilities do not require this land use designation if they are considered accessory to an underlying use.

OPEN SPACE

Park. City, County, State, and National-owned parks, beaches, regional parks, community parks, neighborhood parks, special purpose facilities, golf courses, athletic fields, and open space areas.

Resource Protection (non-coastal). Sensitive habitats such as wetlands, areas with endangered species activity, and riparian areas found primarily in the Coastal Zone and along the Santa Clara River. May allow agricultural and related uses that do not negatively impact sensitive habitats in areas not in the Coastal Zone.

3. Community Development

Open Space. Lands in passive and active recreation uses, resource management, flood control management, wetlands, intended for wetlands restoration, and stormwater management facilities and buffer zones separating urban development and other sensitive resources.

Planning Reserve. Areas considered likely to urbanize during the planning period, subject to additional environmental evaluation and the provision of adequate public infrastructure and services. This land use designation would be changed during a subsequent planning process.

Easement. Generally linear land uses for waterways, canals, railroads, storm drains, and similar uses.

Airport Compatible. [Maximum FAR of 0.40:1] Low intensity commercial and industrial uses which are compatible with airport operations and activities in that they do not pose unreasonable hazards to aircraft operations nor do they subject large numbers of persons to hazards from aircraft. Airport compatible uses need not be directly related to or be dependent upon the adjacent airport.

Agriculture. Row and tree crops, grain products, ornamental horticulture (green houses, nurseries, etc.) hydroponic agriculture and the growing of sod.

School. This designation is for campuses of the elementary and secondary public school districts that serve Oxnard. Post-secondary institutional public uses are included under the Public/Semi-Public designation. Private schools may occur in other zone designations.

Public/Semi-Public. Private, quasi-public, and public buildings and facilities owned by the City, County, State, Federal agencies, or other organizations that serve the general public such as a civic center, flood control channels, rail lines, community college, museum, performing arts center, community center, city yard, library, fire station, public school and /or district support facility, private and parochial school, cemetery, or hospital.

Urban Village. Urban Villages are mixed use areas designed to encourage persons to live near their place of employment and/or support services. Urban Villages should occur in the designated areas but may be proposed in other areas as a General, Specific, Coastal, or County Public Works Plan Amendment. The integration of complementary land uses is intended to promote a pedestrian orientation to reduce trips and vehicle miles traveled and reduce greenhouse gas emissions. Urban Villages are implemented with a specific plan, a strategic plan similar to the Central Business District Strategic Plan, or by the Ventura County Harbor Public Works Plan.

Height Overlay. All new structures and/or remodels are limited to six stories except in areas designated as Low Density Residential, Low-Medium Density Residential, Mobile Home Park, Airport Compatible, and areas subject to the Ventura County Harbor Public Works Plan which are limited by their respective development standards. All entitlements that

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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FILED
Ventura County Elections Division

FEB 19 2016

MARK A. LUNN
County Clerk and Recorder
By *Nenice R. Lerner* Deputy

TO THE HONORABLE CLERK OF THE COUNTY OF VENTURA:

We, the undersigned, registered, qualified voters of California, residents of the County of Ventura, hereby propose an ordinance relating to protecting existing agricultural, open space and rural lands, and petition you to submit this initiative to the Board of Supervisors to be submitted immediately to the voters of the County of Ventura at a special county election or the earliest regular county election for which it qualifies. The proposed ordinance reads as follows:

Stop Sprawl with Sustainable Agriculture (SUSTAIN VC)

The people of the County of Ventura ordain as follows:

Section 1. Findings and Purpose.

A. In concert with the currently existing Ventura County General Plan, adopted May 24, 1988, and as amended through October 20, 2015, we believe that the protection of existing agricultural, open space and rural lands is of critical importance to present and future residents of the County of Ventura.

#: Attachment 2 SUSTAIN VC Final Initiative (1224 : Possible Amendments to the Oxnard CURB and SOAR)

- B. Agriculture has been and remains the major contributor to the economy of the County of Ventura, directly and indirectly creating employment for many people, creating enormous actual income which multiplies through the community and generating substantial tax revenues for the County. Ventura County is one of the principal agricultural counties in the State in 2010 ranking eighth (8th) with a total sales of over 2.0 billion dollars and ranking tenth (10th) in total farm sales out of 3,175 counties nationally. The innovation of the agricultural industry along with the dedication of hardworking farmworkers is largely responsible for the continued high rankings.
- C. The County of Ventura with its unique combination of soils, micro-climate and hydrology, has become one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and, in particular, production from the soils and silt from the Santa Clara and Ventura rivers have achieved international acclaim, enhancing the County's economy, reputation and standard of living. While these natural resources are essential to Ventura County agriculture, the agricultural, open space, and rural lands that support commercial agriculture could not be productive without active cultivation.
- D. Ventura County agriculture is facing unprecedented challenges. Threats to local commercial agriculture include: reduced, more expensive and low quality water supply; crop loss from new invasive pests; diminishing options for pest control; increased international competition from countries with lower wages and less pesticide regulation; lack of farmworker housing; an aggressive state and local regulatory environment; high land prices; and urban encroachment.
- E. For agriculture to be sustainable in Ventura County, it must remain economically viable. This initiative seeks to add and improve necessary goals and policies to encourage agriculture to remain viable in the County for the life of the initiative and beyond.
- F. Open space likewise contributes to the welfare of the County, as recognized in Chapter 3.2 of the General Plan, not only through the productive use of the land for grazing and other non-irrigated usage, such as forest lands, rangelands, and agricultural lands not designated Agricultural, but through the preservation of unique natural resources. Open space contributes to the public health and safety additionally by setting aside from urban development those lands with special hazard conditions and areas required for the protection of water quality, and water reservoirs and air quality. Open space promotes the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl. Open space promotes efficient municipal services and facilities by confining urban development to defined development areas.
- G. Open Space designations include productive lands that are used for irrigated agriculture, grazing and natural resource production. These lands are important to the overall economy of the County and the long-term economic viability of these productive lands shall be supported.
- H. As important, the Rural designation under the General Plan serves not only to buffer intense urban usage from agricultural and open space lands, but it fosters small scale agricultural production while allowing for low-density and low intensity land uses and is a critical component in accommodating the full range of residential and farming/ranching environments.
- I. Urban encroachment into Agricultural, Open Space and Rural designated areas can negatively impact agriculture by lessening cultivated acreage that could threaten the viability of the agricultural industry. Urban encroachment has also created inevitable conflicts between urban and open space and agricultural uses.
- J. The unique character of the County of Ventura and quality of life of County residents depend on the protection of a substantial amount of open space lands. The protection of such lands helps protect the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural resources.
- K. The purpose of this initiative is to ensure that Agricultural, Rural and Open Space lands are not prematurely or unnecessarily converted to uses incompatible with the purposes of the Agricultural, Open Space and Rural land use designations. Thus, this initiative seeks to further Agricultural, Rural and Open Space objectives which could include, for example, adequate farm worker housing. This initiative further proposes to restate and readopt, with appropriate amendments, the sections of the Ventura County General Plan document entitled Goals, Policies and Programs to support Agricultural, Rural and Open Space objectives thereby helping to ensure that agriculture will remain economically viable in the County for the life of the initiative and beyond. Accordingly, this initiative ensures that until December 31, 2036, the general plan provisions governing Agricultural, Rural and Open Space land use designations, and farmland resources, as amended herein, may not be changed except by a vote of the people.
- L. In addition, the initiative provides, subject to limited exceptions specifically referenced in this initiative, that any lands designated as "Agricultural", "Rural" or "Open Space" on the County of Ventura's General Plan "General Land Use Maps" (North Half and South Half) adopted by the Board of Supervisors May 24, 1988 as revised through October 20, 2015, will remain so designated at least until December 31, 2036, unless, prior to December 31, 2036, the land is redesignated to another land use category by vote of the people, or redesignated by the Board of Supervisors for the County of Ventura pursuant to the procedures set forth in this initiative.
- M. This initiative allows the Board of Supervisors to redesignate Rural, Agricultural, and Open Space lands to other more intensive land use designations only if certain findings can be made, including (among other things) that the land is proven to be unsuitable for its designated purpose, and/or redesignation is necessary to avoid an unconstitutional taking of property without just compensation.
- N. Further, this initiative establishes accountability to the voters by requiring the County of Ventura to study the economic impacts of the initiative in a comprehensive study to be completed by January 1, 2026. This study will specifically include analysis of the economic impact to middle class housing and rent affordability, job growth, and traffic due to commuting from the initiative.

Section 2. General Plan Amendments.

- A. This initiative shall be referred to as the Stop Sprawl with Sustainable Agriculture (SUSTAIN VC) Initiative.
- B. This initiative makes additions and deletions to existing provisions of the Ventura County General Plan. Additions are shown in underlined type. Deletions are shown in ~~strike-through type~~. Type that is not shown with any formatting, or in *italics* which is present in the existing text, is reaffirmed and readopted by this initiative. All text in this initiative measure, whether presently existing in the general plan, or added or deleted by this initiative measure, shall be subject to Section 9125 of the Elections Code, and shall not be repealed or amended by the Board of Supervisors without submitting to the voters of the County for approval.
- C. The General Plan is hereby amended as follows:

1. Subdivision 4 "Agricultural," of Subsection 3.2.1 "Goals," of Section 3.2 "Land Use Designations," of Chapter 3 "Land Use," of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be amended to read as follows:

4. Agricultural:

- (1) Identify ~~Recognize~~ the farmlands within the County that are critical to the maintenance of the local agricultural economy and which are important to the State and Nation for the production of food, fiber and ornamentals.
- (2) Preserve and protect agricultural lands as a nonrenewable resource to assure their continued availability for the production of food, fiber and ornamentals.
- (3) Promote the economic viability of agricultural lands by assisting agricultural producers and establishing zoning policies that support long term investment.
- (4) Maintain agricultural lands in parcel sizes which will assure that viable farming units are retained.
- (4) (5) Establish ~~policies~~ and regulations which ~~restrict~~ that encourage agricultural land to remain in farming and related uses ~~rather than other development purposes.~~
- (5) (6) Restrict the introduction of conflicting uses into farming areas.
- (7) Actively promote infrastructure, sized not larger than necessary for the specific project or projects it furthers, to support the continuing viability of agriculture, including, but not limited to, water infrastructure and farmworker housing.

2. Subdivision 5 "Open Space," of Subsection 3.2.1 "Goals," of Section 3.2 "Land Use Designations," of Chapter 3 "Land Use," of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be amended to read as follows:

5. Open Space:

- (1) Preserve for the benefit of all the County's residents the continued wise use of the County's renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources.
- (2) Acknowledge the presence of certain hazardous features which urban development should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public.
- (3) Retain open space lands in a relatively undeveloped ~~non-urbanized~~ state so as to preserve the maximum number of future land use options.
- (4) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.
- (5) Define urban areas by providing contrasting but complementary areas which should be left ~~generally undeveloped non-urbanized.~~
- (6) Recognize the intrinsic value of open space lands and not regard such lands as "areas waiting for urbanization."
- (7) Land Conservation Act (LCA) Contracts shall be encouraged on farming, grazing and open space lands.
- (8) Support the productive activities of Open Space designated lands, commonly used for agriculture, grazing, and ranching that are important to the overall economy of Ventura County.

3. Subsection 1.6.1 "Goals," of Section 1.6 "Farmland Resources," of Chapter 1 "Resources," of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be amended to read as follows:

1.6.1 Goals

1. Preserve and protect irrigated agricultural lands as a nonrenewable resource to assure the continued availability of such lands for the production of food, fiber and ornamentals.
2. Encourage the continuation and development of facilities and programs that support agricultural production and enhance the marketing of County grown

agricultural products.

3. Improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.

4. Encourage opportunities for Ventura County residents to buy local agricultural products.

5. Develop agricultural permit processing procedures that are rapid and efficient. Do not require permits for agricultural practices and improvements that are currently exempt. Keep the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats.

6. Facilitate agricultural production by allowing a broad range of uses and agricultural support services to be consistently and accessibly located in areas of prime agricultural activity.

7. Provide incentives for landowners to maintain land in productive agricultural uses.

8. Encourage scientific and educational research facilities that focus on local agriculture to be located in Ventura County.

4. Subsection 1.6.2 "Policies," of Section 1.6 "Farmland Resources," of Chapter 1 "Resources," of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be amended to read as follows:

1.6.2 Policies

1. Discretionary development located on land designated as Agricultural (see Land Use Chapter) and identified as *Prime Farmland* or *Farmland of Statewide Importance* on the State's Important Farmland Inventory, shall be planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.

2. Hillside agricultural grading shall be regulated by the Public Works Agency through, retaining the standards and intent of the Hillside Erosion Control Ordinance, with rules focused on erosion control.

3. Land Conservation Act (LCA) Contracts shall be encouraged on irrigated farmlands.

4. The Public Works Agency shall plan transportation capital improvements so as to mitigate impacts to important farmlands to the extent feasible.

5. The County shall preserve agricultural land by retaining and expanding the existing *Greenbelt Agreements* and encouraging the formation of additional *Greenbelt Agreements*.

6. Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural and related uses of those lands.

7. Maintain water resources for production agriculture, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.

5. Figure 3.1a "General Plan Land Use Map (South Half)" of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be reaffirmed and readopted by this initiative measure, as represented by Exhibit A.
6. Figure 3.1b "General Plan Land Use Map (North Half)" of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be reaffirmed and readopted by this initiative measure, as represented by Exhibit B.
7. The paragraph titled "Limitations on General Plan Amendments Relating to Agricultural, Open Space and Rural Designations" of the "Introduction" of the "Goals, Policies and Programs" of the Ventura County General Plan, shall be amended to read as follows:

Limitations on General Plan Amendments Relating to Agricultural, Open Space and Rural Designations

Pursuant to the provisions of the Stop Sprawl with Sustainable Agriculture (SUSTAIN VC) SAVE OPEN SPACE and AGRICULTURAL RESOURCES (S-O-A-R-S) INITIATIVE ORDINANCE, the following shall obtain until December 31, 2036 2020.

a) The provisions setting forth the Agricultural, Open Space and Rural land use designations, and the goals and policies as they specifically apply to those land use designations in Sections 3.1 and 3.2 and Farmland Resources in Section 1.6, of this General Plan shall not be further amended unless such amendment is approved by a vote of the people or by the Board of Supervisors pursuant to the procedures set forth herein.

b) Except as otherwise provided herein, those lands designated as Agricultural, Open Space or Rural on the "General Land Use Maps" adopted by the Board of Supervisors for Ventura County on May 24, 1988, amended through September 16, 1997 October 20, 2015 shall remain so designated unless redesignated to another general plan land use category by vote of the people, or redesignated by the Board of Supervisors pursuant to the procedures set forth herein.

c) The Board of Supervisors, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may place any amendment to land use designations of Agriculture, Open Space or Rural, or any provision, goal or policy as set forth in subsection (a), above, on the ballot pursuant to the mechanisms provided by State Law.

d) The Board of Supervisors without a vote of the people may reorganize, reorder, or renumber individual provisions of the General Plan, as well as the provisions herein, in the course of ongoing updates of the General Plan in accordance with the requirements of state law. Additional technical, non-substantive language modifications may be made to the General Plan with reference to Agricultural, Open Space or Rural designations, goals and policies for clarification and internal consistency provided such modifications are consistent with the Findings and Purpose of the initiative ordinance creating these provisions. Additional goals and policies may be added to the General Plan in future updates that support the economic viability of local agriculture.

e) The Board of Supervisors, without a vote of the people, may redesignate Rural designated properties to either Agricultural or Open Space, or may redesignate Open Space to Agriculture pursuant to the provisions for making such amendments set forth in state law and Board adopted policies.

f) The Board of Supervisors, without a vote of the people, may redesignate Agricultural designated properties to Open Space if the Board of Supervisors makes all of the following findings supported by substantial evidence:

i) The land proposed for redesignation has not been used for agricultural purposes in the past 2 years and is unusable for agriculture due to its topography, drainage, flooding, adverse soil conditions, inaccessibility to appropriate water, or other physical reasons;

ii) The land proposed for redesignation is immediately adjacent to areas developed in a manner compatible with the uses allowed under Open Space;

iii) Adequate public services and facilities are available and have the capacity and capability to accommodate the Open Space uses allowed;

iv) The proposed redesignation is compatible with adjacent agricultural uses, does not interfere with accepted agricultural practices, and does not adversely affect the stability of land use patterns in the area; and

v) Resulting Open Space parcels redesignated by the Board of Supervisors in this subsection (f) shall retain the minimum parcel size of 40 acres as per the Agricultural designation unless redesignated by a vote of the people. The land proposed for redesignation does not exceed 40 acres for any one landowner in any calendar year, and one landowner may not obtain redesignation pursuant to this subdivision (f) more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation.

g) The Board of Supervisors, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, without a vote of the people, may redesignate Agricultural, Open Space or Rural properties to comply with state law regarding the provision of housing for all economic segments of the community, provided the Board complies with the following 3 conditions:

i) The land is immediately adjacent to existing compatibly developed areas and the applicant for the amendment has provided to the County evidence that the Fire Department, Police Department, Department of Public Works, the Resource Management Agency, applicable water and sewer districts, and the school districts with jurisdiction over such land have or will provide adequate capacity to accommodate the proposed development and provide it with adequate public services; and,

ii) That the proposed development will address the highest priority need identified in the analysis by which the County has determined it is not in compliance with state law, i.e., low and very low income housing; and,

iii) That there is no existing residentially designated land available to accommodate the proposed development.

g) h) The Board of Supervisors, without a vote of the people, may redesignate Agricultural, Open Space or Rural properties, increasing its developmental density, provided the Board complies with the following two conditions:

i) The Board makes a finding based upon substantial evidence and the advice of the County Counsel that the designation of the property effects application of the provisions of this measure would constitute an unconstitutional taking of the landowners' property; and

ii) In permitting the redesignation, the Board allows a less restrictive designation to be applied to the property only to the extent necessary to avoid the unconstitutional taking of the landowner's property.

h) i) The Board of Supervisors, without a vote of the people, may amend the provisions of the General Plan which apply to the Agricultural, Open Space or Rural designations, as set forth in subsection "a", above, for the express purpose of further protecting and preserving resources identified in the General Plan; provided that said amendment(s) are consistent with the Findings and Purpose of the ordinance adopting these provisions of the General Plan redesignate Agricultural designated parcels adjacent to an existing primary or secondary public school site, that are also adjacent to a city sphere, city urban growth boundary or city limit jurisdictional boundary, to an alternate general plan land use designation, to reduce conflicts between schools and agricultural uses.

i) In recognition of the urban nature of the Piru community and to provide essential flexibility to the Board of Supervisors to address the special needs of that community, the Board of Supervisors, without a vote of the people, may amend the land use designations on the General Land Use Map, as set forth in subsection "b", above, for land located within the Piru Redevelopment Area or land described by the following Assessor-Parcel Numbers:

056-0-180-01	056-0-180-08
056-0-180-02	056-0-190-05
056-0-180-06	056-0-190-06
056-0-180-07	056-0-190-09

The total land represented by this subsection "i" is set forth on Exhibit "A."

j) The Board of Supervisors, without a vote of the people, may amend the land use designations on the General Plan Land Use Map, as set forth in figures 3.1a and 3.1b subsection "b", above, to within any Existing Community designation for land which, prior to the effective date of the ordinance initiative setting forth these provisions, is found to contain lawfully established urban building intensities or urban land uses, to the minimum extent necessary to validate such pre-existing uses consistent with the Findings and Purpose of the ordinance initiative adopting these provisions of the General Plan.

k) This initiative is not intended to impede The Board of Supervisors, without a vote of the people, from being able to amend the land use designations on the General Land Use Map, and related text, as set forth within any Existing Community as so designated in the March 2015 amendment and appendices to the General Plan. Notwithstanding this subsection k), Thomas Aquinas College, 10000 Ojai Rd., Santa Paula, CA 93060 shall be deemed an Existing Community, and may be developed according to its needs as a college subject to standard rules and regulations and permit requirements of the Board of Supervisors. The boundaries of the college are represented by Exhibit C.

l) To help the Ventura County economy, create jobs and decrease the export of commodities for processing, the Board of Supervisors, without a vote of the people, may redesignate 22.5 acres of lands to allow the processing of locally grown foods.

k) m) Following December 31, ~~2020~~ 2036, redesignations of then existing General Plan designations may be occasioned by the Board of Supervisors without a vote of the people. Until then, approval by a vote of the people is accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the Board of Supervisors adopts an amendment requiring approval by a vote of the people compliance with this initiative pursuant to the provisions of this subsection, the Board's action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it.

Section 3. Implementation.

A. Upon the effective date of this initiative, the General Plan Amendment shall be deemed inserted in the Ventura County General Plan, Goals, Policies and Programs document as an amendment thereof, except, that if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized prior to the effective date of this initiative, this General Plan amendment shall be deemed inserted in the County General Plan on the first day of January of the following calendar year.

B. The provisions of this General Plan Amendment shall prevail over any revisions to the County of Ventura's General Plan as amended through October 20, 2015, which conflict with the initiative. Upon the adoption date, all General Plan amendments, rezonings, specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this General Plan Amendment initiative. Other than for the exceptions provided herein, upon the effective date of this General Plan Amendment initiative, the County and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this General Plan Amendment initiative unless in accordance with the provisions of this General Plan Amendment initiative.

Section 4. Exemptions for Certain Projects.

This General Plan Amendment shall not apply to or affect any development project that has obtained, as of the effective date of this General Plan Amendment, a contractually vested right or vested right pursuant to state or local law.

Section 5. Conflicting Measures.

In the event that this measure and another measure that amends any Ventura County General Plan provisions pertaining to agricultural, open space and rural lands shall appear on the same ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this initiative and any other measure addressing in whole or in part the same subject matter as this initiative are both approved by the voters at the same election, and this initiative receives a greater number of affirmative votes than any other such measure or measures, this initiative shall control in its entirety and the other measure or measures shall be rendered void and without any legal effect. If this initiative is approved by a majority of the voters but does not receive a greater number of affirmative votes than any other measure addressing in whole or in part the same subject matter as this initiative at the same election, this initiative shall take effect to the extent permitted by law.

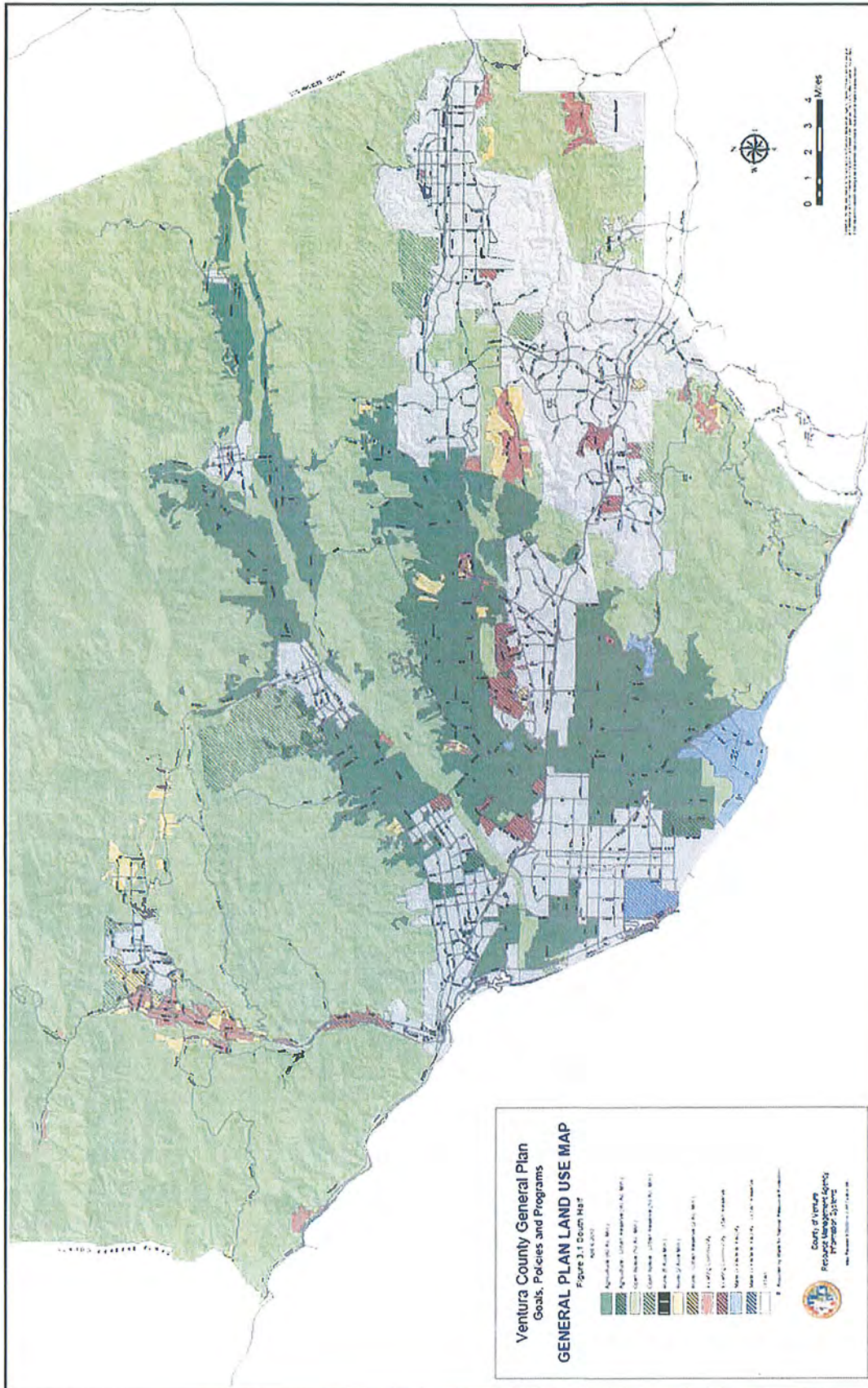
Section 6. Severability.

This measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that this measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this initiative is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this measure that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative. It is the intent of the voters that the provisions of this measure shall be interpreted by the County and others in a manner that facilitates the confinement of urban uses thereby protecting and promoting agricultural, open space and rural lands, while preventing urban sprawl for the duration of the Initiative.

Section 7. Amendment or Repeal.

Through December 31, 2036, the reenacted and readopted provisions of the General Plan, and amendments to the General Plan enacted through this initiative, may be amended or repealed only by the voters at a general election.

EXHIBIT A



#: Attachment 2 SUSTAIN VC Final Initiative (1224 : Possible Amendments to the Oxnard CURB and SOAR)

EXHIBIT B

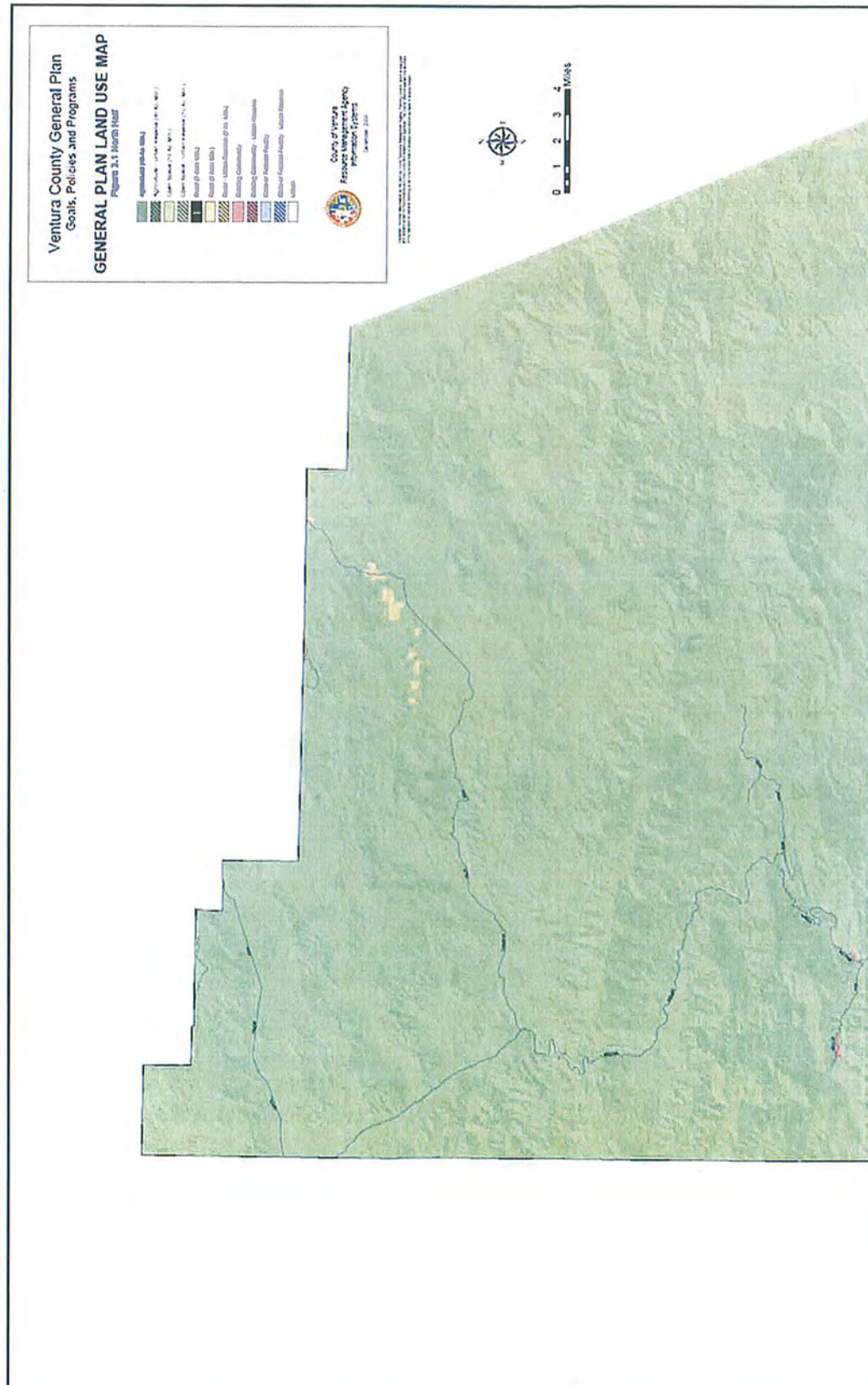


EXHIBIT C



#: Attachment 2 SUSTAIN VC Final Initiative (1224 : Possible Amendments to the Oxnard CURB and SOAR)

COUNTY OF VENTURA MEASURE
(SOAR) SAVE OPENSOURCE and AGRICULTURAL RESOURCES
INITIATIVE – 2050
FULL TEXT OF ORDINANCE

The people of the County of Ventura, having adopted the Save Open-space and Agricultural Resources Ordinance (SOAR) on November 3, 1998, and recognizing that said Ordinance will sunset on December 31, 2020, desire to continue the philosophy of and primary substantive matters contained in that initiative measure until December 31, 2050. Accordingly, they do hereby ordain as follows: [Changes from the text of the original initiative and any changes in the County's General Plan being restated and readopted are indicated with "~~strike-out~~" for deletions; *italics for additions*].

Section 1. Findings and Purpose.

A. Nearly two decades ago, the voters of Ventura County adopted the Save Open-space and Agricultural Resources (SOAR) in order to protect the County's agricultural, rural, and open space lands, to strengthen the local agricultural economy, and to preserve the County's quality of life. SOAR has been highly successful in achieving these goals, while allowing for reasonable residential development, allowing the County to meet its housing requirements under state law. Accordingly, for the benefit of existing and future residents, visitors and investors, the people of Ventura County hereby declare their intent to reaffirm, update and extend the provisions of SOAR until the year 2050.

B. Agriculture has been and remains a major contributor to the economy of the County of Ventura, directly and indirectly creating employment for many people, creating enormous actual income which multiplies through the community and generating substantial tax revenues for the County.

Specifically, the Ventura County General Plan provides as follows:

"Agriculture plays an important role in the National, State, and County economy. Ventura County is one of the principal agricultural counties in the State ranking tenth in 1987, with a total income of over 610 million dollars and ranking seventeenth in farm earnings out of 3,175 counties nationally.

This high productivity is made possible by the County's abundance of the natural resources required for agricultural production; primarily soils, water, climate and topography." [General Plan, ¶1.6].

C. The County of Ventura with its unique combination of soils, micro-climate and hydrology has become one of the finest growing regions in the world. Vegetable and fruit production from the county of Ventura and, in particular, production

from the soils and silt from the Santa Clara and Ventura rivers have achieved international acclaim, enhancing the County's economy and reputation and standard of living.

D. For agriculture to be sustainable in Ventura County, it must remain economically viable. This SOAR ordinance seeks to add and improve necessary goals and policies to encourage agriculture to remain viable in the County for the life of the ordinance and beyond.

E. Open space likewise contributes to the welfare of the County, as recognized in paragraph 3.2 of the General Plan, not only through the productive use of the land for grazing and other non-irrigated usage, such as forest lands, rangelands, and agricultural lands not designated agricultural, but through the preservation of unique natural resources including but not limited to areas required for the preservation of plant and animal life, habitat for fish and wildlife, areas required for ecological and other scientific study purposes, rivers, bays, estuaries, wetlands, coastal beaches, lakeshores, banks of rivers and streams and watershed lands. Open space continues to contribute to the public health and safety additionally by setting aside from development those lands which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality, and water reservoirs and areas required for the protection and enhancement of air quality. Open space has worked to promote and continues to promote the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl. Open space promotes efficient municipal services and facilities by confining urban development to defined development areas.

F. Open space designations also include productive lands that are used for agriculture and grazing. These lands are important to the overall economy of the County and the long-term economic viability of these productive lands shall be supported.

G. As importantly, the Rural designation under the General Plan serves not only to buffer intense urban usage from agricultural and open space lands, but it fosters small scale agricultural production while allowing for low-density and low intensity land uses and is a critical component in accommodating the full range of residential and farming/ranching environments.

H. Urban encroachment into Agricultural, Open Space and Rural designated areas can negatively impact agriculture by lessening cultivated acreage, threatening the viability of the agricultural industry and could threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution, and potentially serious water problems, such as pollution, depletion and sedimentation of available water resources. Such urban encroachment could eventually result in the unnecessary and expensive extension of public services and facilities as well as create inevitable conflicts

between urban and open space and agricultural uses, degrading wildlife habitat and connectivity. To the extent possible, farm worker housing, located in existing urban areas, should be encouraged in order to help sustain the viability of agriculture.

I. The unique character of the County of Ventura and quality of life of County residents depend on the protection of a substantial amount of open space, agriculture, and rural lands. The protection of such lands not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural resources.

J. The purpose of this initiative is to continue to ensure that agricultural, rural and open space lands are not prematurely or unnecessarily converted to other more intensive development uses incompatible with the purposes of the Agricultural, Open Space and Rural land use designations. Thus, this initiative seeks to further Agricultural, Rural and Open Space objectives which could include, for example, adequate farm worker housing. This initiative further proposes to restate and readopt, with minor amendments, the section of the Ventura County General Plan document entitled Goals, Policies and Programs to support Agricultural, Rural and Open Space objectives thereby helping to ensure that agriculture will remain economically viable in the County for the life of the ordinance and beyond, and the beneficial aspects of the Rural and Open Space designations continue to be protected. Accordingly, the initiative ensures that until December 31, 2050 the General Plan provisions governing Agricultural, Rural and Open Space land use designations and intent, as amended herein, may not be changed except by vote of the people. In addition, the initiative provides that any lands designated as "Agricultural," "Rural" or "Open Space" on the County of Ventura's General Plan "General Land Use Maps" (North Half and South Half of each) [attached as exhibits A and B] adopted by the Board of Supervisors May 24, 1988 as revised through October, 2015 will remain so designated until December 31, 2050 unless the land is redesignated to another land use category by vote of the people, or redesignated by the Board of Supervisors for the County of Ventura pursuant to the procedures set forth in this initiative.

K. This initiative allows the Board of Supervisors to redesignate Rural, Agricultural, and Open Space lands to other more intensive land use designations only if certain findings can be made, including (among other things) that the land is proven to be unsuitable for any form of utilitarian use, and redesignation is necessary to avoid an unconstitutional taking of property without just compensation.

Section 2. General Plan Amendment.

1. Except as otherwise provided herein, this Save Open-space and Agricultural Resources Initiative hereby amends, reaffirms, restates, and readopts until December 31, 2050 the following aspects of the Ventura County General Plan. Deletions

indicated by ~~strike-out~~; additions indicated by *italics* (The Urban land use designation is not part of this initiative, but is added here for context, only):

**Limitations on General Plan Amendments Relating to Agricultural,
Open Space and Rural Designations**

I.

Pursuant to the provisions of the SAVE OPEN-SPACE and AGRICULTURAL RESOURCES (S.O.A.R.) INITIATIVE the following shall obtain until December 31, ~~2020~~ *2050*:

- a) *Until December 31, 2050*, the Agricultural, Open Space and Rural land use designations, and the goals and policies as they specifically apply to those land use designations in Sections ~~3-1~~ 1.6 and 3.2 Ventura County General Plan - GOALS, POLICIES & PROGRAMS (10-20-15 edition) of this General Plan shall not be further amended unless such amendment is approved by vote of the people or by the Board of Supervisors pursuant to the procedures set forth herein.
- b) *All* those lands designated as "Agricultural," "Open Space" or "Rural" on the "General Land Use Maps" ~~or the "Resources Protection Maps"~~ adopted by the Board of Supervisors for Ventura County on May 24, 1988, and amended through ~~September 16, 1997~~ *October 20, 2015*, shall remain so designated *until December 31, 2050*, unless redesignated to another general plan land use category by vote of the people, or redesignated by the Board of Supervisors pursuant to the procedures set forth herein. *[Said Maps are attached hereto and incorporated herein as Exhibit's A and B. The General Land Use maps cover the mainland only. Anacapa Island is designated "Open Space" and San Nicholas Island is designated "State or Federal Facility."]*
- c) The Board of Supervisors, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may place any amendment to land use designations of Agricultural, Open Space or Rural, or any provision, goal or policy as set forth in ~~subsection~~ *paragraph "a"*, above, on the ballot pursuant to the mechanisms provided by State Law.
- d) The Board of Supervisors without a vote of the people may reorganize, reorder or renumber individual provisions, *including the provisions set forth herein* in the course of ongoing updates of the General Plan in accordance with the requirements of state law. Additional technical, non-substantive language modifications may be made to the General Plan with reference to Agricultural, Open Space or Rural designations for clarification and internal consistency provided such modifications are

consistent with the Findings and Purpose of the initiative creating these provisions.

- e) The Board of Supervisors, without a vote of the people, may re-designate ~~Rural designated properties otherwise designated (e.g., residential or commercial)~~ to Rural, Agricultural, or Open Space; may redesignate Rural properties to either Agricultural or Open Space; or, may re-designate Open Space to Agricultural pursuant to the provisions for making such amendments set forth in state law and Board adopted policies. *Once redesignated, those redesignated lands become subject to the rules contained in this initiative for any further redesignation. Moreover, the Board of Supervisors without a vote of the people may increase the minimum lot size for any land use designation, but may not decrease Rural, Agricultural or Open Space minimum lot sizes.*
- f) The Board of Supervisors, without a vote of the people, may redesignate "Agricultural" designated properties to Open Space if the Board of Supervisors makes all of the following findings supported by substantial evidence:
 - i) The land proposed for redesignation has not been used for agricultural purposes in the past 2 years and is unusable for agricultural due to its topography, drainage, flooding, adverse soil conditions, or other physical reasons;
 - ii) The land proposed for redesignation is immediately adjacent to areas developed in a manner compatible with the uses allowed under Open Space;
 - iii) Adequate public services and facilities are available and have the capacity and capability to accommodate the Open Space uses allowed;
 - iv) The proposed redesignation is compatible with agricultural uses, does not interfere with accepted agricultural practices, and does not adversely affect the stability of land use patterns in the area; **and**
 - v) The land proposed for redesignation does not exceed 40 acres for any one landowner in any calendar year, and one landowner may not obtain redesignation pursuant to this subdivision (f) more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation; **and**
 - vi) *Notice of such Proposed Modification is given according to the County's standard notice requirements to neighboring properties; and as well, not less than 30 days prior to the proposed modification appearing on the Board of Supervisors' agenda, to LAFCo, to the City in whose Area of Interest the property to be redesignated is located, and to all individuals or organizations*

who or which have indicated a desire for such Notice by requesting the same by placing his/her/its name and contact information with the Clerk of the Board of Supervisors.

- g) *The Board of Supervisors, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may amend, without a vote of the people, the Rural, Agricultural, or Open Space land use designations to comply with state law regarding the provision of housing for all economic segments of the community. Such amendment may be adopted only if the Board of Supervisors, based on substantial evidence makes each of the following findings:*
- i) *The land is immediately adjacent to existing compatibly developed areas and the applicant for the amendment has provided to the County evidence that the Fire Department, Police Department, Department of Public Works, the Resource Management Agency applicable water and sewer districts, and the school districts with jurisdiction over such land have or will provide adequate capacity to accommodate the proposed development and provide it with adequate public services; and,*
 - ii) *That the proposed development will address the highest priority need identified in the analysis by which the County has determined it is not in compliance with state law, i.e., low and very low income housing; and,*
 - iii) *That there is no existing residentially designated land available to accommodate the proposed development; and,*
 - iv) *Notice of such proposed amendment is given according to the County's standard notice requirements to neighboring properties; and as well, not less than 30 days prior to the proposed modification appearing on the Board of Supervisors' agenda, to LAFCo, to the City in whose Area of Interest the property to be redesignated is located, and to all individuals or organizations who or which have indicated a desire for such Notice by requesting the same by placing his/her/its name and contact information with the Clerk of the Board of Supervisors.*
- g)h) The Board of Supervisors, without a vote of the people, may redesignate Agricultural, Open Space or Rural properties provided the Board complies with the following two conditions:
- i) The Board makes a finding based upon the advice of the County Counsel that the designation of the property effects an unconstitutional taking of the landowners' property; and
 - ii) In permitting the redesignation, the Board allows a less restrictive designation to be applied to the property only to the extent necessary to avoid the unconstitutional taking of the landowner's property.

i) *Approval by a vote of the people is accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the Board of Supervisors adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection, the Board's action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The Board of Supervisors shall follow the provisions of the Election Code in all matters pertaining to such an election.*

h) j) *The Board of Supervisors, without a vote of the people, may amend the provisions of the General Plan which apply to the Agricultural, Open Space or Rural designations, as set forth in subsection "a", above, for the express purpose of further protecting and preserving resources identified in the General Plan, provided that said amendment(s) are consistent with the Findings and Purpose of the initiative adopting these provisions of the General Plan.*

i) ~~In recognition of the urban nature of the Piru community and to provide essential flexibility to the Board of Supervisors to address the special needs of that community, the Board of Supervisors, without a vote of the people, may amend the land use designations on the General Land Use Map, as set forth in subsection "b", above, for land located within the Piru Redevelopment Area or land described by the following Assessor Parcel Numbers:~~

056-0-180-01	056-0-180-08
056-0-180-02	056-0-190-05
056-0-180-06	056-0-190-06
056-0-180-07	056-0-190-09

~~The total land represented by this subsection "i" is set forth on Exhibit "A"~~

k) *This initiative is not intended to impede The Board of Supervisors, without a vote of the people, from being able to rezone land consistent with the Existing Community Land Use designations on the General Plan Land Use Map(s), and related text, as set forth herein. Consistent with this subsection k), Thomas Aquinas College, 10000 Ojai Rd., Santa Paula, CA 93060 shall be deemed an Existing Community, and may be rezoned appropriately and developed according to its needs as a college subject to standard rules and regulations and permit requirements of the Board of Supervisors. The boundaries of the college are set forth herein as Exhibit "C."*

k) l) *Following December 31, 2020 2050, redesignations of then existing General Plan designations may be occasioned by the Board of Supervisors without a vote of the people. Until then, approval by a vote of the people is*

accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the Board of Supervisors adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection ~~initiative measure~~ the Board's action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it.

m) To preserve the maximum amount of land in agricultural production as possible, the processing of food beyond the limits currently allowed by Ventura County's general plan and policies should take place in existing urban areas that have appropriate supporting infrastructure.

Notwithstanding the foregoing limitations on the Board of Supervisors, in order to support the processing of locally grown food, before January 1 of 2030 the Board of Supervisors may, without a vote of the people, re-designate up to a total of 12 acres of land, dispersed throughout the County, provided they comply with the following conditions:

- i) The Board has amended the appropriate provisions of the County's General Plan and other planning policies, and the amendment(s) conform with state laws governing such land use designations;*
- ii) The Board finds the re-designation will allow for the processing of locally grown food that would otherwise likely be transported out of county for processing;*
- iii) The re-designated land is no greater than 3 acres in size and does not require the expansion or extension of new sewer lines to the facility; and,*
- iv) The Board of Supervisors approved the action with at least four of the five Supervisors voting in the affirmative.*

j) n) The Board of Supervisors, without a vote of the people, may amend the land use designations on the General Land Use Maps, as set forth in subsection "b", above, to any Existing Community designation for land which, prior to the effective date of the ordinance setting forth these provisions, is found to contain lawfully established urban building intensities or urban land uses, to the minimum extent necessary to validate such pre-existing uses consistent with the Findings and Purpose of the ordinance adopting these provisions of the General Plan.

2. ~~In addition, this initiative* General Plan Amendment hereby reaffirms~~
This initiative restates and readopts the following referenced Goals and Policies (omissions do not indicate deletion, just irrelevance to the purposes of this initiative) of the Ventura County General Plan until December 31, 2050.
Deletions continue to be indicated by strike out; additions by italics:

#: Attachment 3 SOAR 2050 (1224 : Possible Amendments to the Oxnard CURB and SOAR)

1.6 Farmland Resources

* * *

1.6.1 Goals

1. Preserve and protect irrigated agricultural lands as a nonrenewable resource to assure the continued availability of such lands for the production of food, fiber and ornamentals.
2. Encourage the continuation and development of facilities and programs that *support agricultural production and enhance the marketing of County grown agricultural products.*
3. *Improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.*
4. *Encourage opportunities for Ventura County residents to buy local agricultural products.*

1.6.2 Policies

1. Discretionary development located on land designated as Agricultural (see Land Use Chapter) and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory, shall be planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.
2. Hillside agricultural grading shall be regulated by the Public Works Agency through the Hillside Erosion Control Ordinance.
3. Land Conservation Act (LCA) Contracts shall be encouraged on irrigated farmlands and Open Space lands.
4. The Public Works Agency shall plan transportation capital improvements so as to mitigate impacts to important farmlands to the extent feasible.
5. The County shall preserve agricultural land by retaining and expanding the existing Greenbelt Agreements and encouraging the formation of additional Greenbelt Agreements.
6. Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.

3.2 Land Use Designations

Six basic land use designations are utilized on the General Land Use Map: Urban, Existing Community, Rural, Agricultural, Open Space, and State and Federal Facilities. In addition, the General Land Use Map includes an overlay designation of Urban Reserve. These designations are defined as follows:

- The Urban land use designation is utilized to depict existing and planned urban centers which include commercial and industrial uses as well as residential uses where the building intensity is greater than one principal dwelling unit per two acres.

This designation has been applied to all incorporated lands within a city's

Sphere of Influence as established by the Local Agency Formation Commission (LAFCO), and unincorporated urban centers within their own Areas of Interest which may be candidates for future incorporation.

* * *

- The **Existing Community** designation identifies existing urban residential, commercial or industrial enclaves located outside Urban designated areas. An Existing Community may include uses, densities, building intensities, and zoning designations which are normally limited to Urban designated areas but do not qualify as urban centers. This designation has been established to recognize existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses; to contain these enclaves within specific areas so as to prevent further expansion; and to limit the building intensity and land use to previously established levels. *Thomas Aquinas College is newly designated in this initiative as Existing Community, with the intention that it be confined to its current boundaries with the understanding that it may continue to intensify its building for its educationally related purposes.*

- The **Rural** designation identifies areas suitable for low-density and low-intensity land uses such as residential estates of two acres or greater parcel size and other rural uses which are maintained in conjunction with agricultural and horticultural uses or in conjunction with the keeping of farm animals for recreational purposes.

The Rural designation also identifies institutional uses such as boarding and non-boarding elementary and secondary schools. Additionally, the designation is utilized for recreational uses such as retreats, camps, recreational vehicle parks and campgrounds.

The designation of areas for Rural land uses is intended to accommodate the need for low density rural residential development, which, in conjunction with the higher density development of the Urban designated land uses, will provide a full range of residential environments.

The areas considered for inclusion in the Rural designation are existing clusters of rural development and areas deemed appropriate for future rural residential development.

- The **Agricultural** designation is applied to ~~irrigated~~ lands which are suitable for the cultivation of crops and the raising of livestock.

Because of the inherent importance of agriculture as a land use in and of itself, agriculture is not subsumed under the Open Space land use designation, but has been assigned a separate land use designation.

- The **Open Space** designation encompasses land as defined under Section 65560 of the State Government Code as any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or State open-space plan as any of the following:

- o Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life,

including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, *wetlands*, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

- o Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands not designated agricultural; areas required for recharge of groundwater basins; bays, *wetlands*, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- o Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- o Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.
- For purposes of the County General Plan, "open space" also includes the following:
 - o Open space to promote the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl.
 - o Open space to promote efficient municipal services and facilities by confining urban development to defined development areas.
- **The State or Federal Facility**

* * *
- **The Urban Reserve overlay**

* * *

The following goals and policies apply to land use designations:

3.2.1 Goals

1. Urban:

- (1) Recognize areas within the County planned for urban development which are currently incorporated or which are candidates for future incorporation.
- (2) Direct urban development to existing cities and unincorporated urban centers within their own Area of Interest, and maintain open space between urban areas.
- (3) Discourage outward expansion of urban development when suitable developable areas exist within cities and unincorporated urban centers.

2. Existing Community:

Recognize and confine existing urban enclaves which are outside Urban designated areas, even though the enclaves may include uses, densities, and zoning designations normally limited to Urban designated areas.

3. Rural:

Recognize and plan for low density rural residential and recreational development, while preserving resources, avoiding hazards, and providing adequate public facilities and services.

4. Agricultural:

- (1) ~~Identify~~ *Recognize* the farmlands within the County that are critical to the maintenance of the local agricultural economy and which are important to the State and Nation for the production of food, fiber and ornamentals.
- (2) Preserve and protect agricultural lands as a nonrenewable resource to assure their continued availability for the production of food, fiber and ornamentals.
- (3) *Promote the economic viability of agricultural lands by assisting agricultural producers and establishing zoning policies that support long term investments in agriculture.*
- (3) (4) Maintain agricultural lands in parcel sizes which will assure that viable farming units are retained.
- (4) (5) Establish policies and regulations which ~~restrict~~ *encourage* agricultural land to *remain in* farming and related uses. ~~rather than other development purposes.~~
- (5) (6) Restrict the introduction of conflicting uses into farming areas.
- (7) *Subject to state law, the Guidelines for Orderly Development, and applicable zoning requirements, actively promote infrastructure, sized not larger than necessary for the specific project, for farm worker housing to support the continuing viability of agriculture.*

5. Open Space:

- (1) Preserve for the benefit of all the County's residents the continued wise use of the County's renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources.
- (2) Acknowledge the presence of certain hazardous features which urban development should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public.
- (3) Retain open space lands in a ~~relatively undeveloped~~ *non-urbanized* state so as to preserve the maximum number of future land use options.
- (4) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.
- (5) Define urban areas by providing contrasting but complementary areas which should be left ~~generally undeveloped~~ *non-urbanized*.
- (6) Recognize the intrinsic value of open space lands and not regard such lands

as "areas waiting for urbanization."

(7) Land Conservation Act (LCA) Contracts shall be encouraged on farming and grazing and open space lands.

(8) Support the productive agricultural activities of Open Space designated lands that are commonly used for agriculture, grazing, and ranching and that are important to the overall economy of Ventura County.

* * *

3.2.2 Policies

* * *

2. Existing Community:

(1) The Existing Community designation shall include existing unincorporated urban enclaves located outside cities and unincorporated urban centers.

(2) The Existing Community designation may recognize the range of zones present in the area, be they residential, commercial, or industrial, *or otherwise* as well as the range of existing population densities and building intensities.

* * *

3. Rural:

(1) Lands designated Rural are those located outside areas designated Urban or Existing Community which are deemed suitable and appropriate for low-density rural residential or recreational development.

(2) The smallest minimum parcel size consistent with the Rural land use designation is two acres. Subzones may require larger minimum parcel sizes.

4. Agricultural:

(1) The Agricultural land use designation shall primarily include lands which are designated as Prime Farmlands, Farmlands of Statewide Importance or Unique Farmlands in the State's Important Farmland Inventory (IFI), although land may not be designated Agricultural if small areas of agricultural land are isolated from larger blocks of farming land (in such cases, the agricultural land is assigned to the Open Space or Rural designation of the surrounding properties).

(2) The smallest minimum parcel size consistent with the Agricultural land use designation is 40 acres. Subzones may require larger minimum parcel sizes.

(3) Agricultural land shall be utilized for the production of food, fiber and ornamentals; animal husbandry and care; uses accessory to agriculture and limited temporary or public uses.

5. Open Space:

(1) Open Space should include areas of land or water which are set aside for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, *wetlands*, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and important watershed lands.

(2) Open Space should also include areas set aside for managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands not otherwise designated Agricultural; areas required for the recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open Space should also include areas within which recreational activities can be pursued, including, but not limited to, use and enjoyment of recreational trails *and areas for hunting and fishing*. Preservation of open space also serves to protect areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open Space should also include areas of land or water which are set aside for public health and safety, thereby safeguarding humans and property from certain natural hazards, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhance ment of air quality.

(5) Open Space should also include undeveloped natural areas surrounding urban designated areas which have been set aside to define the boundaries of the urban-designated areas, to prevent urban sprawl, and to promote efficient municipal services and facilities by confining the areas of urban development.

(6) The smallest minimum parcel size consistent with the Open Space land use category is 10 acres. Subzones may require larger minimum parcel sizes.

(7) The minimum parcel size for Open Space properties contiguous with the Agricultural land use designation shall be 20 acres.

Section 3. Implementation.

A. Upon the effective date of this initiative, the General Plan Amendment shall be deemed inserted in the Ventura County General Plan, Goals, Policies and Programs document as an amendment thereof; except, that if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized in 2016, prior to the effective date of this initiative, this General Plan amendment shall be deemed

inserted in the County General Plan on the first day of January of the following calendar year.

B. The provisions of this General Plan Amendment shall prevail over any conflicting revisions to the County of Ventura's General Plan as amended through the date of this initiative, or to the County of Ventura's "General Land Use Maps" as amended through the date of this initiative which conflict with the initiative. The County of Ventura is hereby authorized and directed to amend the Ventura County General Plan, all specific plans, the Ventura County Zoning Ordinance, the Ventura County Land Use and related zoning maps and other ordinances and policies affected by this initiative as soon as possible and in the manner and time required by any applicable state law, to ensure consistency between the policies adopted in this initiative and other elements of the Ventura County General Plan, all specific plans, the Ventura County Zoning Ordinance, the Ventura County Land Use and related zoning maps and other ordinances and policies. Upon the adoption date all General Plan amendments, rezonings, specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this initiative. Other than for the exceptions provided herein, upon the effective date of this General Plan Amendment, the County and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this General Plan Amendment unless in accordance with the provisions of this General Plan Amendment.

C. The date that the notice of intention to circulate this initiative measure was submitted to the elections official of the County of Ventura is deemed the "submittal date." The County General Plan in effect on the submittal date and the General Plan as amended by this initiative comprise an integrated, internally consistent and compatible statement of policies for the County of Ventura. In order to ensure that nothing in this initiative measure would prevent the County of Ventura General Plan from being an integrated, internally consistent and compatible statement of the policies of the County, as required by state law, and to ensure that the actions of the voters in enacting this initiative are given effect, any amendment to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by Section 2 of this initiative measure, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this initiative and other elements of the Ventura County General Plan.

Section 4. Exemptions for Certain Projects.

This General Plan Amendment initiative shall not apply to or affect the following:

- A. Any project which has acquired any of the following:
 - i. A vested right pursuant to state or local law;
 - ii. A validly approved and fully executed development agreement with County; or,
 - iii. Approval of a vesting tentative map.
- B. This initiative shall not be interpreted to apply to any land or use that, under state or federal law, is beyond the power of the local voters to affect by the initiative power reserved to the people via the California Constitution. Nothing in this Initiative shall be applied to preclude the County's compliance with state laws governing second units or the use of density bonuses where authorized by state law.

Section 5. Severability.

This measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, subsection, sentence, clause, phrase, part, or portion of this measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that this measure, and each section, subsection, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this initiative is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this measure that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative. It is the intent of the voters that the provisions of this measure shall be interpreted by the County and others in a manner that facilitates the confinement of urban uses thereby protecting and promoting agricultural, open space and rural lands, and preventing urban sprawl for the duration of the Ordinance.

Section 6. Amendment or Repeal.

Until December 31, ~~2020-2050~~, this General Plan Amendment initiative may be amended or repealed only by the voters at ~~a general~~ a County-wide election.

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#: Attachment 3 SOAR 2050 (1224 : Possible Amendments to the Oxnard CURB and SOAR)

SOAR 2050

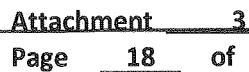


Exhibit B

Ventura County General Plan Goals, Policies and Programs GENERAL PLAN LAND USE MAP Figure 3.1 North Half April 8, 2000

- Agricultural (A) Land Use
- Conservation (C) Land Use
- Forest (F) Land Use
- Rural (R) Land Use
- Developed (D) Land Use

© Approved for State by Ventura Resource Assessment



County of Ventura
Resource Management Agency
Information System
Map Information System (MIS) Project



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Miles

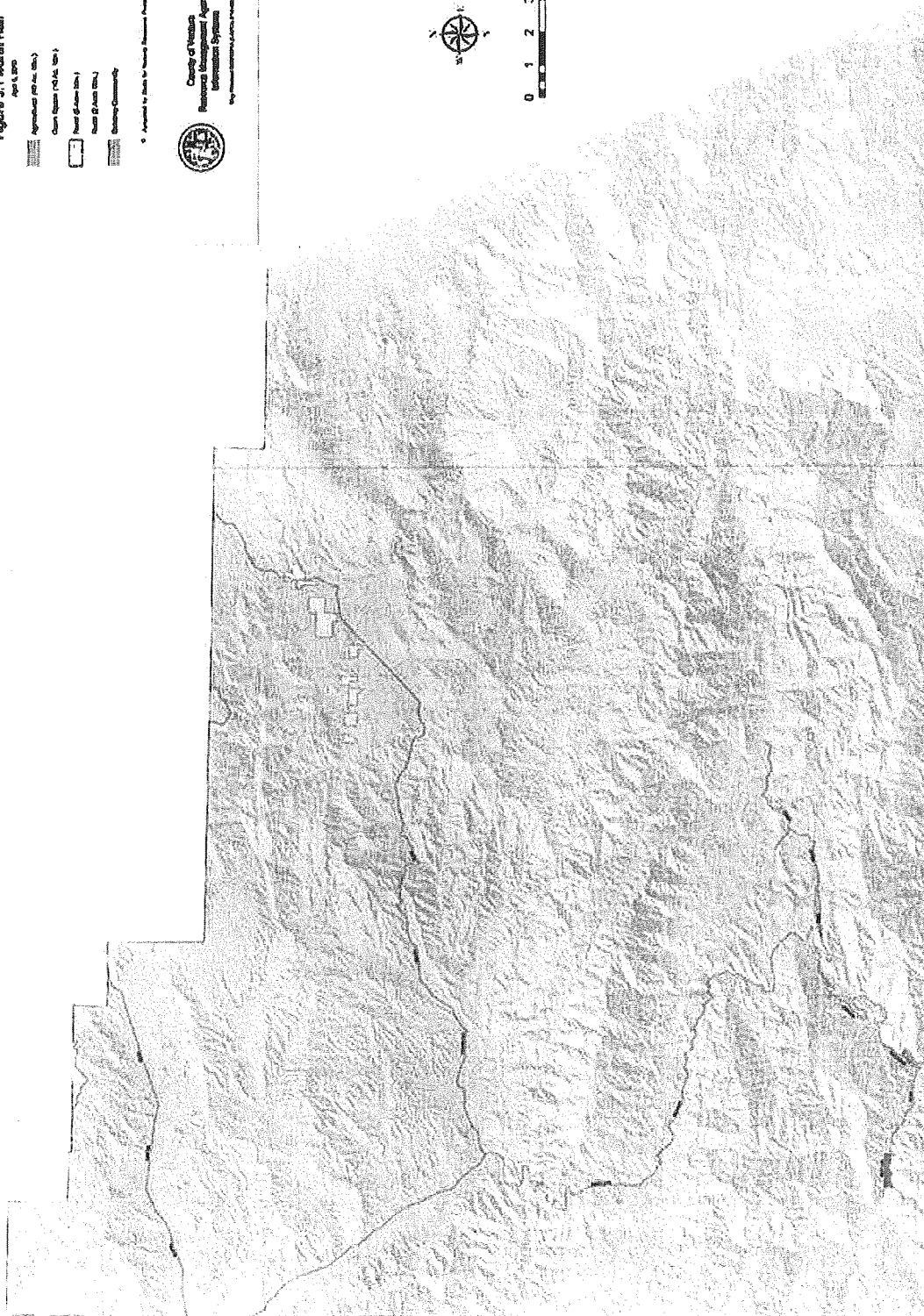
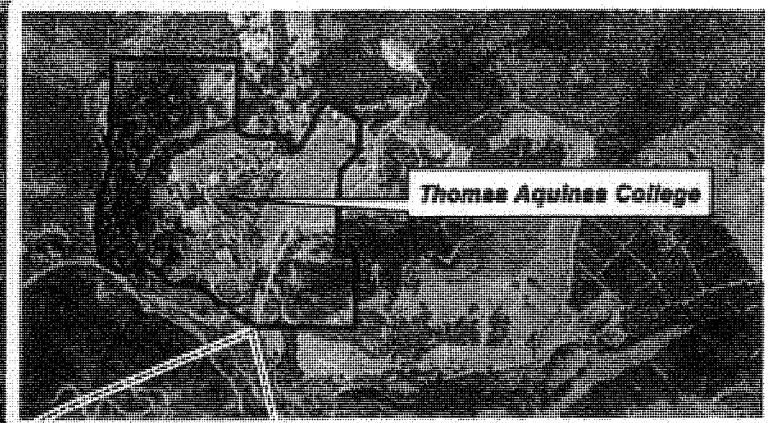


Exhibit C



#: Attachment 3 SOAR 2050 (1224 : Possible Amendments to the Oxnard CURB and SOAR)



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Report
AGENDA ITEM NO.: 2

DATE: April 12, 2016

TO: City Council

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

FROM: Maria Hurtado, Assistant City Manager

SUBJECT: Utilities Mid-Year Budget Update

CONTACT: Maria Hurtado, City Manager
Maria.Hurtado@oxnard.org, 385-7430

RECOMMENDATION

That City Council receive a mid-year budget update report on Utilities.

SUMMARY:

This review of Oxnard Utility financial results for Fiscal Year 2015-2016 focuses on projected sources and uses of cash. During the course of the year, Oxnard residents and businesses were extremely effective at reducing water use in response to the statewide drought emergency. Wastewater and water revenue dropped faster than costs, increasing the size of operating losses. Reductions were so large that new wastewater rate increases that took effect on March 1 will not offset the revenue loss from conservation. If operating losses continue at the forecast level, the Wastewater Fund could run out of cash next year and the Water Fund could run out of cash in two years. The City is not anticipating a full rebound of usage levels prior to the drought, and is forecasting a measure of continued conservation through the five-year forecast.

Integrated waste services in the Environmental Resources Fund produced cash from operations.

DISCUSSION:

The following table summarizes the expected impacts on cash balances in the Utilities Funds in Fiscal 2015-2016:

Utilities Mid-Year Budget Update
 April 12, 2016
 Page 2

Utilites Budget Status Through February 29, 2016	
Fund Type	FY 2015/16 Projected Actual
Water Funds	
Beginning Unrestricted Cash Balance (Unaudited)	\$36,186,727
Revenues	\$45,935,609
Expenditures	\$63,257,924
Year End Change	(\$17,322,315)
Ending Cash Balance	\$18,864,412
Wastewater Funds	
Beginning Unrestricted Cash Balance (Unaudited)	\$8,712,980
Revenues	\$23,525,878
Expenditures	\$29,493,391
Year End Change	(\$5,967,513)
Ending Cash Balance	\$2,745,467
Solid Waste	
Beginning Unrestricted Cash Balance (Unaudited)	\$8,250,782
Revenues	\$40,516,995
Expenditures	\$38,290,968
Year End Change	\$2,226,027
Ending Cash Balance	\$10,476,809

The budget adopted by the City Council anticipated operating losses and did not include spending that would be financed by new rate revenue. However, the City's rate structure is highly dependent on water consumption based charges.

Though wastewater rate increases will add \$2.7 million in revenue this year, conservation related revenue reductions, estimated at \$3 million, more than offsets the increase. Delayed implementation of new water rates will postpone revenue relief in the Water Fund until Fiscal 2016-2017. The amount produced by new rates will depend on the effective date of those rates. ER rate increase delays will postpone modernization of the collection fleet and improvements in recyclables recovery.

Use of rate increase revenue

If all of the proposed increases were approved, from FY 2015/16 - FY 2019/20, 90% of rate increase revenue annually would be used for debt service and covenants, 4% for direct infrastructure investment and 6% to increase reserves.

Attachment A shows the expected uses of revenue increases associated with new rates in each utility. The impact of drought related revenue reductions will affect actual results. It is expected that utility customers will not return to prior water use levels and that baseline consumption based rates will produce less revenue than expected in previous models. As a result, more of the rate increase revenue will be necessary to cover operational and debt service costs that would have been funded by the former baseline revenue levels.

The uncertainty associated with consumption based revenues and drought “rebound” choices by customers requires constant monitoring to anticipate the impact on rates and reserves. Rate stability, an important objective of the City Council’s policies depends on maintaining adequate reserves. Rate changes are subject to a long analytical and procedural process. Rapid changes, like those associated with drought conservation must be offset by accumulated reserves during that process.

Risk areas

At this point in time, rate increase delays, limited staffing and weak operating results prevent the City from implementing any of the City Council policies for utilities adopted on 01/19/2016 (see attachment B). In addition, rapidly declining cash reserves limit the City’s options for rate stabilization and access to debt financing. For instance, on March 1 bond call premiums expired for two debt issues the 2006 wastewater bonds and the 2006 water bonds. Expiration of the bond call protection allows refunding of debt with net present value savings estimated at approximately \$10 million, (\$1.5 million for the Wastewater and \$8.5 million for Water).

A plan to address these issues will be essential to achieve refunding savings, replace the MUFG Union Bank letters of credit and assure access to capital markets to fund the important infrastructure investments essential to the City’s utilities.

Staff will be returning with a proposed plan after completion of the annual audit, as directed by the City Council.

FINANCIAL IMPACT

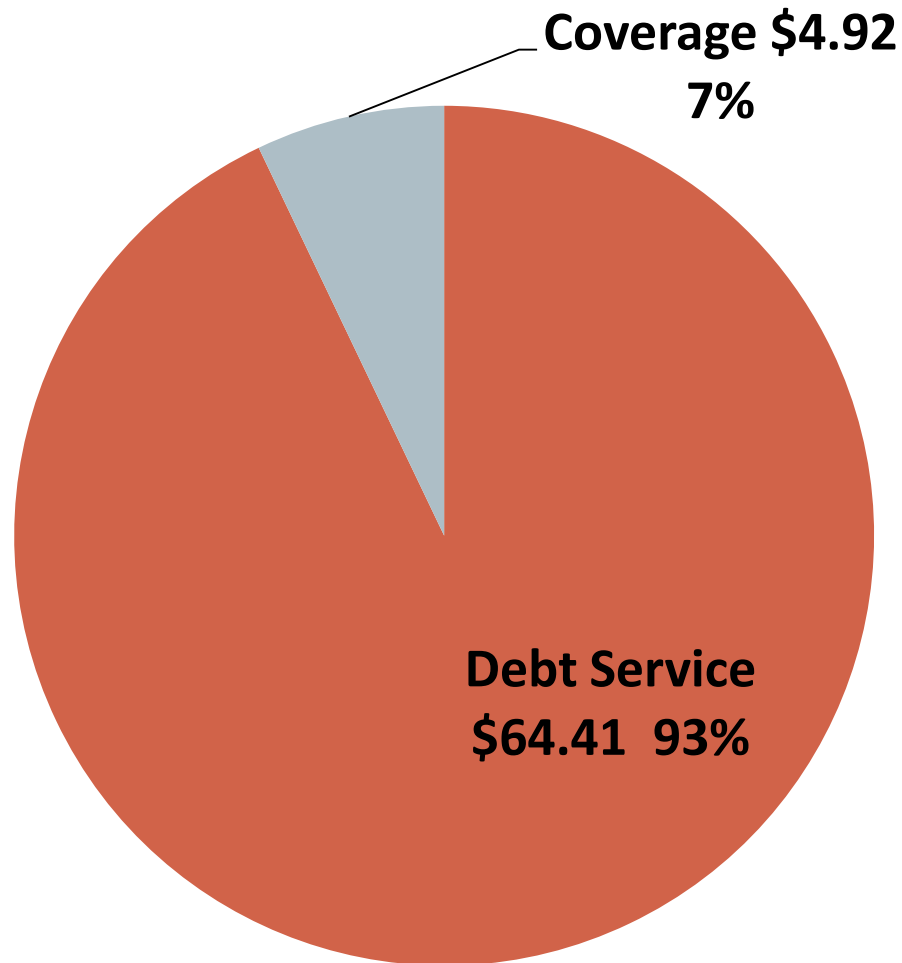
There is no financial impact associated with receiving this report.

Utilities Mid-Year Budget Update
April 12, 2016
Page 4

ATTACHMENTS

Attachment A: Rate Increase Revenue Charts
Attachment B: City Council Utility Financial Policies
Attachment C: Listing of CIP Projects

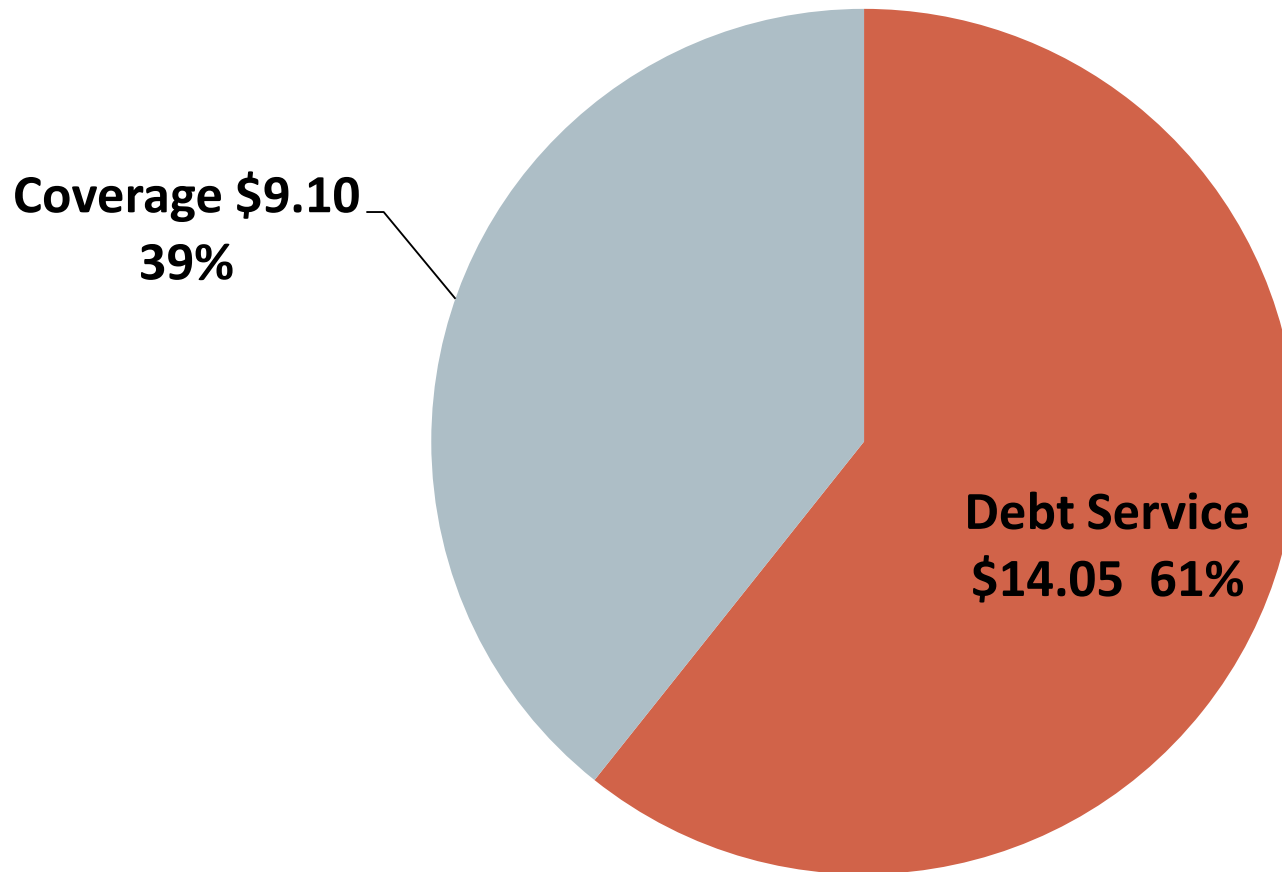
Water Rate Increase Drivers- Five Year Cumulative



Wastewater Increase Drivers- Five Year Cumulative



Solid Waste Increase Drivers- Five Year Cumulative



CITY COUNCIL OF THE CITY OF OXNARD
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD APPROVING A FINANCIAL POLICY FOR CITY UTILITY
ENTERPRISE FUNDS

WHEREAS, the City of Oxnard (City) provides water, wastewater, and solid waste services to residents and businesses within the community; and

WHEREAS, clean water and good sanitation are essential to public health and safety and greatly improve quality of life of residents; and

WHEREAS, each of the three utility services – Water, Wastewater and Environmental Resources (solid waste) – operate as independent financial enterprise funds separate and distinct from the City General Fund; and

WHEREAS, utility revenue can only be used for the service for which it is collected; and

WHEREAS, utility charges must not exceed the estimated cost service; and

WHEREAS, utility rates must only be charged to the users benefiting from the service for which they are charged; and

WHEREAS, the rates and charges imposed on City customers and other users for these public utility services must be established, periodically re-evaluated and revised based on sound fiscal practices, and consistent with applicable legal restrictions, so that each enterprise fund is capable of providing consistent, reliable, and safe utility services at a reasonable cost for current and future generations within the City; and

WHEREAS, revisions to utility rates and charges must also be re-evaluated and revised so they keep pace with the cost to appropriately operate, maintain, repair and replace utility facilities; and

WHEREAS, each utility enterprise regularly updates its master plan and capital improvement program (CIP) and the estimated costs associated with each CIP project; and

WHEREAS, by maintaining a favorable bond rating, the City is able to lower borrowing rates for CIP projects which lowers the overall cost of the projects; and

WHEREAS, utility enterprise bond ratings are in part dependent on revenues generated by utility rates. Utility rates must be sufficient to meet bond debt obligations to finance CIP's at optimal financing rates, while also supporting ongoing utility operation, maintenance, repair and staffing needs; and

WHEREAS, each City utility periodically prepares budgets, CIP's and related long-term planning documents and cost of services studies to assess the needed rates and charges for each utility. For example, the City recently completed a comprehensive Cost of Services Study (December 2105; "2015 COS Study"), which assesses in detail the needed utilities rates for all of the aforementioned purposes and needs; and

WHEREAS, the 2015 COS Study balances risk, reliability and health and safety with cost to meet environmental regulations and the expectations of residents; and

WHEREAS, the cost of providing utility services rises on a regular basis due to increases in energy, chemical, equipment and labor costs; and

WHEREAS, the 2015 COS Study recommends increases to rates and charges for each of the three utilities, as well as adjustments to the fixed and variable rate components of utility rates and charges; and

WHEREAS, utility financial metrics such as bond coverage ratio and reserve balance vary over time based on planned and unplanned circumstances; and

WHEREAS, there is a shortage of staff in the environmental fields, especially wastewater operations, which has increased the difficulty and cost of adequately staffing utility operations;

WHEREAS, increases in utility rates may impose a larger hardship on certain segments of ratepayers and the City is actively exploring policies to assist these ratepayers, consistent with all legal requirements; and

WHEREAS, the City is also continuously pursuing opportunities to supplement revenues derived from utilities rates with outside funding sources such as grants; and

WHEREAS, internal service fees must be periodically reviewed and revised to ensure the City is properly reimbursed for the services it provides and to meet requirements for grant reimbursement.

NOW THEREFORE, the City Council of the City of Oxnard resolves to adopt this Utility Enterprise Financial Policy set forth herein as official policy to which current and future utilities budgets and rate setting processes and procedures will apply.

1. General Policy. Utility rates will objectively and transparently meet all applicable legal requirements. To the extent this policy imposes new "best practices" that require extraordinary utility rate increases, the City will make every attempt to achieve these

policies and objectives over a reasonable period of time to ameliorate the financial impacts of rate increases on utility customers to the extent practicable.

2. **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 this 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, compensation, maintenance, and CIP funding will be reviewed in the budget process to ensure that they are adequate to provide utility service reliability consistent with industry best practices. Internal service fees and infrastructure use fees will also be reviewed during the budget process.
3. **Annual utility rate review.** Utility rates will be reviewed annually to ensure that revenues are sufficient to meet the long-term operation, maintenance, repair and replacement requirements for each utility, consistent with the relevant budgets, master plans, CIP's and cost of service studies for each utility. This review will also ensure that the rates and charges for each utility are otherwise consistent with applicable legal requirements, including the criteria that rates are to be limited to the cost to provide the applicable utility service. Each budget will include an assessment of the adequacy of funding for each utility enterprise fund, and whether the current rates are adequate to meet each utility enterprise fund budget requirements and are consistent with the policies provided in this resolution.
4. **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.
5. **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.
6. **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.
7. **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.

8. 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.
9. General Utility Rate Policies. Each utility enterprise fund shall establish and maintain rates consistent with the following policies:
 - a. Maintain rates as stable as reasonably practical, given due consideration to the policies set forth in this resolution, the general economic conditions in the community, the rate of inflation and costs incurred by the utilities from third parties, and the essential requirement to maintain the long-term integrity and reliability of each utility service.
 - b. The rates and charges for each utility shall include appropriate fixed and variable charges to generate the revenues required to cover the respective fixed and variable costs regularly incurred by that utility.
 - c. Each utility enterprise fund rates and charges approval shall include authorization of appropriate pass-through of regular third-party cost increases, commodity inflation adjustments, and rate stabilization based on mandatory drought restrictions, so that utility revenue is sufficient to meet, but not exceed, required expenses.
10. Rate Assistance Program. Every reasonable effort shall be made to fund and implement a program that offers utility rate financial assistance to qualified ratepayers, to assist them in paying their monthly utility bills. This program shall be consistent with applicable law and may provide temporary or longer term assistance depending upon funding, the number of qualified ratepayers, and other applicable criteria, as the program is implemented.
11. Effective Date. This resolution shall be effective on the first day new utility rates for the Water, Wastewater, and Environmental Resources enterprises are made effective for Fiscal Year 2015-2016 and each Fiscal Year thereafter.

PASSED AND ADOPTED this 19th day of January, 2016 by the following vote:
 AYES: NOES:

[See signatures on next page]

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

Wastewater CIP Projects FY15/16 to FY19/20		Current Dollars
Wastewater Treatment Plant		
Stop Gap-Immediate repair needs. Repairs will last 10 to 15 years until replacement facilities are built.		
Preliminary Treatment	Headworks Odor Control with Screen Walls, Concrete Repair, and RPF Cover Replacement, Headworks Below Cover Coating Repairs	\$ 5,941,560
Primary Sedimentation	Replace Primary Clarifier Equipment	\$ 5,245,827
Secondary Treatment	Demolish Biotowers, Add Baffle Walls in ASTs	\$ 2,184,602
Final Effluent Pumping	Replace/Modify Interstage and Effluent Pump Station Pumps, Water Quality Early Warning System	\$ 3,617,811
Sludge Handling	Clean Digesters #1 and #3, add Dystor Cover to #2, Rebuild/Rehab the Gravity Thickeners, Replace the Belt Filter Presses,	\$ 9,072,358
Cogen	Rebuild Cogen Units	\$ 2,184,602
General	Replace Standby Generators, Replace Plant MCCs, Site Electrical, Utilities, Paving, SCADA System Replacement	\$ 7,889,610
SUBTOTAL STOP GAP		\$ 36,136,367
Immediate repair and rehabilitation needs- Rehabilitated facilities will last up to 30 years.		
Secondary Treatment	AST blower and diffuser replacement, Secondary small equipment replacement, SST replace skimmers, collectors, drives and RAS pumps	\$ 8,666,666
General	CMMS, Additional civil/site work/inter-process piping needed with new plant CEQA/Permitting, Land Acquisition	\$ 11,907,827
SUBTOTAL REPAIR & REHABILITATION		\$ 20,574,493
Replacement Facilities		
Primary and Secondary	Conceptual layout of replacement facilities	\$ 1,000,000
SUBTOTAL REPLACEMENT		\$ 1,000,000
TOTAL WASTEWATER TREATMENT PLANT		\$ 57,710,860
Wastewater Collection Facilities		
Sewer Line	Rice Ave Sewer replacement, Asbestos Cement Pipe (ACP) replacement, Central trunk condition assessment, capacity related replacements, annual sewer line R&R, headworks vortex structures and meter vault recoating	\$ 6,733,000
Manholes	Central Trunk, Harbor Blvd, Redwood Tributary	\$ 2,350,000
Lift Station	Casden Village, Lift station 23, Lift Station 6, Lift Station 4	\$ 3,000,000
Chemical Addition	Magnesium hydroxide addition	\$ 4,400,000
TOTAL WASTEWATER COLLECTION		\$ 16,483,000
GRAND TOTAL WASTEWATER		\$ 74,193,860