

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the Library, 251 South "A" Street and the City Clerk's Office, 305 West Third Street during customary business hours. Any materials to be presented at this meeting will be made available electronically 24 hours prior to the meeting, at the end of this agenda. The agenda reports are on the City of Oxnard web site at www.ci.oxnard.ca.us.



AGENDA

OXNARD CITY COUNCIL

*OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

*OXNARD FINANCING AUTHORITY

*OXNARD HOUSING AUTHORITY

Regular Meetings

City Council Chambers, 305 West Third Street, Oxnard

October 13, 2015

4:30 P.M. – Closed Session

A. ROLL CALL/POSTING OF AGENDA

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

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

C. CLOSED SESSION – (Please see Page 4 for a description of closed session items)

D. OPENING CEREMONIES – 5:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

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

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

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

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

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 Manager Department

1. SUBJECT: Agreements for City Council Review. (001)
RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, approve and authorize the City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.
Legislative Body: CC Contact: Greg Nyhoff Phone: 385-7430

Development Services Department

2. SUBJECT: Second Reading of Ordinance No. 2895 Approving Planning and Zoning Permit No. 14-570-02 (Zone Change) on Parcels Located on Pleasant Valley Road and Etting Road. (003)
RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: Kathleen Mallory Phone: 385-7858
3. SUBJECT: Second Reading of Ordinance No. 2896 Approving Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment). (009)
RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: Kathleen Mallory Phone: 385-7858
4. SUBJECT: Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580). Filed by Greg Mendoza, TriPointe Homes, 19520 Jamboree Road, Suite 200, Irvine, California 92612. (015)
RECOMMENDATION: Adopt a resolution approving Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580) for the property located on the Northwest Corner of Victoria Avenue and Hemlock Street, (APN: 187-0-060-105 and 187-0-060-095), subject to certain findings and conditions.
Legislative Body: CC Contact: Kathleen Mallory Phone: 385-7858

J. PUBLIC HEARINGS

K. APPOINTMENT ITEMS

L. REPORTS**Utilities Department**

1. **SUBJECT:** Proposed Comprehensive Five-Year Utilities Rate Increases. (059)

RECOMMENDATION: 1) Review and provide direction on recommendations including: utility vision and guiding principles statements; utility rate policy; utility capital improvement program (CIP); and utility rate structure; 2) Review and provide direction on implementation of rate increases for the Water, Wastewater, and Environmental Resources Enterprises. The proposed rate increase for Wastewater is 35% for Fiscal Year 2015-16, 10% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Water is 15% for Fiscal Year 2015-16, 12% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Environmental Resources is 6% for Fiscal Year 2015-16, 4% for Fiscal Year 2016-17, 4% for Fiscal Year 2017-18, 4% for Fiscal Year 2018-19, and 3% for Fiscal Year 2019-20; and 3) Authorize staff to proceed with the Proposition 218 public notification process.

Legislative Body: CC

Contact: Daniel Rydberg

Phone: 385-8055

2. **SUBJECT:** GS11-12-Colonia Park Improvements, GS15-16-Wilson Park Improvements, and GS16-08-Beck Park Improvements. (087)

RECOMMENDATION: Approve plans and specifications for Project Specification No. GS11-12 Colonia Park Improvements, GS15-16 Wilson Park Improvements, and GS16-08-Beck Park Improvements; authorize staff to conduct a public bid for these three projects; and authorize use of Housing Related Parks (HRP) grant funds approved for this purpose.

Legislative Body: CC

Contact: Michael Henderson

Phone: 385-7950

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

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

**N. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY
BUSINESS/COMMITTEE REPORTS****O. PUBLIC COMMENTS ON REPORTS**

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

P. PUBLIC COMMENTS ON STUDY SESSION

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

Q. STUDY SESSIONC. CLOSED SESSION**CLOSED SESSION****1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.**

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

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

R. ADJOURNMENT



ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other

Prepared By: Luly Lopez/Greg Nyhoff, City Manager Agenda Item No. I-1

Reviewed By: City Manager MM City Attorney JB Finance AV Other (Specify) _____

DATE: October 13, 2015

TO: City Council

FROM: Greg Nyhoff, City Manager
City Manager's Office

SUBJECT: Agreements 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.

DISCUSSION

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

FINANCIAL IMPACT

Funding information is included on the attached list.

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

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

City Manager Contract List for 10/13/2015

Item Type	Department/Contact	Vendor/Agreement Number	Description/Purpose	Amount
A Purchase Order	City Manager's Office - Environmental Resources Todd Vasquez-Housley	Consolidated Fabricators Purchase Order No. 5608	30 Cubic Yard and 40 Cubic Yard Industrial Refuse Containers	\$102,000
			Purchase of sixteen 30-cubic yard and six 40-cubic yard metal refuse containers for industrial refuse services for ongoing replacement of inoperable containers. On July 23, 2015 staff issued a Request for Bid (RFB) for Metal Refuse Containers. Three bids were received with Consolidated Fabricators being the lowest responsible bidder for Industrial Containers. During the budget process, funds were set aside for the purchase of these containers.	
			Total Contract Amount: \$102,000 FundingSource: Environmental Resources Enterprise Fund	Current FY Amount: \$102,000
B Purchase Order	City Manager's Office - Environmental Resources Division Todd Vasquez-Housley	Wastequip - West Coast Purchase Order No. 5607	2 Cubic Yard and 4 Cubic Yard Front-End Loader Refuse Containers	\$112,000
			Purchase of fifty 2-cubic yard and one hundred forty 4-cubic yard metal refuse containers for commercial refuse and recycling services for ongoing replacement of inoperable containers. On July 23, 2015 staff issued a Request for Bid (RFB) for Metal Refuse Containers. Three bids were received with Wastequip being the lowest responsible bidder for Commercial Containers. During the budget process, funds were set aside for the purchase of these containers.	
			Total Contract Amount: \$112,000 FundingSource: Environmental Resources Enterprise Fund	Current FY Amount: \$112,000
C Purchase Order	Police Department Raja Bamrungpong	CDW-G Purchase Order No. 5610	Upgrade disk storage overall speed	\$37,878
			The current disk storage infrastructure is over six years old. This system is used by the 911 system, ERP (Enterprise Resource Planning), document management system, facility surveillance storage system, business continuity process, and the anticipated body cameras for patrol officers. These uses have contributed to network slowness and a disk storage bottleneck. The proposed solution is to upgrade to a system 10 times that of the current speed, through a combination of hardware and software solutions. The selection process consisted of technical review of Juniper Networks and CISCO Systems equipment. Based on bandwidth, ease of implementation, and costs, staff concluded that Juniper Networks was the best choice. CDW-G is an authorized reseller of Juniper Networks equipment.	
			Total Contract Amount: \$37,878 FundingSource: State Cops Grant	Current FY Amount: \$37,878

ATTACHMENT
PAGE 1 OF 1

ORDINANCE NO. 2895

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. NO. 14-570-02 (ZONE CHANGE) ON PARCELS LOCATED ON PLEASANT VALLEY ROAD AND ETTING ROAD, (APN: 225-0-014-160 AND 225-0-014-190). FILED BY CITY OF OXNARD, DEVELOPMENT SERVICES DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA 93030.

WHEREAS, on June 3, 2014, Mark Pettit with Lauterbach & Associates, on behalf of Vince Daly of Dansk Investments (the "**Applicant**" and/or "**Developer**"), submitted a request to allow construction of a 101-unit mixed income apartment community and on-site amenities on a 6.23 acre site (2250 E. Pleasant Valley Road - APN 225-0-014-190) and to allow construction of a 70 unit senior/assisted living residential facility and on-site amenities on a 1.05 acre site (2300 E. Pleasant Valley Road - APN 225-0-014-160); and

WHEREAS, the City of Oxnard is initiating the Zone Change for the two above-referenced parcels (APN: 225-0-014-160 and 225-0-014-190) to bring the properties into compliance with the 2030 General Plan land use designation; and

WHEREAS, on September 3, 2015, the Planning Commission of the City of Oxnard ("**Planning Commission**") conducted a duly noticed public hearing, approved Planning and Zoning Permit Nos. 14-540-01 (Special Use Permit – Planned Development Permit), and recommended that City Council approve 14-535-01 (Density Bonus), and 14-570-02 (Zone Change) to allow the construction of a 101-unit mixed income apartment community (the "**Coastal Apartment Project**") in accordance with the Oxnard City Code; and

WHEREAS, on September 3, 2015, the Planning Commission conducted a duly noticed public hearing and received comments, approved Planning and Zoning Permit No. 14-500-04 (Special Use Permit for a Planned Residential Group), and recommended that City Council approve Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment), and Planning and Zoning Permit No. 14-570-02 (Zone Change) to allow the construction of a 70-unit senior/assisted living residential facility (the "**Senior/Assisted Living Project**") in accordance with the Oxnard City Code; and

WHEREAS, on September 3, 2015, the Planning Commission adopted MND No. 2015-01 pursuant to the California Environmental Quality Act (CEQA) for the Project described therein, adopted a mitigation monitoring and reporting program for the Project described in MND No. 2015-01, and imposed mitigation measures identified within MND No. 2015-01 on the parcels known as APN: 225-0-014-160 and 225-0-014-190 based upon the project description evaluated within IS/MND No. 2015-01; and

WHEREAS, the Planning Commission approvals of Planning and Zoning Permit No. 14-540-01 (Special Use Permit – Planned Development Permit) and Mitigated Negative Declaration (MND No. 2015-01) were appealed to the City Council in order to provide the Council with a sense of context and comprehensiveness of the remaining permits that make up the applications for the Coastal Apartment Project and the Senior/Assisted Living Project; and

WHEREAS, on October 6, 2015, the City Council of the City of Oxnard ("**City Council**") conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit Nos. 14-540-01 (Special Use Permit – Planned Development Permit), 14-535-01 (Density Bonus), and 14-570-02 (Zone Change) to allow the construction of the Coastal Apartment Project in accordance with the Oxnard City Code; and

WHEREAS, on October 6, 2015, the City Council conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit Nos. 14-500-04 (Special Use Permit – Planned Residential Group), 14-580-01 (Zone Text Amendment), and 14-570-02 (Zone Change) to allow construction of the Senior/Assisted Living Project in accordance with the Oxnard City Code; and

WHEREAS, the two Project sites on Pleasant Valley (collectively referred to as the "**Project sites**") are identified in the 2006-2014 Housing Element Supplement Part II as Ail-Affordable Housing Opportunity Program (AAHOP) sites and if a developer decides to participate in the AAHOP it is required to make all housing units affordable to extremely low-, very low-, or low-income households; and

WHEREAS, at this time the Applicant is not seeking to develop the Project sites under the AAHOP due to the fact that the City has initiated a contract to update the Housing Element in order to reevaluate existing policies and new and existing AAHOP affordable housing sites; and

WHEREAS, the Project site has not be identified as an AAHOP affordable housing site within the 2013-2021 updated Housing Element; and

WHEREAS, with the updated Housing Element, the City is in support of the Project moving forward without Applicant's participation in the AAHOP; and

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

SECTION 1. Based on the entire record before the City Council and all written and oral evidence presented, including the City Council Staff Report, the Planning Commission Staff Report and all attachments thereto, the City Council finds that the proposed Zone Change to change the zone designation for the subject property (APN 225-0-014-160 and -019) from Community Reserve (CR) to Multiple-Family Residential Planned Development (R-2-PD) is in conformity with the City of Oxnard 2030 General Plan since the Multiple-Family Residential Planned Development (R-2-PD) zoning designation is consistent with the City of Oxnard 2030 General Plan Land Use Designation of Residential Low Medium (RLM).

SECTION 2. Based on the findings set forth herein, the City Council adopts an ordinance approving Planning and Zoning Permit No. 14-570-02 (Zone Change) to change the zone designation for the subject property (APN 225-0-014-160 and 019) from Community Reserve (CR) to Multiple-Family Residential Planned Development (R-2-PD) to be consistent with the City of Oxnard 2030 General Plan Land Use Designation of Residential Low Medium (RLM) as set forth in Exhibit A, attached hereto.

SECTION 3. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

SECTION 4. 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. 2895 was first read on 10/06/15, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this _____ day of October, 2015 by the following votes:

AYES:

NOES:

ABSENT:

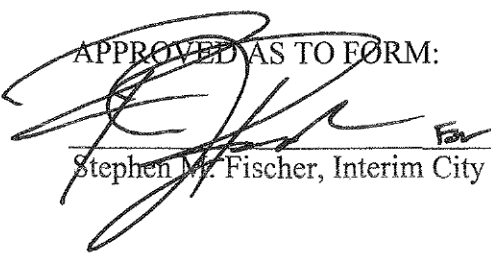
ABSTAIN:

Tim Flynn, Mayor

ATTEST:

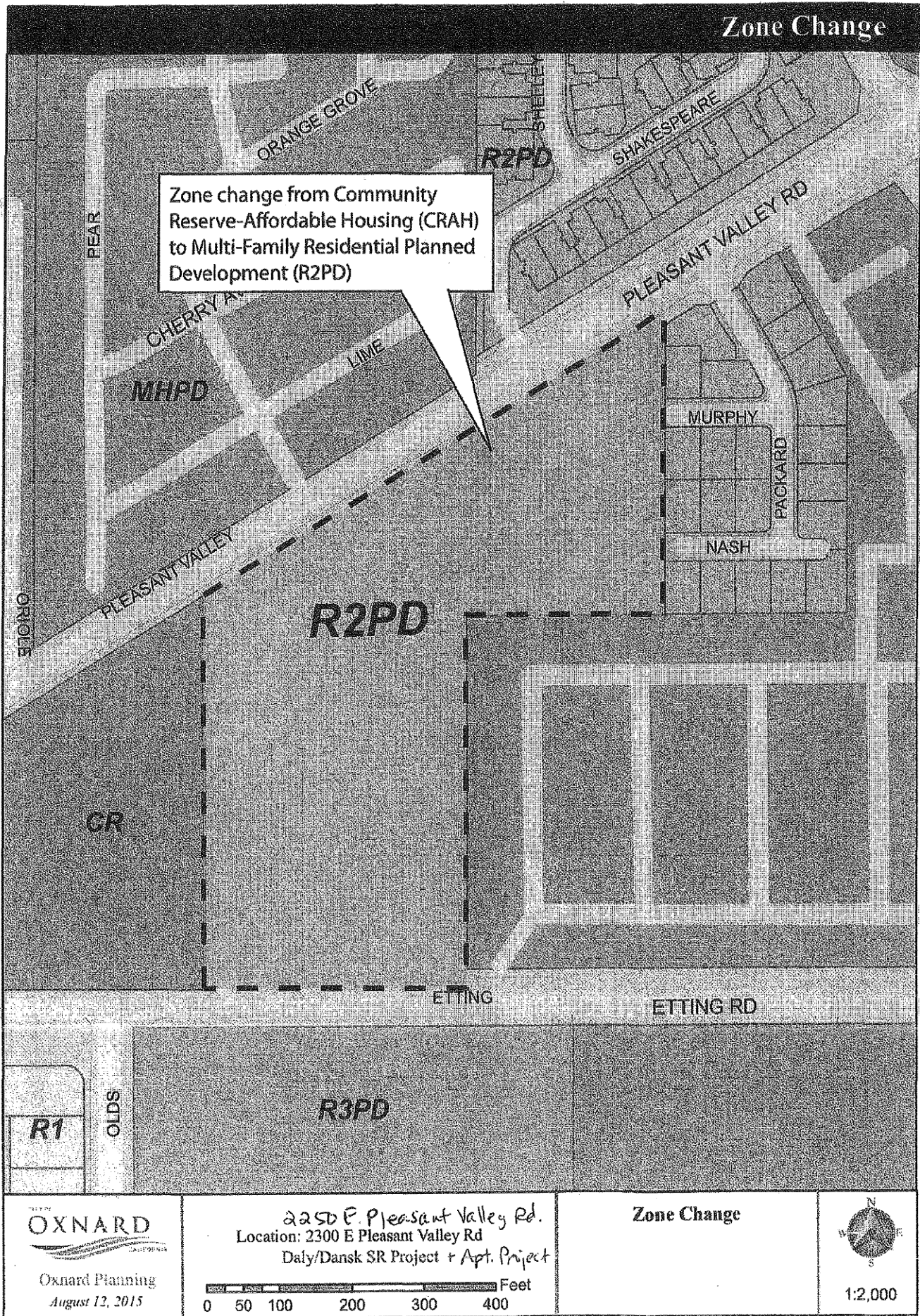
Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

EXHIBIT A
ZONE CHANGE MAP



ORDINANCE NO. 2896

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 14-580-01 (ZONING TEXT AMENDMENT) TO AMEND SECTIONS 16-10 DEFINITIONS, 16-42 R-2 MULTIPLE-FAMILY ZONE, RELATED USES, 16-107 C-0 COMMERCIAL OFFICE ZONE, RELATED USES, 16-148 CBD, CENTRAL BUSINESS DISTRICT, CONDITIONALLY PERMITTED USES, 16-177 BRP BUSINESS AND RESEARCH PARK ZONE, RELATED USES, 16-178 BRP PROHIBITED USES AND ARTICLE V, DIVISION 11 PLANNED RESIDENTIAL GROUP OF THE OXNARD CITY CODE TO ADD A NEW "SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITY" USE DESIGNATION, SUBJECT TO CERTAIN FINDINGS. FILED BY CITY OF OXNARD, DEVELOPMENT SERVICES DEPARTMENT, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030

WHEREAS, on June 3, 2014, Mark Pettit with Lauterbach & Associates, on behalf of Vince Daly of Dansk Investments (the "**Applicant**" and/or "**Developer**"), submitted a request to allow construction of a 70 unit senior/assisted living residential facility and on-site amenities on a 1.05 acre site (2300 E. Pleasant Valley Road; APN 225-0-014-160); and

WHEREAS, the City of Oxnard is initiating the zoning text amendment to amend Chapter 16 of the Oxnard City Code to accommodate construction of the Project by adding a new "Senior and/or Senior Assisted Living Residential Facility" use designation; and

WHEREAS, on September 3, 2015, the Planning Commission of the City of Oxnard ("**Planning Commission**") conducted a duly noticed public hearing and received comments, considered Staff's recommendation along with oral and written presentation by persons who attended the meeting, approved Planning and Zoning Permit No. 14-500-04 (Special Use Permit for a Planned Residential Group), and recommended that City Council approve Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment), and Planning and Zoning Permit No. 14-570-02 (Zone Change); and

WHEREAS, on September 3, 2015, the Planning Commission adopted MND No. 2015-01 pursuant to CEQA for the Project described therein, adopted a mitigation monitoring and reporting program for the Project described in MND No. 2015-01, and imposed mitigation measures identified within MND No. 2015-01 on the parcels known as APN: 225-0-014-160 and 225-0-014-190 based upon the project description evaluated within IS/MND No. 2015-01; and

WHEREAS, Planning Commission approvals of Planning and Zoning Permit No. 14-500-04 (Special Use Permit for a Planned Residential Group) and Mitigated Negative Declaration (MND No. 2015-01) are being appealed to the City Council in order to provide the Council with a sense of context and comprehensiveness of the remaining permits that make up the application, including Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment) and Planning and Zoning Permit No 14-570-02 (Zone Change); and

WHEREAS, on October 6, 2015, the City Council conducted a duly noticed public hearing on the proposed Zone Text Amendment.

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

SECTION 1. Based on the entire record before the City Council and all written and oral evidence presented, including the City Council Staff Report, the Planning Commission Staff Report and all attachments thereto, the City Council finds that the proposed Zoning Text Amendment to amend Chapter 16 of the Oxnard City Code to add the "Senior and/or Senior Assisted Living Residential Facility" use designation is in conformity with the City of Oxnard 2030 General Plan Goals and Policies for the reasons set forth below:

CD-1.5: Housing Variety. The proposed zoning text amendment conforms to the City of Oxnard 2030 General Plan Goals and Policies since its approval promotes the development of a variety of housing types throughout the City, specifically Senior and/or Assisted Living Housing.

CD-1.7: Compact Development. The proposed zoning text amendment conforms to the City of Oxnard 2030 General Plan Goals and Policies since its approval promotes the use of development patterns that can be more compactly built and use space in an efficient aesthetic manner as part of the community vision.

CD-3.3: Innovative Redevelopment. The proposed zoning text amendment conforms to the City of Oxnard 2030 General Plan Goals and Policies since its approval promotes innovative design flexibility and possibly different residential densities through the use of alternative performance-oriented development standards.

CD-3.6: Barrier-Free Housing and Reasonable Accommodation. The proposed zoning text amendment conforms to the City of Oxnard 2030 General Plan Goals and Policies since its approval Support development of barrier-free housing and reasonable accommodation for people of all ages and supportive for those with disabilities.

SECTION 2. Based on the findings set forth herein, the City Council hereby approves Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment) to amend the Oxnard City Code to add the "Senior and/or Senior Assisted Living Residential Facility" use designation to the listed sections and regulations related to the aforementioned use as set forth in **Exhibit A**, attached hereto.

SECTION 3. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

SECTION 4. 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. 2896 was first read on 10/06/15, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this _____ day of October, 2015 by the following votes:

AYES:

NOES:

ABSENT:

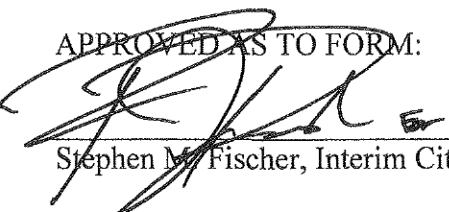
ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

EXHIBIT A

PROPOSED ZONING TEXT AMENDMENTS

Planning and Zoning Permit No. 14-580-01 (Zoning Text Amendment) contemplates the following amendments to Chapter 16 of the Oxnard City Code (OCC) to accommodate construction of a 70 unit senior/assisted living residential facility and on-site amenities on a 1.05 acre site (2300 E. Pleasant Valley Road; APN 225-0-014-160) by adding a new "Senior and/or Senior Assisted Living Residential Facility" use designation.

- (1) Add the following definition to Section 16-10 (Definitions) of the OCC:

"SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITY - A State-licensed residential facility with 7 or more residents that provides a range of community dining and/or recreation areas integrated with individual apartment units that may have individual cooking facilities; that provides at least one non-medical and/or medical support service to residents such as housekeeping, laundry, media room facility, library, hair care, recreation, and transportation services; that is restricted to qualifying residents or senior citizens as those terms are defined in Cal. Civil Code Section 51.11; that may include a secure area(s) for residents with limited memory or cognitive abilities and/or limited physical mobility; and that is subject to the regulations for Planned Residential Groups set forth in section 16-446 of this code."

- (2) Add the following use to Section 16-42 (R-2 Multiple-Family Zone, Related Uses) of the OCC:¹

"(M) Senior and/or Senior Assisted Living Residential Facility."

- (3) Add the following use to Section 16-107 (C-O, Commercial Office Zone, Related Uses) of the OCC²:

"(L) Senior and/or Senior Assisted Living Residential Facility."

- (4) Add the following use to Section 16-148 (CBD, Central Business District, Conditionally Permitted Uses) of the OCC:

"(R) Senior and/or Senior Assisted Living Residential Facility."

¹ Note: OCC 16-57 (R-3 Related Uses) & OCC 16-72 (R-4 Related Uses) allow R-2 related uses and therefore will not need to be amended to accommodate the Senior and/or Assisted Living Residential Facility use.

² Note: OCC 16-136 (C-2 Related Uses) allows C-O related uses and therefore will not need to be amended to accommodate the new use.

- (5) Add the following use to Section 16-177 (BRP, Business and Research Park Zone, Related Uses) of the OCC:

“(P) Senior and/or Senior Assisted Living Residential Facility.”

- (6) Amend and replace Section 16-178 (BRP, Prohibited Uses) of the OCC with the following:

“(A) Residential uses other than caretakers and Senior and/or Senior Assisted Living Residential Facility;”

- (7) Add the following to Division 11 of Article V of the OCC:

“SEC. 16-446. SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITIES.

(A) A Senior and/or Senior Assisted Living Residential Facility may be approved as a planned residential group by issuance of a special use permit in accordance with sections 16-530 to 16-553 of this code. Notwithstanding the foregoing, the requirements of section 16-531 shall not apply to a special use permit for a Senior and/or Senior Assisted Living Residential Facility.

(B) In addition to the requirements of sections 16-530 to 16-553, an applicant for a Senior and/or Senior Assisted Living Residential Facility shall evaluate parking, including resident, guest, employee and shuttle parking, through a parking study. The parking study shall be based on intended population level of assistance, project location and proximity to public transportation and services for senior citizens. The applicant shall prepare and submit the parking study for review and approval by the city traffic engineer. Once the city traffic engineer approves the traffic study, said study shall be submitted with any special use permit submitted pursuant to this section to the planning commission for review and approval.

(C) The planning commission may grant a special use permit pursuant the requirements of this section and sections 16-530 to 16-553 of this code for a Senior and/or Senior Assisted Living Residential Facility planned residential group to permit departures from the development standards of the zone in which the use is located and to permit departures from the attached dwelling unit development standards when such action is in accordance with the basic principles and intent of this chapter and the planning commission finds and determines all of the following:

(1) The residential use proposed is permitted within the zone and is in conformance with the general plan;

(2) Through project design features and conditions, the residential use will not adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the public health, safety or general welfare;

(3) The site that is subject to the special use permit is adequately served by sufficient parking as demonstrated in the submitted parking study;

(4) The site that is subject to the special use permit will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate; and

(5) The applicant has demonstrated that the proposed population densities can be accommodated by existing and future public facilities, services and infrastructure such as sewerage, water, fire protection and storm drainage facilities."



Meeting Date: 10/13/2015

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Kathleen Mallory, AICP, Contract Planner Agenda Item No. I-4Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____**DATE:** September 28, 2015**TO:** City Council**FROM:** Ashley Golden
Development Services Director [Signature]**SUBJECT:** Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580). Filed by Greg Mendoza, TriPointe Homes, 19520 Jamboree Road, Suite 200, Irvine, California 92612.**RECOMMENDATION**

That the City Council adopt a resolution approving Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580) for the property located on the Northwest Corner of Victoria Avenue and Hemlock Street, (APN: 187-0-060-105 and 187-0-060-095), subject to certain findings and conditions.

DISCUSSION

The requested Final Subdivision Map proposes the creation of one residential lot and associated common area parcels 6.82 gross acres of vacant land, located at the southerly terminus of Oneida Court for the development of four single-family homes, previously approved by the City Council.

On June 5, 2008, the Planning Commission considered Planning and Zoning Permit No. 15-300-04 (Tentative Subdivision Map) to subdivide the property into one residential parcel and Planning and Zoning Permit No. 06-500-14 (Special Use Permit for a Planned Residential Group) to construct 116 for-sale condominium units. A motion to recommend denial of the project passed.

On June 12, 2008, the Applicant, Courtyard at Mandalay Bay, LLC, filed an appeal of the Planning Commission's denial. This appeal was considered by the City Council on January 6, 2009. The Council ultimately voted 4-0 to adopt Resolution Nos. 13,579 (Tentative Map) and 13,577 (Special Use Permit) upholding the appeal and approving the project (see Attachment No. 3).

On September 3, 2015, 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.

FINANCIAL IMPACT

There is no estimated financial impact. If approved, the development will result in increased property tax revenue to the City.

Attachment #1 - Draft City Council Resolution
#2 - Reduction of Final Map
#3 - City Council Resolution Nos. 13,577 and 13,579 (January 6, 2009)
#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. 15-300-04 (FINAL SUBDIVISION MAP FOR TRACT NO. 5580) FOR THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF VICTORIA AVENUE AND HEMLOCK STREET (APN: 187-0-060-105 and 187-0-060-095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY GREG MENDOZA, TRIPOINE HOMES, 19520 JAMBOREE, SUITE 200, IRVINE, CALIFORNIA 92612.

WHEREAS, on June 5, 2008, the Planning Commission of the City of Oxnard ("**Planning Commission**") recommended denial of an application for Planning and Zoning Permit Nos. 15-300-04 (Tentative Subdivision Map for Tract No. 5580) and 06-500-14 (Special Use Permit), filed by Courtyard at Mandalay Bay, LLC., (the "**Applicant**"); and

WHEREAS, on June 12, 2008, the Applicant filed a timely appeal of the Planning Commission's action; and

WHEREAS, on January 6, 2009, the City Council approved the Tentative Subdivision Map for Tract No. 5580 by Resolution No. 13,579 and the Special Use Permit by Resolution No. 13,557, subject to certain findings and conditions; and

WHEREAS, the Final Subdivision Map for Tract No. 5580 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. 15-300-04 (Final Subdivision Map for Tract No. 5580) 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. 5580 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. 5580; and (ii) the Final Subdivision Map for Tract No. 5580 is in substantial compliance with the previously approved Tentative Subdivision Map for Tract No. 5580. Based on the foregoing, the City Council hereby

approves Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580) and authorizes its recordation.

SECTION 3. Planning and Zoning Permit No. 15-300-04 (Final Subdivision Map for Tract No. 5580) is hereby approved subject to those findings and conditions set forth in City Council Resolution No. 13,579, 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. 5580 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.

[SIGNATURES ON THE FOLLOWING PAGE]

PASSED AND ADOPTED this 13th day of October, 2015, by the following vote:

AYES:

NOES:

ABSENT:

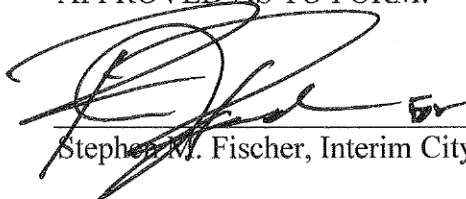
ABSTAIN:

Tim Flynn
Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

OWNER'S STATEMENT:

THE UNDERSIGNED HEREBY STATE THAT THEY ARE THE OWNERS OF, RECORD HOLDERS OF, SECURITY INTERESTS THEREIN, OR ARE INTERESTED IN THE REAL PROPERTY INCLUDED WITHIN THIS SUBDIVISION AND CONDOMINIUM PROJECT ENTITLED TRACT NO. 5580, SHOWN ON THIS MAP WITHIN THE EXISTING BOUNDARY LINE AND 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 FOR CONDOMINIUM PURPOSES, 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 THIS MAP, AND THAT THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD THE EASEMENTS FOR WATER LINE PURPOSES SHOWN ON THIS MAP AND ALL UTILITIES THEREON, AND THAT THEY DO HEREBY OFFER TO DEDICATE TO THE CITY OF OXNARD ALL WATER RIGHTS AND THE RIGHT TO DEVELOP ALL WATER TOWNS OR WELLS FROM UNDER SAID REAL PROPERTY BUT WITHOUT THE RIGHT OF SURFACE ENTRY TO DEVELOP SAME, AND THAT THEY DO HEREBY OFFER TO DEDICATE TO ALL GOVERNMENTAL AGENCIES PROVIDING FOR THE PUBLIC SAFETY, HEALTH AND WELFARE, AN ACCESS EASEMENT OVER ISLANDER WALK, ANCHOR AVENUE, WHINY COVE WAY, YACHT PLACE, BELIZE LANE, JELLYFISH LANE, HEADSAIL PLACE, AND HANNA COURT (PRIVATE STREETS).

TRI-POINTE HOMES, INC., A DELAWARE CORPORATION, OWNER

THE COUNTY/STATE AT MANHATTAN, N.Y., IS A CALIFORNIA LIMITED LIABILITY COMPANY, BENEFICIARY UNDER A DEED OF TRUST RECORDED FEBRUARY 11, 2014, AS INSTRUMENT NO. 20140211-0001680 OF OFFICIAL RECORDS OF VENTURA COUNTY.

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

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS
ON _____ BEFORE ME,
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/IT/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITIES, 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.

NOTARY PUBLIC _____
NAME (PRINTED) _____
COMMISSION NO. _____ PRINCIPAL PLACE OF BUSINESS _____
EXPIRATION DATE _____ VENTURA COUNTY.

THE COURT/STATE AT MANHATTAN, N.Y., IS A CALIFORNIA LIMITED LIABILITY COMPANY, BENEFICIARY UNDER A DEED OF TRUST RECORDED FEBRUARY 11, 2014, AS INSTRUMENT NO. 20140211-0001680 OF OFFICIAL RECORDS OF VENTURA COUNTY.

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

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS
ON _____ BEFORE ME,
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/IT/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITIES, 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.

NOTARY PUBLIC _____
NAME (PRINTED) _____
COMMISSION NO. _____ PRINCIPAL PLACE OF BUSINESS _____
EXPIRATION DATE _____ VENTURA COUNTY.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF _____ TRI-POINTE HOMES.

ON _____ SEPTEMBER 2014, I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED FOR THAT THEY WILL BE SET IN THOSE POSITIONS WITHIN ONE YEAR AFTER RECORDED OF THIS TRACT MAP, AND THAT THE MONUMENTS ARE (OR WILL BE) SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP, THE SHEETS TO ALL CONTINUE MONUMENTS SHOWN HEREON AS SET BY ME, WILL BE ON FILE IN THE OFFICE OF THE CITY ENGINEER PRIOR TO ACCEPTANCE OF THE IMPROVEMENTS INTO THE CITY ROAD SYSTEM.

DATED _____ LARRY J. FRAGER, P.L.S. 7998

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP ENTITLED TRACT NO. 5580, THAT THE SUBDIVISION IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREON, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND CITY OF OXNARD SUBDIVISION ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

DATED _____ PAUL MENOT RICE 46333
CITY ENGINEER OF THE CITY OF OXNARD

CITY SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THE FINAL MAP ENTITLED TRACT NO. 5580, AND THAT I AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

DATED _____ JAMES P. FALLON, P.L.S. 7807
CITY SURVEYOR, CITY OF OXNARD

CITY COUNCIL CERTIFICATE:

THIS MAP ENTITLED TRACT NO. 5580, CONSISTING OF 3 SHEETS, IS PRESENTED TO THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, AT A REGULAR MEETING OF SAID COUNCIL HELD ON _____ DAY OF _____, 2015, FOR APPROVAL. SAID COUNCIL HEREBY APPROVES SAID MAP, AND DOES HEREBY ACCEPT FOR PUBLIC USE THE RIGHT-OF-WAY FOR ALL STREETS AND HIGHWAYS SHOWN HEREON, SUBJECT TO IMPROVEMENT, AND ALSO HEREBY ACCEPTS THE EASEMENTS FOR WATER LINE PURPOSES AS SHOWN ON THIS MAP, AND ALSO ACCEPTS ALL WATER RIGHTS AS OFFERED HEREON, AND ALSO ACCEPTS THE ACCESS EASEMENT OVER ISLANDER WALK, ANCHOR AVENUE, WHINY COVE WAY, YACHT PLACE, BELIZE LANE, JELLYFISH LANE, HEADSAIL PLACE, AND HANNA COURT (PRIVATE STREETS) ON BEHALF OF (OR FOR) ALL GOVERNMENTAL AGENCIES PROVIDING FOR THE PUBLIC SAFETY, HEALTH AND WELFARE.

IN WITNESS WHEREOF, SAID CITY COUNCIL HAS CAUSED THIS CERTIFICATE TO BE SIGNED BY THE MAYOR AND ATTESTED TO BY THE CITY CLERK AND THE OFFICIAL SEAL OF SAID CITY TO BE AFFIXED HERETO THIS _____ DAY OF _____, 2015.

ATTEST: _____
DANIEL MARTINEZ, CITY CLERK
CITY OF OXNARD
TIM FLYNN, MAYOR
CITY OF OXNARD

SIGNATURE OMISSIONS:

THE SIGNATURES OF THE FOLLOWING EASEMENT OWNERS HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436(a)(3)(A) OF THE SUBDIVISION MAP ACT, THEIR INTEREST IS SUCH THAT IT CANNOT BE OPEN INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY:

OXNARD DRAINAGE DISTRICT, OWNER OF AN EASEMENT FOR CONDUITS, DRAIN, DITCHES AND CANALS FOR DRAINAGE, PER DOCUMENT RECORDED JANUARY 10, 1978, IN BOOK 184, PAGE 408 OF DEEDS, RECORDS OF VENTURA COUNTY. (SLANET IN NATURE)

SOUTHERN CALIFORNIA Edison COMPANY, OWNER OF EASEMENTS FOR PUBLIC UTILITIES PURPOSES, FOR THE GRANTS OF EASEMENTS RECORDED FEBRUARY 11, 1972, IN BOOK 3918, PAGE 218, ALL OF OFFICIAL RECORDS OF VENTURA COUNTY.

GENERAL TELEPHONE COMPANY OF CALIFORNIA, OWNER OF AN EASEMENT FOR PUBLIC UTILITIES PURPOSES, FOR THE GRANT OF EASEMENT RECORDED NOVEMBER 8, 1972, IN BOOK 4033, PAGE 639 OF OFFICIAL RECORDS OF VENTURA COUNTY.

THE CITY OF OXNARD, OWNER OF EASEMENTS FOR WATER MAIN AND SEWER LIFT STATION PURPOSES, FOR THE GRANT OF EASEMENT RECORDED NOVEMBER 20, 1972, IN BOOK 4038, PAGE 590 OF OFFICIAL RECORDS OF VENTURA COUNTY.

THE SIGNATURE OF ANNE WELLS, A WOOD OWNER OF ALL DL, GAS AND OTHER HYDRO-CARBON SUBSTANCES AND MINERALS, BUT WITHOUT THE RIGHT TO ENTER UPON THE SURFACE THEREOF OR WITHIN 500 FEET THEREIN, AS RESERVED BY THE GRANT DEED RECORDED NOVEMBER 15, 1944, IN BOOK 2648, PAGE 142 OF OFFICIAL RECORDS OF VENTURA COUNTY, HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436(a)(3)(C) OF THE SUBDIVISION MAP ACT.

COUNTY RECORDER'S STATEMENT:

RECORDED THIS _____ DAY OF _____, 2015, AT _____ M.

IN BOOK _____ OF MISCELLANEOUS RECORDS (MAPS), RECORDS OF VENTURA COUNTY, AT PAGES _____, AT THE REQUEST OF LARRY J. FRAGER.

MARK A. LUNN
COUNTY RECORDER
COUNTY OF VENTURA
BY: _____
DEPUTY COUNTY RECORDER

COUNTY TAX COLLECTOR'S CERTIFICATE:

I HEREBY STATE 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.

DATED: _____ STEVEN HINTZ
COUNTY TAX COLLECTOR
COUNTY OF VENTURA
BY: _____
DEPUTY COUNTY TAX COLLECTOR

CITY TREASURER'S CERTIFICATE:

I, DANIELLE 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 LIES AGAINST TRACT NO. 5580 OR ANY PART THEREOF, FOR UNPAID JUDICIAL, TAXES OR SPECIAL ASSESSMENTS COLLECTED AS MUNICIPAL TAXES, EXCEPT TAXES ON SPECIAL ASSIGNMENTS NOT YET PAYABLE.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF OXNARD THIS _____ DAY OF _____, 2015.

DANIELLE NAVAS
CITY TREASURER, CITY OF OXNARD

SOILS AND/OR GEOLOGIC REPORT:

THE FOLLOWING SOILS REPORT AND/OR GEOLOGIC REPORT RELATING TO TRACT NO. 5580 HAS BEEN PREPARED:

DATE OF REPORT: _____ NOVEMBER 24, 2014
TITLE OF REPORT: _____ PRELIMINARY GEOTECHNICAL INVESTIGATION REPORT, JUN. 13-436
FIRM NAME: _____ PETRA GEOTECHNICAL, INC.
ENGINEER (OR GEOLOGIST): _____ THEODORE W. HOLTS, SENIOR ENGINEERING GEOLOGIST
REGISTRATION NO. _____ CEG 1526
LOCATION WHERE ON FILE FOR PUBLIC INSPECTION: _____ 3190 AIRPORT LOOP DR. #41
COSTA MESA, CA 92626

GROSS AREA = 6.82 ACRES
FOR CONDOMINIUM PURPOSES

TRACT No. 5580

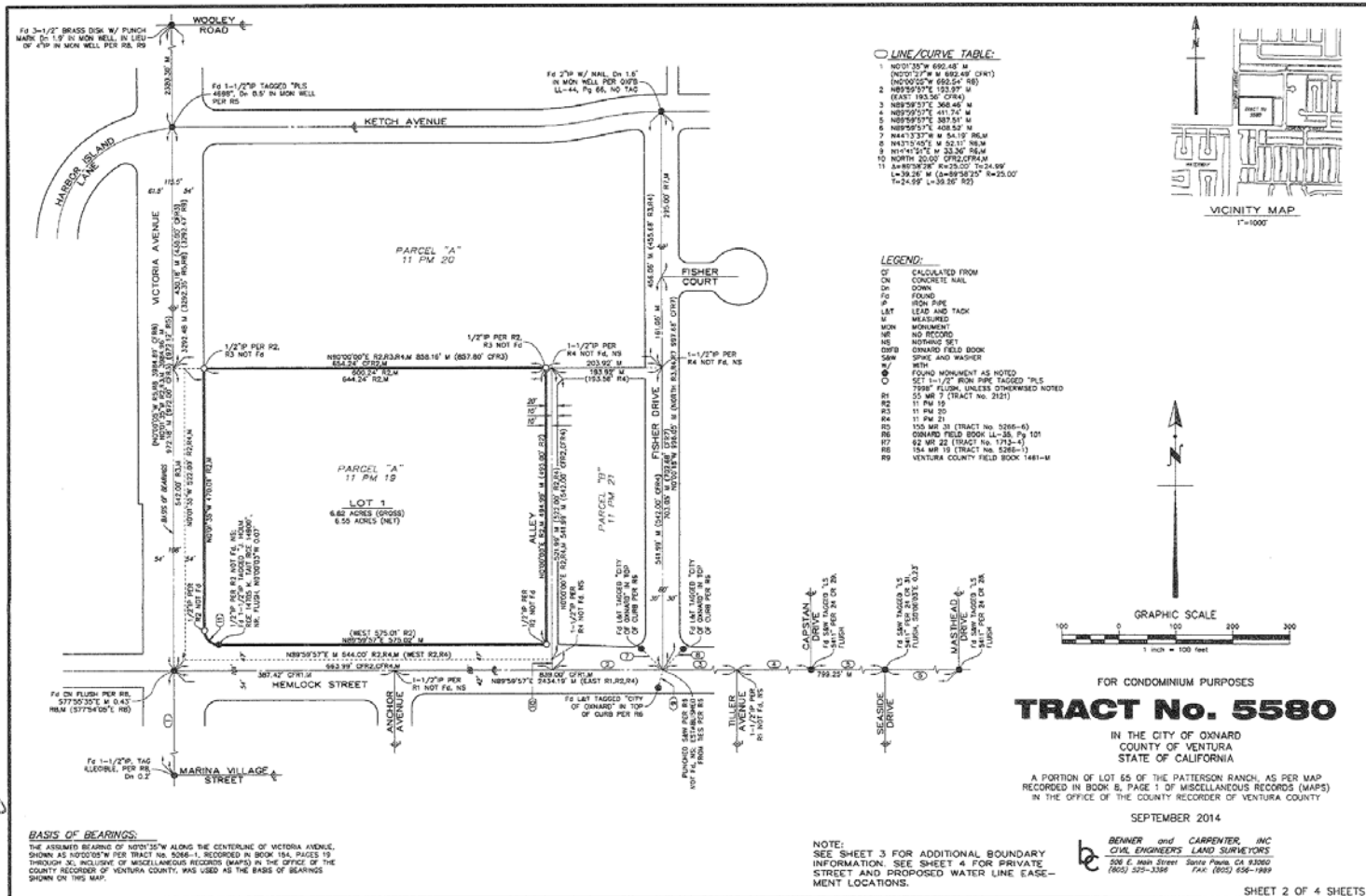
IN THE CITY OF OXNARD
COUNTY OF VENTURA
STATE OF CALIFORNIA

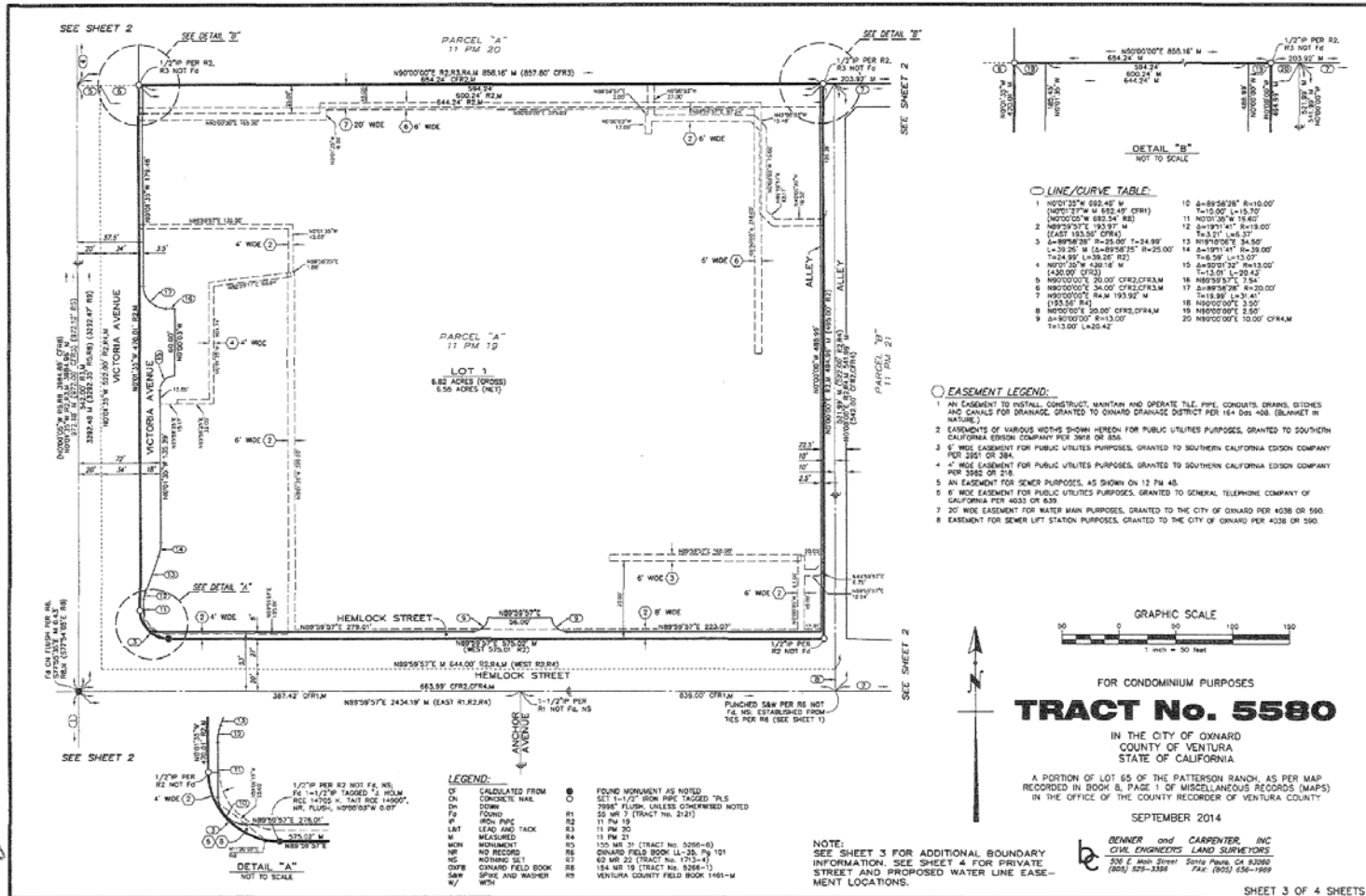
A PORTION OF LOT 65 OF THE PATTERSON RANCH, AS PER MAP RECORDED IN BOOK 8, PAGE 1 OF MISCELLANEOUS RECORDS (MAPS) IN THE OFFICE OF THE COUNTY RECORDER OF VENTURA COUNTY.

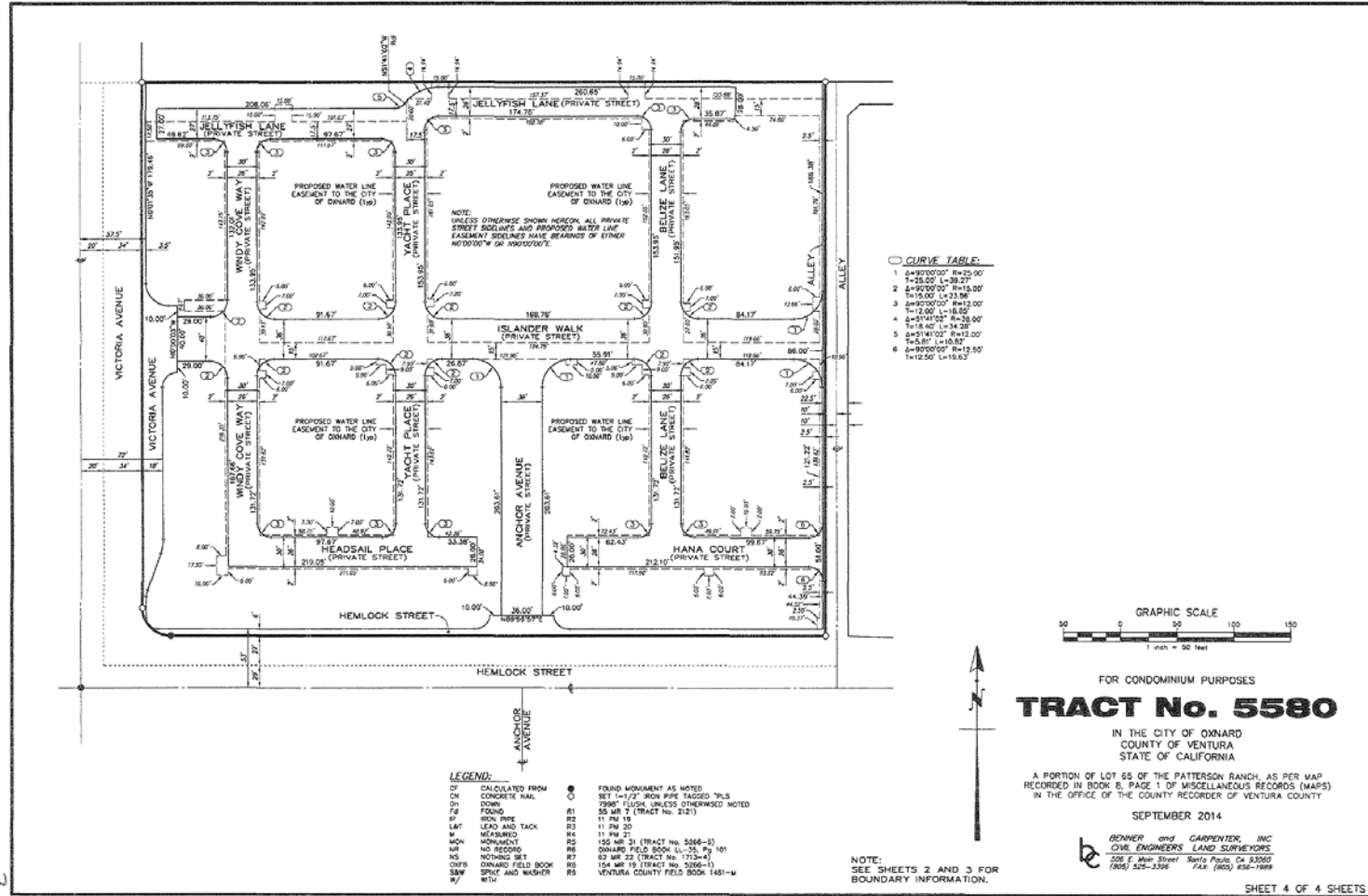
SEPTEMBER 2014

BENNER and CARPENTER, INC.
CIVIL ENGINEERS AND SURVEYORS
308 E. MAIN STREET SANTA PAUL, CA 95060
(925) 429-1588 FAX (925) 429-1585

SHEET 1 OF 4 SHEETS







RESOLUTION NO. 13,579

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING TENTATIVE SUBDIVISION MAP NO. 5580 (PLANNING AND ZONING PERMIT NO. 06-300-12), FOR THE CONSTRUCTION OF 116 FOR SALE RESIDENTIAL CONDOMINIUM UNITS, LOCATED ON THE NORTHEAST CORNER OF SOUTH VICTORIA AVENUE AND HEMLOCK STREET (APNs 187-0-060-105 AND 187-0-060-095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY COURTYARD AT MANDALAY BAY, LLC., 5010 PARKWAY CALABASAS, SUITE 105, CALABASAS, CA 91302.

WHEREAS, on June 5, 2008 the Planning Commission of the City of Oxnard considered an application for Planning and Zoning Permit No. 06-570-09 (Zone Change), filed by Courtyard at Mandalay Bay, LLC and denied Planning and Zoning Permit No. 06-500-15 (Special Use Permit) along with the related recommendations for the Planning and Zoning Permit Nos. 06-620-05 (General Plan Amendment); and 06-300-12 (Tentative Subdivision Map); and

WHEREAS, on June 12, 2008, Courtyard at Mandalay Bay, LLC filed a timely appeal of the Planning Commissions action; and

WHEREAS, in correspondence since June 12, 2008, Courtyard at Mandalay Bay, LLC has agreed to City Council continuance of the subject appeal; and

WHEREAS, the City Council has considered the appeal filed by the Courtyard at Mandalay Bay, LLC, and has carefully reviewed the decision of the Planning Commission and has considered an application for Planning and Zoning Permit No. 06-570-09, filed by Courtyard at Mandalay Bay, LLC; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Tentative Subdivision Map No. 5580 (Planning and Zoning Permit No. 06-300-12, for property located on the northeast corner of Victoria Avenue and Hemlock Street (APN 187-0-060-105 and 187-0-060-095); and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Division Manager; and

WHEREAS, the City Council finds that the Tentative Subdivision Map No. 5580 complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the City Council finds that the Tentative Subdivision Map No. 5580, the proposed site, and the design and improvement of the development requested are consistent with the amended 2020 General Plan; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems or conflict with any publicly acquired easements or access.

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Tentative Subdivision Map No. 5580 (Planning and Zoning Permit No. 06-300-12) is hereby approved, subject to the following conditions.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. G-1) while some are taken from environmental documents (e.g. MND-S2).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	CE	Code Compliance

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

1. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)

2. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section on the site improvement plans. (DS-2)
3. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)
4. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
5. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
6. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
7. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
8. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
9. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
10. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (DS-11)
11. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
12. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

13. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
14. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)
15. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
16. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
17. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

18. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
19. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
20. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
21. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
22. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)
23. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
24. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
25. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
26. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently

with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)

27. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
28. Each lot shall drain into a street, alley, or approved drain so that there will be no undrained depressions. (DS-35)
29. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)
30. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)
31. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)
32. Developer shall install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
33. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time City issues building permits. There shall be no interconnections between structures. (DS-42)
34. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
35. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
36. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)

37. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)
38. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
39. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, applying the appropriate traffic index specified in City standards. (DS-53)
40. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
41. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
42. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)
43. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)
44. As part of the master utility plans, Developer shall submit a street lighting plan. On City's approval of the plan, Developer shall install streetlights in accordance with the plan. (DS-60)
45. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)
46. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
47. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

48. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)
49. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

STORMWATER QUALITY CONDITIONS

50. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS-78)
51. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)
52. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS-82)
53. Developer shall clean on-site storm drains at least twice a year: once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (DS-83)
54. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)
55. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a

site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)

56. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

57. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-101)
58. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

Storm Water Quality Conditions:

59. Developer shall design the grass swale filter in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)
60. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass swale filter areas and that the proposed landscaping conforms to SQUIMP standards for grass swale filters. (DS)
61. Developer shall provide a 6-inch minimum vertical drop between the flow line of the concrete gutter and the flow line of the filter swale at each location where stormwater enters the filter swale from pavement. The transition between gutter flow line and filter swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)

62. Developer shall install a perforated under-drain below all grass-filter swales constructed with a longitudinal slope of less than 1%. Under-drain shall connect to a point of safe discharge as approved by the Development Services Manager. (DS)
63. Developer shall design proposed Porous Landscape Detention (T-8) area and Infiltration Trenches (T-10) in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. (DS)
64. Developer shall provide an analysis by a geotechnical engineer and landscape professionals to enhance the infiltration potential of both the Porous Landscape Detention and Grass-Filter Swale areas of the project. Recommendations should include, but not be limited to, soil enhancement, compaction limits, and plant materials. (DS)
65. Developer shall provide pre-treatment for all Infiltration Trenches to minimize the need for maintenance and reconstruction. Infiltration trenches shall be located entirely within private property. (DS)
66. Developer shall minimize the land area flowing to the alley labeled as Newport Weigh in order to maximize area receiving stormwater treatment. (DS)
67. Developer shall design project fine grading to convey stormwater to the street (or alley) via surface swales. No area drains shall be used within proposed residential lots. The Development Services Manager may approve the use of area drains in unusual circumstances where specific site conditions dictate that such drains are the only appropriate solution. (DS)
68. Developer shall provide proof that the Homeowner's Association is responsible for ongoing periodic maintenance of stormwater quality control measures constructed with this project. Developer shall include a specific line item in the Homeowner's Association budget for this maintenance. (DS)

Stormdrain Conditions:

69. The onsite stormdrain system within private streets and alleys shall be privately owned and maintained. Developer shall provide proof that maintenance responsibility for these facilities is included in the property owner's CC&Rs. (DS)
70. Developer's engineer shall provide a drainage report that includes an analysis of the hydraulic grade line within the downstream storm drain system. (DS)
71. Developer shall redesign the storm drain conveyance system within Hemlock Street to eliminate construction of an additional (third) pipe. Design shall either utilize an existing pipe or shall remove and replace an existing pipe with a larger pipe. (DS)

Wastewater Conditions:

72. The onsite sewer system within private streets and alleys shall be privately owned and maintained. Developer shall provide proof that maintenance responsibility for these facilities is included in the property owner's CC&Rs. (DS)
73. Developer shall design sewer and water systems to maintain required separation in accordance with the Department of Health and City of Oxnard standards. (DS)

Water Conditions:

74. Developer shall provide onsite fire hydrants such that all points of all structures are within two hundred (200) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil engineer's improvement plans prior to issuance of a site improvement/grading permit. (DS)
75. Developer shall find an alternative location for the fire hydrant proposed in the northeast corner of the site in front of the trash enclosure. Alternative site shall be approved by the Fire Marshall and Development Services Manager. (DS)
76. Developer shall dedicate a waterline easement to the City over all portions of the domestic water distribution system (up to and including the water meters) within private streets, alleys or other private property. (DS)
77. Developer shall provide water meters with traffic rated boxes and lids in all locations where meters have a potential for vehicular traffic as determined by the Development Services Manager. (DS)
78. Developer shall install a water meter centered on a garage parking space for each condominium unit. Alternative locations acceptable to the Development Services Manager may be approved. (DS)
79. Developer's engineer shall provide detailed water system calculations and plans for the project. The required calculations and plans are subject to the approval of the Development Services Manager prior to the issuance of a site improvement/grading permit or recordation of a final map. (DS)

Street Conditions:

80. Hemlock Street has recently been resurfaced. All street cuts or other disturbances of the street surface will require repair in accordance with City Standard Plate 602 sheet 2 of 3. (DS)

81. Developer shall construct pedestrian street crossings that are not located at typical street intersections of colored enhanced concrete. The concrete color shall contrast with the asphalt to clearly identify pedestrian areas. (DS)
82. Developer shall reconstruct the existing driveway serving the alley labeled as Newport Weigh to provide a disabled compliant path along the Hemlock Street sidewalk. (DS)
83. Developer shall remove and replace (including a new 4-foot wide concrete ribbon gutter) the entire width and length of the alley labeled as Newport Weigh after installation of new water and sewer lines. A plan and profile of the reconstruction shall be included as a part of the site improvement/grading plans. (DS)
84. Developer shall dedicate right-of-way on the final map that extends to the back of proposed sidewalk along both Hemlock Street and Victoria Avenue. (DS)
85. Developer shall construct enhanced paving at the project entries in accordance with the project landscape plans as approved by the Planning and Environmental Services Manager. (DS)
86. Developer's engineer shall provide a sight distance evaluation for the two trash enclosures proposed near intersections. Enclosure shall be relocated to provide compliance with established engineering standards. (DS)

Traffic Conditions:

87. Developer shall construct raised median improvements on Hemlock Street as indicated on the Engineering Site Plan sheet 2 of 2. Improvements shall include raised curb, irrigation, and landscaping improvements along with associated signing and striping improvements as directed by the Traffic Division. Construction documents shall be a part of the site improvement plans. Medians shall be planted with 24-inch high plantings as measured from the top of curb. Landscape and irrigation improvements shall be coordinated with the Parks Division. (TR)

Miscellaneous Conditions:

88. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends to the nearby ribbon gutter where one is proposed or 15 feet from the face of the enclosure where no ribbon gutter is proposed. (DS)
89. Developer shall construct multi-bin trash enclosures (one bin per enclosure for recycle use) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The

location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS)

PASSED AND ADOPTED this 6th day of January 2009, by the following vote:

AYES: Councilmembers Holden, Herrera, Maulhardt, and MacDonald.

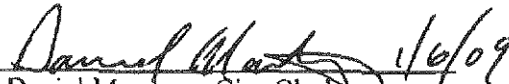
NOES: None.

ABSENT: None.

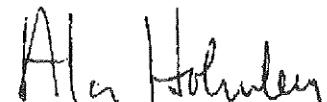
ABSTAIN: Councilwoman Pinkard.


Dr. Thomas E. Holden, Mayor

ATTEST:

 1/6/09
Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Alan Holmberg, City Attorney

RESOLUTION NO. 13,577

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 06-500-14 (SPECIAL USE PERMIT FOR A PLANNED RESIDENTIAL GROUP), TO ALLOW THE CONSTRUCTION OF 116 FOR SALE RESIDENTIAL CONDOMINIUM UNITS, LOCATED ON THE NORTHEAST CORNER OF SOUTH VICTORIA AVENUE AND HEMLOCK STREET (APNs 187-0-060-105 AND 187-0-060-095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY COURTYARD AT MANDALAY BAY, LLC., 5010 PARKWAY CALABASAS, SUITE 105, CALABASAS, CA 91302.

WHEREAS, on June 5, 2008 the Planning Commission of the City of Oxnard considered an application for Planning and Zoning Permit No. 06-500-14 (Special Use Permit), filed by Courtyard at Mandalay Bay, LLC in accordance with Section 16-530 through 16-553 of the Oxnard City Code and denied the aforementioned special use permit along with the related recommendations for the Planning and Zoning Permit Nos. 06-620-05 (General Plan Amendment); 06-570-09 (Zone Change); and 06-300-12 (Tentative Subdivision Map); and

WHEREAS, on June 12, 2008, Courtyard at Mandalay Bay, LLC filed a timely appeal of the Planning Commissions action; and

WHEREAS, in correspondence since June 12, 2008, Courtyard at Mandalay Bay, LLC has agreed to City Council continuance of the subject appeal; and

WHEREAS, the City Council has considered the appeal filed by the Courtyard at Mandalay Bay, LLC, and has carefully reviewed the decision of the Planning Commission and has considered an application for Planning and Zoning Permit No. 06-500-14, filed by Courtyard at Mandalay Bay, LLC; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a special use permit; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. With the approval of Planning and Zoning Permit No. 06-620-05 (General Plan Amendment), the proposed use is in conformance with the 2020 General Plan and other adopted standards of the City of Oxnard.
2. That the proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. That the site for the proposed project is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards.
4. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.
6. A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area.
7. The development is permitted with the zone change (PZ 06-570-09).
8. Building will substantially conform with plot plans and elevations submitted in support of the special use permit.
9. The applicant has demonstrated that densities are in conformance with existing and proposed public facilities, such as streets, sewers and water.

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 or visit this establishment in particular.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves Special Use Permit PZ 06-500-14, subject to the following conditions.

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated September 2007, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. Expiration of this permit shall coincide with the expiration of Tentative Subdivision Map No. 5580.
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

16. Before submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee ("Superintendent") of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
18. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
19. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
20. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
22. Within sixty days after a house is occupied, Developer shall install front yard and street side yard landscaping for that house. Developer shall provide proof of financial responsibility approved by the City Attorney to ensure faithful performance of this condition within the specified time. (PK/ PL, PK-10)
23. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must

- be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, PK-14)
24. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, PK-15)
 25. Developer agrees that the project has aesthetic impacts arising from conversion of undeveloped land to developed land, which the landscaping improvements for the project are intended to mitigate. Developer further agrees that the landscaping improvements must be maintained in order to continue to mitigate such impacts. In order to provide for such maintenance, Developer has agreed to enter into an agreement with the City to cast a ballot in favor of formation of an assessment district to fund such maintenance and in favor of assessments on the project property. In the event that such an assessment district is not formed, Developer agrees to establish a homeowners' association for the project as directed by the City, to fund such maintenance. Before or during escrow for the sale of property within the project, Developer shall provide each buyer with a document disclosing, in large type, that the project property is subject to annual assessments for landscape maintenance, and stating the probable range of dollar amounts of such assessments for the next fiscal year. To confirm that the buyer has read the document, Developer shall require the buyer to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon reasonable request. (PK, PK-18)
 26. Developer shall provide to the Parks and Facilities Superintendent ("Superintendent") a landscape maintenance district master plan drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a landscape maintenance district; (b) a homeowners association; and/or (c) the City. After Superintendent approves such plan, Developer shall provide to Superintendent a mylar (minimum 3 mil) original drawing of the maintenance district master plan. (PK, PK-19)
 27. Within sixty days of approval of the project, Developer shall provide the Parks and Facilities Superintendent with a complete, detailed landscape maintenance district master plan for all phases of the project and shall deposit \$13,700 to pay for staff time, attorney time and the engineer's report necessary to prepare all documents and hold hearings to form an assessment district and impose an assessment formula and assessments on property within the project to pay the costs of maintaining the landscaping in the district. (PK, PK-20)
 28. Developer shall provide to the Parks and Facilities Superintendent a copy of the document entitled "Agreement" containing Developer's agreement to vote in favor of a landscape maintenance assessment district for the project, bearing the Ventura County Recorder's stamp, confirming that the document has been recorded in the Ventura County Recorder's Office. (PK, PK-21)

29. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)

PARKS SPECIAL CONDITIONS

30. Developer shall pay Quimby Fees (fees for park Acquisition and Improvement) before issuance of building permits. The amount of the fee shall be determined by the Planning Division at the time of payment (B, PL-45).
31. All Street trees shall be 36" box size.
32. As a result of an Arborist's report, the appraisal value of \$109,499 in trees/plants to be removed shall augment the new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box.
33. The Landscape Plans shall include a Tabulation Chart that clearly shows the trees to remain, be removed or to be transplanted; and a listing of the appraisal value of each tree to be removed. The Tabulation Chart shall demonstrate clearly demonstrate how the value of the trees removed was put back into new tree sizes for the project that is addition to meeting the City's minimum tree size of 24" box.
34. Developer shall join the existing Landscape Maintenance District and contribute its proportionate share for the maintenance of the landscape in the medians on Victoria Avenue fronting the project. Contact Joel Galaviz, Landscape Maintenance Assessment District Supervisor, at 805-385-8245.
35. Street trees for Victoria shall be Magnolia grandiflora or Metrosideros excelsus , at maximum of 40' O.C. spacing and 36" box size.
36. Street trees for Hemlock shall be Magnolia grandiflora, at maximum of 40' O.C. spacing and 36" box size.
37. The proposed landscaped medians on Hemlock, fronting the project, will require a new Landscape Maintenance Assessment District to be formed by the developer.
38. The landscape trees for the Hemlock medians will feature Syagrus romanzoffianum. 10" foot brown trunk at 30' O.C. spacing.
39. Plant 5 gallon vines on pilasters as a graffiti deterrent.
40. Do not use Jacaranda or Lagerstromia trees this close to the ocean. Substitute a different tree specie.
41. Provide a section detail of the landscape planter area between the garages: provide information on type of plant material to be planted in this area.

42. No water meter boxes or other utilities are to occur in the landscape planter areas between garages.
43. The landscape planter along the north perimeter property line shall contain a dense screen tree row as well as shrubs and or vines to cover the full height of the wall.

FIRE DEPARTMENT STANDARD CONDITIONS

44. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
45. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, F-2)
46. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, F-3)
47. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)
48. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
49. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
50. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, F-7)
51. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
52. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

53. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, F-11)
54. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)
55. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, F-17)

FIRE DEPARTMENT SPECIAL CONDITONS

56. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other projections that are 48" or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
57. Emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.
58. Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department.

POLICE DEPARTMENT SPECIAL CONDITONS

59. Monuments or marquees indicating building numbers or maps of the complex are required at main public entrances.
60. Post all vehicle entrances in compliance with California Vehicle Code §22658(a)(1). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission.
61. Any electronic security system must comply with Oxnard City Ordinance No. 2601 (available online at <http://oxnardpd.org/documents/alarm-ordinance-2002.pdf>) and must be properly permitted by the City of Oxnard (available online at <http://oxnardpd.org/documents/alarm-permit.pdf>).
62. If a video surveillance system is being installed at this property, please comply with "Oxnard Police Department Proposed Standards, Guidelines & Recommendations Closed-Circuit Television (CCTV) Surveillance Systems," available online at <http://www.oxnardpd.org/documents/opdectv.pdf>.

63. Exterior lighting in common areas shall be on photocells and shall be on during all hours of darkness.
64. Metal halide lamps or those that provide quality color rendition are required.
65. Developer shall submit and the Police Chief or designee shall approve a lighting plan prior to the issuance of a building permit. The lighting plan shall include a photometric study that integrates the site's approved landscaping plan (if any). The integrated photometric/landscaping plan will indicate the specific location and canopy size of fully mature trees thereby highlighting potential landscape/lighting conflicts in the future.
66. **OUTDOOR LIGHTING CODE & GUIDELINE:**
 - (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
 1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - (c)

Oxnard	City	Code	16-320:
Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected.			

PLANNING DIVISION STANDARD CONDITIONS

67. The final building plans submitted by Developer with the building permit application shall depict on the building elevation sheets all building materials and colors to be used in construction. (PL/B, PL-1)
68. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)

69. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)
70. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
71. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
72. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)
73. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
74. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
75. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, PL-8)
76. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
77. Developer shall provide graphic site directories at principal access walkway points. (PL/B, PL-10)

78. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)
79. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
80. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
81. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)
82. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
83. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)
84. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)
85. Walls separating the patio areas of different units shall be of solid construction, such as masonry, stucco, or wood over wood. Ground level patios shall be enclosed by walls not less than five feet high, except as otherwise approved by this permit. (PL/B, *PL-25*)
86. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, *PL-28*)
87. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and

- sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, *PL-29*)
88. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)
89. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)
90. Developer shall construct each dwelling unit with separate utility systems and meters. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (DS/B, *PL-34*)
91. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project. (CE/PL, *PL-35*)
92. Developer shall pay Quimby Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, *PL-36*)
93. In accordance with City Council Ordinance No. 2615, or the ordinance in effect at the time building permits are issued, Developer shall pay the current in-lieu affordable housing fees, to be calculated at the time of building permit issuance. (PL, *PL-37*)
94. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2020 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning Division Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning Division Manager. (PL, *PL-38*)
95. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

96. Prior to issuance of a demolition permit for the shopping center. Developer shall submit a vermin eradication program for review and approval by the Planning Department. This plan should include measures to ensure that vermin do not negatively impact adjacent residential uses.
97. Should the existing northerly masonry wall be damaged during construction of the project, the Developer shall be responsible for repairing the wall and obtaining all necessary permits for such repair.

PLANNING DIVISION SPECIAL CONDITIONS

Air Quality:

98. The Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, the Developer shall immediately implement such devices or operational modifications on all construction equipment.
99. At all times during demolition and construction activities, the Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
100. During construction and on non-construction days (including Sundays) during periods of high wind, the Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities.
101. During construction, the Developer shall control dust by the following activities:
 - All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
102. During construction, the Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
103. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and

excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.

104. Throughout construction, the Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways.
105. Prior to grading permit approval, the Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements.

Cultural Resources:

106. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey.

107. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a weekly report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature.

Hazards and Hazardous Materials:

108. Dry Cleaner Portion of the Property. Following termination of the lease for the dry cleaning business and the removal of all the dry cleaning equipment, a health risk assessment shall be conducted for the drycleaner site to determine if the levels of contaminants remaining beneath the drycleaner site could adversely affect future residential occupants of the site. The health risk assessment would consider the possibility of volatilization of chemicals in soil and groundwater to indoor and outdoor air. Following the completion of the health risk assessment, if unacceptable health risks

are found to be present given the proposed development plan. engineering controls would be implemented to mitigate health risks to acceptable levels. The report and controlled shall be reviewed and approved by VCEHD or agency designated by VCEHD.

109. Service Station Portion of the Property. Upon termination of the gasoline station's lease, all fuel storage and dispensing equipment shall be removed and the site remediated to an acceptable residential standard under the standard protocols of VCEHD. This may include additional subsurface sampling to define the levels and location of residual contamination that remain after removal of onsite equipment. Following completion of the assessment phase, a remedial action phase would be conducted if needed. This may include remedial actions such as soil removal, soil vapor extraction, air sparging, or ground water pump and treatment. All remedial actions shall be performed by qualified professionals licensed to perform such activities and under the standard protocols of VCEHD. If upon completion of the remedial action phase, residual levels of contamination remain in place, an updated health risk assessment shall be prepared to demonstrate that is suitable for residential use. The health risk assessment shall consider the possibility of volatilization of chemicals from soil and groundwater to indoor and outdoor air. Following the completion of the health risk assessment, if unacceptable health risks are found to be present on this portion of the property given the proposed development plans, engineering controls will be required to be implemented to mitigate the health risks to acceptable levels. A common and effective engineering control is to install a sub slab vapor barrier beneath onsite structures that are located over contaminated soil or contaminated groundwater. It is anticipated that this component of the project would occur as the final phase of the development and that other phases of development on other portions of the property may occur in advance of site remediation on this portion of the property. The City shall not issue the building permits for this final phase of development on this portion of the property until such time that the site has either been remediated to within acceptable residential use standards or an effective soil vapor engineering control (such as an impermeable barrier) is approved by VCEHD.
110. All category I/Class non-Friable ACMs shall be removed prior to initiation of demolition activities onsite and VCAPCD shall be notified prior to initiation of demolition activities. All asbestos removal shall be performed by an experienced, State-licensed and Cal/OSHA registered asbestos contractor under the guidance of an independent, California Certified Asbestos Consultant. The Consultant shall be responsible for designing engineering controls used to control airborne asbestos contamination, visual inspections of engineering controls, and ambient air monitoring to determine airborne fiber levels. In addition, the Developer is responsible for transmitting information concerning the location, condition, and quantity of known asbestos-containing materials to those that may come into contact with the materials, including contract employees and/or tenants.

Hydrology and Water Quality:

111. Prior to issuance of a site construction permit, the applicant shall submit a drainage report to the City for review and approval. The report shall address changes in runoff patterns produced by construction of the project. The drainage report shall be prepared and signed by a California Registered Civil Engineer.
112. The Developer shall submit a SWPPP to verify compliance with NPDES requirements prior to issuance of a building permit.
113. Prior to issuance of a grading permit, the applicant shall obtain all necessary permits in order to install an underground drainage pipe equivalent to the flow capacity of the existing drainage. The design of said improvement shall be subject to review and approval by the Development Services Department.

Noise:

114. Construction times shall be limited to 7 a.m. to 7 p.m. Monday through Saturday in accordance with City Ordinances restricting construction times at the time of construction, whichever is more restrictive.
115. All deliveries of construction material and equipment will occur on-site within the construction barricades and only during the hours of 7 am and 7 pm on Monday through Saturday. The queuing of construction vehicles outside the site before 7 am or after 7 pm will be strictly prohibited unless specifically approved by the City of Oxnard. Vehicles delivering materials and equipment to the site shall be operated in strict conformance with regulations established by the United States Department of Transportation and all State and Local requirements. The vehicles shall all utilize mufflers and other devices to minimize noise levels. All materials and equipment will be stored on-site and within the confines of the construction barricades.
116. Truck traffic related to the construction will be limited to the routes specified by the City of Oxnard and agreed upon during the contractor's detailed noise mitigation plan. Truck traffic through residential neighborhoods shall be as limited as possible.
117. All construction related workers will be required to park on-site (i.e. behind the construction barricades or in designated off-site parking area outside of the entire residential area surrounding the site. Workers will also be required to remain in designated on-site areas during all breaks and workers will not be permitted to gather off-site during the course of proposed demolition and construction.
118. During construction activities, except as otherwise required by law, all vehicle horns shall remain silent except in the case of emergency.

119. Catering trucks providing service to construction workers at the site will be required to park within the site at all times. Catering trucks shall not be permitted to park on the street nor to sound their horns near or within the site.
120. Construction workers shall not be permitted to loiter any gate, on the jobsite or any street, whether before, during or after work hours, on weekdays or on weekends.
121. Developers shall setup staging areas on-site to minimize off-site transportation of heavy construction equipment.
122. Construction equipment shall be fitted with modern sound-reduction equipment.
123. During construction of the project, the Developer shall post a sign in a visible location facing public access ways providing the telephone number and name of the job site superintendent in order to allow adjacent residents to lodge any noise complaints.
124. During all excavation and grading on site, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.

Public Services:

125. Prior to issuance of a building permit, Developer shall pay the required school impact fees in order to mitigate school impacts.
126. Prior to issuance of building permits, Developer shall pay the required Quimby impact fees in order to mitigate the effects of these additional demands.
127. Prior to issuance of a building permit, Developer shall pay the following development fees: Planned Traffic Circulation System Facilities Fees (Traffic Impact); Planned Water Facilities Fee; Planned Wastewater Facilities Fee; Planned Drainage Facilities Fee; and Growth Requirement Capital Fee.
128. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
129. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
130. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)

131. Developer shall develop the site with the street names, as approved by the Street Naming Committee. (PL)
132. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
133. This permit is granted subject to the approval of a zone change for the project property. (PL)
134. This permit is granted subject to the approval of a general plan amendment for the project property. (PL)
135. *General condition (for all new construction and additions, except additions to a single family residence):*
 - a. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 13,103.
136. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (MND, C-8)
137. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

ENVIRONMENTAL RESOURCES DIVISION

138. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

139. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
140. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.
141. Covenants, conditions and restrictions ("CC&Rs") shall be developed for the project that require the homeowner's association to make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan" ("Occupancy Plan") to the City's Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a final inspection. The CC&Rs shall require the homeowner's association to submit to the Environmental Resources Division a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report" annually on the anniversary date of the certificate of the final inspection for approval.
142. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.

PASSED AND ADOPTED this 6th day of January 2009, by the following vote:

AYES: Councilmembers Holden, Herrera, Maulhardt, and MacDonald.

NOES: None.

ABSTAIN: Councilwoman Pinkard.

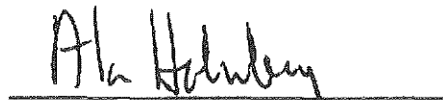
ABSENT: None.


Dr. Thomas E. Holden, Mayor

ATTEST:


Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Alan Holmberg, City Attorney

Verification of Status

For Maps and Improvement Plans

Development Services - Engineering



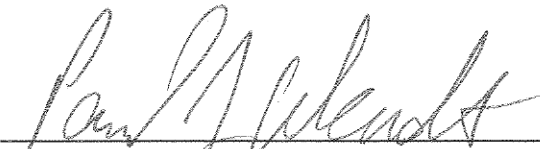
Tract/Parcel Map Number TR 5580

Project Location:

Westerlies – Hemlock St & Victoria Ave

- ☒ 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: 9.3.15



Paul J. Wendt, Supervising Civil Engineer
Building and Engineering Division



Meeting Date: 10/13/15

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☒ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Daniel Rydberg, P.E., Interim Utilities Director *DR* Agenda Item No. L-1

Reviewed By: City Manager *CM* City Attorney *AT* Finance *FL* Utilities *DR*

DATE: October 13, 2015

TO: City Council

FROM: Daniel Rydberg, P.E., Interim Utilities Director *DR*
Utilities Department

SUBJECT: Proposed Comprehensive Five-Year Utilities Rate Increases

RECOMMENDATION

That City Council:

1. Review and provide direction on recommendations including: utility vision and guiding principles statements; utility rate policy; utility capital improvement program (CIP); and utility rate structure.
2. Review and provide direction on implementation of rate increases for the Water, Wastewater, and Environmental Resources Enterprises. The proposed rate increase for Wastewater is 35% for Fiscal Year 2015-16, 10% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Water is 15% for Fiscal Year 2015-16, 12% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Environmental Resources is 6% for Fiscal Year 2015-16, 4% for Fiscal Year 2016-17, 4% for Fiscal Year 2017-18, 4% for Fiscal Year 2018-19, and 3% for Fiscal Year 2019-20.
3. Authorize staff to proceed with the Proposition 218 public notification process.

DISCUSSION

Financial Requirements

The City's primary financial goal for its utilities enterprises is to ensure that revenues from rates and fees are adequate to fund daily operations and maintenance, capital improvement, debt service and reserves. The rates and fees are set following specific legal requirements and industry best practices.

Operations and maintenance costs include labor, electricity, chemicals, and replacement parts. Capital improvements include rehabilitation and replacement of existing facilities, construction of new facilities or expansion of existing facilities to meet new regulatory requirements or for growth as defined in the City's General Plan. Capital improvements can also include large equipment such as

solid waste sorting equipment. Debt service includes principal and interest payments on borrowing. Reserves are required by bond holders and best practices. Types of reserves funds include operating, capital improvement program (sinking fund), rate stabilization, debt service, and emergency.

Environmental and water quality regulations significantly impact cost of services for utilities. Several agencies and multiple regulations govern the operation of utilities. The City maintains a number of permits that implement specific requirements for the City facilities. The cost associated with meeting these requirements is a large driver of rates. Generally, new regulations increase the cost of providing services; however, in the case of recycled water, future regulations may actually decrease the cost of providing services.

The City's 2030 General Plan estimates the population and associated requirements for its residents and businesses. These estimates are used to determine the requirements for utilities infrastructure. Other planning documents such as the Urban Water Management Plan also assist in determining utility requirements. Periodic condition assessments of utility infrastructure determine the need for maintenance and rehabilitation. These requirements are documented in master plans and asset management plans.

Capital Improvement Requirements

Over the past 18 months the City has been developing an Integrated Public Works Master Plan. As part of this effort, a detailed assessment of all utility infrastructures was completed. Based on this, a comprehensive capital improvement program (CIP) was developed. The CIP plan details the capital improvement and replacement needs, as well as various operational and maintenance needs, some of which should be addressed immediately. There are 10 structures within the Wastewater Treatment Plant (WWTP) that need to be replaced due to their inadequacy from a seismic safety standpoint. Various other structures in the WWTP require structural or non-structural retrofit and other significant repairs. The wastewater system also has operational and maintenance needs to address regulatory compliance, optimization of treatment plant operations for energy efficiency and reduced chemical consumption, and staffing shortfalls and efficiencies. There are also immediate needs to enhance safety, control nuisance odors, and improve overall maintenance and operability of the system.

The water system has immediate needs that include rehabilitation of wells, upgrades and replacement in the distribution and treatment systems, and replacement of a significant number of automatic meter readers.

The 25-year Capital Improvement Program (CIP) requirements are estimated to be: \$675 million for the Wastewater; \$474 million for Water, and \$80 million for Environmental Resources.

Rate Policy

Following sound rate policy is essential to effective utility operations. Policy provides guidelines for financial management with an overall long-range perspective, provides a basis for coping with fiscal emergencies, helps maintain financial solvency, and enhances financial transparency. The goals of

financial policy are to mitigate risk and stabilize rates, to maintain a desirable credit rating in order to reduce interest expense, to determine the optimum ratio of cash and debt funding of capital projects, and to determine the opportune time to issue debt. Recommended policy includes maintaining a debt coverage ratio of 1.25, maintaining reserves totaling 365 days of operations and maintenance expenses, and increasing the fixed component of rates to more closely match actual utility fixed costs.

Financial policies are central to a strategic, long-term approach to financial management. Some of the most powerful arguments in favor of adopting formal, written financial policies include their ability to help governments:

1. Institutionalize good financial management practices. Formal policies usually outlive their creators, and, thus, promote stability and continuity. They also prevent the need to re-invent responses to recurring issues.
2. Clarify and crystallize strategic intent for financial management. Financial policies define a shared understanding of how the organization will develop its financial practices and manage its resources to provide the best value to the community.
3. Define boundaries. Financial policies define limits on the actions staff may take. The policy framework provides the boundaries within which staff can innovate in order to realize the organization's strategic intent.
4. Support good bond ratings and thereby reduce the cost of borrowing.
5. Promote long-term and strategic thinking. The strategic intent articulated by many financial policies necessarily demands a long-term perspective from the organization.
6. Manage risks to financial condition. A key component of governance accountability is not to incur excessive risk in the pursuit of public goals. Financial policies identify important risks to financial condition.
7. Comply with established public management best practices.

Financial Requirements

It is vital for a municipal utility to have strong financial management practices governed by financial policies that align with best practices in municipal finance. Best financial practices include consistently positive operating margins, consistently sound reserve levels (for operations, debt service, replacement, and new capital), and substantial available liquidity without borrowing. Additionally, best practices include prudent financial policies that are consistently followed by governance and management: conservative budgeting process; regular financial management reviews; contingency planning; and long-term planning.

Rating agencies look to implementation of best practices by municipalities in their financial management and policy. Rating agencies actions of evaluating debt issued by the City's Utilities has a direct impact on the Utilities' finances. The higher quality of a rating (AAA being the highest) the lower the interest rate on the debt issuance will be, resulting in interest savings to the City.

Rate Setting Calculation

Utility rates are calculated following regulatory requirements, including Proposition 218, and shall not exceed the estimated reasonable cost of providing the service for which the rate is imposed. Costs are allocated to customer classifications and tiers, when appropriate, by conducting a cost of service study. The study estimates expenses, divides them among user groups, and calculates rates required to generate required revenue. Due to a recent court decision involving the City of San Juan Capistrano, tiered rates must be justified by cost of service. For example, the City receives water from three sources with different costs, so the tiers may correspond to these different sources of water and their respective costs. Other factors, such as base and peak usage also impact tiers so that different customers classes generally have different rate tiers. In the past, cities were asked to set rates with increasing tiers in order to encourage water conservation. This can now only be done if there is a cost justification. However, penalty charges can be assessed for water use considered to be wasteful.

Cost of Service

The City recently conducted a cost of service study for the Wastewater, Water and Environmental Resources Enterprises (See Attachment #1). Based on operational requirements, recommended rate policy, and capital improvement requirements, the study determined that rates need to be raised in order to meet the financial requirements of each enterprise.

The study determined that the cost allocations between residential and businesses was appropriate. However, there were two instances, commercial wastewater and commercial water, where the cost allocation between large and small businesses needs to be adjusted to meet the requirements of Proposition 218. The report recommends completing a wastewater loadings study for commercial customers prior to the next cost of service study. This cannot be done in time for the current rate process because of the length of time for monitoring and testing and the number of potential customer classes. The report also recommends modifying tiers for commercial and irrigation water rates. In addition, rate tiers need to be adjusted to meet new interpretation of Proposition 218 based on the recent ruling in San Juan Capistrano. Tiers can continue to be used, but must be based on actual expenses. In the past, cities were encouraged to set rates with tiers that increased with use. This was intended to encourage water conservation.

In the past, the ratio of fixed costs to variable costs was not aligned with fixed and variable rate components. Part of this was intended to encourage water conservation. However, while this can encourage conservation it can also lead to revenue shortfalls when demand drops. This is because revenue will fall faster than expenses if the top tier rate is disproportional to expenses and the fixed rate component is inadequate. Historically, water rates were set with a high top tier to encourage water conservation. Since this is no longer permissible, the rates will more closely match expenses. However, it is also recommended that rates include a fixed component, or readiness to serve charge, of at least 30%. The City's current fixed water rate component is only about 21% on average. The cost of service study recommends increasing this to 30% over a three year period. The report also recommends that multi-family tier allotments will be based on the number of dwelling units.

Proposed Comprehensive Five-Year Utilities Rate Increases

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Recommended rates have been developed based on the above noted changes in the rate structure and the results of updated functional and customer demand allocations. These recommended rates are included in the Final Draft Utilities Cost of Services Study in Attachment #1 and summarized in attachment #3, Proposed Rates.

Recommended Rates

Based on operational requirements, recommended rate policy, and capital improvement requirements, the combined average revenue increase over current rates is 19% for Fiscal Year 2015-16, 9% Fiscal Year 2016-17, and 7% for each of the Fiscal Years 2017-18 through 2019-20 as shown in the table below. However, the actual increase for individual customers would vary depending on actual use. For Example, the average single-family residential customer with median water use would see an increase of approximately 25%, or \$23.71 per month in the first year.

Year	Water	Wastewater	Environmental Resources	Combined Weighted Average
2015-16	15%	35%	6%	19%
2016-17	12%	10%	4%	9%
2017-18	8%	8%	4%	7%
2018-19	8%	8%	4%	7%
2019-20	8%	8%	3%	7%
Net 5 yr	62%	87%	23%	60%

Rate Setting Process

If the City Council directs staff to proceed with a Proposition 218 notification process, property owners and ratepayers will be notified in mid-October 2015. This will begin the 45-day notice period. After the notice period, a Public Hearing is scheduled to be held at the regular Council meeting on December 8 introducing the proposed rate ordinances for the first reading. A Public Hearing for the second reading and potential approval of the rates is scheduled to be held at the regular Council meeting on December 15, 2015. Upon approval, the rate increases would become effective February 1, 2016.

FINANCIAL IMPACT

There is no financial impact with this report. Staff will return to the City Council to hold a Public Hearing after the required 45 day public notice period. This will be followed by a second Public Hearing at which rates may be approved.

(DRR)

Attachment #1 – Final Draft Utilities Cost of Services Study.

#2 – Draft Utility Vision and Guiding Principles statements, Utility Rate Policy, Capital Improvement Program (CIP), and rate structure.

#3 – Proposed rates

#4 - Proposed Rate Increase Notice Text

Note: Attachment #1 has been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library and in the City Clerk's Office prior to the Council meeting.

Attachment Number 1

Final Draft Utilities Cost of Services Study
Was provided to the City Council and placed
at local libraries for the October 06, 2015
City Council Meeting.

Water Resources Vision and Guiding Principles

The City of Oxnard utility enterprises will provide cost-effective, reliable, sustainable, and transparent services. To achieve this, the City of Oxnard will:

- Provide utility services to meet the requirements of the General Plan
- Meet all regulatory requirements for water, wastewater, storm water and recycled water services
- Implement effective City-wide utility policy including a reserve fund for long-term capital improvements
- Implement best management practices to provide cost effective service with rates competitive with other comparable jurisdictions
- Implement master plans and asset management plans to meet infrastructure needs in a cost effective manner over the short and long term
- Provide a long-term sustainable and reliable water supply, and decrease reliance on imported water
- Provide a public forum for community involvement to increase transparency

Our foremost mission is to protect public health and provide quality service to customers.

Recommended Utility Rate Policy

The City of Oxnard utility rates will objectively and transparently meet the requirements of Proposition 218 and will phase in new policy and industry best practices proportionally* over a 5 year period for each utility enterprise fund.

1. Rates will be reviewed annually to ensure that revenues meet, but not exceed, the requirements of new policy and industry best practices.
2. The rate setting process will adhere to Proposition 218 such that each customer pays their share of the cost of service.
3. A rate assistance program will be implemented and funded from donations and other sources as allowed by Proposition 218 such as a portion of the interest from O&M fund balance.
4. Utility operations will adhere to published industry best practices, including American Water Works Association Manual M1 and Water Environmental Federal Manual of Practice No. 27, to ensure that the utility enterprise funds are financially stable.
5. Maximize use of grants and low interest loans, and leverage partnerships with other public and private agencies to minimize project costs and impacts to customer rates.

*May need to be accelerated to meet bond coverage requirements.

Recommended Utility Rate Policy

Debt

- Each utility enterprise will maintain a minimum debt coverage ratio of 1.25 or such lower ratio to optimize bonding capacity at optimal interest rates.
- Debt payment term will be no longer than 75% of the life of facilities being funded.

Reserves

- Each utility enterprise will hold total reserves of at least 365 days of operations and maintenance expenditures including an emergency reserve of a minimum of 1.0% of the replacement value of current assets.
- Maintain a Capital Improvement Program (CIP) reserve adequate to minimize impact on rates with a target of cash funding of 100% of assets with lives under 15 years and 50% of assets with lives over 15 years.

Rates

- To stabilize future rates and avoid overestimating revenue requirements, rates will:
 - Include appropriate readiness-to-serve charges, standby charges and capital surcharges with a target of funding fixed costs with fixed customer charges.
 - Include appropriate pass-through of regular third-party cost increases such as imported water purchases and landfill tipping fees.
 - Include applicable cost weighted escalators for labor and commodities such as electricity, natural gas and chemicals.
- Will include penalty charges when appropriate such as during times of drought. Penalty charges will not fund normal operating expenses but will be used for appropriate mitigation such as water conservation programs.

Recommended Capital Improvement Program

Wastewater

- Implement a plan to reduce the risk of failures of aging infrastructure and allow time for design, permitting, and construction of a more efficient and effective plant.
 - Use stopgap projects to delay wastewater plant replacement
 - Use proactive preventative maintenance program to mitigate risks associated with aging infrastructure
- Use a combination of existing facilities in good condition and new facilities to optimize operational efficiency, maintenance requirements, energy efficiency, water quality, life cycle cost, and flooding and sea level rise.

Water

- Implement a preventative maintenance program and complete existing phases of water supply and quality projects, such as the desalter and Advanced Water Purification Facility (AWPF) to increase operational reliability.
- Continue to implement the Groundwater Recovery Enhancement and Treatment (GREAT) Program to ensure that water is available for residents, businesses, and growth defined in the 2030 General Plan.
- Maximize grants, low interest loans, and public and private partnerships to minimize impact to rates.

Environmental Resources

- Replace aging fleet with CNG vehicles and construct CNG fueling and maintenance facilities.
- Replace aging sorting equipment and develop food waste to meet 2020 requirements.
- Coordinate needs at Environmental Resources and Wastewater to implement waste to energy projects.

Proposed Rate Structure Updates

Wastewater

- No change in wastewater rate structure
- Update rates based on the revenue requirements increase
- Recommend completing a loadings study for commercial customers prior to the next Cost of Service Study to update the rate structure

Water

- Volumetric Rates
 - Revise rates based on the results of the updated functional and customer demand allocations.
 - Adjust tiered rates for commercial and irrigation customers and separate them into distinct rate classes.
 - Base multi-family tier allotments on number of dwelling units.
- Fixed Charges
 - Use constant monthly fixed charges per meter size for each customer class.
 - Fixed charges will be updated to collect 30% of rate revenues
- Recommendation for commercial water rates to meet Prop 218
 - Shifts costs from high users to lower users to meet Proposition 218 requirements

Environmental Resources

- No change in Environmental Resources rate structure
- Update rates based on the revenue requirements increase

ATTACHMENT NO. 2
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WATER FIXED RATES IMMEDIATE CONSISTENT RATES

Proposed Monthly Fixed Charges No Phase In to Consistent Rates						
Meter Size	Existing	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
		All Classes	All Classes	All Classes	All Classes	All Classes
3/4"	Varies by Class	\$16.08	\$18.49	\$23.09	\$25.77	\$27.64
1"		\$16.08	\$18.49	\$23.09	\$25.77	\$27.64
1.5"		\$24.25	\$27.89	\$34.82	\$38.87	\$41.69
2"		\$44.49	\$51.17	\$63.90	\$71.32	\$76.50
3"		\$68.89	\$79.23	\$98.92	\$110.41	\$118.44
4"		\$125.84	\$144.73	\$180.72	\$201.70	\$216.37
6"		\$207.19	\$238.30	\$297.54	\$332.09	\$356.23
8"		\$451.10	\$518.84	\$647.82	\$723.05	\$775.62
10"		\$735.63	\$846.09	\$1,056.43	\$1,179.11	\$1,264.83
Percent of Revenue From Fixed		23%	25%	28%	28%	28%

WATER FIXED RATES WITH PHASE IN TO CONSISTENT RATES

OCEANVIEW IRRIGATION

Proposed Monthly Fixed Charges with Smoothing - Oceanview Irrigation						
Meter Size	Existing	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
3/4"	\$10.86	\$14.16	\$17.97	\$23.94	\$27.30	\$27.64
1"	\$16.55	\$21.36	\$27.10	\$36.10	\$41.18	\$41.69
1.5"	\$29.85	\$39.19	\$49.73	\$66.25	\$75.56	\$76.50
2"	\$46.39	\$60.68	\$77.00	\$102.57	\$116.99	\$118.44
3"	\$99.23	\$110.85	\$140.66	\$187.37	\$213.71	\$216.37
4"	\$169.71	\$182.51	\$231.58	\$308.49	\$351.87	\$356.23
6"	\$347.35	\$397.37	\$504.22	\$671.68	\$766.12	\$775.62
8"	\$506.71	\$648.00	\$822.26	\$1,095.33	\$1,249.34	\$1,264.83
10"	\$803.43	\$1,006.07	\$1,276.61	\$1,700.58	\$1,939.68	\$1,963.74

OXNARD IRRIGATION

Proposed Monthly Fixed Charges with Smoothing - Oxnard Irrigation						
Meter Size	Existing	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
3/4"	\$10.76	\$14.16	\$17.97	\$23.94	\$27.30	\$27.64
1"	\$10.76	\$14.16	\$17.97	\$23.94	\$27.30	\$27.64
1.5"	\$16.55	\$21.36	\$27.10	\$36.10	\$41.18	\$41.69
2"	\$29.85	\$39.19	\$49.73	\$66.25	\$75.56	\$76.50
3"	\$46.39	\$60.68	\$77.00	\$102.57	\$116.99	\$118.44
4"	\$99.23	\$110.85	\$140.66	\$187.37	\$213.71	\$216.37
6"	\$169.71	\$182.51	\$231.58	\$308.49	\$351.87	\$356.23
8"	\$347.35	\$397.37	\$504.22	\$671.68	\$766.12	\$775.62
10"	\$506.71	\$648.00	\$822.26	\$1,095.33	\$1,249.34	\$1,264.83

OXNARD COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL

Proposed Monthly Fixed Charges with Smoothing - Oxnard Commercial, Industrial, Institutional, and Irrigation						
Meter Size	Existing	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
3/4"	\$10.76	\$14.16	\$17.97	\$23.94	\$27.30	\$27.64
1"	\$16.55	\$21.36	\$27.10	\$36.10	\$41.18	\$41.69
1.5"	\$29.85	\$39.19	\$49.73	\$66.25	\$75.56	\$76.50
2"	\$46.39	\$60.68	\$77.00	\$102.57	\$116.99	\$118.44
3"	\$99.23	\$110.85	\$140.66	\$187.37	\$213.71	\$216.37
4"	\$169.71	\$182.51	\$231.58	\$308.49	\$351.87	\$356.23
6"	\$347.35	\$397.37	\$504.22	\$671.68	\$766.12	\$775.62
8"	\$506.71	\$648.00	\$822.26	\$1,095.33	\$1,249.34	\$1,264.83
10"	\$803.43	\$1,006.07	\$1,276.61	\$1,700.58	\$1,939.68	\$1,963.74

MULTI-FAMILY

Proposed Monthly Fixed Charges with Smoothing - Multi Family						
Meter Size	Existing	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
3/4"	\$13.32	\$16.08	\$18.49	\$23.09	\$25.77	\$27.64
1"	\$20.98	\$24.25	\$27.89	\$34.82	\$38.87	\$41.69
1.5"	\$38.24	\$44.49	\$51.17	\$63.90	\$71.32	\$76.50
2"	\$59.25	\$68.89	\$79.23	\$98.92	\$110.41	\$118.44
3"	\$166.10	\$125.84	\$144.73	\$180.72	\$201.70	\$216.37
4"	\$216.34	\$207.19	\$238.30	\$297.54	\$332.09	\$356.23
6"	\$452.61	\$451.10	\$518.84	\$647.82	\$723.05	\$775.62
8"	\$650.27	\$735.63	\$846.09	\$1,056.43	\$1,179.11	\$1,264.83
10"	\$1,046.44	\$1,142.12	\$1,313.61	\$1,640.18	\$1,830.66	\$1,963.74

SINGLE FAMILY

Proposed Monthly Fixed Charges with Smoothing - Single Family						
Meter Size	Existing	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
3/4"	\$15.61	\$16.08	\$18.49	\$23.09	\$25.77	\$27.64
1"	\$24.60	\$24.25	\$27.89	\$34.82	\$38.87	\$41.69
1.5"	\$45.50	\$44.49	\$51.17	\$63.90	\$71.32	\$76.50
2"	\$75.92	\$68.89	\$79.23	\$98.92	\$110.41	\$118.44
3"	\$155.03	\$125.84	\$144.73	\$180.72	\$201.70	\$216.37
4"	\$263.13	\$207.19	\$238.30	\$297.54	\$332.09	\$356.23
6"	\$545.90	\$451.10	\$518.84	\$647.82	\$723.05	\$775.62
8"	\$784.16	\$735.63	\$846.09	\$1,056.43	\$1,179.11	\$1,264.83
10"	\$1,262.25	\$1,142.12	\$1,313.61	\$1,640.18	\$1,830.66	\$1,963.74

Water Volumetric Rates

OCEANVIEW IRRIGATION

Proposed Rates for Oceanview Irrigation Usage					
Proposed Oceanview Irrigation Rates					
	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
All Usage	\$1.20	\$1.26	\$1.32	\$1.38	\$1.45

OXNARD IRRIGATION

Proposed Rates for Commercial, Industrial and Institutional Users						
Proposed Commercial, Industrial, and Oxnard Irrigation Rates						
		FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Tier 1	0 to 50 HCF	\$4.06	\$4.10	\$4.31	\$4.62	\$5.00
Tier 2	Over 100 HCF	\$4.29	\$4.33	\$4.55	\$4.88	\$5.28

OXNARD COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL

Proposed Rates for Commercial, Industrial and Institutional Users						
Proposed Commercial, Industrial, and Oxnard Irrigation Rates						
		FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Tier 1	0 to 100 HCF	\$3.72	\$3.75	\$3.95	\$4.23	\$4.58
Tier 2	Over 100 HCF	\$4.33	\$4.37	\$4.60	\$4.93	\$5.34

MULTI-FAMILY

Proposed Oxnard Multi-Family Rates						
Proposed Oxnard Multi-Family Rates						
		FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Rate per HCF - Tier 1	0 to 8 HCF per DU	\$3.90	\$3.94	\$4.14	\$4.44	\$4.81
Rate per HCF - Tier 2	9 to 12 HCF per DU	\$4.32	\$4.35	\$4.58	\$4.91	\$5.32
Rate per HCF - Tier 3	13 + HCF per DU	\$4.97	\$5.01	\$5.28	\$5.66	\$6.12

SINGLE FAMILY

Proposed Oxnard Single Family Rates						
Proposed Oxnard Single Family Rates		FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Rate per HCF - Tier 1	0 to 9 HCF	\$3.87	\$3.91	\$4.11	\$4.41	\$4.77
Rate per HCF - Tier 2	10 to 15 HCF	\$4.57	\$4.61	\$4.85	\$5.21	\$5.63
Rate per HCF - Tier 3	16 + HCF	\$6.12	\$6.18	\$6.51	\$6.98	\$7.55

FY 2015/16							FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20			
Proposed Wastewater Rates													
Regional Users													
City of Oxnard User Charge Formula:							RMUC= $a(Vm)+f(Bm)+g(Sm)$						
Where:													
RMUC= Regional Monthly User Charge in dollars													
Vm=monthly wastewater discharge in millions of gallons													
Bm= monthly BOD discharge in thousands of pounds													
Sm= monthly SS discharge in thousands of pounds													
Regional Users - Proposed Rates									Effective Date				
Service							Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020	
Monthly Wastewater Discharge/Millions of Gallons							p =	\$1,165.69	\$1,573.69	\$1,731.06	\$1,869.55	\$2,019.12	\$2,180.85
Monthly Biological Oxygen Demand Discharge/Thousands of Lbs.							q =	\$132.06	\$178.29	\$196.12	\$211.81	\$228.76	\$247.07
Monthly Suspended Solids (SS) Discharge/Thousands of Lbs.							r =	\$193.53	\$261.27	\$287.40	\$310.40	\$335.24	\$362.06
Formula Users													
City of Oxnard User Charge Formula:							OMUC= $p(Vm)+q(Bm)+r(Sm)$						
Where:													
OMUC= Oxnard Monthly User Charge in dollars													
Vm=monthly wastewater discharge in millions of gallons													
Bm= monthly BOD discharge in thousands of pounds													
Sm= monthly SS discharge in thousands of pounds													
Formula Users - Proposed Rates									Effective Date				
Service							Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020	
Monthly Wastewater Discharge/Millions of Gallons							p =	\$2,154.65	\$2,908.78	\$3,199.66	\$3,455.64	\$3,732.10	\$4,030.67
Monthly Biological Oxygen Demand Discharge/Thousands of Lbs.							q =	\$490.95	\$662.79	\$729.07	\$787.40	\$850.40	\$918.44
Monthly Suspended Solids (SS) Discharge/Thousands of Lbs.							r =	\$388.28	\$524.18	\$576.60	\$622.73	\$672.55	\$726.36

Non-Formula Users (Industrial, Commercial, & Governmental)						
Commercial/Schools Wastewater Use - Proposed Rates						
Percentage Wastewater Return = 85%		Effective Date				
Rate Per Hundred Cubic Feet (HCF)	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 50 HCF/Month	\$2.45	\$3.31	\$3.65	\$3.95	\$4.27	\$4.62
51 to 930 HCF/Month	\$3.06	\$4.14	\$4.56	\$4.93	\$5.33	\$5.76
Over 930 HCF/Month	\$6.13	\$8.28	\$9.11	\$9.84	\$10.63	\$11.49
Restaurants Wastewater Use - Proposed Rates						
Percentage Wastewater Return = 80%		Effective Date				
Rate Per Hundred Cubic Feet (HCF)	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 20 HCF/Month	\$2.45	\$3.31	\$3.65	\$3.95	\$4.27	\$4.62
21 to 160 HCF/Month	\$3.06	\$4.14	\$4.56	\$4.93	\$5.33	\$5.76
Over 160 HCF/Month	\$6.13	\$8.28	\$9.11	\$9.84	\$10.63	\$11.49
Laundry/Laundromat Wastewater Use - Proposed Rates						
Percentage Wastewater Return = 90%		Effective Date				
Rate Per Hundred Cubic Feet (HCF)	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 105 HCF/Month	\$2.45	\$3.31	\$3.65	\$3.95	\$4.27	\$4.62
106 to 525 HCF/Month	\$2.71	\$3.66	\$4.03	\$4.36	\$4.71	\$5.09
Over 525 HCF/Month	\$3.38	\$4.57	\$5.03	\$5.44	\$5.88	\$6.36
Non-Formula Users (Residential)						
Single Family Wastewater Use - Proposed Rates						
Percentage Wastewater Return = 80%		Effective Date				
Rate Per Hundred Cubic Feet (HCF)	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 9 HCF/Month	\$1.37	\$1.85	\$2.04	\$2.21	\$2.39	\$2.59
10 to 18 HCF/Month	\$1.52	\$2.06	\$2.27	\$2.46	\$2.66	\$2.88
Over 18 HCF/Month	\$2.12	\$2.87	\$3.16	\$3.42	\$3.70	\$4.00

Single Family Wastewater Use; Large Lots* - Proposed Rates						
Percentage Wastewater Return = 60%		Effective Date				
Rate Per Hundred Cubic Feet (HCF)	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 16 HCF/Month	\$1.37	\$1.85	\$2.04	\$2.21	\$2.39	\$2.59
17 to 25 HCF/Month	\$1.52	\$2.06	\$2.27	\$2.46	\$2.66	\$2.88
Over 25 HCF/Month	\$2.12	\$2.87	\$3.16	\$3.42	\$3.70	\$4.00
*Lot Size of over 7,000 square feet						
Multi-Family and Multi-Unit Wastewater Use - Proposed Rates						
Percentage Wastewater Return = 90%		Effective Date				
Rate Per Hundred Cubic Feet (HCF)	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 6 HCF/Month*	\$1.11	\$1.50	\$1.65	\$1.79	\$1.94	\$2.10
7 to 12 HCF/Month*	\$1.24	\$1.68	\$1.85	\$2.00	\$2.16	\$2.34
Over 12 HCF/Month*	\$1.73	\$2.34	\$2.58	\$2.79	\$3.02	\$3.27
*Tiers for Multi-Family/Multi-Unit Residential wastewater rates are variable and are determined by multiplying each tier allotment by the number of units.						
Monthly Base Rates (Residential)						
Monthly Base Rates (Residential) - Proposed Rates		Effective Date				
Service	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Single Family	\$21.07	\$28.45	\$31.30	\$33.81	\$36.52	\$39.45
Multi-Family/Unit Units 1 to 6	\$15.41	\$20.81	\$22.90	\$24.74	\$26.72	\$28.88
Units 7+	\$7.68	\$10.37	\$11.41	\$12.33	\$13.32	\$14.39
Minimum Monthly Fees (Non-Residential)						
Minimum Monthly Fees (Non-Residential) - Proposed Rates		Effective Date				
Service	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Commercial	\$14.00	\$18.90	\$20.79	\$22.46	\$24.26	\$26.21
Restaurant	\$12.98	\$17.53	\$19.29	\$20.84	\$22.51	\$24.32
Laundry/Laundromat	\$64.44	\$87.00	\$95.70	\$103.36	\$111.63	\$120.57
School	\$49.15	\$66.36	\$73.00	\$78.84	\$85.15	\$91.97

Security and Contamination Fee						
Security and Contamination Fee - Proposed Rates		Effective Date				
	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Monthly Charge Per Account	\$0.65	\$0.65	\$0.65	\$0.65	\$0.65	\$0.65
Non-Metered Water Users						
Non-Metered Water Users - Proposed Rates		Effective Date				
	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Monthly Charge Per Account	\$36.18	\$48.85	\$53.74	\$58.04	\$62.69	\$67.71
Outside City Users						
Outside City Users - Proposed Rates		Effective Date				
Service	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Outside City - Residential Monthly Charge Per Account	\$73.02	\$98.58	\$108.44	\$117.12	\$126.49	\$136.61
Outside City - Multi Monthly Charge Per Account	\$48.93	\$66.06	\$72.67	\$78.49	\$84.77	\$91.56
Las Posas Commercial/Institutional Wastewater Use - Proposed Rates						
Service		Effective Date				
	Current Rates	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
0 to 50 HCF/Month	\$4.36	\$5.89	\$6.48	\$7.00	\$7.56	\$8.17
51 to 930 HCF/Month	\$5.45	\$7.36	\$8.10	\$8.75	\$9.45	\$10.21
Over 930 HCF/Month	\$10.91	\$14.73	\$16.21	\$17.51	\$18.92	\$20.44

Proposed ER Rates - Residential Customers; Not Using Mechanical Front-End Load Containers								
Customer	Effective October 18, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Single family variable service (individually billed single and multiple unit dwellings that generate lesser amounts of waste, recyclables, and green waste or have medical disabilities that limit ability to maneuver larger containers (65 gallon refuse, 65 gallon recycle and 65 gallon green waste containers))	\$23.90	\$24.13	\$24.83	\$26.32	\$27.38	\$28.48	\$29.62	\$30.51
Single family standard service (individually billed single and multiple unit dwellings (65 or 95 gallon refuse, 95 gallon recycle, and 95 gallon green waste containers))	\$29.86	\$30.15	\$31.02	\$32.89	\$34.21	\$35.58	\$37.01	\$38.13
Jointly billed multiple-unit dwellings (such as apartments, duplexes, triplexes, boarding houses, mobile home parks, hotels or motels):								
First Unit	\$29.86	\$30.15	\$31.02	\$32.89	\$34.21	\$35.58	\$37.01	\$38.13
Second Unit	\$26.88	\$27.13	\$27.92	\$29.60	\$30.79	\$32.03	\$33.32	\$34.32
Third Unit	\$25.39	\$25.64	\$26.38	\$27.97	\$29.09	\$30.26	\$31.48	\$32.49
Each Unit in excess of three	\$23.90	\$24.13	\$24.83	\$26.32	\$27.38	\$28.48	\$29.62	\$30.51
Each Extra Container (Trash, Recycling, or Green Waste)	\$10.96	\$11.07	\$11.39	\$12.08	\$12.57	\$13.08	\$13.61	\$14.02

Proposed ER Rates - Commercial and Industrial Users; Not Using Mechanical Front-End Loaded Containers								
Weekly collection service for commercial and industrial businesses not using mechanical front-end loaded containers:								
	Effective October 18, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Customer	\$41.87	\$42.29	\$43.52	\$46.13	\$47.98	\$49.90	\$51.90	\$53.46
One 95-gallon refuse container	\$73.24	\$73.96	\$76.10	\$80.68	\$83.91	\$87.27	\$90.77	\$93.50
Two 95-gallon refuse containers	\$94.14	\$95.07	\$97.83	\$103.70	\$107.85	\$112.17	\$116.66	\$120.16
Three 95-gallon refuse containers	\$115.05	\$116.19	\$119.56	\$126.74	\$131.81	\$137.09	\$142.58	\$146.86
Four 95-gallon refuse containers	\$135.96	\$137.30	\$141.28	\$149.76	\$155.76	\$162.00	\$168.48	\$173.54
Five 95-gallon refuse containers	\$237.88	\$240.23	\$247.20	\$262.03	\$272.52	\$283.43	\$294.77	\$303.62
Five 95-gallon refuse containers (2 collections per week)								
Weekly recyclables and green waste collection service for commercial and industrial businesses not using mechanical front-end loaded containers:								
	Effective October 18, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Customer	\$20.97	\$21.18	\$21.79	\$23.11	\$24.04	\$25.01	\$26.02	\$26.81
One 95-gallon refuse container								

Proposed ER Rates - Commercial and Industrial User; Using Mechanical Front-End Loaded Containers									
Weekly and daily refuse collection service for multiple unit dwellings and commercial and industrial businesses using mechanical front-end loaded containers:									
Container Size	Effective October 16, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	
Number of Collections Per Week	1	1	1	1	1	1	1	1	
2-cubic yard	\$127.97	\$129.23	\$132.98	\$140.96	\$146.60	\$152.47	\$158.57	\$163.33	
2-cubic yard shared	\$63.98	\$64.62	\$66.49	\$70.48	\$73.31	\$76.25	\$79.30	\$81.68	
2-cubic yard compactor	\$274.22	\$276.93	\$284.96	\$302.06	\$314.15	\$326.72	\$339.79	\$349.99	
4-cubic yard	\$222.60	\$224.81	\$231.33	\$245.21	\$255.02	\$265.23	\$275.84	\$284.12	
4-cubic yard shared	\$111.29	\$112.39	\$115.65	\$122.59	\$127.50	\$132.60	\$137.91	\$142.05	
4-cubic yard compactor	\$448.43	\$452.87	\$466.00	\$493.97	\$513.73	\$534.28	\$555.66	\$572.33	
Number of Collections Per Week	2	2	2	2	2	2	2	2	
2-cubic yard	\$223.95	\$226.18	\$232.74	\$246.71	\$256.58	\$266.85	\$277.53	\$285.86	
2-cubic yard shared	\$111.97	\$113.08	\$116.36	\$123.35	\$128.29	\$133.43	\$138.77	\$142.94	
2-cubic yard compactor	\$479.88	\$484.63	\$498.68	\$528.61	\$549.76	\$571.76	\$594.64	\$612.48	
4-cubic yard	\$389.55	\$393.40	\$404.81	\$429.10	\$446.27	\$464.13	\$482.70	\$497.19	
4-cubic yard shared	\$194.78	\$196.71	\$202.41	\$214.56	\$223.15	\$232.08	\$241.37	\$248.62	
4-cubic yard compactor	\$784.74	\$792.51	\$815.49	\$864.43	\$899.01	\$934.98	\$972.38	\$1,001.56	
Number of Collections Per Week	3	3	3	3	3	3	3	3	
2-cubic yard	\$287.92	\$290.77	\$299.20	\$317.16	\$329.85	\$343.05	\$356.78	\$367.49	
2-cubic yard shared	\$143.98	\$145.40	\$149.62	\$158.60	\$164.95	\$171.55	\$178.42	\$183.78	
2-cubic yard compactor	\$616.98	\$623.09	\$641.16	\$679.63	\$706.82	\$735.10	\$764.51	\$787.45	
4-cubic yard	\$500.84	\$505.80	\$520.47	\$551.70	\$573.77	\$596.73	\$620.60	\$639.22	
4-cubic yard shared	\$250.43	\$252.91	\$260.24	\$275.86	\$286.90	\$298.38	\$310.32	\$319.63	
4-cubic yard compactor	\$1,008.95	\$1,018.94	\$1,048.49	\$1,111.40	\$1,155.86	\$1,202.10	\$1,250.19	\$1,287.70	
Number of Collections Per Week	4	4	4	4	4	4	4	4	
2-cubic yard	\$351.90	\$355.39	\$365.70	\$387.64	\$403.15	\$419.28	\$436.06	\$449.15	
2-cubic yard shared	\$175.96	\$177.70	\$182.85	\$193.83	\$201.59	\$209.66	\$218.05	\$224.60	
2-cubic yard compactor	\$754.09	\$761.55	\$783.63	\$830.66	\$863.89	\$898.45	\$934.39	\$962.43	
4-cubic yard	\$612.14	\$618.20	\$636.13	\$674.30	\$701.28	\$729.34	\$758.52	\$781.28	
4-cubic yard shared	\$306.07	\$309.10	\$318.06	\$337.15	\$350.64	\$364.67	\$379.26	\$390.64	
4-cubic yard compactor	\$1,233.16	\$1,245.37	\$1,281.49	\$1,358.38	\$1,412.72	\$1,469.23	\$1,528.00	\$1,573.84	
Number of Collections Per Week	5	5	5	5	5	5	5	5	
2-cubic yard	\$415.90	\$420.02	\$432.20	\$458.14	\$476.47	\$495.53	\$515.36	\$530.83	
2-cubic yard shared	\$207.95	\$210.01	\$216.10	\$229.07	\$238.24	\$247.77	\$257.69	\$265.43	
2-cubic yard compactor	\$891.20	\$900.03	\$926.13	\$981.70	\$1,020.97	\$1,061.81	\$1,104.29	\$1,137.42	
4-cubic yard	\$723.44	\$730.61	\$751.80	\$798.91	\$828.79	\$861.95	\$896.43	\$923.33	
4-cubic yard shared	\$361.72	\$365.30	\$375.89	\$398.45	\$414.39	\$430.97	\$448.21	\$461.66	
4-cubic yard compactor	\$1,457.37	\$1,471.80	\$1,514.48	\$1,605.36	\$1,669.58	\$1,736.37	\$1,805.83	\$1,860.01	

	6	6	6	6	6	6	6	6
Number of Collections Per Week	\$479.88	\$484.65	\$498.68	\$526.61	\$549.76	\$571.76	\$594.64	\$612.48
2-cubic yard	\$239.95	\$242.32	\$249.35	\$264.31	\$274.89	\$285.89	\$297.33	\$306.25
2-cubic yard shared	\$1,028.30	\$1,038.48	\$1,068.60	\$1,132.72	\$1,178.03	\$1,225.16	\$1,274.17	\$1,312.40
2-cubic yard compactor	\$834.74	\$843.01	\$867.46	\$919.51	\$956.30	\$994.56	\$1,034.35	\$1,065.39
4-cubic yard	\$417.37	\$421.50	\$433.72	\$459.75	\$478.14	\$497.27	\$517.17	\$532.69
4-cubic yard shared	\$1,681.58	\$1,698.23	\$1,747.48	\$1,852.33	\$1,926.43	\$2,003.49	\$2,083.63	\$2,146.14
4-cubic yard compactor								
Each container in excess of the regular service level on an established account	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	
Solid Waste	\$56.50	\$58.14	\$61.63	\$64.10	\$66.67	\$69.34	\$71.43	
2-cubic yard	\$98.50	\$101.36	\$107.44	\$111.74	\$116.21	\$120.86	\$124.49	
4-cubic yard								
Recyclables or Green Waste	\$28.25	\$29.07	\$30.82	\$32.06	\$33.35	\$34.69	\$35.74	
2-cubic yard	\$49.25	\$50.68	\$53.72	\$55.87	\$58.11	\$60.44	\$62.26	
4-cubic yard								

Proposed ER Rates - Commercial and Industrial User; Using Mechanical Front-End Loaded Containers									
Weekly and daily recyclables and green waste collection service for multiple unit dwellings and commercial and industrial businesses using mechanical front-end loaded containers:		Effective October 18, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Container Size	Number of Collections Per Week	1	1	1	1	1	1	1	1
2-cubic yard		\$63.98	\$64.62	\$66.49	\$70.49	\$73.31	\$76.25	\$79.30	\$81.68
2-cubic yard shared		\$81.99	\$82.30	\$83.24	\$85.24	\$86.65	\$88.12	\$89.65	\$90.84
2-cubic yard compactor		\$137.11	\$138.47	\$142.49	\$151.04	\$157.09	\$163.38	\$169.92	\$175.02
4-cubic yard		\$111.29	\$112.39	\$115.65	\$122.59	\$127.50	\$132.60	\$137.91	\$142.05
4-cubic yard shared		\$55.65	\$56.20	\$57.83	\$61.30	\$63.76	\$66.32	\$68.98	\$71.05
4-cubic yard compactor		\$224.21	\$226.43	\$233.00	\$246.98	\$256.86	\$267.14	\$277.83	\$286.17
2-cubic yard	Number of Collections Per Week	2	2	2	2	2	2	2	2
2-cubic yard shared		\$111.97	\$113.08	\$116.36	\$123.35	\$128.29	\$133.43	\$138.77	\$142.94
2-cubic yard compactor		\$55.98	\$56.54	\$58.18	\$61.68	\$64.15	\$66.72	\$69.39	\$71.48
4-cubic yard		\$239.95	\$242.32	\$249.35	\$264.31	\$274.89	\$285.89	\$297.33	\$306.25
4-cubic yard shared		\$194.78	\$196.71	\$202.41	\$214.66	\$223.15	\$232.08	\$241.87	\$248.62
4-cubic yard compactor		\$97.38	\$98.35	\$101.20	\$107.28	\$111.58	\$116.05	\$120.70	\$124.33
4-cubic yard compactor		\$392.37	\$396.26	\$407.75	\$432.22	\$449.51	\$467.50	\$486.20	\$500.79
2-cubic yard	Number of Collections Per Week	3	3	3	3	3	3	3	3
2-cubic yard shared		\$143.98	\$145.40	\$149.62	\$158.60	\$164.95	\$171.55	\$178.42	\$183.78
2-cubic yard compactor		\$71.98	\$72.70	\$74.81	\$79.30	\$82.48	\$85.78	\$89.22	\$91.90
4-cubic yard		\$308.49	\$311.55	\$320.58	\$339.63	\$353.43	\$367.57	\$382.28	\$393.75
4-cubic yard shared		\$250.43	\$252.91	\$260.24	\$275.86	\$286.90	\$298.38	\$310.32	\$319.63
4-cubic yard compactor		\$125.22	\$126.46	\$130.13	\$137.94	\$143.46	\$149.20	\$155.17	\$159.83
4-cubic yard compactor		\$504.48	\$509.48	\$524.25	\$555.72	\$577.95	\$601.07	\$625.12	\$643.88
2-cubic yard	Number of Collections Per Week	4	4	4	4	4	4	4	4
2-cubic yard shared		\$175.96	\$177.70	\$182.85	\$193.83	\$201.59	\$209.66	\$218.05	\$224.60
2-cubic yard compactor		\$87.97	\$88.84	\$91.42	\$96.91	\$100.79	\$104.83	\$109.03	\$112.31
4-cubic yard		\$377.05	\$380.79	\$391.83	\$415.35	\$431.97	\$449.25	\$467.22	\$481.24
4-cubic yard shared		\$306.07	\$309.10	\$318.06	\$337.15	\$350.64	\$364.67	\$379.26	\$390.64
4-cubic yard compactor		\$152.04	\$154.55	\$159.03	\$168.58	\$175.83	\$182.85	\$189.63	\$195.84
4-cubic yard compactor		\$616.58	\$622.69	\$640.75	\$679.20	\$706.37	\$734.63	\$764.02	\$786.95
2-cubic yard	Number of Collections Per Week	5	5	5	5	5	5	5	5
2-cubic yard shared		\$207.95	\$210.01	\$216.10	\$229.07	\$238.24	\$247.77	\$257.69	\$265.43
2-cubic yard compactor		\$103.97	\$105.00	\$108.05	\$114.53	\$119.12	\$123.89	\$128.85	\$132.72
4-cubic yard		\$445.60	\$450.01	\$463.06	\$490.85	\$510.49	\$530.91	\$552.15	\$568.72
4-cubic yard shared		\$361.72	\$365.30	\$375.89	\$398.45	\$414.39	\$430.97	\$448.21	\$461.66
4-cubic yard compactor		\$180.87	\$182.66	\$187.96	\$199.24	\$207.21	\$215.50	\$224.12	\$230.85
4-cubic yard compactor		\$728.41	\$735.62	\$756.95	\$802.38	\$834.48	\$867.86	\$902.58	\$929.66
2-cubic yard	Number of Collections Per Week	6	6	6	6	6	6	6	6
2-cubic yard shared		\$239.95	\$242.32	\$249.35	\$264.31	\$274.89	\$285.89	\$297.33	\$306.25
2-cubic yard compactor		\$119.96	\$121.15	\$124.66	\$132.15	\$137.44	\$142.94	\$148.66	\$153.12
4-cubic yard		\$514.15	\$519.24	\$534.30	\$566.36	\$589.02	\$612.59	\$637.10	\$656.22
4-cubic yard shared		\$417.37	\$421.50	\$433.72	\$459.75	\$478.14	\$497.27	\$517.17	\$532.69
4-cubic yard compactor		\$208.68	\$210.74	\$216.85	\$229.87	\$239.07	\$248.64	\$258.59	\$266.35
4-cubic yard compactor		\$840.80	\$849.13	\$873.75	\$928.19	\$963.24	\$1,001.77	\$1,041.85	\$1,073.11

Proposed ER Rates - Commercial and Industrial User; Roll-Off Containers								
Per pickup charge for businesses regularly using roll-off containers. In addition to the fees for use of the container(s) presented below, the user shall pay all disposal fees. Minimum pickup is twice per month. If use is for less than one month, user shall pay a container rental fee of \$15.00 per day, plus all disposal fees:								
	Effective October 18, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Charge per Refuse Pickup								
10-cubic yard	\$151.58	\$153.08	\$157.52	\$166.98	\$173.66	\$180.61	\$187.84	\$193.48
13.4-cubic yard	\$151.58	\$153.08	\$157.52	\$166.98	\$173.66	\$180.61	\$187.84	\$193.48
20-cubic yard compactor	\$197.86	\$199.84	\$205.64	\$217.98	\$226.70	\$235.77	\$245.21	\$252.57
30-cubic yard	\$198.62	\$200.58	\$206.40	\$218.79	\$227.55	\$236.66	\$246.13	\$253.52
30-cubic yard compactor	\$224.76	\$226.98	\$233.56	\$247.88	\$257.49	\$267.79	\$278.51	\$286.87
(2) 30-cubic yard single pickup	\$383.56	\$385.34	\$396.51	\$420.31	\$437.13	\$454.62	\$472.81	\$487.00
40-cubic yard compactor	\$277.02	\$279.77	\$287.88	\$305.16	\$317.37	\$330.07	\$343.28	\$353.58
	Effective October 18, 2012	Effective January 1, 2013	March 2013 Pass-Through	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Charge per Recyclables or Green Waste Pickup								
10-cubic yard	\$75.79	\$76.54	\$78.76	\$83.49	\$86.83	\$90.31	\$93.93	\$96.75
13.4-cubic yard	\$75.79	\$76.54	\$78.76	\$83.49	\$86.83	\$90.31	\$93.93	\$96.75
20-cubic yard compactor	\$98.93	\$99.82	\$102.71	\$108.88	\$113.24	\$117.77	\$122.49	\$126.17
30-cubic yard	\$99.31	\$100.30	\$103.21	\$109.41	\$113.79	\$118.35	\$123.09	\$126.79
30-cubic yard compactor	\$112.37	\$113.49	\$116.78	\$123.79	\$128.75	\$133.90	\$139.26	\$143.44
(2) 30-cubic yard single pickup	\$190.78	\$192.67	\$198.26	\$210.16	\$218.57	\$227.32	\$236.42	\$243.52
40-cubic yard compactor	\$138.51	\$139.88	\$143.94	\$152.88	\$158.69	\$165.04	\$171.65	\$176.80

Proposed ER Rates - Walking Floor Transfer Trailer Pickup Fee								
Walking Floor Transfer Trailer. Each customer making use of a walking floor transfer trailer s								
Container Size	Effective October 18, 2012	Effective January 1, 2013		FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Walking Floor Transfer Trailer	\$381.56	\$385.34	\$385.34	\$408.47	\$424.81	\$441.81	\$459.49	\$473.28

Proposed ER Rates - Security and Contamination Fee								
Monthly Security and Contamination Fee: In addition to any other applicable charges, each customer shall pay a monthly security and contamination prevention fee, per container in use, as follows:								
Service	Effective October 18, 2012	Effective January 1, 2013		FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Security and Contamination Fee	\$0.00	\$0.12	\$0.12	\$0.13	\$0.14	\$0.15	\$0.16	\$0.17

**NOTICE OF PUBLIC HEARING REGARDING PROPOSED INCREASES
IN WATER SERVICE RATES, WASTEWATER RATES, AND SOLID WASTE RATES**

Notice is hereby given that the City of Oxnard's City Council will hold a public hearing to consider utilities systems rates increases. The proposed rate increases will help the City to continue to provide reliable, high quality water, wastewater, and solid waste services.

The wastewater rates fund the City's costs to collect, treat and dispose of wastewater from the City's sewer service customers. The water rates fund the City's costs to procure, treat and distribute water to the City's water service customers. The solid waste rates fund the City's costs to collect and dispose of trash from the City's solid waste service customers.

The proposed rate increases are designed to capture the amount needed to fund the actual costs of providing the wastewater, water, and solid waste services. Wastewater services are increasing due to debt service coverage needs, and the need to maintain, repair, upgrade, and replace the City's aging infrastructure, equipment and facilities. The service costs for water are increasing due to the need to maintain, repair, upgrade and replace aging infrastructure, debt service coverage needs, and new infrastructure projects to improve the future reliability of the water supply. Solid waste services are increasing as a result of the need to resume replacing trucks and aging facilities and to meet regulatory requirements for increased landfill diversion.

The proposed rate increase for Wastewater is 35% for Fiscal Year 2015-16, 10% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Water is 15% for Fiscal Year 2015-16, 12% for Fiscal Year 2016-17, 8% for Fiscal Year 2017-18, 8% for Fiscal Year 2018-19, and 8% for Fiscal Year 2019-20. The proposed rate increase for Environmental Resources is 6% for Fiscal Year 2015-16, 4% for Fiscal Year 2016-17, 4% for Fiscal Year 2017-18, 4% for Fiscal Year 2018-19, and 3% for Fiscal Year 2019-20.

The rate increase ordinances for wastewater, water, and solid waste will also include authorization for subsequent automatic adjustment based on certain increases in third party costs, including but not be limited to increase in wholesale water purchase costs, power costs, and solid waste disposal fees.

The City Council will conduct a public hearing on December 8, 2015, to consider adopting the proposed rates. The hearing will occur at 7:30 p.m., at 305 West Third Street, Oxnard, California 93030. You may provide oral or written comments at the public hearing.

You have a right to file one written protest per parcel against one or more of the proposed rate increases. Both the owner of the parcel and the person receiving the service for which the fee is charged may submit a written protest, but only one protest per parcel will be counted. Owners of multiple parcels may submit one written protest as protest for each parcel owned, provided that a list of all appropriate parcel numbers or addresses is included. Any written protests must be submitted to the City Clerk's Office at 305 West Third Street, Oxnard, CA 93030 prior to the City council meeting or submitted directly to the City Council prior to the conclusion of the public hearing. A written protest must include (1) your original signature; (2) identification of the parcel(s) by parcel number(s) or address(es); (3) whether you are the owner of the parcel(s) or the person receiving the service for which the fee is charged; (4) which fee increase(s) you are protesting; and (5) your statement that you protest the increase in the fee(s). Written protests will not be accepted by e-mail or by fax. Verbal protests will not be counted. The City Council will not adopt the proposed rate increase(s) if the City Council receives written protests from owners of and/or utility customers representing a majority of parcels of property who pay the proposed utility rate(s).

For more information, please contact: Public Works Administration (805) 385-8136.

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☒ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Patricia Friend *PF* Agenda Item No. *L-2*

Reviewed By: City Manager *JM* City Attorney *JDO* Finance *RL* Other _____

DATE: September 29, 2015

TO: City Council

FROM: Michael Henderson, General Services Manager *MHA*
General Services Department

SUBJECT: GS11-12-Colonia Park Improvements, GS15-16-Wilson Park Improvements, and
GS16-08-Beck Park Improvements

RECOMMENDATION

That City Council approve plans and specifications for Project Specification No. GS11-12 Colonia Park Improvements; GS15-16 Wilson Park Improvements; and GS16-08-Beck Park Improvements and authorize staff to conduct a public bid for these three projects; and authorize use of Housing Related Parks (HRP) grant funds approved for this purpose.

DISCUSSION

Housing Related Parks (HRP-HCD) Grant funds have been approved for work on these three projects that include Colonia Park for installation of added safety lighting and remove and replace sidewalks; at Wilson Park demolition of the old restroom building and install a new restroom and improve landscape and path of travel; at Beck Park demolition of a small unused storage building and irrigation system repairs. Housing and Community Development grant funds under State of California Agreement 14-HRPP-9169 for Housing Related Parks (HCD -HRP) Grant and Resolution No. 14,705 were approved and authorized by Council for these park areas for use of those funds.

FINANCIAL IMPACT

State grant funds for the projects are appropriated as follows: Colonia Park in the amount of \$105,000 in Project 155704; for Wilson Park in the amount of \$270,000 in Project 155705; and for Beck Park in the amount of \$461,900 in Project 155703. Funds in the amount of \$172,080.84 of the Beck Park funds have been used by the City for purchase of new playground equipment; leaving a unencumbered balance of \$288,932 to conduct a public bid to install that equipment and demolition of this building and repair irrigation.

MH/pcf

Attachments: #1 – State of California Agreement 14-HRPP-9169
#2 - City Resolution No. 14,705
#3 – Admin Budget Adjustment

AGREEMENT NUMBER

14-HRPP-9169

REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME

City of Oxnard

2. The term of this

Agreement is:

Upon HCD Approval through 09/30/2016

3. The maximum amount of this

Agreement is:

\$956,700.00

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A - Authority, Purpose and Scope of Work	2
Exhibit B - Budget Detail and Payment Provisions	2
Exhibit C - State of California General Terms and Conditions*	GTC - 610
Exhibit D - HRPP Terms and Conditions	2
Exhibit E - Special Terms and Conditions	1
Exhibit F - Additional Provisions	0

TOTAL NUMBER OF PAGES ATTACHED:

7 pages

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at <http://www.documents.dgs.ca.gov/ols/GTC-610.doc>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc)

City of Oxnard

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Michael Henderson, General Services Director

ADDRESS

214 South C Street, Oxnard, CA 93030

STATE OF CALIFORNIA

AGENCY NAME

Department of Housing and Community Development

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Cathy Parr, Contracts Manager, Business & Contract Services Branch

ADDRESS

2020 W. El Camino Ave, Sacramento, CA 95833

California Department of
General Service
Use Only

APR 02 2015

* Exempt per: SCM 4.04.A.3 (DGS
Memo dated 6/12/81)

ATTACHMENT
PAGE 1 OF 11

STATE OF CALIFORNIA
STANDARD AGREEMENT
STD 213 (Rev 06/03)

AGREEMENT NUMBER
14-HRPP-9169
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME

City of Oxnard

2. The term of this
Agreement is:

Upon HCD Approval through 09/30/2016

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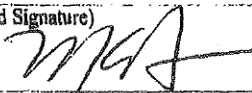
IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc)

City of Oxnard

BY (Authorized Signature)



DATE SIGNED (Do not type)

1/12/15

PRINTED NAME AND TITLE OF PERSON SIGNING

Michael Henderson, General Services Director

ADDRESS

214 South C Street, Oxnard, CA 93030

STATE OF CALIFORNIA

AGENCY NAME

Department of Housing and Community Development

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Cathy Parr, Contracts Manager, Business & Contract Services Branch

ADDRESS

2020 W. El Camino Ave, Sacramento, CA 95833

California Department of
General Service
Use Only

X Exempt per: SCM 4.04.A.3 (DGS
Memo dated 6/12/81)

ATTACHMENT

PAGE 2 OF 11

EXHIBIT A

AUTHORITY, PURPOSE AND SCOPE OF WORK

Housing-Related Parks (HRP) Program Grant

1. Authority

Pursuant to Chapter 8 of Part 2 of Division 31 of the California Health and Safety Code, commencing with Section 50700, as added by Section 1 of Chapter 641 of the Statutes of 2008, the State of California Department of Housing and Community Development (herein referred to as the "State" or the "Department") has established the Housing-Related Parks (HRP) Program (the "Program"). This Standard Agreement (the "Agreement") is entered into under the authority of, and in furtherance of the purposes of, the Program as set forth in Health and Safety Code Section 50701. Pursuant to Health and Safety Code Sections 50702 and 50704.5, the State has issued a Notice of Funding Availability, dated October 2, 2013 (NOFA) and Program guidelines dated September 2013 (the "Guidelines") governing the Program.

2. Purpose

In accordance with the authority cited above, the Contractor has applied to the State for financial assistance (the "Application") in the form of a grant from the Program (the "Grant"). The State has agreed to make the Grant, as a financial incentive based on the issuance of housing starts, for housing units affordable to very low- and low-income households by the Contractor pursuant to the terms of the NOFA, the Guidelines and this Agreement. Based on the representations made by the Contractor in its Application, which is hereby incorporated as if set forth in full, the State shall provide a Grant in the amount shown below for the purpose of paying for capital improvement(s) related to the acquisition, rehabilitation, or construction of a Park and Recreation Facility.

The State and the Contractor have agreed to enter into this Agreement in accordance with the terms and conditions herein, subject to all the provisions of the applicable statutes, the NOFA, the Guidelines and further subject to the State laws and requirements governing State contracts. Capitalized terms herein shall have the meaning of the definitions set forth in the Guidelines.

3. Scope of Work

Improvements to Beck Park, Campus Park, Colonia Park and Wilson Park.

HRP Program Grant -- Round 3
NOFA Date: 10/02/13
Rev. Date: 8/15/14
Prep Date: 8/20/14

ATTACHMENT 1
PAGE 3 OF 11

EXHIBIT A

Grant Timelines

No work performed prior to the effective date of this Agreement or after June 30, 2016, shall be funded. The effective date of this Agreement is the date it is executed by the State, after execution by the Contractor. All funds must be requested from the Department no later than April 30, 2016. For the purpose of this Agreement, no funds may be expended after June 30, 2016. It is the responsibility of the Contractor to monitor the project and timeliness of draws within the specified dates.

4. Grant Amount

The total amount of this Grant is \$ 956,700.00.

HRP Program Grant -- Round 3
NOFA Date: 10/02/13
Rev. Date: 8/15/14
Prep Date: 8/20/14

ATTACHMENT: 
PAGE 4 OF 11

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

HRP Program Grant

1. Allowable Uses of Grant Funds

- A. Grant funds shall only be used for projects approved by the State that involve the construction, rehabilitation, and/or acquisition of capital assets as defined by the California Government Code, Section 16727(a) that benefit the community within the Contractor's jurisdiction and as further set out in Section 108 of the Guidelines. Capital assets include tangible physical property with an expected useful life of fifteen (15) years or more, equipment with an expected useful life of two (2) years or more, or major maintenance, reconstruction, or demolition for purposes of reconstruction and/or retrofitting work.
- B. Incidental expenses shall not be paid by Grant funds unless they are directly related to the construction or acquisition of an eligible capital asset. Such expenses include costs associated with planning, engineering, construction management, environmental impact reports, appraisals, site acquisitions, or necessary easements.
- C. Grant funds shall not be expended for the administrative costs of persons directly employed by the Contractor or for other "soft" costs that are not directly related to the construction, rehabilitation or acquisition of capital assets.

2. Performance

Contractor shall take such actions, pay such expenses and do all things necessary to complete the Work specified in Exhibit A in accordance with the schedule for completion set forth therein and within the terms and conditions of this Agreement.

3. Fiscal Administration

- A. Term: The effective date of this Agreement is the date upon which it is executed by the State (the date stamped in the lower right portion of the Standard Agreement (Std. 213) through September 30, 2016. All funds must be requested by the Contractor by April 30, 2016 and expended by June 30, 2016. This Agreement shall terminate September 30, 2016.
- B. The Contractor shall make any and all request(s) for disbursement no earlier than ninety (90) days from the anticipated need for the funds, using the forms provided by the State. The forms will be made available at <http://www.hcd.ca.gov/hcd/hrpp>. The Contractor shall expend the funds within 90 days from the date of receipt from the State, or by June 30, 2016, whichever occurs earlier and subsequent supporting documentation shall be submitted to the Department.
- C. Failure to expend contract funds in a timely manner may affect future funding.

HRP Program Grant – Round 3
NOFA Date: 10/02/13
Rev. Date: 8/15/14
Prep Date: 8/20/14

ATTACHMENT
PAGE 5 OF 11

EXHIBIT B

- D. A separate checking account for the Grant funds is not required. However, the Contractor shall deposit Grant funds in an interest bearing checking or savings account, or the State may require the Contractor to deposit all Grant funds into a segregated account in an institution whose deposits are insured by the federal or state government. All interest earned from the deposit of Grant funds shall be used for allowable, Program purposes and accounted for to the State. All funds not expended within 90 days of receipt, or by June 30, 2016, as applicable, shall be returned to the State with accrued interest.
- E. The Contractor shall make a good faith effort to minimize the number of disbursement requests to the State by anticipating and requesting in advance the maximum amount of funds that can be expended within the (ninety) 90 day time frame.
- F. The Contractor shall inform the State within a reasonable amount of time in the event that expenditures related to an authorized project(s) are less than the total Grant award. The Contractor may expend the balance of Grant funds on additional capital assets projects, upon written State approval. Contractor shall provide the State with a letter of request that describes the additional project(s) to be funded.
- G. The Contractor shall immediately inform the State, no later than December 31, 2015, if the Contractor anticipates it will not be able to expend all Grant funds by June 30, 2016.
- H. The Contractor is responsible for maintaining records which fully disclose the activities funded by the Grant. Adequate documentation of each transaction shall be maintained to permit the determination, through an audit if requested by the State, of the accuracy of the records and the allowability of expenditures charged to Grant funds. If the allowability of expenditure cannot be determined because records or documentation are inadequate, the expenditure may be disallowed, and the State shall determine the reimbursement method for the amount disallowed. The State's determination of the allowability of any expense shall be final, absent fraud, mistake or arbitrariness.
- I. Any Grant funds remaining unexpended as of June 30, 2016, must be returned to the State with accrued interest. Checks shall be made payable to the Department of Housing and Community Development (HCD) and shall be mailed to the Department at the address below, no later than July 31, 2016.

Department of Housing and Community Development
Accounting Division
2020 W. El Camino Ave.
P.O. Box 952050
Sacramento, California 94252-2050

HRP Program Grant – Round 3
NOFA Date: 10/02/13
Rev. Date: 8/15/14
Prep Date: 8/20/14

ATTACHMENT 11
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EXHIBIT D

HRP PROGRAM GENERAL TERMS AND CONDITIONS

HRP Program Grant

1. Report Requirements

During the term of this Agreement, the Contractor shall submit the following reports by the deadlines specified, or as otherwise required at the discretion of the State:

- A. The Contractor shall submit annual reports to the State thirty (30) days after December 31st of each year ("Annual Report"), during the term of this Agreement for as long as the Contractor has not expended all Grant funds. The Annual Report shall contain (1) the progress the Contractor has made in completing the approved projects partially or wholly funded by the Grant, including a description of the community benefit; (2) the amount of Grant funds drawn down and expended to date by the Contractor; and (3) a description of projects completed. The Contractor shall use the forms provided by the State made available at <http://www.hcd.ca.gov/hpd/hrpp>; and,
- B. Upon complete expenditure of the Grant funds, the Contractor shall submit a final report in a manner satisfactory to the State ("Final Report"). The Final Report shall be submitted to the State within 60 days of June 30, 2016, the date all funds must be expended. The Final Report shall contain (1) a description of the final capital assets constructed or purchased with the Grant funds; and, (2) the number of certificates of occupancy issued in relation to the number of building permits issued in the program year. The Contractor shall use the forms provided by the State made available at <http://www.hcd.ca.gov/hpd/hrpp>.

2. State Contract Coordinator

The state contract coordinator of this Agreement for the Department is the HRP Program Manager, Division of Housing Policy Development, or the manager's designee ("State Contract Coordinator"). Unless otherwise informed, any notice, report, or other communication required by this Agreement shall be mailed first class to the State Contract Coordinator at the following address:

Department of Housing and Community Development
Division of Housing Policy Development
2020 W. El Camino Ave, P.O. Box 6250
Sacramento, California 94252-2650
Attention: HRP Program Manager

3. Audit/Retention and Inspection of Records

Contractor agrees that the Department or its delegatee will have the right to review, obtain, and copy all records pertaining to performance of this Agreement. Contractor agrees to provide the Department or its delegatee with any relevant information requested and shall permit the Department or its delegatee access to its premises, upon reasonable notice, during normal

HRP Program Grant -- Round 3
NOFA Date: 10/02/13
Rev. Date: 8/15/14
Prep Date: 8/20/14

ATTACHMENT
PAGE 7 OF 11

EXHIBIT D

business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with the California Public Contract Code Section 10115 et seq., the California Government Code Section 8546.7 and Title 2, California Code of Regulations, Section 1896.60 et seq. Contractor further agrees to maintain such records for a period of three (3) years after final payment under this Agreement. Contractor shall comply with the caveats and be aware of the penalties for violations of fraud and for obstruction of investigation as set forth in the California Public Contract Code Section 10115.10.

4. Special Conditions

The State reserves the right to add any special conditions to this Agreement it deems necessary to assure that the policy and goals of the Program are achieved.

5. Prevailing Wages

- A. Where funds provided through this Agreement are used for construction work, or in support of construction work, Contractor shall ensure that the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of the California Labor Code (pertaining to the payment of prevailing wages and administered by the California Department of Industrial Relations) are met.
- B. For the purpose of this requirement "construction work" includes, but is not limited to rehabilitation, alternation, demolition, installation or repair done under contract and paid for, in whole or in part, through this Agreement. All construction work shall be done through the use of a written contract, with the properly licensed building contractor incorporating these requirements (the "construction contractor"). Where the construction contract will be between the Contractor and a licensed building contractor the Contractor shall serve as the "awarding body" as that term is defined in the California Labor Code. Where the Contractor will provide funds to a third party that will enter into the construction contract with a licensed building contractor, the third party shall serve as the "awarding body". Prior to any disbursement of funds, including but not limited to release of any final retention payment, the State may require a certification from the awarding body that prevailing wages have been or will be paid.

HRP Program Grant – Round 3
NOFA Date: 10/02/13
Rev. Date: 8/15/14
Prep Date: 8/20/14

ATTACHMENT 11
PAGE 8 OF 11

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
ADMINISTRATION AND MANAGEMENT DIVISION**

2020 W. El Camino Avenue, Suite 330, 95833
P. O. Box 952050, Sacramento, CA 94252-2050
(916) 263-6928 / FAX (916) 263-6917
www.hcd.ca.gov



DEC 23 2014

Mr. Michael Henderson
General Services Manager
City of Oxnard
214 South C Street
Oxnard, CA 93030

Dear Mr. Henderson:

**Re: Housing-Related Parks Program
Contract No. 14-HRPP-9169**

Attached is an electronic copy of the State's Housing-Related Parks (HRP) Program Standard Agreement which includes the following:

- Standard Agreement (Std. 213)
- Exhibit A – Authority, Purpose, and Scope of Work
- Exhibit B – Budget Detail and Payment Provisions
- Exhibit C – State of California General Terms and Conditions (Incorporated by reference)
- Exhibit D – HRP Program General Terms and Conditions
- Exhibit E – HRP Program Special Terms and Conditions

To ensure efficient processing of the Standard Agreement, please do the following:

1. Review the Standard Agreement thoroughly and if necessary discuss the requirements with your legal and financial advisors;
2. Print five (5) copies of the Standard Agreement, Std. 213 cover page.
3. Ensure all copies of the Standard Agreement are signed by the appropriate authorized official as designated in the resolution. Please be sure to include the printed name, title and date signed. If a signed resolution was not submitted with the HRP Program Application, please return a certified copy of the resolution along with the signed Standard Agreement copies.
4. Return the five (5) copies of the Standard Agreement along with a certified copy of the resolution, if needed; no later than 30 days from the date of this letter to:

Department of Housing and Community Development
Business and Contract Services Branch
P.O. Box 952050
Sacramento, CA 94252-2050

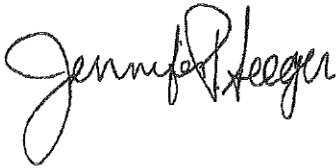
ATTACHMENT _____
PAGE 12 OF 11

Standard Agreements not returned within the required 30-day period may be subject to cancellation by the Department.

Maintain the electronic version of the Standard Agreement (Std. 213 and Exhibits A through D) in your pending file. Upon receipt of the five (5) original, signed Standard Agreement cover pages, HCD will complete the approval process and send you an electronic copy of the completed, fully executed, original Standard Agreement along with an originally signed copy sent by U.S. Mail.

Please contact Lindy Suggs, your HRP Program representative, at lindy.suggs@hcd.ca.gov or (916) 263-7433 if you have any questions regarding the Standard Agreement or the provisions therein.

Sincerely,



Jennifer P. Seeger
HRP Program Manager

cc: Kathleen Mallory, AICP, Project Planner

ATTACHMENT 1
PAGE 11 OF 11

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 14,705

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
AUTHORIZING EXECUTION OF STATE STANDARD AGREEMENT FOR
HOUSING RELATED PARKS PROGRAM GRANT

WHEREAS, The State of California, Department of Housing and Community Development (HCD) issued a Notice of Funding Availability dated October 2, 2013 (NOFA), under its Housing-Related Parks (HRP) Program; and

WHEREAS, by Resolution No. 14,566 the City of Oxnard (Applicant) was authorized to apply for a HRP Program grant and submit the 2013 Designated Program Year Application Package released by the Department for the HRP Program; and

WHEREAS, HCD is authorized to approve funding allocations for the HRP Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement; and

WHEREAS, HCD awarded the City of Oxnard an HRP Program Grant in the amount of \$956,700.

WHEREAS, the General Services Department of the City of Oxnard has requested that City Council authorize execution of the Standard Agreement with HCD for the Housing Related Parks Program grant funds to be used for qualifying park improvements at City parks located in Park Deficient and Disadvantaged areas of the City as identified under HCD guidelines.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement), for an HRP Program Grant in the amount of \$956,700 and any and all other documents required or deemed necessary or appropriate to secure the HRP Program Grant from HCD, and all amendments thereto (collectively, the "HRP Grant Documents").

2. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.

3. That the City Manager or designee is authorized to execute this agreement on behalf of the City of Oxnard, the HRP Grant Documents as required by HCD for participation in the HRP Program.

4. City Council of the City of Oxnard authorize execution of the State Agreement with HCD for the Housing Related Parks Program grant funds to be used for qualifying park improvements

MENT 2
PAGE 1 OF 2

as identified under HCD guidelines. The City Council further resolves that the Finance Director or designee is authorized on behalf of the City of Oxnard to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the General Services Manager or designee is authorized to submit non-financial reports on behalf of the City of Oxnard.

PASSED AND ADOPTED this 2nd day of December, 2014, by the following vote:

AYES: Councilmembers Flynn, Ramirez, and Perello.

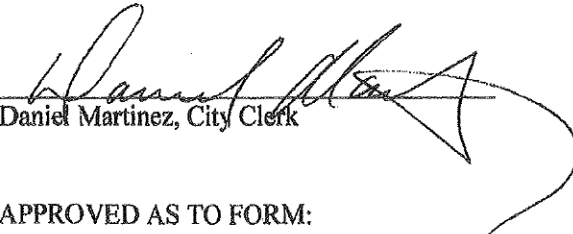
NOES: Councilmember Padilla.

ABSENT: Councilman MacDonald.



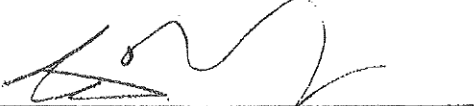
Tim Flynn, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

ATTACHMENT 2
PAGE 2 OF 2

REQUEST FOR ADMINISTRATIVE BUDGET ADJUSTMENT

Department: GS - Parks and Facilities
Project/Program
Manager: Ralph Alamillo

Date: May 6, 2015
Phone: 805-385-8341

Reason for Appropriation:

To recognize the Housing-Related Parks (HRP) Grant from the Dept. of Housing and Community Development in the amount of \$956,700. State agreement number 14-HRPP-9169.

Accounts and Descriptions

AMOUNT

Fund: **PARKS/REC. GRANTS FUND (178)**

Revenues:

178-5737-532.72-31	STATE / LOCAL SOURCES / STATE GRANT REVENUES	956,700
	Total Revenues	<u>956,700</u>

Expenditures:

CAMPUS PARK HCD IMPROVEMENTS (Project 155702)

178-5737-826.82-09	PROF/CONTRACT	11,000
178-5737-826.86-05	CAPITAL OUTLAY / IMPROV NOT BLDG MAJOR REP	<u>108,800</u>
	Sub-total Expenditures for Project 155702	<u>119,800</u>

BECK PARK HCD IMPROVEMENTS (Project 155703)

178-5737-826.82-09	PROF/CONTRACT	7,000
178-5737-826.86-05	CAPITAL OUTLAY / IMPROV NOT BLDG MAJOR REP	<u>454,900</u>
	Sub-total Expenditures for Project 155703	<u>461,900</u>

COLONIA PARK HCD IMPROVEMENTS (Project 155704)

178-5737-826.82-09	PROF/CONTRACT	17,720
178-5737-826.86-05	CAPITAL OUTLAY / IMPROV NOT BLDG MAJOR REP	<u>87,280</u>
	Sub-total Expenditures for Project 155704	<u>105,000</u>

WILSON PARK HCD IMPROVEMENTS (Project 155705)

178-5737-826.82-09	PROF/CONTRACT	25,380
178-5737-826.86-05	CAPITAL OUTLAY / IMPROV NOT BLDG MAJOR REP	<u>244,620</u>
	Sub-total Expenditures for Project 155705	<u>270,000</u>

Net Change to Fund Balance 0

Approvals

Department Director 

Chief Financial Officer _____

BA# (Finance Use Only) _____

BA DOC.# (Finance) _____

Revised: 2/23/2012

DOES NOT REQUIRE CITY COUNCIL AUTHORIZATION

ATTACHMENT 3
PAGE 1 OF 2

Project Master Inquiry

12:10:57

Project : 155703 BECK PARK HCD IMPROVE
 Position to . . : _____ Starting character(s)

Type options, press Enter.
 1=Select

Opt Account number	Budget	Actual	Balance
178-5737-826.82-09	7,000	.00	7,000.00
178-5737-826.86-05	454,900	.00	454,900.00

Pre-encumb:	.00	Encumb:	.00
2015 YTD:	.00	Pending:	.00
Budg: 461,900.00 PTD:	.00	Balance:	461,900.00

F3=Exit F5=Refresh F9=Misc. info F11=Proj-to-dt F12=Cancel F17=Subset
 F18=Encumbrance detail F19=Project activity list

ATTACHMENT 3
 PAGE 2 OF 2