

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 City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.



This meeting is held pursuant to the State Emergency Services Act, the Governor's Emergency Declaration, and Governor's Executive Order N-29-20 to allow members of the City Council or staff to participate via teleconference.

Pursuant to the Ventura County Public Health Official's order and Governor's Executive Order N-33-20, all city buildings are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online immediately following the meeting.

The public may provide comments to the City Council via email at cityclerk@oxnard.org no later than 3:00 p.m. on the day of the meeting. Please identify the meeting date and agenda item in the Subject line.

A telephone option for public comments is also available at this time due to the State of California "Stay At Home" order. Requests to speak must be submitted no later than 3:00 p.m. on the day of the meeting. Use the form on the city's website to submit your request: Oxnard.org/city-meetings, or call the City Clerk's Office at (805) 385-7803, or email your request to cityclerk@oxnard.org.

AMENDED AGENDA

(Item L-4 revised; Item M-2 updated with new attachment)

OXNARD CITY COUNCIL

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

OXNARD FINANCING AUTHORITY

OXNARD HOUSING AUTHORITY

Council Chambers, 305 West Third Street

May 5, 2020

Closed Session - 4:30 PM

Appointment Items - 5:00 PM

Regular Meeting - 6:00 PM

A. ROLL CALL, POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2)) (City Council): Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

D. APPOINTMENT ITEM (5:00 PM)

1. Information Technology Department

SUBJECT: Fiber Master Plan Adoption. (45/30/15)

RECOMMENDATION: That the City Council:

1. Adopt the Fiber Master Plan; and

2. Discuss and provide direction on

a. Adopting a requirement that Development Agreements include deployment of fiber optic

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.

Agenda Item time estimates: (Staff Presentation / Council Discussion / Public Comment)

network infrastructure;

b. Evaluating and adopting a requirement that discretionary permit approvals include deployment of fiber optic network infrastructure; and

c. Creating a broadband infrastructure development impact fee to expand and maintain broadband infrastructure.

(Housing and Economic Development Committee approved 3-0)

Legislative Body: City Council

Contact: Keith Brooks, (805) 385-7597

E. OPENING CEREMONIES (6:00 PM)

Pledge of allegiance to the flag of the United States.

F. CEREMONIAL ITEMS

1. SUBJECT: Proclamation Designating the Month of May 2020 as "Older Americans Month."

2. SUBJECT: Proclamation Designating the Week of May 3-9, 2020 as "Municipal Clerks Week."

G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker requests shall be submitted as set forth on the first page of this agenda. Based on the number of speaker requests submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to three minutes, but shorter time may be established as deemed necessary. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/ Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

H. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

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

1. City Manager Department

SUBJECT: COVID-19 Update, Ratification of Director of Emergency Services Orders. (10/5/5)

RECOMMENDATION: That the City Council:

1. Receive an update from the Director of Emergency Services;

2. Adopt a resolution ratifying orders issued by the Director in response to the COVID-19 Local Emergency.

Legislative Body: City Council

Contact: Alexander Nguyen, (805) 385-7430

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

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

J. REVIEW OF INFORMATION/CONSENT AGENDA

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

K. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

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

L. INFORMATION/CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the City Council approve the minutes of the April 21, 2020 regular meeting as presented.

Legislative Body: City Council

Contact: Michelle Ascencion, (805) 385-7805

2. Fire Department

SUBJECT: Accept 2019 Emergency Management Performance Grant (EMPG).

RECOMMENDATION: That the City Council adopt a resolution authorizing:

1. The City Manager to accept a grant in the amount of \$47,569.81 to the Ventura County Office of Emergency Services for 2019 Emergency Management Performance Grant for the purpose of printing public education material and for offsetting the salary of the Emergency Services Manager;
2. The Chief Financial Officer or designee to submit financial reports and grant claims, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and
3. The Fire Chief or designee to submit non-financial reports.

Legislative Body: City Council

Contact: Darwin Base, (805) 385-7700

3. Fire Department

SUBJECT: FEMA Public Assistance Program Coronavirus Application.

RECOMMENDATION: That City Council adopt a resolution authorizing:

1. The City Manager or designee to submit an application for Federal Emergency Management Agency's (FEMA) Public Assistance Program in accordance with the COVID-19 Emergency Declaration to receive reimbursement for emergency protective measures taken by the City;
2. The City Manager or designee to appropriate funds upon notification of award;
3. The Chief Financial Officer or designee to submit financial reports and claims and approve

administrative budget appropriation for the use of FEMA funds upon award; and
4. The Fire Chief or designee to submit all program related progress or status reports.

Legislative Body: City Council

Contact: Darwin Base, (805) 385-7700

4. Police Department **(REVISED)**

SUBJECT: FY 2020 Coronavirus Emergency Supplemental Funding Grant Application.

RECOMMENDATION: That the City Council adopt a resolution authorizing:

1. The City Manager to execute and apply for \$209,498 in unmatched grant funds from the U.S. Department of Justice, Bureau of Justice Assistance, FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program;
2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
3. The Chief Financial Officer or designee to submit financial reports and grant claims, and approve special budget appropriations for use of CESF Microgrant funds; and
4. The Chief of Police or designee to submit all program related progress or status reports.

Legislative Body: City Council

Contact: Scott Whitney, (805) 385-7624

5. Public Works Department

SUBJECT: Restructuring of Public Works Engineering and Traffic Engineering Divisions.

RECOMMENDATION: That the City Council approve and authorize:

1. The Mayor to adopt a Resolution to amend Resolution No. 15,241 authorizing full-time equivalent positions pursuant to Chapter 4 of the City Personnel Rules and Regulations; and
2. The City Manager to approve a budget appropriation in the amount of \$18,469.

(Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

6. Public Works Department

SUBJECT: Trade Services Agreement with BC Laboratories, Inc. for Samples Testing Services.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute Agreement A-8214 with BC Laboratories, Inc. for water, wastewater, and recycled water samples testing services in the amount of \$800,000 through May 5, 2023. (Public Works and Transportation Committee approved 3-0)

Legislative Body: City Council

Contact: Rosemarie Gaglione, (805) 385-8055

M. REPORTS

1. City Attorney Department

SUBJECT: Amendment of City Treasurer Functions; Persons Authorized to Sign Financial Instruments and Initiate Electronic Bank Transactions; Oversight of Payroll Functions; and Adjustment of Future Benefits and Compensation of the Office of City Treasurer Beginning in December 2020. (15/15/10)

RECOMMENDATION: That the City Council:

1. Approve the first reading by title only and waive further reading of an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING AND ADDING PROVISIONS TO THE CITY CODE TO DESIGNATE THE ASSISTANT CITY TREASURER AS THE "COLLECTOR" OR "LICENSE COLLECTOR" FOR SPECIFIC PERMITTING AND LICENSING FUNCTIONS; AMENDING THE CITY CODE AND ORDINANCE NO. 2350 TO LIMIT CITY TREASURER DUTIES TO THAT POSITION'S STATUTORY DUTIES NOT OTHERWISE ASSIGNED TO THE ASSISTANT CITY TREASURER, AND TO CHANGE CITY TREASURER COMPENSATION AND BENEFITS EFFECTIVE WHEN THE CITY COUNCIL DECLARES THE RESULTS OF THE CANVASS OF THE RETURNS FOR THE NOVEMBER 2020 MUNICIPAL ELECTION; AND ADDING SECTION 2-187 REGARDING PAYROLL FUNCTIONS BEING MANAGED BY THE DIRECTOR OF HUMAN RESOURCES;

2. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING CERTAIN PERSONS TO SIGN AND ENDORSE CHECKS AND DRAFTS AND INITIATE AND APPROVE ELECTRONIC BANK TRANSACTIONS FOR THE CITY OF OXNARD, ASSESSMENT DISTRICTS AND THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY; AND AMENDING THE TITLE AND EXHIBIT B OF RESOLUTION NO. 10,820 REGARDING THE JOB SPECIFICATIONS FOR THE CITY TREASURER; and

3. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING EXHIBIT A OF RESOLUTION NO. 15,242 AS IT RELATES TO THE SALARY RANGE FOR THE CITY TREASURER.

Legislative Body: City Council

Contact: Stephen Fischer, (805) 385-7483

2. Community Development Department **(ATTACHMENT ADDED)**

SUBJECT: Formation of the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park). (5/10/5)

RECOMMENDATION: That the City Council approve a resolution declaring its intention to establish the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park), authorize the levy of a special tax within said District, and designate certain property for future annexation to the District.

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

3. Finance Department

SUBJECT: Presentation of Single Audit Report and Update on Corrective Action Plan. (25/10/5)

RECOMMENDATION: That the City Council receive the Single Audit Report from the audit firm Eadie + Payne, and an update on the Corrective Action Plan (CAP) from staff. (Finance and Governance Committee approved 2-0.)

Legislative Body: City Council

Contact: Kevin Riper, (805) 385-7475

N. ADJOURNMENT



CITY COUNCIL AGENDA REPORT
APPOINTMENT ITEM (5:00 PM)
AGENDA ITEM NO. D.1

DATE: May 5, 2020

TO: City Council

FROM: Keith Brooks, Chief Information Officer, (805) 385-7597, keith.brooks@oxnard.org

SUBJECT: Fiber Master Plan Adoption. (45/30/15)

RECOMMENDATION

That the City Council:

1. Adopt the Fiber Master Plan; and
 2. Discuss and provide direction on
 - a. Adopting a requirement that Development Agreements include deployment of fiber optic network infrastructure;
 - b. Evaluating and adopting a requirement that discretionary permit approvals include deployment of fiber optic network infrastructure; and
 - c. Creating a broadband infrastructure development impact fee to expand and maintain broadband infrastructure.
- (Housing and Economic Development Committee approved 3-0)

BACKGROUND

EXECUTIVE SUMMARY

The City, in partnership with Magellan Advisors, developed a Fiber Master Plan to realize the goals as outlined in the City's Information Technology Master Plan and Fiber Master Plan mandate as adopted by Council. The Plan provides a blueprint for how the City can leverage its investment in fiber optic infrastructure for the benefit of government innovation, businesses and anchor institutions, and possible future educational and residential use. The fiber network could enhance existing and future commercial zones and developments by providing Internet service directly to businesses and institutions through third party public-private partnerships (P3) at competitive rates. It could also allow the City the flexibility of later providing Smart City applications such as security cameras for police and traffic control, municipally-provided Wi-Fi internet access, support for smart sensors, smart parking and traffic detection, and pedestrian/bicycle safety technologies, among many others. In short, there are many possibilities for fiber in Oxnard.

In summary the plan contains the following recommendations:

1. Implement Ordinances and Policies Supporting a Broadband Infrastructure Program
 - Establish Broadband Account in the accounting systems
 - Develop and Approve Dig Once Policy
2. Develop a Broadband Governance Program for Oversight
3. Launch Pilot P3 Broadband Program Using Existing Fiber Assets
 - Approve Funding for Minimum Cost Pilot
 - Issue RFP for Public-Private Partners (P3) to Offer Broadband Services to Businesses

4. Connect Directly to Internet Points of Presence
5. Develop Dark Fiber Leasing Programs
6. Expand the Fiber Network
7. Establish a Smart City Technology Governance Committee
8. Develop a Communications Strategy for Broadband Program.

The Plan recommends a phased program strategy for the City of Oxnard to enable economic growth by offering high-speed broadband to Oxnard businesses at competitive rates.

One of the approaches to expand fiber as advocated in the Plan is leveraging new development to deploy fiber optic infrastructure. Staff recommends City Council consider a requirement to include broadband infrastructure as part of new Development Agreements and discretionary permit approvals, and create a fiber/broadband development impact fee to expand and maintain fiber optic network infrastructure.

INTRODUCTION

The Fiber Master Plan was funded in 2016 and in January of 2017 the City's IT Department established a Technology Governance (Tech Gov) Fiber Master Plan Subcommittee to steer the City through the Plan's request for proposal (RFP) process. The City awarded the Fiber Master Plan contract to Magellan Advisors in March of 2018.

Why Fiber?

While other broadband access technologies exist using copper and wireless, fiber is much more future-proof. The next wave of technologies — especially artificial intelligence, the Internet of Things (IoT) and augmented reality — demand increasingly robust connections from both home and office. Fiber technology easily scales to the Gigabit speeds these services demand. Fiber is critical to the future of the smart home and the Smart City, since many of today's most connected cities determined that laying fiber is the foundation upon which many of tomorrow's most connected services will be built.

Fiber as Critical Infrastructure

Municipalities are increasingly recognizing the need to plan for initiatives that aim to improve the quality of life, expand economic development, and equip communities through improved technologies including the Internet and Smart City applications. As such, governments are positioning fiber-optic infrastructure into a role as another utility in addition to power, gas and water. In fact, the United States Department of Agriculture ("USDA") 2017 Broadband Opportunity Council Report finds, in part, that:

“Broadband has steadily shifted from an optional amenity to a core utility for households, businesses and community institutions. Today, broadband is taking its place alongside water, sewer and electricity as essential infrastructure for communities.”

Cities across the country and in California are using municipal fiber networks to attract new competitively priced service providers through opening commercial access to public broadband assets. Because local governments are not constrained by the profit motives held by retail internet service providers (“ISPs”), cities are able to leverage their infrastructure, and through public-private partnerships (“P3s”), create effective broadband alternatives for area businesses and anchor institutions at lower costs with increased availability and higher bandwidth.

Oxnard's Existing Fiber Network

The City of Oxnard's existing fiber network system backbone spans 38.45 miles of underground conduit with

fiber running through 31.81 miles of that conduit and copper wire running through 6.56 miles. Conduit is the tube or channel for conveying the fiber; you can think of conduit like a subway system while fiber is the actual subway. The existing network serves as a communications link for major City facilities and systems, including the traffic systems, fire stations, information technology data centers, and remote police locations. The majority of the existing fiber network system across the City was built in 2013, with an additional expansion added in 2016.

DISCUSSION

The Broadband Market in Oxnard

Magellan Advisors completed a Market Assessment of current commercial services offerings in the City, and worked with City staff in performing community outreach to assess Oxnard businesses' view on the current state of broadband in the city.

An online broadband survey ran from August through November of 2018 to gauge satisfaction levels on a variety of service parameters. The results were striking.

- 71% of surveyed businesses stated that high speed broadband was either absolutely essential or very important to their day-to-day operations.
- 80% expect the need for high-speed internet access to increase somewhat or substantially over the next 3-5 years.
- 58% reporting being somewhat or very dissatisfied with current prices.
- 81% say very fast and inexpensive broadband is a priority to stay and grow in Oxnard.
- 75% supported community-based broadband network solutions to address these issues.

In addition to servicing the business community, educational institutions are also relying more heavily on high speed broadband networks. Students now have the ability, and in some cases the mandate, to take classes online. Last-mile fiber can make direct eye contact, full-size and fully human interaction with classmates and teachers, classroom collaboration and real-time participation in labs a reality.

Reina Bejerano, the Director for Learning Support Services and Chief Technology Officer for the Oxnard Union High School District, states:

“...with curriculum increasingly becoming more of a digital platform, it is our responsibility as educators to meet the needs of our students by having a robust infrastructure and network in place to deliver digital curriculum in its many forms, whether that be as simple as a digital textbook, an interactive game or activity, a demonstration, or a virtual experience...”

FIBER MASTER PLAN RECOMMENDATIONS

The Plan outlines specific recommendations in leveraging existing and future fiber optic network infrastructure to meet the goals outlined in the City's IT Master Plan and Fiber Master Plan mandate as adopted by Council. Recommendations (1), (3) and (6) are discussed below.

Implement Ordinances and Policies Supporting a Broadband Infrastructure Program

Oxnard should create a “Dig Once” policy and modify its wireless ordinance to control right of way management and coordination and to incorporate broadband infrastructure expansion. These policies will lead to future opportunities for partnerships and reduce costs of new fiber network extensions.

Dig Once refers to a policy that fosters cooperation among entities (especially utilities) that occupy public

rights-of-way. Generally Dig Once policies require planning and coordination for construction projects in the public right-of-way ("ROW"). For example, if the gas company wants to open a street to fix a gas line, it would have to coordinate with the City to ensure we only "dig once." The concept can also extend to required placement of conduit for fiber optics whenever the ground is opened. Staff are reviewing the requirements, impact and timeline to develop and present Council with a Dig Once policy appropriate for Oxnard. Should Council approve the Fiber Master Plan it will take about 12 months for staff to develop the policy.

The City's wireless ordinance needs to be updated to address current wireless technologies, wireless facilities deployment demands and regulatory practices. To implement the Fiber Master Plan staff will modify the City's wireless ordinances to address 5G and other "Smart City" sensor deployments prioritizing utilization of City vertical assets and fiber optic network infrastructure with a placement priority at major intersections in the right-of-way (ROW). Should Council approve the Master Plan, staff estimates approximately 18 months to present Council with a modified ordinance.

Launch Pilot P3 Broadband Program Using Existing Fiber Assets (including funding for the costs of the pilot)

The Plan recommends the city follow a similar path of many other municipalities across the country and in California by opening access to public broadband assets through public-private partnerships ("P3") with Internet service providers. This model:

1. Permits Oxnard to retain public ownership of assets;
2. Outsources broadband service to possibly multiple Internet service provider partners;
3. Allows quickest time to market for offering Internet services through a pilot to interested businesses;
4. Creates new revenue streams; and
5. Reduces program risks.

The Plan recommends Oxnard launch a pilot program by developing and issuing a Request for Proposals (RFP) to identify one or more P3s to offer broadband services using existing Oxnard-owned assets. The RFP could open the possibility of offering broadband services to community anchor institutions and residential areas.

Magellan identified the lowest cost entry for the pilot broadband program, covering electronics, RFP preparation and evaluation costs. Entry excludes the costs of lateral construction and customer premise equipment at subscriber sites, which would be determined as part of the P3 Agreement. Minimum entry costs for the pilot are estimated at \$274,503.

Expand the Network

The Plan outlines expansion phases including replacing copper twisted wire pair sections to fiber, building a pre-designed phase to support the city SCADA network and other "opportunistic" builds. Some of these expansion segments would provide resiliency to the network by creating alternate paths to the city's data center, and allow P3s closer access to residential multi-dwelling units and some of the less advantaged areas of Oxnard.

Magellan recommends expansion take place through the policy initiatives outlined in the Plan, public projects, new development, or other open trench opportunities.

STAFF RECOMMENDATIONS FOR IMPLEMENTATION OF THE PLAN

The Plan recommends that the City consider requiring any licensee who is permitted to install facilities underground to provide duct/conduit space for the City's use to extend its network. Staff has begun reviewing approaches to meet this recommendation which include the following:

1. Including a requirement to install municipal fiber optic infrastructure in future Development Agreements (specifically mentioned in the Plan)
2. Developing standard conditions of approval for future development projects to require any licensee who is permitted to install facilities underground to provide fiber optic infrastructure (duct/conduit space) for the City's use to extend its network. These conditions of approval would govern the deployment of fiber optic infrastructure and the inclusion of broadband infrastructure.
3. Creating a fiber/broadband development impact fee to expand and maintain fiber optic network infrastructure.

These three approaches warrant consideration and implementation but with further discussion and review of conditions and mechanisms for exceptions, enforcement and impact to be determined. Alternatively, the city could rely on a Dig Once policy for expansion of the network. However, the Dig Once policy will have its own set of conditions, exceptions and limitations and therefore restrict broadband infrastructure deployment. Addressing infrastructure deployment in the planning stages of development will yield better opportunities to proactively manage infrastructure growth with greater control and opportunity for targeted expansion. Taking no action through any of the approaches outlined above will result in severely diminished opportunistic expansion of the City's fiber optic infrastructure.

Should Council approve these recommendations, staff would require up to 18 months to present findings, and make final recommendations.

STRATEGIC PRIORITIES

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

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

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

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

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

Goal 3. Focus on creating a culture of learning and talent development that will lead to a quality workforce which meets the needs of our community.

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

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

Goal 2. Enhance business development throughout the City. Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Goal 3. Enhance business retention and attraction.

Goal 5. Revitalize Oxnard's downtown and pursue economic development opportunities.

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals and objectives:

Goal 1. Ensure Master plans for all City infrastructure are current, synchronized and consistent with the General Plan.

Goal 3. Ensure Funding is adequate to meet the goals of the master plans.

FINANCIAL IMPACT

No budget adjustment is necessary. Initial stages of the Fiber Master Plan can be funded through existing appropriations in the Information Technology Fund (731), by redirecting some savings in the telecommunications portion of the Fund that the Information Technology Department has generated in the last two years.

The Information Technology Department's (the "Department") Communications & Security Systems Division has completed an audit of telecommunications carrier lease line circuits (telephone lines, Internet and Data lines and services). As a result, the Department has been able to eliminate a significant number of lines no longer in use, which already has resulted in, and will continue to result in, hard-dollar savings in the Department's telecommunications budget allocated as part of the Information Technology Fund, which is an internal service fund.

The resulting dollar savings will benefit all the funds that pay into the Information Technology internal service fund. For example, the Water Fund, the Wastewater Fund, and the Environmental Resources Fund will all see their future charges from the Information Technology Fund reduced by their share of the amount of the savings from the audit of the telecommunications carrier lease line circuits.

To finance the early part of the operating costs of the Fiber Master Plan, staff proposes to keep the General Fund's share of those savings (\$90,000 so far; \$54,900 per year beginning in FY 2020-21) in the Information Technology Fund. These funds will be used to invest in broadband assets as described in the next paragraph and support operational and maintenance costs as part of the Fiber Master Plan.

The Fiber Master Plan calls for an upfront \$244,503 infusion of capital funds to purchase fiber optic network hardware. Staff will return to committee in the future to discuss this transaction in more detail. This hardware will be used to transition Oxnard's closed fiber optic network to an open architecture accessible to broadband and "smart city" application providers as specified in the Plan.

COMMITTEE OUTCOME

The Housing and Economic Development Committee recommendation that the Council approve and adopt the Fiber Master Plan and associated recommendations on April 14, 2020 by a vote of 3-0.

Discussions in the Committee centered around the importance of fiber and high-speed broadband to Oxnard's economic development, social development especially as it relates to education and various ways to fund fiber networks. In relation to funding, Oxnard will pursue federal and state grants if, and as, they become available. In addition, Oxnard will pursue funding (and expanding the network) through a combination of approaches outlined in the Plan as well as staff recommendations including leveraging development (including a

requirement to deploy broadband infrastructure in developer agreements, as part of standard conditions of approval for discretionary permits, and through the implementation of a broadband infrastructure development impact fee), a dig once policy, and public-private partner cost and/or revenue sharing agreements.

Prepared by: Kevin Pisacich, Systems Administrator

ATTACHMENTS

1. Magellan Fiber Master Plan City of Oxnard Cover Page
2. Fiber Master Plan Council Presentation - May 2020 042220 (Reduced)

Full Version Available at Oxnard Main Library and City Clerk's Office, and on City website:
<https://www.oxnard.org/wp-content/uploads/2020/03/Magellan-Fiber-Master-Plan-City-of-Oxnard.pdf>

CITY OF OXNARD

Fiber Master Plan



WWW.MAGELLAN-ADVISORS.COM

Fiber Master Plan

Becoming a Fiber City

Keith Brooks, Chief Information Officer

Kevin Pisacich, IT Manager - Comm. & Security Systems

Jory Wolf - VP Digital Innovation, Magellan Advisors



Background

"The City should consider leveraging its current fiber infrastructure and resources, including shared resources available through agreements with other public agencies, in order to position itself to become a 'Fiber City.'" - IT Master Plan Consultant

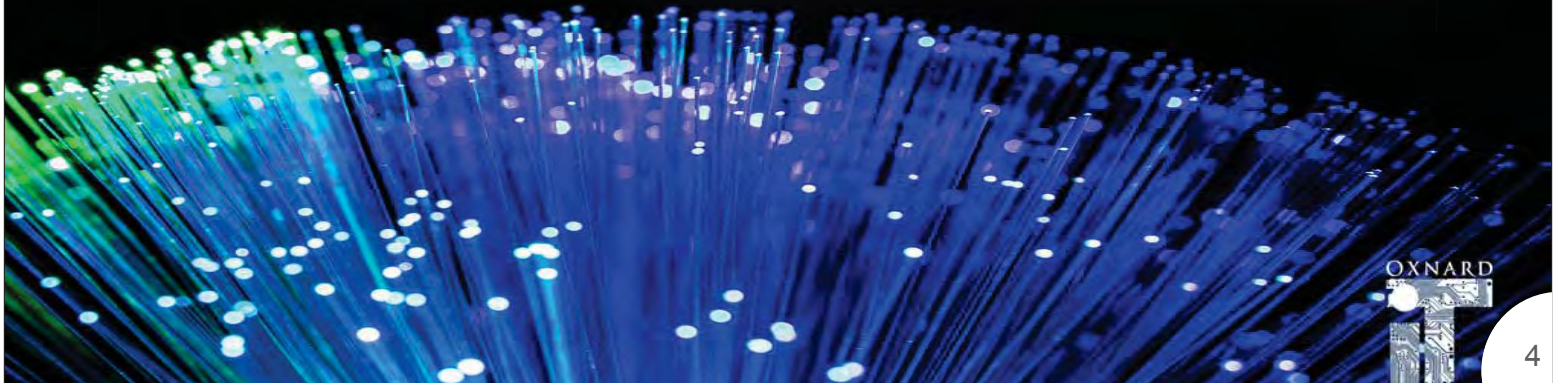
32 Miles of Fiber



3

Vision

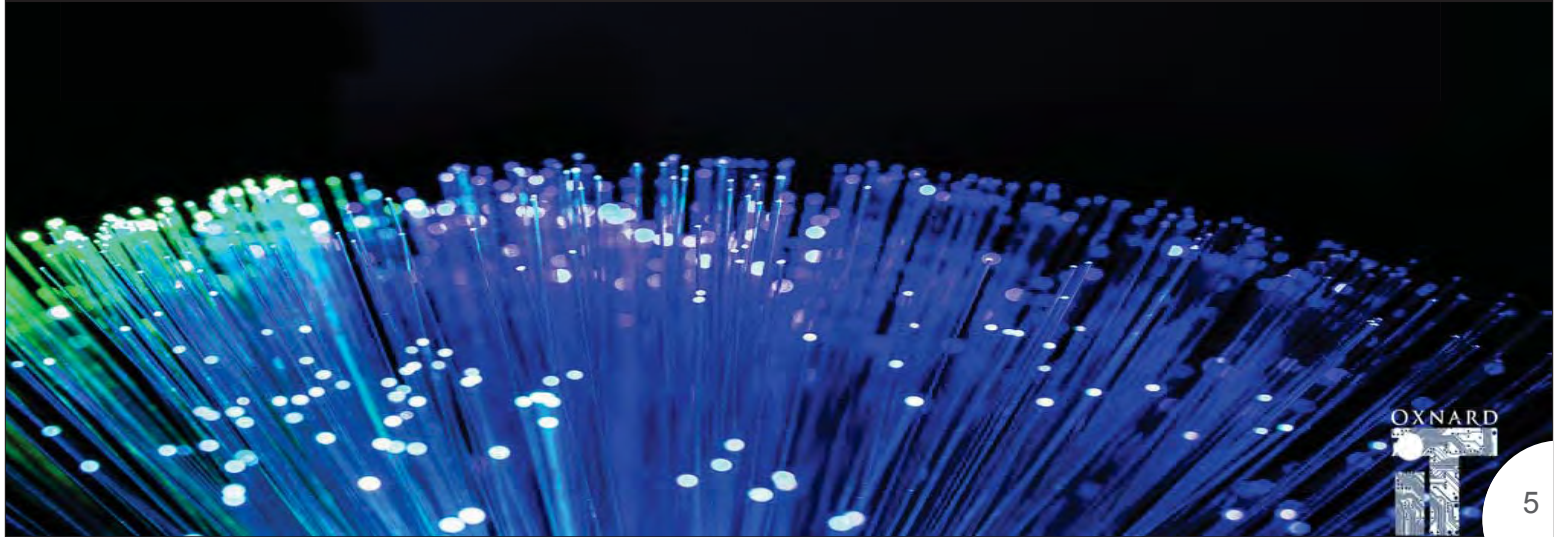
This is a crucial pathway to economic development and the ability to attract advanced businesses that offer high-paying jobs in the City of Oxnard. Access to high-speed internet and data networks will also give existing businesses the tools they need to expand.



4

Question:

Who would move into a house that had no Internet or slow Internet?



Internet Speed Analysis: Top 200 Cities

Most Impacted:

- Oxnard, CA
- Austin, TX
- Winston Salem, NC

42%

BROADBANDNOW®

What is Broadband?

High-speed Internet



7

How does it work?

Today

vs.

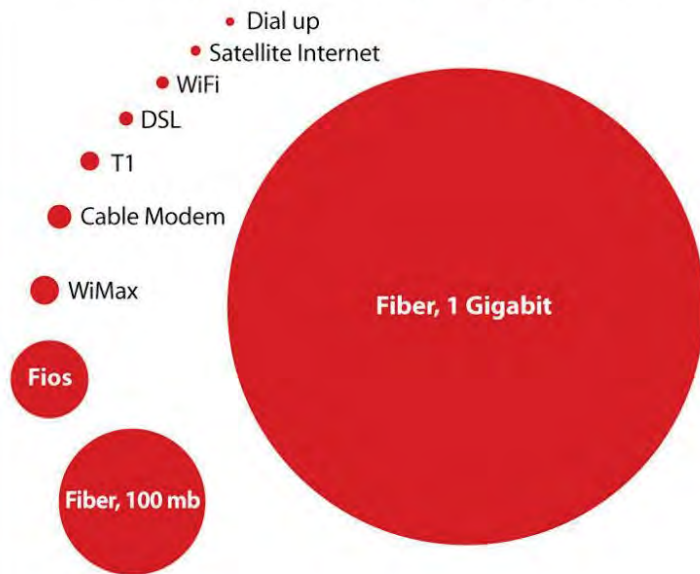
After lighting up fiber?



8

Bandwidth/Connectivity Comparisons

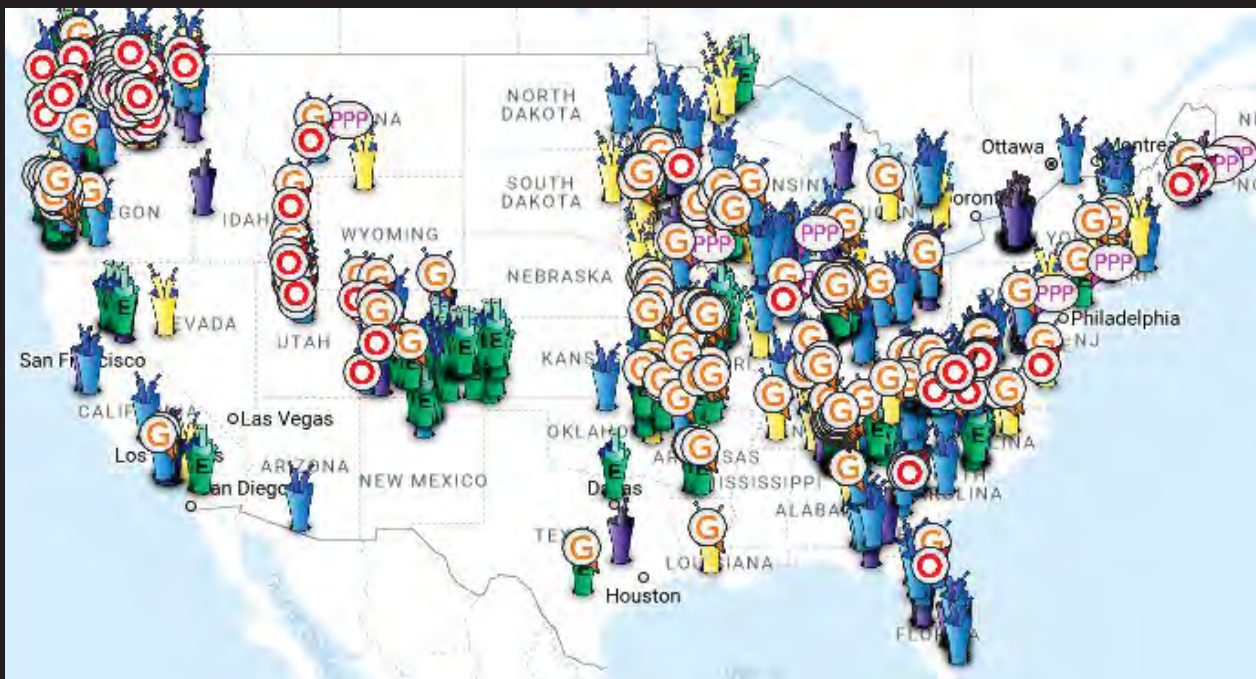
Dial-up Modem to Gigabit Ethernet



By Chad Trovinger/Graphic Designer

Fiber delivers
UNPARALLELED SPEED

Municipal Fiber Networks



Foundational principles

Network Design

**Publicly
Owned**

**Open
Access**

**Demand
Driven**

**Phased
Expansion**



11

About Magellan Advisors

Magellan planned, built and operated over 50 next-generation broadband networks across the US valued at over \$1B USD.

250

250 PUBLIC &
PRIVATE CLIENTS
SERVED

50+

OVER 50 NETWORKS
IMPLEMENTED
NATIONWIDE

\$1B

OVER A BILLION IN
BROADBAND
PROJECTS FUNDED

1M

1 MILLION FIBER TO
THE PREMISE
CONNECTIONS

1K

1,000 COMMUNITY
ANCHORS
CONNECTED

12

Magellan Advisors: West Coast Engagements

City of Carlsbad, CA
City of Concord, CA
City of Culver City, CA
City of El Segundo, CA
City of Fountain Valley, CA
City of Huntington Beach, CA
City of Inglewood, CA
City of Manhattan Beach, CA
City of Marion, CA
City of Mission Viejo, CA
City of Santa Ana, CA



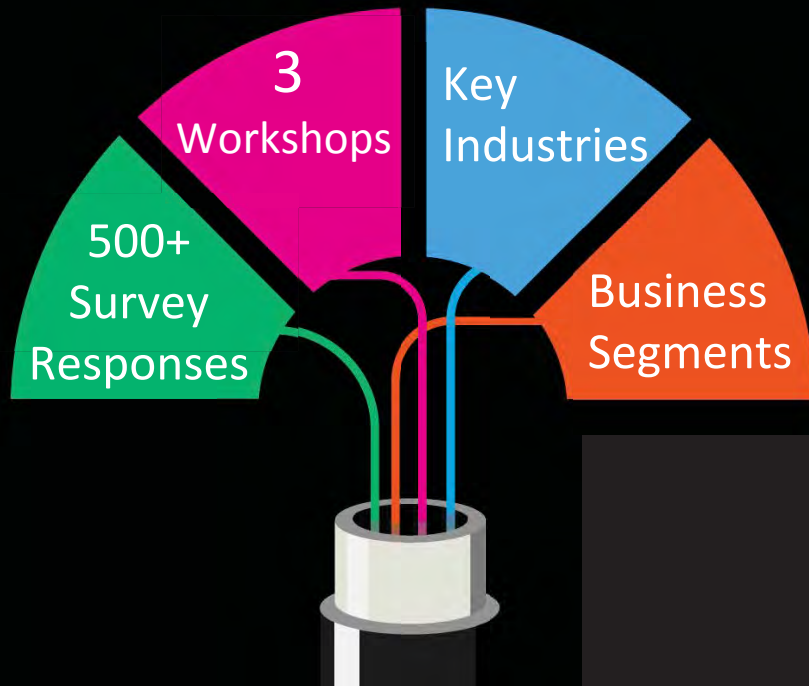
City of Rancho Cucamonga, CA
City of Riverside, CA
County of Sonoma, CA
City of San Leandro, CA
County of Stark, OH
City of Vallejo, CA
Port of Walla Walla, WA
City of West Hollywood, CA
Port of Whitman, WA
County of Yolo, CA
15 South Bay Cities COG, CA

Research & Outreach Efforts

- Discussions with other cities
- Business Broadband Survey
- Interviews with every department
- Interviews with City Council Members
- Meetings with Anchor Institutions
- Meetings with Businesses
- Meetings with Public Sector Partners

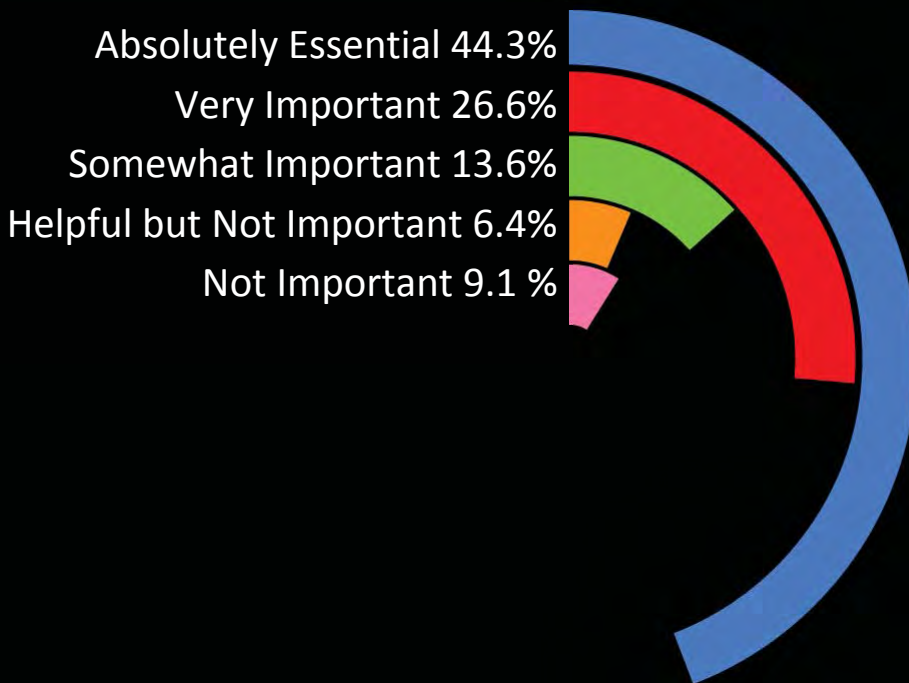


Engagement Summary



15

Survey Results

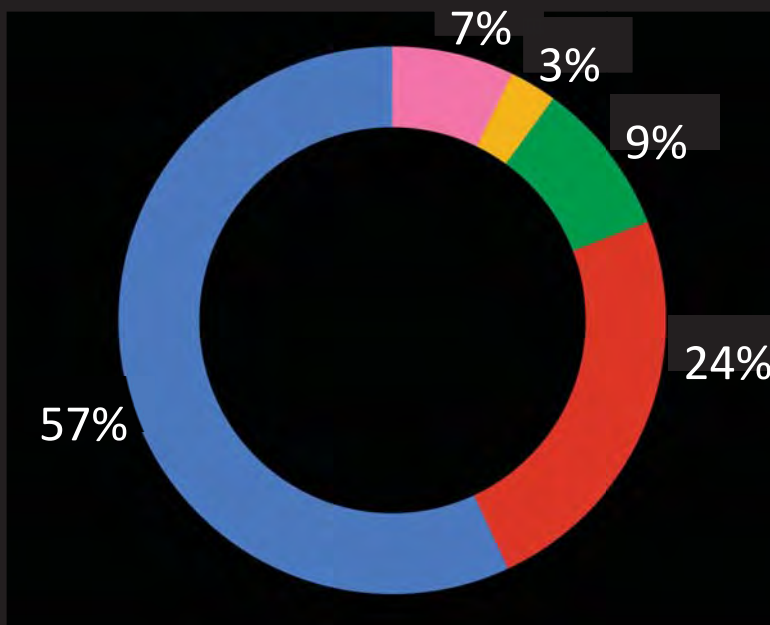


Surveyed businesses see broadband as **ABSOLUTELY ESSENTIAL** for a variety of their day-to-day operations.



16

Survey Results

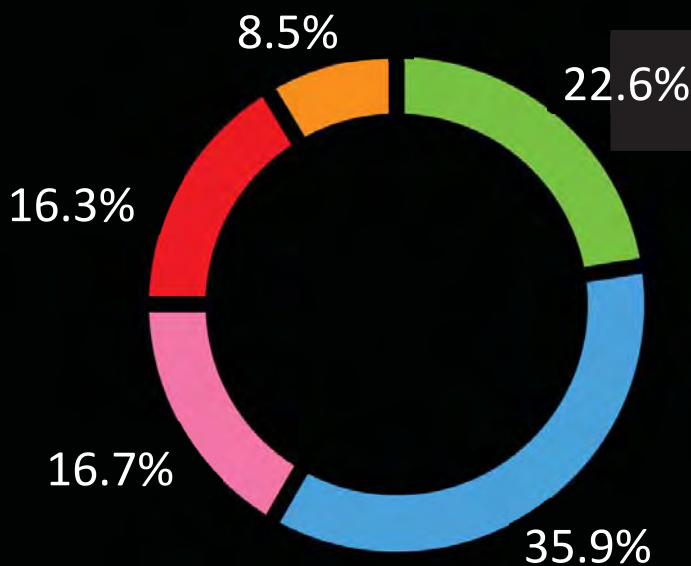


81% say **Very fast and inexpensive broadband is a PRIORITY to STAY and GROW in Oxnard**



17

Survey Results



PRICE was the measurement of **highest dissatisfaction**

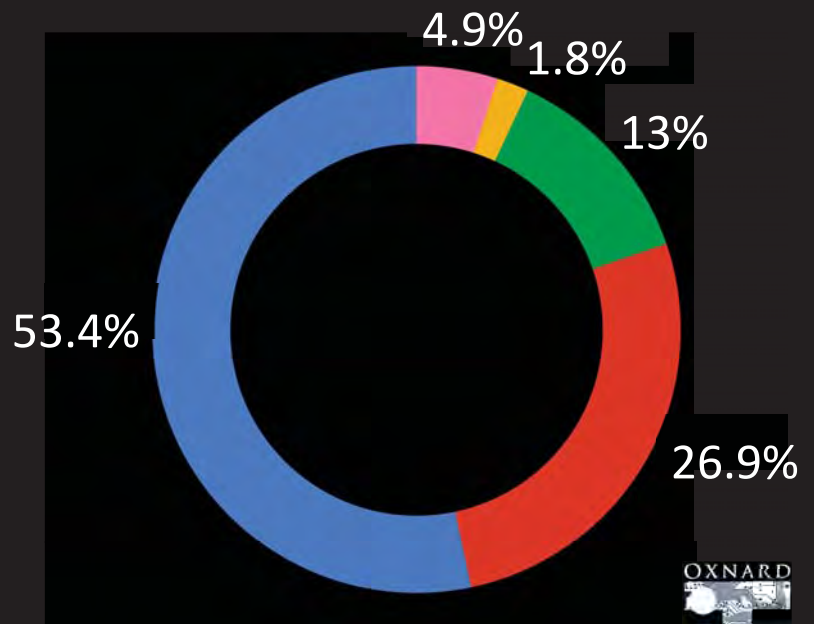
Very dissatisfied Somewhat dissatisfied Neither/Not Sure
Somewhat satisfied Very satisfied



18

Survey Results

Surveyed businesses expect the need for high-speed internet access to increase somewhat or substantially over the next 3-5 years.



Results: Key Issues

"It's too expensive to have here at the office, so I use my phone and broadband at home if necessary."

"It's only a matter of time before we need faster Internet access as technologies improve and expand."

"A predictably good and fast internet service is critical to our business."

"Internet is the future of business and education. We need a reliable, fast, and secure broadband service but for that future."



Overview of Fiber Plan Recommendations

1. Implement policies supporting the broadband program
2. Develop governance programs for broadband
3. Launch P3 pilot program using existing assets
4. Expand the fiber network
5. Connect to an Internet Point of Presence
6. Develop a dark fiber leasing program
7. Establish a Smart City Technology Governance Subcommittee
8. Develop a communications strategy for broadband



21

Broadband Policies



"Dig Once" promotes planning and coordination for construction projects in the public right-of-way ("ROW").

Wireless ordinances address 5G and other "Smart City" sensor deployments.



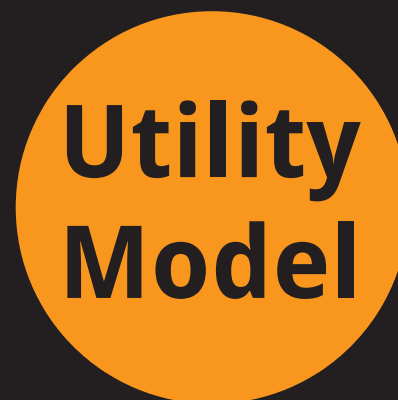
22

Pilot and Expansion Phases



RFP - P3s & Utility Models

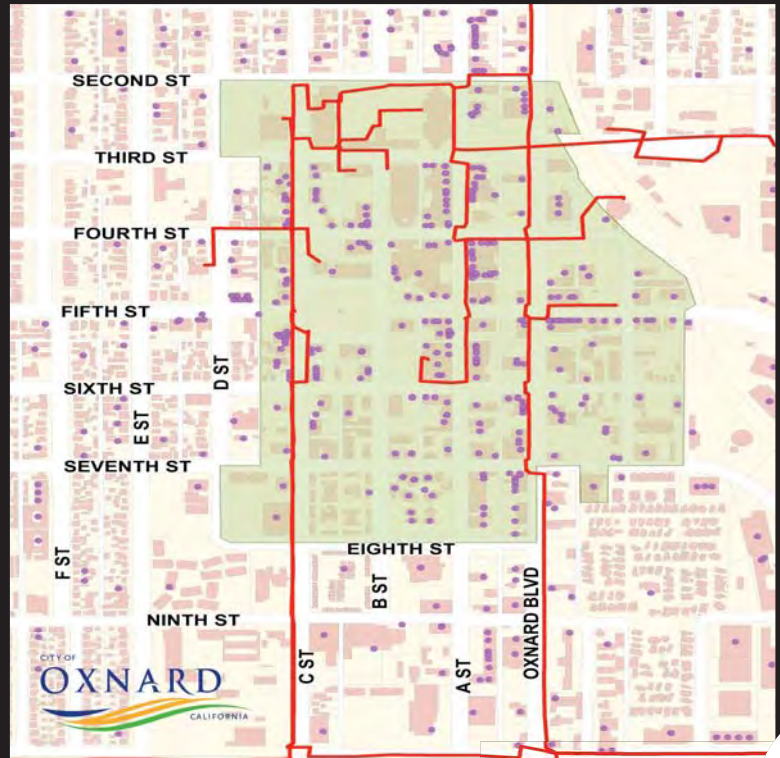
Public Private Partnerships



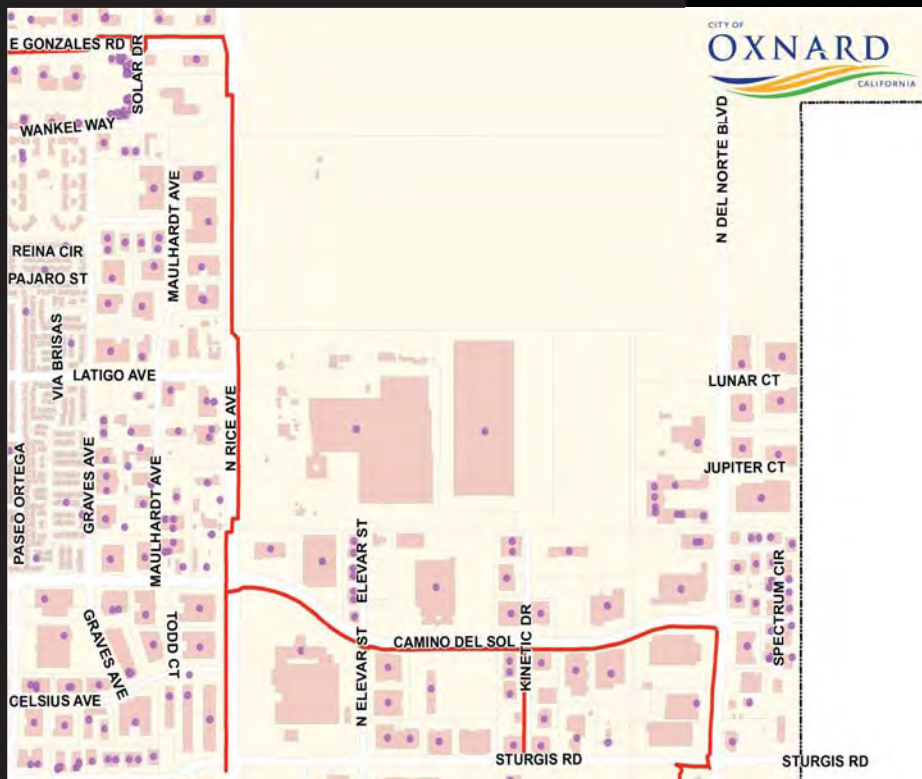
LAUNCH IT!

Pilot Phase

Downtown Core



25



Pilot Phase

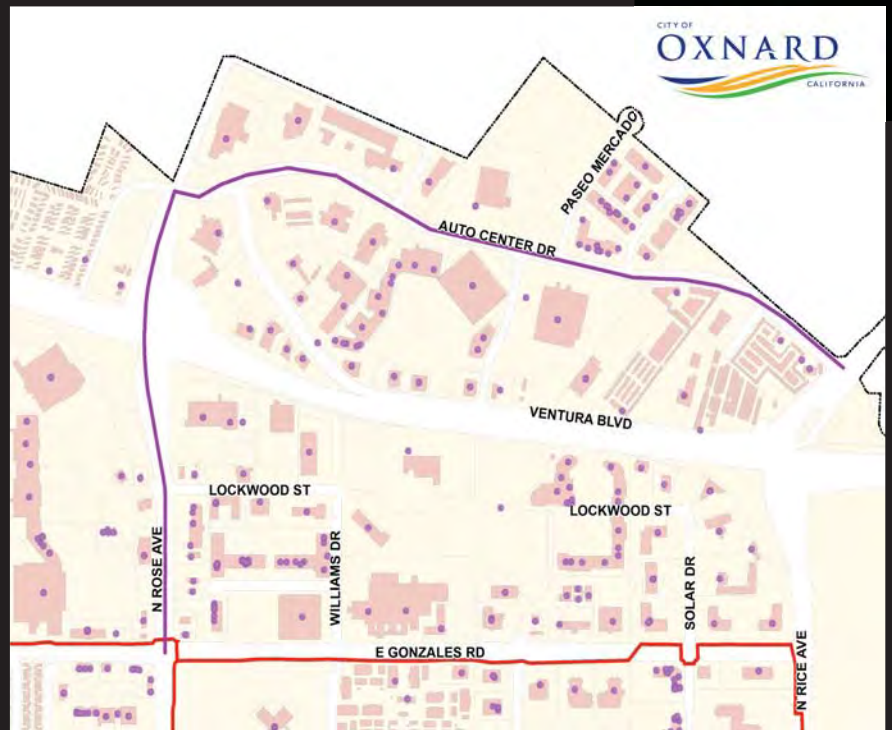
Eastern Business Parks



26

Pilot Phase

Auto Center Dr



27

Funding



New **Broadband Account**

Pilot Phase Electronics

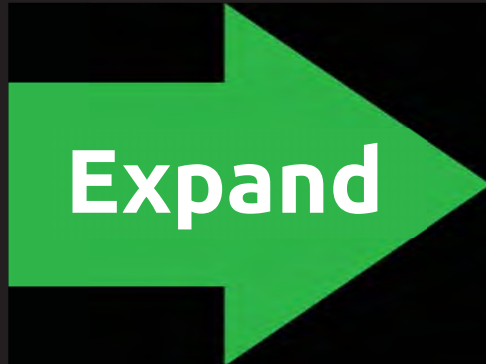
Laterals - TBD

Expansion Phases



28

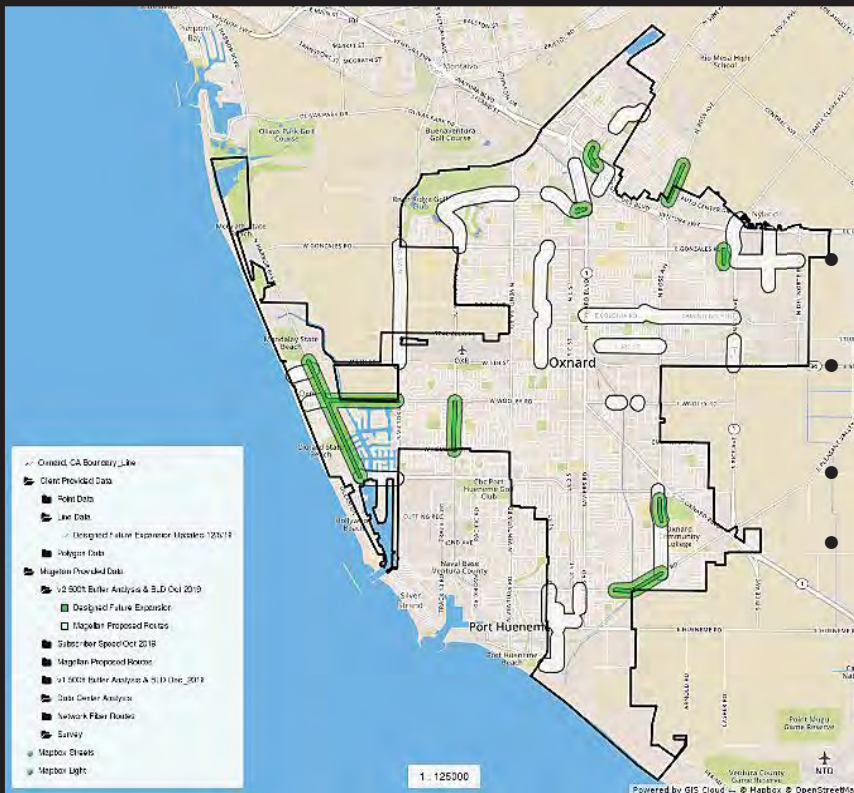
Expansion



Opportunistic Builds
Leverage Development



29



Opportunistic Builds

Replace old copper
New developments
Public Works projects



30

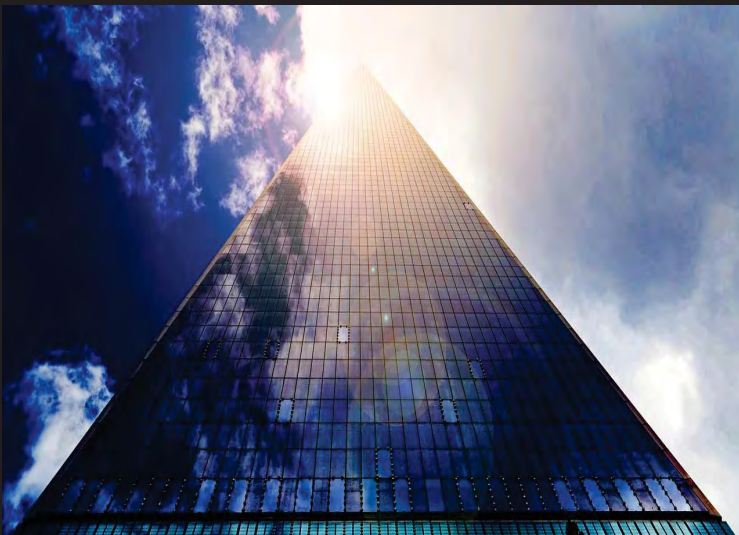
Opportunistic Expansion

Dig Once
Joint Trench Leased Line Replacement
Development Agreements
Abandoned Sewer Lines **Residential Broadband**
Earthquake Seismic Array **Wireless carrier revenue**
Traffic Management
Utilities Monitoring & Metering **IoT**



31

Leveraging Development



Discretionary permits

Development
Agreements

Development Impact Fees



32

Funding Fiber Networks



Dig Once

Development

P3 Agreements

Federal & State Grants

...Assessment Districts



33

What will it do for Oxnard?



34



Crucial Pathway

Economic Development

Advanced Business

High-Paying Jobs



35

More Internet Service Provider Options

Telemedicine

Museum Educational Seminars

City-Wide Wifi

Lower Telco "Leased Line" Costs

E-Rate / CENIC for Schools

High-Resolution Security Cameras

Homework Hot Spots

Traffic Signals

IoT

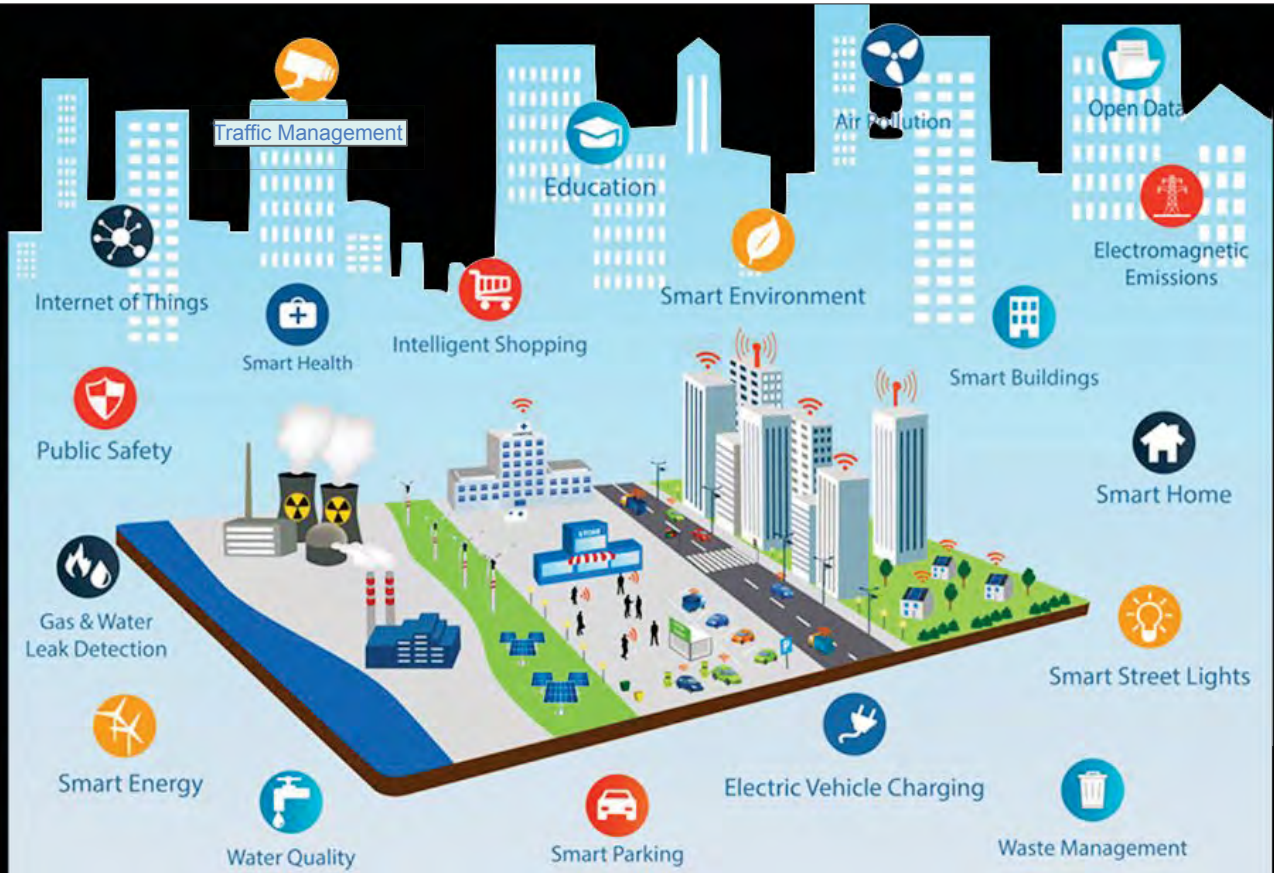
Utilities Monitoring & Metering

Wireless carrier revenue

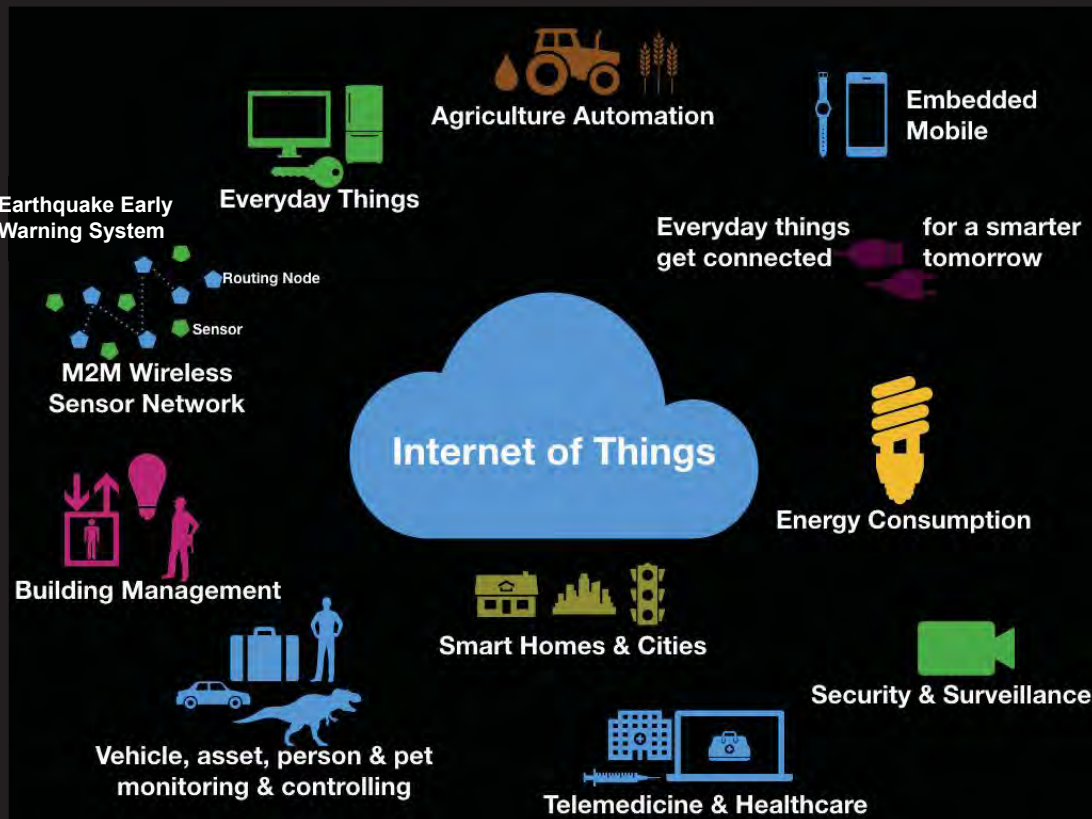


36

Smart Cities



37



38

Potential Municipal IOT Devices?

Smart meters

Smartphones

Street Lights

Smart Refuse Bins

Parking Availability

Parking
Enforcement

TVs

Vehicles

Sewage Flow

Smart Park
Watering

Circuit NIUs

Traffic Enforcement

RFID Tags

Valves & Meters

City Building
HVAC/Lighting

Road Signage

Automobiles

Smart Screens

GPS Trackers

Traffic Signals &
Sensors

Card Access

Air Quality

Kiosks

Appliances

Water Pumps

EV Charging Station

Vending
Machines



It all runs on Fiber...



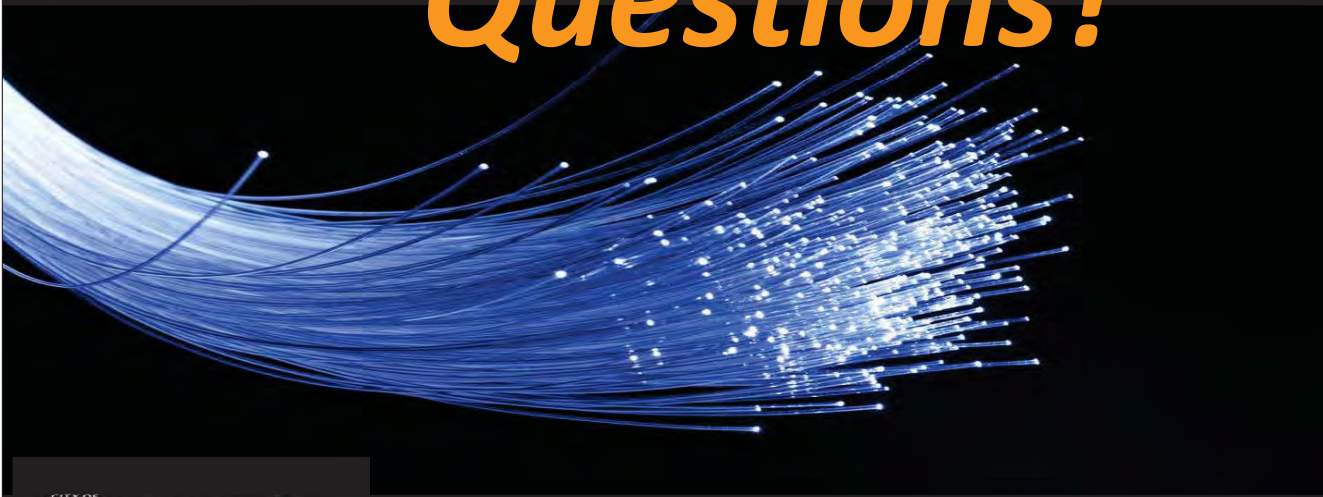
This is a new utility!

Think about fiber like you do about
Gas, Water and Power.



41

Questions?



oxnard.org/fiber-future
fiberfeedback@oxnard.org



42

Recommendations



That the City Council:

- 1. Approve the Fiber Master Plan; and**
- 2. Provide Direction on**
 - **Discretionary Permits**
 - **Development Agreements**
 - **Development Impact Fees**





CITY COUNCIL AGENDA REPORT
REPORT OF CITY MANAGER/EXECUTIVE
DIRECTOR/SECRETARY
AGENDA ITEM NO. H.1

DATE: May 5, 2020

TO: City Council

FROM: Alexander Nguyen, City Manager, (805) 385-7430, alexander.nguyen@oxnard.org

SUBJECT: COVID-19 Update, Ratification of Director of Emergency Services Orders. (10/5/5)

RECOMMENDATION

That the City Council:

1. Receive an update from the Director of Emergency Services;
2. Adopt a resolution ratifying orders issued by the Director in response to the COVID-19 Local Emergency.

BACKGROUND

On March 4, 2020, the State of California declared a state of emergency in response to concerns over COVID-19. On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic. On March 12, 2020, the Ventura County Health Officer declared a Local Health Emergency in response to the COVID-19 pandemic. On March 13, 2020, in response to this rapidly evolving public health crisis, the City Manager, in his role as the Director of the Emergency Services (the "Director") as delegated in Chapter 6 of the City Code, proclaimed the existence of a local emergency, which the City Council ratified and proclaimed on March 17, 2020 (the "Local Emergency").

Pursuant to Government Code Section 8634, the Director "may promulgate orders and regulations necessary to provide for the protection of life and property." City Code section 6-3(C)(1) requires the Director, "at the earliest practicable time, request the city council to ratify such orders and regulations."

Following the Council's prior ratification of Director Order Nos. 20-01 through 20-08 on April 7 and 21, 2020, as of the date of publication of this agenda, the Director has issued one additional Director Order (attached) in response to the Local Emergency. Director Order 20-09, issued April 22, 2020, allows the temporary use of canopies and tents, as well as signage, to facilitate curbside pick ups for essential businesses operating during the Local Emergency and allow them to advertise to the public that they are open for business.

The attached resolution for Council's consideration ratifies the Director Order described above, and will be amended to include any additional Orders issued by the Director following the publication of the agenda for this meeting up to the time of the meeting.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

There is no financial impact from adopting the ratification resolution.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Stephen Fischer, City Attorney

ATTACHMENTS

1. Resolution ratifying Director Orders.COVID-19.CC042120 (1)-1
2. Exhibit A DO 20-09 Sign Regulations

CITY COUNCIL OF THE CITY OF OXNARD**RESOLUTION NO. _____****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
RATIFYING ORDERS ISSUED BY THE DIRECTOR OF EMERGENCY
SERVICES**

WHEREAS, Government Code section 8630 and Chapter 6 of the Oxnard City Code empower the City Manager of the City of Oxnard (“City”), acting in the capacity of the Director of Emergency Services (the “Director”), to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, on March 13, 2020, in response to the rapidly evolving public health crisis resulting from the COVID-19 pandemic, the Director proclaimed the existence of a local emergency (the “Local Emergency”); and

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 15,304, proclaiming the Local Emergency and ratifying the Director’s March 13, 2020 proclamation; and

WHEREAS, pursuant to Government Code section 8634, Resolution No. 15,304 and Chapter 6 of the City Code, the Director may promulgate orders and regulations necessary to provide for the protection of life and property and shall request the City Council to ratify such orders and regulations; and

WHEREAS, the Director has issued Order No. 20-09, attached as an exhibit hereto in response to the Local Emergency.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Order No. 20-09 issued by the Director and attached as Exhibit A hereto is necessary to provide for the protection of life and property in response to the Local Emergency and is hereby ratified.

PASSED AND ADOPTED THIS 5th day of May 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney

EXHIBIT A**CITY OF OXNARD****DIRECTOR ORDER NO. 20-09****ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF OXNARD REGARDING ESSENTIAL BUSINESS CURBSIDE PICKUP TENT AND SIGN REGULATIONS**

WHEREAS, Government Code section 8630 and Chapter 6 of the Oxnard City Code empower the City Manager of the City of Oxnard (“City”), acting in the capacity of the Director of Emergency Services (the “Director”), to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency in response to the spread of the COVID-19 respiratory disease; and

WHEREAS, on March 13, 2020, in response to the rapidly evolving public health crisis resulting from the COVID-19 pandemic, the Director proclaimed the existence of a local emergency (the “Local Emergency”); and

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 15,304, proclaiming the Local Emergency and ratifying the Director’s March 13, 2020 proclamation; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of sixteen critical infrastructure sectors; and

WHEREAS, on March 20, 2020, the Ventura County Health Officer issued an Order directing persons living in the County of Ventura to stay at their places of residence and restricting non-essential activities in response to COVID-19, imposing stay-at-home directives and further operational restrictions on businesses within the County in an effort to stop the spread of COVID-19; and

WHEREAS, on April 9, 2020, the Ventura County Health Officer issued an Order prohibiting all gatherings, adding to the list of essential businesses and requiring implementation of social distancing protocols; and

WHEREAS, on April 20, 2020, the Ventura County Health Officer issued an order closing certain non-essential businesses and prohibiting non-essential activities to combat COVID-19; and

WHEREAS, the City wishes to make it easier, while establishing specific requirements, for essential businesses to set up tents and canopies to allow for curbside pick ups; and

WHEREAS, the City wishes to make it easier, while establishing specific requirements, for essential businesses to announce that such businesses are “Open for Business.”

DES Order No. 20-09

4/22/2020

NOW, THEREFORE, THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF OXNARD DOES HEREBY ORDER AS FOLLOWS:

SECTION 1. Tents and Canopies Essential Business Curbside Pickups

- a. All essential businesses as defined by the Ventura County Public Health Officer may set up tents and/or canopies (the "Tent") to aid in curbside pickups on private property, but not in the public right-of-way.
- b. The purpose of the Tent shall be to shelter goods and personnel from the sun and weather, and to clearly identify where curbside pickups are to occur. Signage shall be limited to the business name, business logo, and text indicating "Curbside Pickup" on the Tent. Combined signage on all Tents per business on a single property shall be limited to 20% of the Tent's facade, with a maximum of six square feet of combined signage.
- c. The Tent shall not interfere with or impede paths of travel or vehicular circulation.
- d. Outdoor sales and the display of merchandise are not permitted from the Tent, as the intent of this Order is to allow for the flow of goods and not the congregation of persons.
- e. No permit is needed for the Tent.
- f. The Tent shall be removed within 30 days of the end of the Local Emergency.

SECTION 2. "Open for Business" Essential Business Signage

- a. All essential businesses as defined by the Ventura County Public Health Officer may install temporary signs subject to the provisions of this Section.
- b. Signs shall only include the business name, business logo, and text indicating the business is "Open for Business."
- c. Facade signs: Combined sign area of all temporary signs placed on a facade / fascia per business on a single property shall not exceed two square feet for each foot of street frontage, with a maximum of 32 square feet of combined facade signage.
- d. Window signs: Combined sign area of all temporary signs placed upon a window and any other window signs shall not exceed 33% of the window area. (This is in addition to facade signs)
- e. Temporary signs shall not extend past a tenant's facade, block an entry, or interfere with visual sightlines that would impact public safety.
- f. Sign shall be removed within 30 days of the end of the Local Emergency.

SECTION 3. This Order may be modified or rescinded by further Order by the Director or by the City Council.

SECTION 4. This Order shall remain in effect during the period this Local Emergency exists and shall terminate upon City Council's determination that the Local Emergency no longer exists.

SECTION 5. This Order shall become effective immediately.

DES Order No. 20-09

4/22/2020

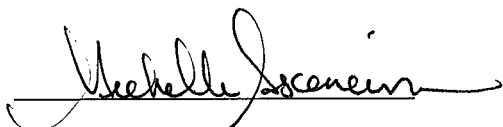
SECTION 6. This order shall be given publicity and notice as required by Government Code section 8634.

SECTION 7. The City Clerk shall certify to the adoption of this Order and shall cause a certified Order to be filed in the Office of the City Clerk.

Dated: April 22, 2020

By: 
Alexander Nguyen
City Manager/Director of Emergency Services
City of Oxnard

ATTEST:


Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

 4/22/2020
Stephen M. Fischer, City Attorney

DES Order No. 20-09

4/22/2020



**CITY COUNCIL AGENDA REPORT
INFORMATION/CONSENT AGENDA
AGENDA ITEM NO. L.1**

DATE: May 5, 2020

TO: City Council

FROM: Michelle Ascencion, City Clerk, (805) 385-7805, michelle.ascencion@oxnard.org

SUBJECT: Approval of Minutes.

RECOMMENDATION

That the City Council approve the minutes of the April 21, 2020 regular meeting as presented.

BACKGROUND

Not applicable.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

There is no financial impact.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Michelle Ascencion, City Clerk

ATTACHMENTS

1. Minutes 04.21.2020 CC regular meeting

MINUTES
 OXNARD CITY COUNCIL
 Regular Meeting
 April 21, 2020

A. ROLL CALL, POSTING OF AGENDA

At 5:03 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Gabriela Basua, Vianey Lopez, Bryan A. MacDonald, Oscar Madrigal, Bert E. Perello (arrived at 5:10 p.m.), Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present via telephone.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; and Michelle Ascencion, City Clerk.

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

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) (City Council)
 Name of case: Jose Alvarez et al. v. City of Oxnard,
 United States District Court, Central District, Case No. 2:19-CV-08044-PSG-JC.
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 (Government Code section 54956.9(d)(4)) (City Council)
 Based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

Mayor Flynn read the following closed session statement:

“The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title of the litigation being discussed is *Jose Alvarez; et al. v. City of Oxnard*. The City Council will also recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case.”

At 5:05 p.m., the City Council recessed to a closed session. At 6:35 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that the Council was briefed on the listed items and there were no reportable actions out of closed session.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Ashley Golden, Assistant City Manager; Kevin Riper, Chief Financial Officer; Scott Whitney, Police Chief; Emilio Ramirez, Housing

Director; Rosemarie Gaglione, Public Works Director (via telephone); and Thien Ng, Assistant Public Works Director.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of April 2020 as "Sexual Violence Awareness Month."

Mayor Flynn read the proclamation and Olga Medina of Lideres Campesinas made some remarks.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Joan Tharp (homeless encampments at Ormond Beach). Written comments were received from Joan Tharp, Danielle Rose, and Cassandra Rogers (homeless encampments at Ormond Beach).

G. REPORT OF CITY MANAGER

The two items were considered concurrently:

City Manager Department

1. SUBJECT: COVID-19 Update, Ratification of Director of Emergency Services Orders.
RECOMMENDATION: That the City Council:
 1. Receive an update from the Director of Emergency Services;
 2. Adopt **Resolution No. 15,316** ratifying orders issued by the Director in response to the COVID-19 Local Emergency.

Housing Department

2. SUBJECT: Modifications to Provision of Homeless Shelter Services in response to COVID-19 Pandemic.
RECOMMENDATION: That the City Council ratify the First Amendment to Agreement No. A-8194 with Mercy House, increasing the total cost by \$236,707 for a not-to exceed amount of \$1,423,267, to provide for the partial re-location and dispersal of homeless shelter beds in order to comply with the COVID-19 emergency public health social distancing requirements.

The City Manager, Chief Financial Officer, Ana Maria Lugo of the U.S. Department of Commerce – 2020 Census, Police Chief, and Housing Director gave reports. The City Attorney announced that the resolution had been updated since agenda publication due to additional Director's Orders. Public comments were received from Armando Delgado. Written comments were received from Maria Elena Saldana Aldana, Peggy Rivera, and Lucy Cartagena. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommended actions. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

H. CITY COUNCIL REPORTS

Councilmember Madrigal urged everyone to stay safe during the COVID-19 emergency.

Councilwoman Basua commented on the homeless encampments at Ormond Beach.

Mayor Pro Tem Ramirez commented on the homeless encampments at Ormond Beach, holding neighborhood council meetings via videoconference, Earth Day, and the COVID-19 emergency.

Councilmember Perello reported on a recent meeting with Congresswoman Julia Brownley on COVID-19 financial aid, commented on federal stimulus programs and accountability, and the COVID-19 emergency.

Councilmember Lopez urged everyone to stay safe during the COVID-19 emergency.

Mayor Flynn commented on the city's programs to assist small businesses to apply for federal stimulus funds and individuals to apply for unemployment during the COVID-19 emergency.

I. REVIEW OF INFORMATION/CONSENT AGENDA

Items K-1, K-3, and K-4 were discussed among the Council and staff. Councilmember Perello requested that item K-1 be amended to reflect the April 7, 2020 meeting was adjourned in honor of the passing of Martin Jones.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Laura Gallardo and Khalilah Durias.

K. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the April 7, 2020 regular meeting as presented.
2. SUBJECT: Declare Results of the Canvass of Returns of the March 3, 2020 Special Municipal Election.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,317** declaring the results of the canvass of returns of the "Oxnard Government Accountability and Ethic Act" (Measure B) in the March 3, 2020 Special Municipal Election (held during the Statewide Presidential Primary Election).

Cultural and Community Services Department

3. SUBJECT: Art in Public Places Cultural Arts Grants Award 2019-2020.
RECOMMENDATION: That the City Council approve the Cultural Arts Commission's

recommended disbursement of grant awards from the Art in Public Places fund.
(Community Services Committee approved 3-0)

Public Works Department

4. **SUBJECT:** Senate Bill 1 (SB1) Local Streets and Road Maintenance and Rehabilitation Account (RMRA) Funding and Project List.
RECOMMENDATION: That the City Council adopt **Resolution No. 15,318** to:
 1. Adopt the Fiscal Year 2020-21 project list of Senate Bill 1 (SB1) newly proposed projects which will be funded in part or solely with Road Maintenance and Rehabilitation Account revenues;
 2. Authorize the use of funds for prior year Road Maintenance and Rehabilitation Account in the amount of \$6,529,977, and the new Fiscal Year 2020-21 funds of \$3,963,952 for a total amount of \$10,493,929; and
 3. Authorize the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of the resolution.(Public Works and Transportation Committee approved 3-0)
5. **SUBJECT:** Execute Contract Amendments and Approve Budget Appropriations for the Rice Avenue at Fifth Street Grade Separation Project.
RECOMMENDATION: That the City Council approve and authorize:
 1. The Mayor to execute the first amendment to Caltrans Cooperative Agreement No. 07-5065, upon receipt, identifying that Caltrans will perform the Right of Way Acquisition, Relocation Assistance, and Condemnation in the amount of \$1,200,000 for Project 133101 from State Trade Corridor Enhancement Program Fund (189);
 2. The Mayor to execute the second amendment to WKE, Inc. Agreement A-8094, to increase the amount by \$3,056,880.66, for a total of \$8,909,080.94 to complete the Plans, Specification and Estimates for Project 133101 from State Trade Corridor Enhancement Program Fund (189);
 3. The City Manager to execute a budget appropriation increase of \$116,075 in the Circulation System Improvement Fees Fund (354) for Project 133101; and
 4. The City Manager to execute a budget appropriation decrease of \$537,000 in the State Trade Corridor Enhancement Program Fund (189) for Project 133101.(Public Works and Transportation Committee approved 3-0)
6. **SUBJECT:** Award Agreement A-8205 to Hardy & Harper, Inc. for Thin Maintenance Overlay Project Phase II (Rebid) PW 18-58R2.
RECOMMENDATION: That the City Council approve and authorize:
 1. The Mayor to execute Agreement A-8205 in the amount of \$6,550,000 to Hardy & Harper, Inc. for the Thin Maintenance Overlay Project Phase II (Rebid) PW 18-58R2;
 2. A Project contingency in the amount of \$655,000 for the Thin Maintenance Overlay Project Phase II;
 3. A Project allocation of \$458,500 for engineering, inspection, survey and project management for the Thin Maintenance Overlay Project Phase II; and
 4. The City Manager to execute a budget appropriation of \$100,000 from the Tab Hero/SW Ormond Fund (315) and project fund transfers within the Street Maintenance Fund (181) and RMRA Gas Tax Fund (185).(Public Works and Transportation Committee approved 3-0)

It was moved by Mayor Pro Tem Ramirez, seconded by Councilmember Lopez, to approve the Information/Consent items as presented, with the stated amendment to item K-1. VOTE: Basua, Flynn, Lopez, MacDonald, Perello, and Ramirez voted in favor; Madrigal abstained from item K-4 due to a real property conflict of interest. The motion carried 6-0-1 on item K-4, and 7-0 on the remaining items.

L. REPORTS

Public Works Department

1. SUBJECT: Update of Wastewater Division Capital Improvement Projects.
RECOMMENDATION: That the City Council receive and file a presentation on the Wastewater System Capital Improvement Program. (Public Works and Transportation Committee received this item.)

The Assistant Public Works Director gave a report. Discussion ensued among the Council and staff. No formal action was required.

M. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:09 p.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Mayor



**CITY COUNCIL AGENDA REPORT
INFORMATION/CONSENT AGENDA
AGENDA ITEM NO. L.2**

DATE: May 5, 2020

TO: City Council

FROM: Darwin Base, Fire Chief, (805) 385-7700, darwin.base@oxnard.org

SUBJECT: Accept 2019 Emergency Management Performance Grant (EMPG).

RECOMMENDATION

That the City Council adopt a resolution authorizing:

1. The City Manager to accept a grant in the amount of \$47,569.81 to the Ventura County Office of Emergency Services for 2019 Emergency Management Performance Grant for the purpose of printing public education material and for offsetting the salary of the Emergency Services Manager;
2. The Chief Financial Officer or designee to submit financial reports and grant claims, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and
3. The Fire Chief or designee to submit non-financial reports.

BACKGROUND

The 2019 Emergency Management Program Grant (EMPG) is funded by the U.S. Department of Homeland Security and administered through the California Office of Emergency Services. The funds are distributed to the City on a reimbursement basis through the Ventura County Sheriff's Office of Emergency Services. Grant funds must be used to prevent, prepare for, mitigate against, or recover from natural or man-made emergencies and disasters.

The City will utilize approximately \$8,000 of the grant funds to print copies of the recently updated Oxnard Disaster Preparedness Guide, and the remainder to offset the salary of the Emergency Services Manager. The printing of public education materials and the specific activities of the Emergency Services Manager meets the requirements of the grant include ensuring National Incident Management System (NIMS) compliance, training of Emergency Operations Center (EOC)/City staff and promotion of community readiness through programs such as the Ready and Resilient Campaign and Community Emergency Response Team (CERT) Training.

Under the 2019 Emergency Management Grant Program the City must provide a 100% match. The City may use the General Fund budget for the salary of the Emergency Services Manager as the matching funds for this grant. The 2019 grant will provide \$47,569.81 in funding with Oxnard matching \$47,569.81 in Fire Department personnel salary.

Notification of this grant award was received on March 4, 2020.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

There is a matching funds requirement of 100% for this grant. Under the provisions of this grant the matching funds can be a direct financial contribution or in the form of an in-kind match. The 2019 award is in the amount of \$47,569.81. Therefore the federal share will be \$47,569.81 with the applicant match being \$47,569.81. The Fire Department will provide an in-kind match of \$47,569.81 using existing Fire Department personnel costs. The grant will be funded and the match will be provided in FY 2019-2020. As a result, the General Fund will avoid \$47,569.81 in costs this fiscal year that it otherwise would have had to bear.

COMMITTEE OUTCOME

This item did not originate in committee.

Prepared by: Scott Brewer, Emergency Services Manager

ATTACHMENTS

1. Resolution for EMPG Application
2. 2019 EMPG Award Letter

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

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

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

WHEREAS, the Fire Department has requested that City Council approve the acceptance of a grant award from the County of Ventura Office of Emergency Services for a Federal Emergency Management Performance Grant (EMPG) in the amount of \$47,569.81. Grant funds to be used to prevent, prepare for, mitigate against, and recover from natural or manmade emergencies and disasters.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the acceptance of a grant by the City Manager under the Ventura County Office of Emergency Management for the funding of printing public education materials and to offset the salary and benefits of City Emergency Services Manager. The City Council further resolves that the City Manager or designee is authorized to execute grant agreements; the Chief Financial Officer or designee is authorized to submit financial reports and grant claims, approve special budget appropriations for the use of the grant funds and perform all other required financial actions; and the Fire Chief or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED THIS ____ day of May, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Timothy Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney



VENTURA COUNTY SHERIFF'S OFFICE

800 South Victoria Avenue, Ventura CA 93009 | 805.654.2380 | VenturaSheriff.org

ITEM #L-2

Bill Ayub
Sheriff

Monica McGrath
Undersheriff

Wednesday, March 4, 2020

City of Oxnard
Attn: Scott Brewer
360 West Second Street
Oxnard, CA 93030

NOTIFICATION OF SUBRECIPIENT AWARD APPROVAL

Grant#: 2019-0003 • **Cal OES ID#:** 111-00000

Fiscal Year: 2019 Emergency Management Performance Grant

Performance Period: July 1, 2019 – August 28, 2020

Dear Mr. Brewer,

The California Office of Emergency Services (Cal OES) has approved the County of Ventura's FY 2019 Emergency Management Performance Grant in the amount of \$298,357. Your organization has been awarded \$47,569.81 to complete the following projects:

- Salary Offset for Scott Brewer
- Printing of Emergency Preparedness Guides

Your grant administrator is responsible for reviewing all federal and state guidance to ensure compliance with federal and state regulations. Any project requiring an Environmental and Historical Preservation (EHP) review and approval are prohibited from expending grant funds on those activities until an EHP clearance has been obtained. Failure to adhere to this requirement will result in the deobligation of grant funds.

This is a reimbursement grant; therefore, funds must be expended and a reimbursement form with the appropriate supporting documentation must be submitted to the Sheriff's Office of Emergency Services before grant funds will be received by your agency.

The Sheriff's Office of Emergency Services must receive all reimbursement requests by no later than August 28, 2020. If you have questions pertaining to this grant, please call Gil Zavlodaver at 805-654-3655.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Maynard".

Patrick Maynard
OES Manager
Ventura County Sheriff's OES

COPY



**CITY COUNCIL AGENDA REPORT
INFORMATION/CONSENT AGENDA
AGENDA ITEM NO. L.3**

DATE: May 5, 2020

TO: City Council

FROM: Darwin Base, Fire Chief, (805) 385-7700, darwin.base@oxnard.org

SUBJECT: FEMA Public Assistance Program Coronavirus Application.

RECOMMENDATION

That City Council adopt a resolution authorizing:

1. The City Manager or designee to submit an application for Federal Emergency Management Agency's (FEMA) Public Assistance Program in accordance with the COVID-19 Emergency Declaration to receive reimbursement for emergency protective measures taken by the City;
2. The City Manager or designee to appropriate funds upon notification of award;
3. The Chief Financial Officer or designee to submit financial reports and claims and approve administrative budget appropriation for the use of FEMA funds upon award; and
4. The Fire Chief or designee to submit all program related progress or status reports.

BACKGROUND

Consistent with the President's national emergency declaration for the coronavirus (COVID-19) pandemic on March 13, 2020, FEMA has urged officials to, without delay, take appropriate actions that are necessary to protect public health and safety pursuant to public health guidance and conditions and capabilities in their jurisdictions. In accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Category B of FEMA's Public Assistance Program.

FEMA Public Assistance Program provides reimbursement for emergency protective measures including, but not limited, to the following:

- Management, control and reduction of immediate threats to public health and safety:
- Emergency medical care
- Medical sheltering
- Purchase and distribution of food, water, ice, medicine and other consumable supplies, to include personal protective equipment and hazardous material suites
- Security and law enforcement
- Communications of general health and safety information to the public
- Reimbursement for government force account overtime costs

The City is carefully tracking all expenditures and time spent on the COVID-19 emergency response. The notification of intent for the City Request for Public Assistance was submitted on April 6, 2020. FEMA has streamlined the application process and will be accepting project reimbursement requests in the near future.

FEMA assistance is provided at 75% with a cost share of 25%. The City will review all possible funding options through the CARES Act, U.S. Department of Health and Human Services, Centers for Disease Control, and other state and federal agencies prior to submitting for FEMA assistance, to ensure maximum reimbursement for COVID-19 expenditures.

Execution of the attached resolution will authorize staff to apply for FEMA Public Assistance.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

FEMA Public Assistance requires a minimum 25% local match. Donations of supplies and personal protective equipment may count towards the local match.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Amy Van Atta, Management Analyst II

ATTACHMENTS

1. Resolution FEMA AP COVID-19
2. Cal OES 130 Designation of Applicants Agent Resolution For Non-State Agencies

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING
SUBMITTAL OF FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLIC
ASSISTANCE PROGRAM APPLICATION

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

WHEREAS, the Fire Department has requested that City Council approve the submittal of an application to the Federal Emergency Management Agency (FEMA) Public Assistance Program for emergency protective measures in response to the COVID-19 Pandemic.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a request for public assistance by the City Manager for reimbursement of costs incurred due to COVID-19. The City Council further resolves that the City Manager or designee is authorized to appropriate funds; the Chief Financial Officer or designee is authorized to submit financial reports and claims, approve special budget appropriations for the use of the FEMA funds and perform all other required financial actions; and the Fire Chief or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED this 5th day of May, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Timothy Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the _____, a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☐ This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the _____ of the _____
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20____.

(Signature)

(Title)

Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted Resolution is older than three (3) years from the last date of approval, is invalid or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California. Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents would be entered here, not their names. This allows the document to remain valid (for 3 years) if an Authorized Agent leaves the position and is replaced by another individual in the same title. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency and does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents, and a minimum of two or more approving board members need to be listed.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member (if a person holds two positions such as City Manager and Secretary to the Board and the City Manager is to be listed as an Authorized Agent, then the same person holding the Secretary position would sign the document as Secretary to the Board (not City Manager) to eliminate "Self Certification."



**CITY COUNCIL AGENDA REPORT
INFORMATION/CONSENT AGENDA
AGENDA ITEM NO. L.4**

DATE: May 5, 2020

TO: City Council

FROM: Scott Whitney, Police Chief, (805) 385-7624, scott.whitney@oxnardpd.org

SUBJECT: FY 2020 Coronavirus Emergency Supplemental Funding Grant Application. **(Revised 4/30/20)**

RECOMMENDATION

That the City Council adopt a resolution authorizing:

1. The City Manager to execute and apply for \$209,498 in unmatched grant funds from the U.S. Department of Justice, Bureau of Justice Assistance, FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program;
2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
3. The Chief Financial Officer or designee to submit financial reports and grant claims, and approve special budget appropriations for use of CESF Microgrant funds; and
4. The Chief of Police or designee to submit all program related progress or status reports.

BACKGROUND

The Bureau of Justice Assistance (BJA) recently announced its solicitation for the FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program.

The CESF solicitation states that funds awarded under this program must be “utilized to prevent, prepare for, and respond to the coronavirus. Allowable projects and purchases include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.”

Under this formula grant program, the City of Oxnard is eligible for an award allocation in the amount of \$209,498. The Police Department will apply on behalf of both the Police and Fire Departments. With the award, the Fire Department would use up to \$55,000 to establish a telemedicine function, and the Police and Fire Departments would use the remainder of the funds (approximately \$154,498) to purchase personal protective equipment (PPE) and decontamination supplies.

PPE and Decontamination Supplies

Prior to the novel coronavirus (“COVID19”) pandemic, Oxnard’s Police and Fire Departments maintained inventories of equipment and supplies that were designed to protect the health of its first responders. These inventories were generally considered to be adequate for the circumstances at the time. COVID19’s highly contagious nature has rendered conventional PPE and decontamination inventories inadequate as the pandemic runs its course. Given the pandemic’s projected timeline through 2020, additional layers of precautions, and

added necessary equipment, maintaining inventories are critical. Furthermore, these inventories need to be quickly replenished and maintained in order to protect essential frontline personnel as this pandemic progresses in the months to come.

Oxnard and its first responder departments such as police and fire services have been forced to search for and acquire PPE at an unprecedented level. As such, the financial impact of this is significant. The City of Oxnard was forced to quickly allocate already scarce funding from its operating budget to initially establish a sufficient personal protective equipment (“PPE”) and decontamination supply inventory.

The City of Oxnard must continue supplying its first responders with PPE and decontamination supplies. Under the pandemic’s imposed conditions, first responders simply cannot safely perform their daily duties without them. Therefore, Oxnard’s CESF proposal requests funding for PPE and decontamination/sanitization supplies. Equipment such as N95 respirators, surgical procedure masks, eye protection, face shields, gowns, gloves, and droplet resistant garments are needed. To ensure the safety of first responders and to prevent the further spread of disease to the public via indirect contact, additional decontamination supplies are necessary, as the frequency of cleaning has increased in response to the disease. Supplies such as hand sanitizer, bleach, virucidal and peroxide wipes and sprays are needed. Cleaning (handwash) stations, dispenser devices, and supplementary products such as paper towels are also needed. As the pandemic progresses, the City of Oxnard will need to continue such purchases.

Telemedicine

As the pandemic has evolved, it has also become evident that new, innovative, and emerging emergency medical services response models would be needed to increase health system capacity, while safely providing care to the cities most vulnerable populations. This proposal also seeks to fund a proven, safe, and innovative model of response known as telemedicine. Telemedicine is an established concept of care, and has proven its safety and efficacy in the outpatient setting. With the emergence of this pandemic, the need to provide this service via first responders has become necessary. As hospital and emergency medical systems become overwhelmed, the ability to triage lower acuity patients suffering from mild to moderate symptoms consistent with COVID19 can provide additional capacity while ensuring continuity of care to patients suffering from effects of the disease. By keeping patients sheltered in place, this lends toward limiting the spread. The Telehealth platform allows first responders to connect patients with licensed medical doctors from an emergency/field scene, to provide a basic medical evaluation. On-scene emergency medical technicians or paramedics augment the medical evaluation by transmitting the patient’s health diagnostics. Through this platform, evaluating doctors can also prescribe medications as needed, or refer patients to follow up with their physician. These Telehealth services would be rendered regardless of the patient's ability to pay, or their residency status.

As of this writing, the telemedicine project has evolved out of a conceptual phase into a planning and implementation phase. The project has identified the telehealth physician’s group, the mobile platform, and is actively working with other stakeholders to identify dispatch criteria, develop training, and establish medical control policy/procedure. Discussion between the County of Ventura, the City of Oxnard, and other involved parties on required insurance and legal agreements is currently underway.

The anticipated cost of the telemedicine function is \$55,000, and CESF funds would be used to fund this operation. The remaining formula grant funds, approximately \$154,498, would be used to purchase PPE and decontamination supplies.

The grant’s monies may not supplant or replace funds that have been appropriated for the same purpose. Given

the increased quantities of PPE and decontamination supplies that have far exceeded previous purchase levels, the funds would be used to address the increased need for items described above.

The application deadline for the CESF allocation is May 29, 2020. Eligible entities are encouraged to submit applications as early as possible.

STRATEGIC PRIORITIES

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

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

FINANCIAL IMPACT

There is a positive financial impact to the General Fund, which otherwise would have had to absorb the cost of an unexpected \$154,498 for personal protective equipment and decontamination supplies. In addition, the City can acquire through the grant -- at no cost to the General Fund -- the new telemedicine response model. Furthermore, CESF does not require any ongoing or one-time matching contributions. Upon confirmation of the award, the grant funds will be recognized and appropriated accordingly.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Jason Benites, Assistant Police Chief

ATTACHMENTS

1. RESOLUTION.FY 2020 Coronavirus Emergency Supplemental Funding
2. FY2020 CESF APPLICATION

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
 APPROVING SUBMITTAL OF GRANT APPLICATION FOR THE
 UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE
 FY 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM

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

WHEREAS, the Police Department has requested that City Council approve the submittal of an application to the U.S. Department of Justice, Bureau of Justice Assistance, FY 2020 Coronavirus Emergency Supplemental Funding Program for \$209,498 in grant funds, to be used to prevent, prepare for, and respond to the coronavirus.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for grant funds to be used to purchase personal protection equipment and decontamination supplies for the Police Department and Fire Department, and establish a telemedicine function for the Fire Department; and resolves to recognize grant revenue in the amount of \$209,498 from the U.S. Department of Justice, Bureau of Justice Assistance, FY 2020 Coronavirus Emergency Supplemental Funding Program. The City Council further resolves that the City Manager or designee is authorized to execute grant agreements; the Finance Director or designee is authorized to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Chief of Police or designee is authorized to submit non-financial reports.

PASSED AND ADOPTED THIS 5th day of May, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.

Close Window



**CITY COUNCIL AGENDA REPORT
INFORMATION/CONSENT AGENDA
AGENDA ITEM NO. L.5**

DATE: May 5, 2020

TO: City Council

FROM: Rosemarie Gaglione, Public Works Director, (805) 385-8055, rosemarie.gaglione@oxnard.org

SUBJECT: Restructuring of Public Works Engineering and Traffic Engineering Divisions.

RECOMMENDATION

That the City Council approve and authorize:

1. The Mayor to adopt a Resolution to amend Resolution No. 15,241 authorizing full-time equivalent positions pursuant to Chapter 4 of the City Personnel Rules and Regulations; and
2. The City Manager to approve a budget appropriation in the amount of \$18,469.
(Public Works and Transportation Committee approved 3-0)

BACKGROUND

Since approval and adoption of the City's Five-Year Capital Improvement Program (CIP), Public Works' Engineering Division has been working on the extensive list of projects approved for the FY 2019-20 in addition to the projects that were initiated previously (not included in the current CIP), but not yet completed. In order to maximize efficiencies, keep up with best practices and stay on project schedules, the City Engineer working with Human Resources staff has identified areas in the staffing structure that require restructuring in order to successfully achieve operational and administrative goals.

For the past several years, the Engineering Division has suffered from low staffing levels, high turn-over, made repeated recruitment attempts of key positions such as City Engineer, Senior Civil Engineers, Project Managers and Construction Inspectors. In addition to these staffing challenges, the organizational structure of the Engineering Division does not have supervisory or lead staff layers making it very difficult to oversee work product and staff while ensuring quality and accuracy. As the current structure stands, the City Engineer oversees and supervises all the different programs and has a staff of 17 direct reports. The span of supervision is too broad to successfully manage in an efficient way, exceeding best practices for the number of direct reports. The current organizational chart of the Public Works Engineering and Traffic Engineering Divisions is depicted in Exhibit A.

With the reclassification of the Landscape Architect and Construction & Maintenance Engineer to two (2) Supervising Civil Engineers, staff can have a dedicated supervisor in the Capital Improvement Program section and another in the In-house Design, Plan Check, Studies and Master Planning sections. Additionally, it is recommended that the current Transportation Services Manager classification be reclassified to a Supervising Civil Engineer classification that will be designated as the City Traffic Engineer.

Currently, the Engineering Division does not have any administrative support dedicated to projects for financial

analysis and invoicing, assisting with division budget preparation, overseeing and staying current with state and federal regulations as they relate to construction and engineering, as well as conducting other analysis and preparing reports. This lack of administrative support dedicated to the Engineering Division seriously impacts the amount of work that can be produced by that group. The division is bottle necked in this area as they share this resource with other divisions that also have a demanding workload. For assistance in this area, the division is requesting the reclassification of an existing Construction Project Coordinator to an Administrative Technician I.

Also, the Engineering Division currently has one (1) Grants Specialist position. The need for staff in this area has increased in the past several fiscal years as there are less and less General Fund monies available. Considering the amount of CIP projects that the City plans to complete in the next five years, there is a strong need for additional funding and grant seeking. The reclassification of the Grants Specialist to a Grants Coordinator is recommended. Expanded grant writing and grant management capacity is something that can make a significant impact in securing future funding. Reclassifying the position to a higher level will ensure that we have the most qualified staff in that role.

Lastly, there are currently two classifications in the Engineering Division which are not aligned with the classification series already in place and require changes to better structure the division efficiently. The Engineer classification is recommended to be a Civil Engineer as this provides clarity on the discipline of engineering required. The two (2) PW Construction Project Managers are recommended to be Project Managers as the job descriptions are essentially the same. These changes would clean up the structure of the division. Through this reorganization, it is recommended to house the Traffic Engineering staff within the Engineering Division. The proposed organizational chart of the Public Works Engineering Division is depicted in Exhibit B.

DISCUSSION

The proposed changes to the current staffing consists of reclassifying eight (8) positions. The home funds for these positions currently reside in the General Fund with the exception of the Construction Project Coordinator which is split among the General Fund, Enterprise Funds and State Gas Tax Fund. These reclassifications would shift the General Fund positions to the Enterprise Funds, as that is where the respective job responsibilities will reside. This will further provide the General Fund relief in the annual amount of \$773,136 in expenditure reductions, offset in part by a reduced General Fund revenue estimate for the labor costs these positions would have charged to the enterprise funds had the positions remained in the General Fund. Exhibit C provides the current home funds as well as the proposed fund splits between the Enterprise Funds.

Salary Grade	Existing Classification Title	Position	Salary Grade	Recommended Classification Title	Position
M59	Landscape Architect	-1	M83	Supervising Civil Engineer	1
M66	Construction and Maintenance Engineer	-1	M83	Supervising Civil Engineer	1
M87	Transportation Services Manager	-1	M83	Supervising Civil Engineer (City Traffic Engineer)	1
A97	Engineer	-1	A98	Civil Engineer	1
M38	PW Construction Project	-2	M40	Project Manager	2

	Manager				
A61	Construction Project Coordinator	-1	A36	Administrative Technician I	1
A63	Grants Specialist I	-1	M36	Grants Coordinator	1
	Total	-8		Total	8

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

The annual cost to reclass eight (8) existing positions is approximately \$110,819 for FY 2020-21. The prorated cost for FY 2019-20 is approximately \$18,469, calculated at two (2) months for all reclassification requests.

Fund	Fund Description	FY 2019-20 Prorated Cost	FY 2020-21 Annual Cost
101	General Fund	(\$128,857)	(\$773,136)
181	State Gas Tax Fund	(324)	(1,942)
601	Water Operating Fund	50,819	304,910
621	Wastewater Treatment Fund	49,257	295,540
631	Solid Waste Operating Fund	49,257	295,540
735	Facility Maintenance Fund	(454)	(2,722)
741	Fleet Services Fund	(1,229)	(7,371)
	Total	\$18,469	\$110,819

The financial impact detail for these requests is listed in Exhibit C by position and fund. The annual cost will be submitted in the Proposed Budget FY 2020-21 and future years. The majority of the additional funding needed for these changes will come from the Water, Wastewater, and Solid Waste enterprise funds. Additionally, it should be noted, each of these positions will be charging to approved CIP projects, thus resulting in net cost savings to the General Fund (all labor costs going forward to be incurred by the utility enterprise funds, offset in part by a reduced General Fund revenue estimate for the labor costs these positions would have charged to the enterprise funds had the positions remained in the General Fund.

COMMITTEE OUTCOME

The Public Works and Transportation Committee approved 3-0 on April 14, 2020, to approve the staff recommendation and to forward the item for Council approval.

Prepared by: Tatiana Arnaout, City Engineer

ATTACHMENTS

1. PW Engineering Position Resolution
2. Engineering Restructure Budget Appropriation
3. Exhibit A - Org Chart FY 19-20 Current
4. Exhibit B - Org Chart FY 19-20 Proposed
5. Exhibit C - Financial Impact Detail

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING
RESOLUTION NO. 15,241 AUTHORIZING FULL-TIME EQUIVALENT POSITIONS
PURSUANT TO CHAPTER 4 OF THE CITY PERSONNEL RULES AND REGULATIONS

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

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

NOW, THEREFORE, the City Council of the City of Oxnard resolves to amend Resolution No. 15,241 with the following changes to the adopted FY 19/20 position allocations as specified, subject to approval of a budget appropriation for the revised allocation:

<u>Department</u>	<u>Title</u>	<u>Adopted 19/20</u>	<u>Proposed Change</u>	<u>New Allocation</u>
Public Works Department	Landscape Architect	1	-1	0
	Construction and Maintenance Engineer	1	-1	0
	Transportation Services Manager	1	-1	0
	Engineer	1	-1	0
	PW Construction Project Manager	3	-3	0
	Construction Project Coordinator	1	-1	0
	Grants Specialist I	1	-1	0
	Supervising Civil Engineer	0	+3	3
	Civil Engineer	0	+1	1
	Project Manager	2	+3	5
	Administrative Technician	0	+1	1
	Grants Coordinator	0	+1	1
	GRAND TOTAL	11	0	11

PASSED AND ADOPTED this 5th day of May, 2020, by the following vote:

YES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Tim Flynn, Mayor

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney

REQUEST FOR BUDGET APPROPRIATION

Department: Public Works
Project/Program
Manager: Tatiana Arnaout

Date: May 5, 2020
Phone: 805-385-8341

Reason for Appropriation:

Engineering and Traffic Engineering restructuring for FY 2019-20

Accounts and Descriptions**AMOUNT****Fund: 101-GENERAL FUND****Expenditures/Transfers Out****Transportation - Traffic Eng & Signals**

101-3102-803-80-01	Personnel Services - Direct Labor - Regular	1,226
101-3102-803-80-42	Personnel Services - Employee Benefits	525
	Sub-total Expenditures	1,751

Engineering Services - Design

101-3201-803-80-01	Personnel Services - Direct Labor - Regular	(91,650)
101-3201-803-80-42	Personnel Services - Employee Benefits	(39,279)
	Sub-total Expenditures	(130,929)

Maintenance Services - Parks & Public Grounds

101-5701-805-80-01	Personnel Services - Direct Labor - Regular	225
101-5701-805-80-42	Personnel Services - Employee Benefits	96
	Sub-total Expenditures	321

Net Change to Fund Balance	128,857
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Fund: 181-STATE GAS TAX FUND**Expenditures/Transfers Out**

181-3120-803-80-01	Personnel Services - Direct Labor - Regular	(227)
181-3120-803-80-42	Personnel Services - Employee Benefits	(97)
	Sub-total Expenditures	(324)

Net Change to Fund Balance	324
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REQUEST FOR BUDGET APPROPRIATION

Department: Public Works
Project/Program _____
Manager: Tatiana Arnaout

Date: May 5, 2020
Phone: 805-385-8341

Reason for Appropriation:

Engineering and Traffic Engineering restructuring for FY 2019-20
--

Fund: 601-WATER OPERATING FUND**Expenditures/Transfers Out**

601-6010-841-80-01	Personnel Services - Direct Labor - Regular	35,574
601-6010-841-80-42	Personnel Services - Employee Benefits	15,245
	Sub-total Expenditures	50,819

Net Change to Fund Balance	(50,819)
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Fund: 621-WASTEWATER TREATMENT OPERATIONS FUND**Expenditures/Transfers Out**

621-6202-841-80-01	Personnel Services - Direct Labor - Regular	34,480
621-6202-841-80-42	Personnel Services - Employee Benefits	14,777
	Sub-total Expenditures	49,257

Net Change to Fund Balance	(49,257)
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Fund: 631-SOLID WASTE OPERATING FUND**Expenditures/Transfers Out**

631-6301-841-80-01	Personnel Services - Direct Labor - Regular	34,480
631-6301-841-80-42	Personnel Services - Employee Benefits	14,777
	Sub-total Expenditures	49,257

Net Change to Fund Balance	(49,257)
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Fund: 735-FACILITIES MAINTENANCE FUND**Expenditures/Transfers Out**

735-7401-851-80-01	Personnel Services - Direct Labor - Regular	(318)
735-7401-851-80-42	Personnel Services - Employee Benefits	(136)
	Sub-total Expenditures	(454)

Net Change to Fund Balance	454
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REQUEST FOR BUDGET APPROPRIATION**Department:** Public Works**Date:** May 5, 2020**Project/Program** _____**Manager:** Tatiana Arnaout**Phone:** 805-385-8341**Reason for Appropriation:**

Engineering and Traffic Engineering restructuring for FY 2019-20

Fund: **741-FLEET SERVICES FUND****Expenditures/Transfers Out**

741-7501-851-80-01 Personnel Services - Direct Labor - Regular (860)

741-7501-851-80-42 Personnel Services - Employee Benefits (369)

Sub-total Expenditures (1,229)

Net Change to Fund Balance **1,229****Net Appropriation Change** **18,469****Approvals**

Department Director _____

Chief Financial Officer _____

City Manager _____

Exhibit A - Existing Organizational Chart for Fiscal Year 2019-20
PW Engineering & Traffic Engineering

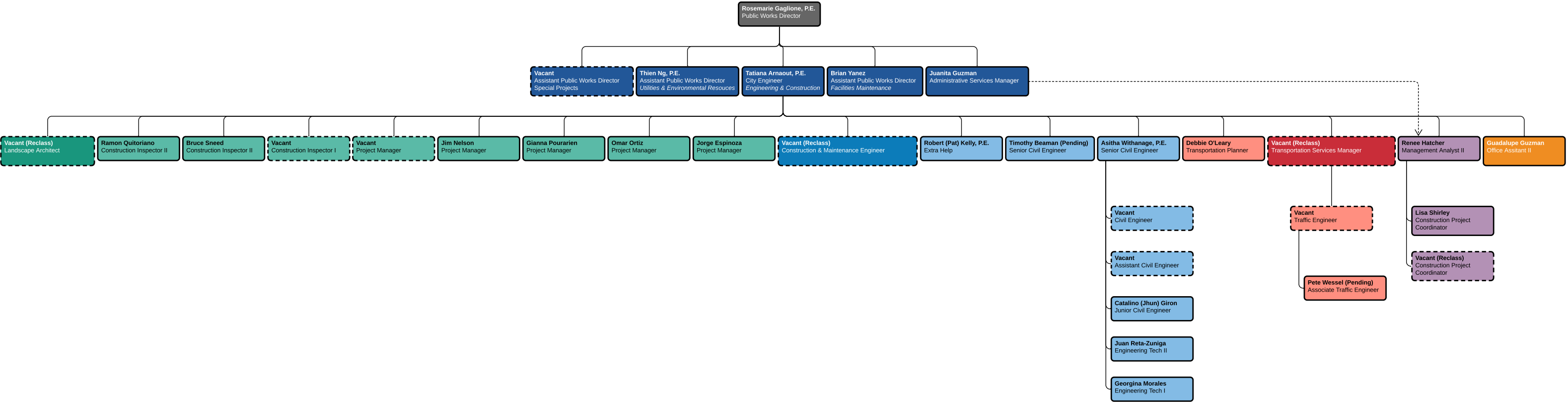
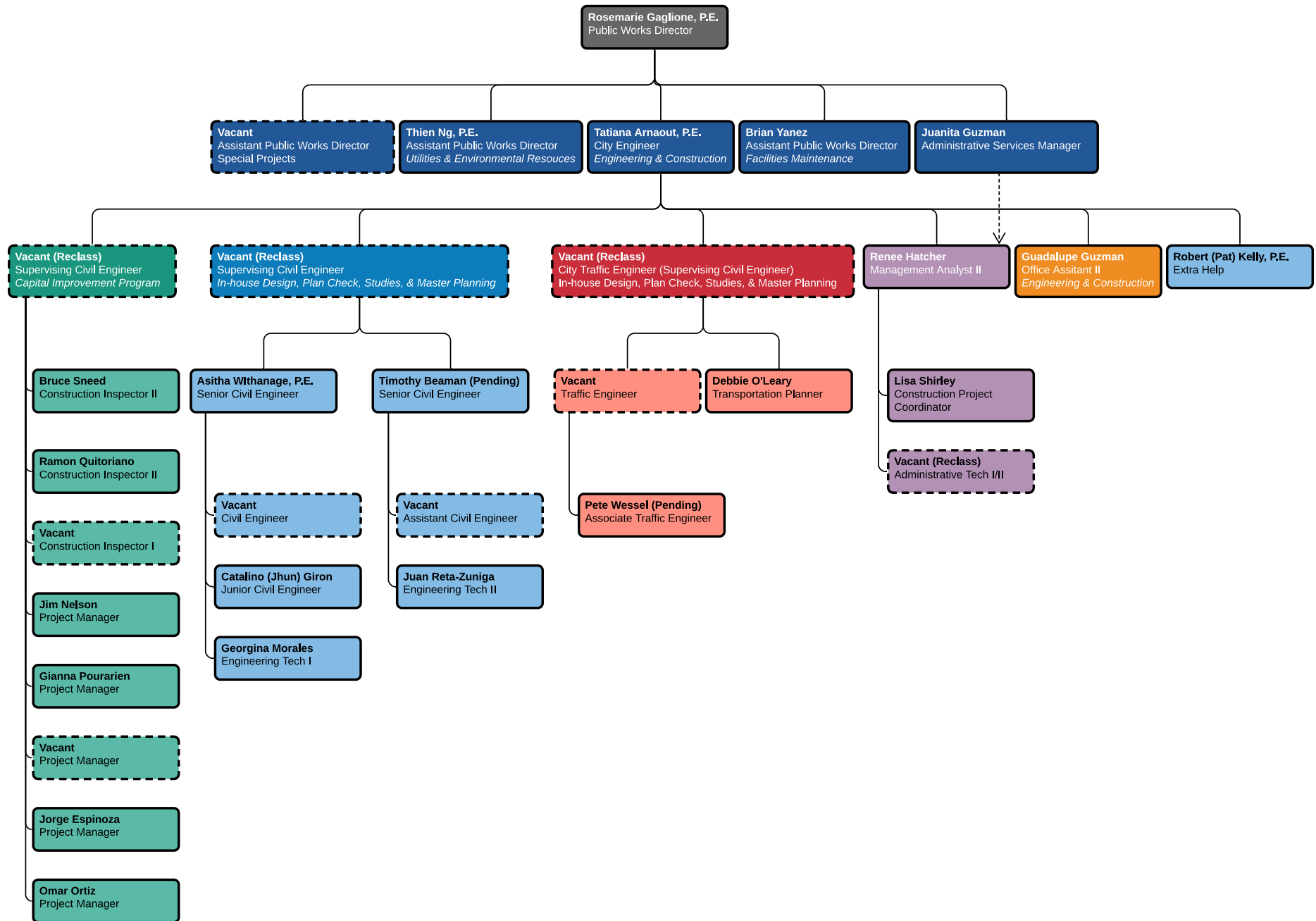


Exhibit B - Proposed Organizational Chart for Fiscal Year 2019-20 PW Engineering Division

ITEM #L-5



Restructure of Engineering and Traffic Engineering Division

ITEM #L-5

Exhibit C - Financial Impact Detail by Position and Fund

DIVISION	FUND	POSITION TITLE	GRADE	FTE	ANNUAL COST	PRORATED
General Fund	101	ASSOCIATE TRAFFIC ENGINEER (RECLASS)	A97	1	\$132,892	\$22,149
General Fund	101	(ASSOCIATE TRAFFIC DESIGN ENGINEER)	A97	-1	-\$122,247	-\$20,375
Water Op Fund	601	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.34	\$59,068	\$9,845
W/W Treatment Op	621	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.33	\$57,330	\$9,555
Solid Waste Op	631	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.33	\$57,330	\$9,555
General Fund	101	(CONSTRUCTION & MAINT ENGINEER)	M66	-1	-\$134,351	-\$22,392
Water Op Fund	601	ADMINISTRATIVE TECHNICIAN (RECLASS)	A36	0.34	\$23,305	\$3,884
W/W Treatment Op	621	ADMINISTRATIVE TECHNICIAN (RECLASS)	A36	0.33	\$22,620	\$3,770
Solid Waste Op	631	ADMINISTRATIVE TECHNICIAN (RECLASS)	A36	0.33	\$22,620	\$3,770
General Fund	101	CONSTRUCTION PROJ COORDINATOR	A61	-0.05	-\$4,331	-\$722
State Gas Tax	181	CONSTRUCTION PROJ COORDINATOR	A61	-0.1	-\$8,662	-\$1,444
Water Op Fund	601	CONSTRUCTION PROJ COORDINATOR	A61	-0.25	-\$21,655	-\$3,609
W/W Treatment Op	621	CONSTRUCTION PROJ COORDINATOR	A61	-0.25	-\$21,655	-\$3,609
Solid Waste Op	631	CONSTRUCTION PROJ COORDINATOR	A61	-0.25	-\$21,655	-\$3,609
Fac Maint	735	CONSTRUCTION PROJ COORDINATOR	A61	-0.05	-\$4,331	-\$722
Fleet Services Fund	741	CONSTRUCTION PROJ COORDINATOR	A61	-0.05	-\$4,331	-\$722
Water Op Fund	601	CIVIL ENGINEER (RECLASS)	A98	0.34	\$46,136	\$7,689
W/W Treatment Op	621	CIVIL ENGINEER (RECLASS)	A98	0.33	\$44,779	\$7,463
Solid Waste Op	631	CIVIL ENGINEER (RECLASS)	A98	0.33	\$44,779	\$7,463
General Fund	101	ENGINEER	A97	-1	-\$135,695	-\$22,616
Water Op Fund	601	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.34	\$59,068	\$9,845
W/W Treatment Op	621	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.33	\$57,330	\$9,555
Solid Waste Op	631	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.33	\$57,330	\$9,555
General Fund	101	LANDSCAPE ARCHITECT	M59	-1	-\$128,467	-\$21,411
Water Op Fund	601	PROJECT MANAGER (RECLASS)	M40	0.34	\$43,648	\$7,275
W/W Treatment Op	621	PROJECT MANAGER (RECLASS)	M40	0.33	\$42,364	\$7,061
Solid Waste Op	631	PROJECT MANAGER (RECLASS)	M40	0.33	\$42,364	\$7,061
General Fund	101	PW CONSTRUCTION PROJECTS MGR	M29	-1	-\$166,540	-\$27,757
Water Op Fund	601	PROJECT MANAGER (RECLASS)	M40	0.34	\$43,648	\$7,275
W/W Treatment Op	621	PROJECT MANAGER (RECLASS)	M40	0.33	\$42,364	\$7,061
Solid Waste Op	631	PROJECT MANAGER (RECLASS)	M40	0.33	\$42,364	\$7,061
General Fund	101	PW CONSTRUCTION PROJECTS MGR	M29	-1	-\$118,748	-\$19,791
Water Op Fund	601	PROJECT MANAGER (RECLASS)	M40	0.34	\$43,648	\$7,275
W/W Treatment Op	621	PROJECT MANAGER (RECLASS)	M40	0.33	\$42,364	\$7,061
Solid Waste Op	631	PROJECT MANAGER (RECLASS)	M40	0.33	\$42,364	\$7,061
General Fund	101	PW CONSTRUCTION PROJECTS MGR	M29	-1	-\$112,415	-\$18,736
General Fund	101	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.75	\$130,296	\$21,716
State Gas Tax	181	SUPERVISING CIVIL ENGINEER (RECLASS)	M83	0.25	\$43,432	\$7,239
General Fund	101	TRANSPORTATION SVCS MANAGER	M87	-0.75	-\$119,788	-\$19,965
State Gas Tax	181	TRANSPORTATION SVCS MANAGER	M87	-0.25	-\$39,929	-\$6,655
General Fund	101	GRANTS COORDINATOR (RECLASS)	M36	0.1	\$9,298	\$1,550
State Gas Tax	181	GRANTS COORDINATOR (RECLASS)	M36	0.1	\$9,298	\$1,550
Water Op Fund	601	GRANTS COORDINATOR (RECLASS)	M36	0.25	\$23,245	\$3,874
W/W Treatment Op	621	GRANTS COORDINATOR (RECLASS)	M36	0.25	\$23,245	\$3,874
Solid Waste Op	631	GRANTS COORDINATOR (RECLASS)	M36	0.25	\$23,245	\$3,874
Fac Maint	735	GRANTS COORDINATOR (RECLASS)	M36	0.05	\$4,649	\$775
General Fund	101	GRANTS SPECIALIST I	A63	-0.05	-\$3,040	-\$507
State Gas Tax	181	GRANTS SPECIALIST I	A63	-0.1	-\$6,081	-\$1,014
Water Op Fund	601	GRANTS SPECIALIST I	A63	-0.25	-\$15,201	-\$2,534
W/W Treatment Op	621	GRANTS SPECIALIST I	A63	-0.25	-\$15,201	-\$2,534
Solid Waste Op	631	GRANTS SPECIALIST I	A63	-0.25	-\$15,201	-\$2,534
Fac Maint	735	GRANTS SPECIALIST I	A63	-0.05	-\$3,040	-\$507
Fleet Services Fund	741	GRANTS SPECIALIST I	A63	-0.05	-\$3,040	-\$507

Restructure of Engineering and Traffic Engineering Division

ITEM #L-5

DIVISION	FUND	POSITION TITLE	GRADE	FTE	ANNUAL COST	PRORATED
				0.00	\$110,819	\$18,469



**CITY COUNCIL AGENDA REPORT
INFORMATION/CONSENT AGENDA
AGENDA ITEM NO. L.6**

DATE: May 5, 2020

TO: City Council

FROM: Rosemarie Gaglione, Public Works Director, (805) 385-8055, rosemarie.gaglione@oxnard.org

SUBJECT: Trade Services Agreement with BC Laboratories, Inc. for Samples Testing Services.

RECOMMENDATION

That the City Council approve and authorize the Mayor to execute Agreement A-8214 with BC Laboratories, Inc. for water, wastewater, and recycled water samples testing services in the amount of \$800,000 through May 5, 2023. (Public Works and Transportation Committee approved 3-0)

BACKGROUND

On January 28, 2020, the Public Works Department released a Request for Bid (RFB) to eight (8) firms for laboratory testing services with a bid closure date of February 18, 2020. A total of three (3) firms responded and an evaluating committee of City staff, Water and Wastewater Division Managers and a Management Analyst, selected BC Laboratories, Inc. (BC Labs) as the most responsive bidder based on price, qualification and experience.

DISCUSSION

The City of Oxnard water, wastewater, and recycled water treatment facilities are required by state and federal permits to sample and analyze water, wastewater, and recycled water for water quality constituents and provide certified reporting. The Wastewater Division operates a laboratory that has the ability to analyze most samples, but not all, of the required water, wastewater, and recycled water constituents. Therefore, a third party laboratory service is required to analyze samples for those constituents that the wastewater laboratory cannot. The third party laboratory will provide as needed analytical testing services as well as report preparation for regulatory authorities. This will ensure compliance with the wastewater National Pollutant Discharge Elimination System (NPDES) permit, the Environmental Protection Agency (EPA), the State Water Resources Control Board, and State Division of Drinking Water (DDW) reporting requirements.

The Wastewater Treatment Plant NPDES permit requires testing for the following pollutants.

- Eleven (11) organic compounds and pesticides
- Eleven (11) metals
- Twenty one (21) carcinogens (cancer causing)
- Forty one (41) non-carcinogens

The Advanced Water Purification Facility (AWPF) NPDES permit requires testing for the following pollutants.

- Five (5) organic compounds and pesticides
- Eighteen (18) metals

- Six (6) radioactive pollutants
- Twenty seven (27) volatile organic compounds
- Thirty three (33) non-volatile organic compounds

The Water Division DDW permit requires testing for the following pollutants.

- Eleven (11) organic compounds and pesticides
- Twenty (20) metals
- Six (6) radioactive pollutants
- Twenty nine (29) volatile organic compounds
- Twenty three (23) non-volatile organic compounds
- Bacteriological analysis
- Perfluorooctanoic acid (PFOA) & perfluorooctane sulfonate (PFOS) if necessary

A copy of the full pollutant testing list is included in the BC Labs agreement.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

The total cost for this agreement with BC Labs is \$800,000 through May 5, 2023. The spending plan for FY 2019-20 is \$45,000. Available funds are appropriated in the following funds:

FUND	ACCOUNT	FY 2019-20 SPENDING PLAN
Wastewater Collections Ops	611-6101-842-82-39	\$10,000
Wastewater Treatment Ops	621-6202-842-82-39	\$12,500
Water Operations	601-6012-842-82-39	\$10,000
Security-Contamination Prev	608-6015-842-82-39	\$12,500
TOTAL		\$45,000

Future funds will be requested in subsequent fiscal year budgets.

COMMITTEE OUTCOME

The Public Works and Transportation Committee approved 3-0 on April 14, 2020, to approve the staff recommendation and to forward the item for Council approval.

Prepared by: Thien Ng, Assistant Public Works Director

ATTACHMENTS

1. Trade Services Agreement A-8214 (BC Labs)
2. BC Lab Response to City of Oxnard RFB PW 20-49 Laboratory Chemical Testing
3. PW 20-49 Bid Tabulation Sheet

**AGREEMENT FOR TRADE SERVICES
COVER PAGE**

- (1) Agreement Start Date: May 5, 2020
- (2) Vendor: BC Laboratories, Inc.
- (3) Services: Samples testing for Public Works Water and Wastewater divisions
- (4) Schedule of Services: See Scope of Services and Rates Exhibit
- (5) Agreement Ending Date: May 5, 2023
- (6) Total Agreement Amount: \$800,000
- (7) City's Project Manager: Water and Wastewater Division Managers
- (8) Vendor's Project Manager: Alin Repede, Business Development Specialist
- (9) Insurance Coverage: INS-A
- (10) What wages are required for this Project?
- ☒ Living wage but not prevailing wages, in which case: Section 20(a) through (d) and the Living Wage Policy Exhibit are incorporated and are required; but Section 20(e) and the Prevailing Wage Exhibit are not incorporated and are not required.
- ☐ Prevailing wages but not living wage, in which case: Section 20(e) and the Prevailing Wages Exhibit are incorporated and are required; but Section 20(a) through (d) and the Living Wage Policy Exhibit are not incorporated and are not required.
- ☐ Both living wage and prevailing wages, in which case Section 20, the Living Wage Policy Exhibit, and the Prevailing Wages Exhibit are incorporated and required.
- ☐ Neither living wage nor prevailing wages, in which case Section 20, the Living Wage Policy Exhibit, and the Prevailing Wages Exhibit are not incorporated and are not required.
- (11) Addresses for Notice:
- | | |
|---------------------------------|------------------------------------|
| <i>FOR VENDOR:</i> | <i>FOR CITY:</i> |
| 4464 McGrath St. Ste. 105 | 305 W. Third St. Third Floor |
| Ventura, CA 93003 | Oxnard, CA 93030 |
| Attn: Alin Repede, | Attn: Thien Ng, Assistant Director |
| Business Development Specialist | |
- (12) Contact Emails:
- | | |
|--|--|
| <i>VENDOR'S PROJECT MANAGER:</i> | <i>CITY'S PROJECT MANAGER:</i> |
| Alin Repede, Business Development Specialist | 1) Omar Castro, Water Division Manager
omar.castro@oxnard.org |
| | 2) Jan Hauser, Wastewater Division Manager
jan.hauser@oxnard.org |
| | 3) Eric Ngo, City Laboratory Supervisor
eric.ngo@oxnard.org |

The Agreement for Trade Services is attached hereto and incorporated herein by this reference. The following exhibits are also attached hereto and incorporated herein by this reference into the Agreement:

- | | |
|---|--|
| ☒ Scope of Services and Rates Exhibit | ☒ Living Wage Policy Exhibit |
| ☐ Rates and Costs Exhibit | ☐ Prevailing Wages Exhibit |
| ☐ Schedule of Services Exhibit | ☒ Insurance Exhibit (INS-A) |

AGREEMENT FOR TRADE SERVICES

THIS AGREEMENT FOR TRADE SERVICES ("Agreement") is entered into in Ventura County, California, on the date that is written as "(1) Agreement Start Date" on the Cover Page, which is attached hereto and incorporated herein by this reference. This Agreement is entered by and between the City of Oxnard ("City") and the person or entity listed as "(2) Vendor" on the Cover Page, subject to the following terms and conditions:

1. Scope of Services. Vendor shall provide to City the services listed as "(3) Services" on the Cover Page (the "Services"). Vendor shall provide the Services during the term of this Agreement, as set forth below, according to the schedule written as "(4) Schedule of Services" on the Cover Page, and as further explained in the Scope of Services Exhibit, which is attached hereto and incorporated herein by this reference. In the event of any conflict between the terms of this Agreement and any incorporated document(s), the terms of this Agreement shall control.

2. Term. This Agreement shall begin on the date that is written as "(1) Agreement Start Date" on the Cover Page and shall end on the date that is written as "(5) Agreement Ending Date" on the Cover Page. Time is of the essence in this Agreement.

3. Compensation. For the Services performed during the term of this Agreement, City shall pay Vendor an amount not to exceed the amount that is listed as "(6) Total Agreement Amount" on the Cover Page, at the rates listed in the Rates and Costs Exhibit, attached hereto and incorporated herein by this reference. The rates in the Rates and Costs Exhibit shall be in effect through the end of this Agreement unless otherwise stated therein.

4. Invoices. Vendor shall submit a payment request to City by the end of each calendar month listing the Services provided, costs of those Services, and total amount due for the month. Each invoice must also list the current balance on the Agreement, including that invoice, as well as the months remaining on the term of the Agreement.

5. Most Favored Nation. Throughout the term of the Agreement, in the event Vendor provides the Services having terms more favorable than this Agreement to any person or entity other than City, Vendor shall notify City within 10 calendar days of signing the other contract, or if there is no other contract, of finalizing that deal or providing any services, whichever occurs first in time. In that notice, Vendor shall offer City to amend this Agreement to reflect such more favorable terms into this Agreement without any contingency to amend any other provision of this Agreement.

6. Acceptance of Payment. Vendor's acceptance of final payment made pursuant to this Agreement shall constitute a release of City from all claims and liabilities for compensation to Vendor for anything completed, finished or relating to the Services. City's payment shall not constitute nor be deemed a release of the responsibility and liability of Vendor for the accuracy and competency of the information provided and/or the Services performed hereunder, nor shall such payment be deemed to be an assumption of responsibility or liability by City for any defect or error in the Services performed by Vendor and its employees, agents and subcontractors. Vendor shall provide City with a completed Request for Taxpayer Identification Number and Certification, as issued by the Internal Revenue Service. If any sales tax is due for the Services performed by Vendor or materials or products provided to City by Vendor, Vendor shall pay the sales tax. City shall not reimburse Vendor for sales taxes paid by Vendor.

7. Non-binding Terms. Any terms and conditions that are typed, printed, or otherwise included in any Vendor invoice rendered pursuant to this Agreement shall be deemed to be solely for the convenience of the parties. No such term or condition shall be binding upon City, and no action by City (including, without limitation, the payment of any such invoice in whole or in part) shall be construed as binding City with respect to any such term or condition, unless the specific term or condition has been previously agreed to by Vendor and City in this Agreement or in a binding amendment thereto.

8. Non-Appropriation of Funds. Payments to be made to Vendor by City for the Services performed within the current fiscal year are within the current fiscal budget and within an available, unexhausted and unencumbered appropriation of City. In the event City does not appropriate sufficient funds for payment of the Services beyond the current fiscal year, this Agreement shall cover payment for the Services only up to the conclusion of the last fiscal year in which City appropriated sufficient funds and shall automatically terminate at that fiscal year's conclusion.

9. Coordination of Services. The Services shall be coordinated with the person in the position listed in “(7) City’s Project Manager” on the Cover Page, subject to the direction of the City Manager or Department Director. Vendor hereby designates the person in the position listed in “(8) Vendor’s Project Manager” on the Cover Page as the person responsible for the Services who shall coordinate with City’s Project Manager in making binding decisions in line with this Agreement on behalf of Vendor.

10. Personnel. Vendor represents that it has or shall secure at its own expense all personnel required to perform the Services. Vendor shall make reasonable efforts to maintain the continuity of Vendor’s staff who are assigned to perform the Services. Vendor may associate with or employ associates or subcontractors in the performance of the Services, but at all times shall Vendor be responsible for its associates and subcontractors’ labor, advice or materials provided in furtherance of providing the Services. Should any of Vendor’s employees, assigns or subcontractors not conduct him- or herself appropriately, as determined by the City’s Project Manager, in the process of providing the Services or any portion thereof, the City’s Project Manager may notify the Vendor’s Project Manager, who shall immediately handle the problem, as determined appropriate by him or her, such that the problem does not persist.

11. Additional Work. City may request additional specified work under this Agreement. The City’s Project Manager must authorize all such work in writing before commencement. Vendor shall perform such work, and City shall pay for such additional work, in accordance with the Rates and Costs Exhibit. Should the work not fall under any such listed rate or cost, Vendor shall submit a quote for all additional work, which the City’s Project Manager must approve in writing by before any such work may commence. The City shall compensate Vendor for any work that does not fall under a rate or cost listed in the Rates and Costs Exhibit, and for which Vendor did not obtain the City’s Project Manager’s written approval before work commenced, as determined by the City’s Project Manager in his or her sole discretion.

12. Advertising and Publicity. Vendor shall not use the name of or refer to City directly or indirectly in any advertisement, news release, or professional or trade publication without prior written approval from the City Manager. This Section shall survive the termination of this Agreement.

13. Audit. City shall have the option of inspecting, auditing and/or reproducing all records and other written materials: used by Vendor in preparing its billings to City as a condition precedent to any payment to Vendor; or for other purposes relating to the Agreement. Vendor will promptly furnish all documents requested by City. Additionally, if this Agreement is in excess of \$10,000, the State Auditor may examine and audit Vendor for a period of 3 years after final payment under the Agreement. Regardless of whether a State audit is permitted, Vendor shall maintain and preserve all such records for a period of at least 3 years after final payment under the Agreement or until an audit has been completed and accepted by City, whichever occurs later. Vendor shall maintain all such records in City or to promptly reimburse City for all reasonable costs incurred in conducting the audit at a location other than in City, including but not limited to expenses for personnel, salaries, private auditor, travel, lodging, meals and overhead. Vendor shall include a copy of this Section in all contracts with its subcontractors, and Vendor shall be responsible for immediately obtaining those records or other written material from its subcontractors upon a request by the State Auditor and/or City.

14. Termination. City may terminate this Agreement at any time, with or without cause and without penalty, upon 15 calendar days’ prior written notice. Such termination shall be effective on the date specified in the notice, or if no date is specified, then 15 calendar days from the date of the notice. Vendor may terminate this Agreement at any time, with or without cause and without penalty, upon 30 calendar days’ prior written notice. Such termination shall be effective on the date specified in the notice, or if no date is specified, then 30 calendar days from the date of notice and only if all assignments accepted by Vendor have been completed before the date of termination. In the event of termination of this Agreement by either party due to no fault or failure of performance by Vendor, City shall pay Vendor compensation for all Services satisfactorily completed in accordance with all of the terms and provisions of this Agreement, as determined by the City, before the effective date of termination; provided, in no event shall the Vendor receive an amount exceeding that which would have been paid to Vendor for the full performance of the Services. If City pays for any materials, City shall be entitled to the title and possession of such.

15. Hold Harmless, Defense and Indemnity.

a. To the fullest extent permitted by law, Vendor shall immediately defend, indemnify, and hold harmless City, its legislative and advisory bodies, and the City's officials, directors, officers, employees, and agents (the "Indemnitees") from and against all liabilities regardless of nature, type, or cause, arising out of or resulting from or in connection with Vendor's performance of this Agreement or Vendor's failure to comply with any of its obligations contained in this Agreement. Liabilities subject to the duties to defend and indemnify include, without limitation, all claims, losses, damages, penalties, fines, and judgments; associated investigation and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. Vendor's obligation to indemnify applies unless it is adjudicated that any of the liabilities covered by this Section 15 are the result of the sole active negligence or sole willful misconduct of any of the Indemnitees.

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

c. The review, acceptance or approval of Vendor's work or work product by any of the Indemnitees shall not affect, relieve or reduce Vendor's indemnification or defense obligations. This Section 15 shall survive completion of the Services or termination of this Agreement. The provisions of this Section 15 shall not be restricted by and do not affect the provisions of this Agreement relating to insurance.

16. Insurance. Vendor shall obtain and maintain during the performance of any services under this Agreement the insurance coverages listed within the insurance document stated in "(9) Insurance Coverage" on the Cover Page and in the Insurance Exhibit, which is attached hereto and incorporated herein by this reference, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverages. Such insurance must be issued by a company satisfactory to the Risk Manager. Vendor shall, before performance of any Services pursuant to this Agreement, file with the Risk Manager evidence of insurance coverage as specified in "(9) Insurance Coverage" on the Cover Page and in the Insurance Exhibit. Maintenance of insurance coverages by Vendor is a material element of this Agreement. Vendor's failure to maintain or renew insurance coverages or to provide renewal evidence may be considered a material breach of this Agreement.

17. Documents and Materials.

a. All final computations, exhibits, files, plans, correspondence, reports, drawings, designs, data, photographs, specifications, information, images, video files, media, or other deliverables prepared, created, drawn, calculated, photographed or developed by Vendor pursuant to this Agreement ("Documents and Materials") shall be the property without restriction or limitation upon its use, duplication or dissemination by the City. All Documents and Materials shall be considered "works made for hire," and all Documents and Materials and any and all intellectual property rights arising from their creation, including, but not limited to, all copyrights and other proprietary rights, shall be and remain the property of the City without restriction or limitation upon their use, duplication or dissemination by the City. Vendor shall not obtain or attempt to obtain copyright protection as to any Documents and Materials. Vendor hereby assigns to the City all ownership and any and all intellectual property rights to the Documents and Materials that are not otherwise vested in the City pursuant to this Section 17.

b. Vendor shall deliver all Documents and Materials to City's Project Manager upon completion of the Services or termination of this Agreement without additional cost or expense to the City. Additionally, anytime at City's request, City shall be entitled to possession of, and Vendor shall furnish to City's Project Manager within 10 calendar days, any or all of the Documents and Materials without additional cost or expense to the City. In both situations, if Vendor prepares Documents and Materials on a computer, Vendor shall provide City with said Documents and Materials both in a printed format and in an electronic format that is acceptable to the City. Vendor

may retain copies of these Documents and Materials but must request permission from the City before use, duplication or dissemination these Documents and Materials for any purpose other than for the Services provided to the City pursuant to this Agreement.

c. Any substantive modification of the Documents and Materials by City staff or any use of the completed Documents and Materials for other City projects, or any use of uncompleted Documents and Materials, without the written consent of Vendor, shall be at City's sole risk and without liability or legal exposure to Vendor.

d. Vendor warrants and represents that it has secured all necessary licenses, consents or approvals to use any instrumentality, thing or component as to which any intellectual property right exists, including computer software, used in the rendering of the Services and the production of all Documents and Materials, and that the City has full legal title to and the right to use, duplicate or disseminate the Documents and Materials. Vendor shall defend, indemnify and hold Indemnitees harmless from any loss, claim or liability in any way related to a claim that City's use of any of the Documents and Materials is violating federal, state or local laws, any contractual provisions, or any laws relating to trade names, licenses, franchises, copyrights, patents or other means of protecting intellectual property rights and/or interests in products or inventions. Vendor shall bear all costs arising from the use of patented, copyrighted, trade secret or trademarked documents, materials, equipment, devices or processes in connection with its provision of the services and Documents and Materials. In the event the use of any of the Documents and Materials by the City is held to constitute an infringement and the use of any of the same is enjoined, Vendor, at its own expense, shall: secure for City the right to continue using the Documents and Materials by suspension of any injunction, or by procuring a license or licenses for City; or modify the Documents and Materials so that they become non-infringing while remaining in compliance with the requirements of this Agreement.

e. This Section 17 shall survive the termination of this Agreement.

18. Confidentiality of Information.

a. For the purposes of this Agreement, "Confidential Information" means all information, in whatever form transmitted, relating to the past, present or future business affairs of the City, including without limitation, (i) technical information, including patent, copyright, trade secret, and other proprietary information, techniques, sketches, drawings, models, inventions, processes, apparatus, equipment, algorithms, software programs, software source documents, and formulas; or (ii) non-technical information, including without limitation finances, financial and accounting data and information, suppliers, customers, customer lists, purchasing data and any other information belonging to the City or to a third party whose information is in the City's possession or control under obligations of confidentiality, and which is disclosed to Vendor or is developed by Vendor in whole or in part at the City's expense.

b. All Documents and Materials shall be considered Confidential Information and shall not be reproduced, transmitted, disclosed or used by the Vendor without the written consent of the City, except as may be necessary for Vendor to fulfill its obligations to the City.

c. Notwithstanding the above, these limitations shall not apply to information that (i) is already known to Vendor at the time of that information's disclosure or becomes publicly known through no wrongful act or omission of Vendor, (ii) is communicated to a third party with the express written consent of City and is not subject to restrictions on further use or disclosure, (iii) is independently developed by Vendor and has no relation to this Agreement, or (iv) is required by law, court order, court-issued subpoena or other legal process to be disclosed; provided, however, that before making such disclosure, Vendor shall immediately provide City with written notice and a reasonable opportunity for City to object to the disclosure or to take action to maintain the confidentiality of the information, unless such prior disclosure is legally impermissible.

d. Vendor shall use reasonable care to protect the Confidential Information. In the event of a breach or threatened breach of this Agreement, City shall be entitled to obtain an injunction prohibiting any such breach, the costs of which shall be paid by Vendor. Any relief granted shall be in addition to and not in lieu of any other legal or equitable relief, including money damages. The parties acknowledge that Confidential Information is valuable and

unique and that disclosure of the Confidential Information in breach of this Agreement may result in irreparable injury to the City.

e. Other than an obligation upon the City to deal in good faith, the City makes no warranties and shall bear no liability or responsibility for errors or omissions in any Confidential Information disclosed under this Agreement or for any business decisions made by Vendor in reliance on any Confidential Information disclosed under this Agreement.

f. This Section 18 shall survive the termination of this Agreement.

19. Independent Contractor. Vendor is and shall at all times remain, as to City, a wholly independent contractor. Neither City nor any of its employees or agents shall have control over the conduct of Vendor or any of its employees, except as stated in this Agreement. Vendor has and shall retain the right to exercise full control over the employment, direction, means of performance, location, compensation and discharge of all persons assisting Vendor, and it is free to dispose of all portions of its time which it is not obligated to devote to City in such a manner and to such persons, firms, or corporations as Vendor wishes except as expressly provided in this Agreement. This Agreement shall not be interpreted to prevent or preclude Vendor from rendering any services for Vendor's own account or to any other person or entity as Vendor in its sole discretion shall determine; provided, however, that performing such services shall not materially interfere with the Services Vendor shall perform for the City. Except as City's Project Manager specifies in writing, Vendor and its employees and agents have no authority, express or implied, to act on behalf of City in any capacity, to incur any debt, obligation or liability on behalf of City, bind City in any manner, or otherwise act on behalf of City as an agent. Vendor and its employees are not employees of City. Vendor and its employees are not entitled to receive from City any of the benefits or rights afforded employees of City, including but not limited to reserve leave, sick leave, vacation leave, holiday leave, compensatory leave, Public Employees Retirement System benefits, and health, life, dental, long-term disability and workers' compensation insurance benefits. Vendor shall not, at any time or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of City. Vendor agrees to pay all required taxes on amounts paid to Vendor under this Agreement, and to indemnify and hold City harmless from any and all taxes, assessments, penalties, and interest asserted against City by reason of the independent contractor relationship created by this Agreement. Vendor shall be solely responsible for, and shall save City harmless from, all matters relating to the payment of Vendor's subcontractors, material suppliers, directors, officers, employees, agents and representatives, including compliance with social security requirements, federal and State income tax withholding, and all other regulations governing employer-employee relations, as applicable. City shall have the right to offset against the amount of any compensation due to Vendor under this Agreement any amount due to City from Vendor as a result of its failure to promptly pay to City any reimbursement or indemnification arising under this Section.

20. Wages. If the first option is selected in response to (10) on the Cover Page and, thus, the payment of living wage is required, only this paragraph and subsections (a) through (d) of this Section 20 shall apply. If the second option is selected in response to (10) on the Cover Page and, thus, the payment of prevailing wages (and related Labor Code provisions) is required, only this paragraph and subsection (e) of this Section 20 shall apply. If the third option is selected in response to (10) on the Cover Page and, thus, both the payment of living wage and prevailing wages (and related Labor Code provisions) is required, this paragraph and subsections (a) through (e) shall apply, meaning Vendor shall compensate all of its employees providing services to City in accordance with both the City's Living Wage Policy and State-required prevailing wages. In the event of a conflict between the City's Living Wage Policy and State-required prevailing wages, the higher of the two shall prevail. If the fourth option is selected in response to (10) on the Cover Page and, thus, neither the payment of living wage nor prevailing wages (and related Labor Code provisions) is required, no part of this Section 20 shall apply.

a. If either the first or third option is selected in response to (10) on the Cover Page, Vendor shall compensate any employee of Vendor who provides Services to the City under this Agreement in accordance with the Living Wage Policy Exhibit, which is attached hereto and incorporated herein by this reference. While this Agreement is in effect, Vendor shall pay such employee no less than \$16.19 per hour for each hour that such employee provides services under this Agreement. This hourly rate shall be adjusted on July 1, 2020, and each July 1 thereafter, according to the percentage change in the Consumer Price Index, all items, prepared by the Bureau of Labor Statistics for the Los Angeles area relating to all urban consumers (CPI-U), index base 1982-84=100,

comparing May of the previous year to May of the current year. In addition, while this Agreement is in effect, Vendor shall provide to such employee no less than 96 hours of paid leave per calendar year.

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

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

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

e. If either the second or third option is selected in response to (10) on the Cover Page, in accordance with Labor Code Section 1770 *et seq.*, the Project is a "public work." The Vendor shall pay wages in accordance with the determination of the Director of the Department of Industrial Relations ("DIR") regarding the prevailing rate of per diem wages. Copies of those rates are on file with the Public Works Director and are available to any interested party upon request. The Vendor shall post a copy of the DIR's determination of the prevailing rate of per diem wages at the job site. The Vendor shall comply with all provisions of the Prevailing Wage Exhibit, which is attached hereto and incorporated herein by this reference.

21. Nondiscriminatory Employment. Vendor shall not unlawfully discriminate against any individual based on race, color, religion or religious creed, national origin, ancestry, ethnic group identification, primary language, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, sex, sexual orientation, age, immigration status, citizenship or military and veteran status. Vendor understands and agrees that it is bound by and will comply with all legal nondiscrimination mandates. For every subcontractor who will perform Services, Vendor shall be responsible for such subcontractor's compliance with this Section.

22. Vendor's Representations. Vendor represents, covenants and guarantees that: a) Vendor is licensed, qualified, and capable of furnishing the labor, materials, and expertise necessary to perform the Services in accordance with the terms and conditions set forth in this Agreement; b) there are no obligations, commitments, or impediments of any kind that will limit or prevent Vendor's full performance under this Agreement; c) to the extent required by the standard of practice, Vendor has investigated and considered the scope of Services performed, has carefully considered how the Services should be performed, and understands the facilities, difficulties and restrictions attending performance of the Services under this Agreement.

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

24. Conflict of Interest. If, in performing the Services set forth in this Agreement, Vendor makes, or participates in, a "governmental decision" as described in Title 2, Section 18701(a)(2) of the California Code of Regulations, or performs the same or substantially all the same duties for City that would otherwise be performed by a City employee holding a position specified in City's conflict of interest code, Vendor shall be subject to City's conflict of interest code, the requirements of which include the filing of one or more statements of economic interests disclosing the relevant financial interests of Vendor's personnel providing the Services set forth in this Agreement. Furthermore, Vendor shall not to accept any employment or representation during the term of this Agreement or within 12 months after completion of the Services which is or may likely make Vendor "financially interested," as provided in California Government Code Sections 1090 and 87100, in any decisions made by City on any matter in connection with which Vendor has been retained pursuant to this Agreement.

25. Fictitious Name. If Vendor has a fictitious name, Vendor shall submit to City a new Fictitious Business Name Statement approved by any California county before Vendor's prior Fictitious Business Name Statement expires if such expiration may occur during the term of this Agreement, including any term amendment.

26. Non-Assignability. Vendor shall not assign or transfer any interest in this Agreement or any part thereof, whether by assignment or novation, without City's prior written consent, which may be withheld for any reason or for no reason at all. Any purported assignment without written consent shall be null, void, and of no effect, and Vendor shall hold harmless, defend and indemnify Indemnitees regarding all Claims arising from or relating to any unauthorized assignment.

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

28. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of Vendor.

29. Applicable Law; Venue. The validity, interpretation, and performance of this Agreement shall be controlled by and construed under the laws of the State of California, excluding California's choice of law rules. Venue for any such action relating to the Agreement shall be in the Ventura County Superior Court.

30. Titles. The titles used in this Agreement are for convenience only and shall in no way define, limit or describe the scope or intent of this Agreement or any part of it.

31. Force Majeure. Neither City nor Vendor shall be responsible for delays or failures in performance resulting from acts beyond the control of either party. Such acts shall include but are not be limited to acts of God, riots, acts of war, epidemics, fire, earthquakes, or other disasters.

32. Authority. Any person executing this Agreement on behalf of Vendor warrants and represents that s/he has the authority to execute this Agreement on behalf of Vendor and to bind it to the performance of these obligations.

33. Binding Agreement. The parties do not intend this Agreement to be binding upon them and shall not be held liable to its terms until it is fully executed by all required signers.

34. Cumulative Remedies. All rights and remedies of City herein shall be in addition to all other rights and remedies available at law or in equity, including, without limitation, specific performance for the enforcement of this Agreement, and temporary and permanent injunctive relief.

35. Integration; Amendment. This Agreement, including any other documents incorporated herein by specific reference, constitutes the entire and integrated agreement of City and Vendor regarding the subject matter described herein. This Agreement supersedes all prior oral or written communications, negotiations, representations, agreements and promises. This Agreement may not be modified or amended, nor any provision or breach waived, except in a writing, signed by both parties, that expressly refers to this Agreement.

36. Construction. In the event of any asserted ambiguity in or dispute regarding the interpretation of any matter herein, the interpretation of this Agreement shall not be resolved by any rules of construction providing for interpretation against the party who causes the uncertainty to exist or who drafted the Agreement in whole or in part.

37. No Waiver. Waiver by either party of any one or more of the conditions of performance under this Agreement shall not be a waiver of any other condition of performance under this Agreement. In no event shall the making by City of any payment to Vendor constitute or be construed as a waiver by City of any breach of covenant, or any default that may then exist on the part of Vendor, and the making of any such payment by City shall in no way impair or prejudice any right or remedy available to City with regard to such breach or default.

38. Attorneys' Fees. The prevailing party shall be entitled to recover reasonable costs, attorneys' fees (including the reasonable value of the services rendered by the City Attorney's Office) and expenses, including investigation fees and expert witness fees, in addition to any other relieve to which that party may be entitled, in any legal action or other proceeding, including an action for declaratory relief, for the enforcement of this Agreement or because of an alleged dispute, breach, default or misrepresentation in connection with this Agreement.

39. Notice. Except as otherwise required by law, a notice or communication authorized or required by this Agreement shall be in writing and shall be deemed received—on (a) the day of delivery if delivered by hand or overnight courier service during City's regular business hours or (b) on the third business day following deposit in the United States mail, postage prepaid—to the addresses listed as "(11) Addresses for Notice" on the Cover Page or to such other address as one party may notify the other in writing.

40. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one and the same agreement. A signed copy of this Agreement transmitted by email to either of City or Vendor's Project Managers' emails listed in "(12) Contact Emails" on the Cover Page or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.

41. Severability. If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

[Signatures on next page]

IN WITNESS WHEREOF, the parties hereto have executed the Agreement on the date that is written as “(1) Agreement Start Date” on the Cover Page.

CITY OF OXNARD

BC LABORATORIES, INC.

☒ Tim Flynn, Mayor¹ _____ Date _____
☐ Alexander Nguyen, City Manager
☐ Daniel Wilhitte, Purchasing Manager
☐ NA, Buyer

Carolyn Jackson, President² _____ Date _____

Richard Eglin, Vice President _____ Date _____

ATTEST:

Michelle Ascencion, City Clerk (only if Mayor signs) _____ Date _____

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney (always required) _____ Date _____

¹ The City Council must authorize and the Mayor must sign any agreement over \$200,000 annually. The City Manager may authorize and sign any agreement over \$100,000 but up to \$200,000 annually. The Purchasing Manager may authorize and sign any agreement up to \$100,000 annually. A Buyer may authorize and sign any agreement up to \$25,000 annually.

² The City requires the following for any contract:

- For a corporation, the signatures of the Board President, CEO or Vice President and of the Board Secretary, Assistant Secretary, CFO or Assistant Treasurer;
- For an LLC, the signatures of at least two managers of the LLC (company directors, not lower-level managers); or
- For a partnership, the signature of a partner. If the partnership is a limited partnership, the signer must be a general partner.

If the company has a different structure, or if the above-listed persons are not the appropriate signers, please submit to the City Attorney legally-binding documentation stating who can sign and bind your company.

SCOPE OF SERVICES AND RATES EXHIBIT

WATER CAMPUS 251 SOUTH HAYES AVE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
monthly	10	120	Methyl Tertiary Butyl Ether	EPA 524.2	\$35	\$4,200
weekly	7	364	Nitrate	EPA 300.0	\$8	\$2,912
monthly	10	120	Nitrate	EPA 300.0	\$8	\$960
weekly	7	354	TDS	SM 2540	\$7	\$2,478
quarterly	8	32	Trihalomethanes	EPA 524.2	\$40	\$1,280
quarterly	8	32	Haloacetic Acids	EPA 552.2	\$50	\$1,600
annual	10	10	Volatile Organics Compounds	EPA 524.2	\$55	\$550
annual	10	10	General Minerals	Various	\$90	\$900
annual	10	10	General Physicals	Various	\$15	\$150
annual	10	10	Inorganics	Various	\$70	\$700
weekly	4	208	Manganese	EPA 200.7	\$5	\$1,040
annual	10	10	Synthetic Organics Compounds EPA 525.2 Only	EPA 500 Series/1613	\$100	\$1,000
annual	7	7	Gross Alpha Radioactivity	EPA 900.0	\$35	\$245
annual	7	7	Gross Beta Radioactivity	EPA 900.0	\$10	\$70
annual	7	7	Radium 226	EPA 903.0	\$90	\$630
annual	7	7	Radium 228	EPA 904.0	\$120	\$840
weekly	4	208	pH, Conductivity	SM 4500-H+B-2000, EPA120.1	\$10	\$2,080
weekly	1	52	Langelier Index	By Calculation	\$5	\$260
quarterly	3	12	Uranium	EPA 200.8	\$15	\$180

WATER CAMPUS 251 SOUTH HAYES AVE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	3	12	EPA 200.8	EPA 200.8	\$80	\$960
annual	1	1	Strontium 90	EPA 905.0	\$110	\$110
annual	1	1	Tritium	EPA 906.0	\$60	\$60
If needed	5	5	Turbidity	EPA 180.1	\$5	\$0
If needed	5	5	BOD5	SM 5210B	\$20	\$0
If needed	5	5	Settable Solids	SM 2540	\$15	\$0
If needed	1	1	Acute Toxicity	96 hours	\$250	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Metals	EPA 200.8	\$40	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Bromide	EPA 300.1	\$35	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Pesticides	EPA 525.3	\$230	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Semivolatiles	EPA 530	\$201	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Alcohols	EPA 541	\$201	\$0
If needed	3 Entry Point		UCMR 4 Microcystins & Nodularin	EPA 544	\$230	\$0
If needed			UCMR 4 Anatoxin & Cylindrospermopsin	EPA 545	\$201	\$0
If needed			UCMR 4 Total Microcystin (ELISA)	EPA 546	\$173	\$0
If needed			UCMR 4 Haloacetic Acids	EPA 552.3	\$144	\$0
If needed			UCMR 4 Organic, Carbon	SM 5310C	\$35	\$0
annual	11	11	Asbestos	EPA 600/R-94/134	\$140	\$1,540
annual	11	11	Aggressive Index	By Calculation	\$5	\$55

annual	10	10	Perchlorate	EPA 314, 314.1, 331.0 or 332.0	\$25	\$250
weekly	43	2236	Coliforms	SM 9223 P/A	\$8	\$17,888
Total Annual Estimated Cost: Water Campus					\$42,938	

WASTEWATER TREATMENT PLANT 6001 PERKINS ROAD						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	3	12	Dioxins- EPA 8290 High Resolution- Solid	EPA 8290	\$400	\$4,800
quarterly	3	12	PCB's Solid	EPA 8082	\$50	\$600
quarterly	2	8	PCB Congener (56) by GC/MS SIM- Water	EPA 625	\$400	\$3,200
monthly	1	12	PCB- Water	EPA 608	\$40	\$480
monthly	1	12	Chlorinated Pesticides-By-products+Mirex	EPA 608	\$40	\$480
quarterly	3	12	Dioxins- EPA 8290 High Resolution- Water	EPA 8290	\$400	\$4,800
quarterly	2	6	Chlorinated Pesticides including Mirex- Solid	EPA 8081A	\$40	\$240
quarterly	2	6	PCBs- Solid	EPA 8082A	\$40	\$240
semiannual	2	4	Semivolatile Organics Full List- Solid	EPA 8270	\$100	\$400
semiannual	2	4	Volatile Organics Full List including Acrylon, Acrylonitrile and 2-Chloroethyl Vinyl Ether- Solid	EPA 8260	\$55	\$220
semiannual	3	6	Semivolatile Organics Full List- Water	EPA 625	\$100	\$600
semiannual	3	6	Volatile Organics - Water	EPA 624	\$55	\$330
semiannual	3	6	Hexavalent Chromium (Cr6+) Water	EPA 218.6	\$25	\$150
semiannual	3	6	Organophosphorus Pesticides including Malathion- Water	EPA 8141	\$85	\$510
semiannual	3	6	Gross Alpha and Beta Water	EPA 9310	\$35	\$210
semiannual	3	6	Tributyltin - Water	GC/FPD	\$180	\$1,080
Total Annual Estimated Cost: Wastewater Treatment Plant					\$18,340	

ADVANCED WATER PURIFICATION FACILITY-INJECTION WELLS (MW-1D, MW-1M, MW-1S, MW-2, MW-3)						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	5	20	General Minerals	Varies	\$90	\$1,800
quarterly	5	20	Inorganic Chemicals	Varies	\$70	\$1,400
quarterly	5	20	General Physical (Title 22)	Varies	\$15	\$300
quarterly	5	20	1,4-Dioxane - GCMS	EPA 827M	\$75	\$1,500
quarterly	5	20	1,2,3-Trichloropropane (TCP) - GCMS-SIM	SRL 524M-TCP	\$55	\$1,100
quarterly	5	20	EPA 625 - Semivolatile Organic Compounds	EPA 625	\$100	\$2,000
quarterly	5	20	EPA 556 - Formaldehyde only	EPA 556	\$110	\$2,200
quarterly	5	20	Bromate - EPA 300.1	EPA 300.1	\$25	\$500
quarterly	5	20	Chlorate - EPA 300.1	EPA 300.1	\$25	\$500
quarterly	5	20	Chlorite - EPA 300.1	EPA 300.1	\$25	\$500
quarterly	5	20	EPA 531.1 - Carbamates	EPA 531.1	\$85	\$1,700
quarterly	5	20	EPA 508 - Organochlorine Pesticides & PCBs	EPA 508	\$70	\$1,400
quarterly	5	20	EPA 515.3 - Chlorinated Acid Herbicides	EPA 515.3	\$70	\$1,400
quarterly	5	5	Oil and Grease - EPA 1664A	EPA 1664A	\$25	\$125
quarterly	5	20	EPA 549.2 - Diquat	EPA 549.2	\$70	\$1,400
quarterly	5	20	EPA 548.1 - Endothall	EPA 548.1	\$70	\$1,400
quarterly	5	20	EPA 8330A - Explosives	EPA 8330A	\$150	\$3,000
quarterly	5	20	EPA 504.1 - Fumigants (EDB, DBCP)	EPA 504.1	\$40	\$800
quarterly	5	20	EPA 547 - Glyphosate	EPA 547	\$80	\$1,600
quarterly	5	20	EPA 8015B - Glycol	EPA 8015B	\$100	\$2,000
quarterly	5	20	EPA 552.2 - Haloacetic Acids (HAA5)	EPA 552.2	\$50	\$1,000

ADVANCED WATER PURIFICATION FACILITY-INJECTION WELLS MW-1D, MW-1M, MW-1S, MW-2, MW-3						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	5	20	Boron - EPA 200.8	EPA 200.8	\$5	\$100
quarterly	5	20	Vanadium - EPA 200.8	EPA 200.8	\$5	\$100
quarterly	5	20	Nitrosoamines low-level - EPA 1625M	EPA 1625M	\$250	\$5,000
quarterly	5	20	Perchlorate - EPA 314.0	EPA 314.0	\$25	\$500
quarterly	5	20	PFCs in water by LC/MS	EPA 537M	\$300	\$6,000
quarterly	5	20	Polybrominated Diphenyl Ethers (PBDEs) - EPA 1614M	GC/MS SIM	\$316	\$6320
quarterly	5	20	PPCP - Morphine by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$6,000
quarterly	5	20	PPCP - Pharmaceuticals by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$6,000
quarterly	5	20	PPCP - Pharmaceuticals by LCMSMS-ESI-	EPA 1694M-ESI-	\$300	\$6,000
quarterly	5	20	PPCP - Hormones by LCMSMS-APCI+	EPA 1694M-APCI	\$300	\$6,000
quarterly	5	20	Alkyl Phenols by GCMS D7065	ASTM D7065	\$288	\$5760
quarterly	5	20	Pyrethroid Pesticides by GC/MS SIM	GC/MS NCI-SIM	\$253	\$5060
quarterly	5	20	Gross Alpha - EPA 900.0	EPA 900.0	\$35	\$700
quarterly	5	20	Gross Beta - EPA 900.0	EPA 900.0	\$10	\$200
quarterly	5	20	Uranium (pCi/L) - EPA 200.8	EPA 200.8	\$15	\$300
quarterly	5	20	EPA 525.2 - Semivolatile Organics - extended	EPA 525.2	\$100	\$2,000
quarterly	5	20	EPA 525.2 Mod - OPP low-level	EPA 525.2M	\$224	\$4480
quarterly	5	20	Dioxin 2378TCDD - EPA 1613B-ATP	EPA 1613B	\$200	\$4,000
quarterly	5	20	Asbestos, water - TEM	EPA 100.2	\$140	\$2,800

ADVANCED WATER PURIFICATION FACILITY MW-1D, MW-1M, MW-1S, MW-2, MW-3						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	5	20	Radium-228	EPA Ra-05	\$120	\$2,400
quarterly	5	20	Strontium-90	EPA 905.0	\$110	\$2,200
quarterly	5	20	Tritium	EPA 906.0	\$60	\$1,200
quarterly	5	20	EPA 524.2 – TBA	EPA 524.2	\$35	\$700
quarterly	5	20	EPA 524.2 - Volatile Organic Compounds	EPA 524.2	\$55	\$1,100
quarterly	5	20	EPA 624 - Volatile Organic Compounds	EPA 624	\$55	\$1,100
Total Annual Estimated Cost: ASR Monitoring Wells					\$103,645	

ADVANCED WATER PURIFICATION FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
Monthly	1	12	General Minerals & Inorganic Chemicals	Varies	\$160	\$1,920
Quarterly	1	4	General Physical (Title 22)	Varies	\$15	\$60
Monthly	1	12	1,4-Dioxane - GCMS	EPA 8270M	\$75	\$900
Monthly	1	12	EPA 556 - Formaldehyde only	EPA 556	\$110	\$1,320
Monthly	1	12	Bromate - EPA 300.1	EPA 300.1	\$25	\$300
Monthly	1	12	Chlorate - EPA 300.1	EPA 300.1	\$25	\$300
Monthly	1	12	Chlorite - EPA 300.1	EPA 300.1	\$25	\$300
Monthly	1	12	EPA 531.1 - Carbamates	EPA 531.1	\$85	\$1020
Monthly	1	12	EPA 508 - Organochlorine Pesticides & PCBs	EPA 508	\$70	\$840
Monthly	1	12	EPA 515.3 - Chlorinated Acid Herbicides	EPA 515.3	\$70	\$840
Monthly	1	12	Oil and Grease - EPA 1664A	EPA 1664A	\$25	\$300
Monthly	1	12	EPA 549.2 - Diquat	EPA 549.2	\$70	\$840
Monthly	1	12	EPA 548.1 - Endothall	EPA 548.1	\$70	\$840
Monthly	1	12	EPA 8330A - Explosives	EPA 8330A	\$150	\$1,800
Monthly	1	12	EPA 504.1 - Fumigants (EDB, DBCP)	EPA 504.1	\$40	\$480
Monthly	1	12	EPA 547 - Glyphosate	EPA 547	\$80	\$960
Monthly	1	12	EPA 8015B - Glycol	EPA 8015B	\$100	\$1,200
Monthly	1	12	EPA 552.2 - Haloacetic Acids (HAA5)	EPA 552.2	\$50	\$600

ADVANCED WATER PURIFICATION FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
Monthly	1	12	Boron - EPA 200.8	EPA 200.8	\$5	\$60
Annual	1	1	MBAS	SM 5540C	\$25	\$25
Monthly	1	12	Perchlorate - EPA 314.0	EPA 314.0	\$25	\$300
Monthly	1	12	PFCs in water by LC/MS	EPA 537M	\$300	\$3,600
Monthly	1	12	Polybrominated Diphenyl Ethers (PBDEs) - EPA 1614M	GC/MS SIM	\$316	\$3,792
Monthly	1	12	PPCP - Morphine by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$3,600
Monthly	1	12	PPCP - Pharmaceuticals by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$3,600
Monthly	1	12	PPCP - Pharmaceuticals by LCMSMS-ESI-	EPA 1694M-ESI-	\$300	\$3,600
Monthly	1	12	PPCP - Hormones by LCMSMS-APCI+	EPA 1694M-APCI	\$300	\$3,600
Monthly	1	12	Alkyl Phenols by GCMS D7065	ASTM D7065	\$288	\$3,456
Monthly	1	12	Pyrethroid Pesticides by GC/MS SIM	GC/MS NCI-SIM	\$253	\$3,036
Monthly	1	12	Gross Alpha - EPA 900.0	EPA 900.0	\$35	\$420
Monthly	1	12	Gross Beta - EPA 900.0	EPA 900.0	\$10	\$120
Monthly	1	12	Strontium-90	EPA 900.0	\$110	\$1,320
Monthly	1	12	Uranium (pCi/L) - EPA 200.8	EPA 200.8	\$15	\$180
Monthly	1	12	Combined Radium-226 and Radium 228	EPA EMSL-19	\$200	\$2,400
Monthly	1	12	EPA 525.2 Mod - OPP low-level	EPA 525.2M	\$224	\$2,688
Monthly	1	12	Dioxin 2378TCDD - EPA 1613B-ATP	EPA 1613B	\$200	\$2,400
Monthly	1	12	Asbestos, water - TEM	EPA 100.2	\$140	\$1,680

ADVANCED WATER PURIFICATION FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
Monthly	1	12	EPA 524.2 – TBA	EPA 524.2	\$35	\$420
Monthly	1	12	EPA 524.2 - Volatile Organic Compounds	EPA 524.2	\$55	\$660
Monthly	1	12	Total Trihalomethanes	EPA 624	\$40	\$480
Weekly	1	52	TOC	SM5310B	\$10	\$520
Monthly	1	12	Metals(Cu, Pb, Al, Ag, Sb, As, Ba, Be, Cd, Total Chromium, Hg, Ni, Se, Tl)	EPA 200.8	\$80	\$960
Monthly	1	12	Chromium 6 ⁺	EPA 218.6	\$25	\$300
Monthly	1	12	Perchlorate	EPA 314.0	\$25	\$300
Monthly	1	12	Cyanide	EPA 335.4	\$25	\$300
Monthly	1	12	Flouride	EPA 300.4	\$8	\$96
Total Annual Estimated Cost: Advanced Water Purification Facility					\$58,733	

LIVING WAGE POLICY EXHIBIT

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

1. Pursuant to this Living Wage Policy, Vendor shall pay those employees who provide services to the City under contract:
 - (a) Effective October 1, 2002, at least \$9.00 an hour for the time during which the employee is providing services to the City;
 - (b) Effective July 1, 2003, at least \$9.25 an hour for the time during which the employee is providing services to the City and 32 hours of paid leave per every calendar year in which an employee provides services to the City;
 - (c) Effective July 1, 2004, at least \$10.59 an hour for the time during which the employee is providing services to the City and 64 hours of paid leave per every calendar year in which an employee provides services to the City; and
 - (d) Effective July 1, 2005, at least \$12.22 an hour for the time during which the employee is providing services to the City and 96 hours of paid leave per every calendar year in which an employee provides services to the City.
2. The hourly rates established in Section 1 shall be adjusted July 1, 2006 and, each July 1 thereafter, according to the percentage change since July 1, 2005 in the Consumer Price Index prepared by the Bureau of Labor Statistics for the Los Angeles area relating to all urban consumers.
3. A service contractor executing a service contract with the City for which the City will pay the contractor \$25,000 or more during the contract term shall be subject to the Living Wage Policy.
4. A service contractor executing more than one service contract with the City, and the combined monetary total of the payments by the City pursuant to such contracts is \$25,000 or more for the combined contract terms shall be subject to the Living Wage Policy.
5. This Living Wage Policy shall not govern the following types of contracts for: (a) the purchase, rental or lease of goods, products, equipment, supplies or other personal property; (b) public works projects as defined in State or local law; and (c) professional services.
6. This Living Wage Policy shall not govern the following service contractors: (a) nonprofit entities organized under IRS Code section 501(c)(3); (b) public entities such as cities, counties, special districts, states and the federal government; and (c) businesses employing fewer than five persons.
7. The City Attorney is directed to include in all standard trade services contracts and all contracts involving unique trade services, the language set forth in **Exhibit 1** attached hereto and incorporated herein by this reference.
8. If Vendor fails to comply with this Living Wage Policy, the City Manager is directed to terminate the subject service contract immediately and to impose appropriate fines and penalties as set forth in the service contract.
9. The City Manager and the City Attorney are responsible for the administration and enforcement, respectively, of the Living Wage Policy. If an employee of a service contractor governed by the Living Wage Policy concludes that he/she has been retaliated against for the exercise of rights under the Living Wage Policy, the employee should contact the City Manager at 385-7430.
10. The City Manager shall reasonably cooperate with representatives of the Ventura County Living Wage Coalition to ensure the effective administration and enforcement of the Living Wage Policy.
11. This Living Wage Policy may be changed only by City Council and only after a duly noticed public hearing.
12. The City Manager is directed to ensure that the City Council will review the Living Wage Policy as part of the FY 2003-2004/05 budget process.

Exhibit 1

Living Wage Policy

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

- A. Vendor shall compensate any employee of Vendor who provides services under this Agreement in accordance with the Living Wage Policy, attached hereto and incorporated herein by reference as the Living Wage Policy Exhibit. While this Agreement is in effect, Vendor shall pay such employee no less than \$16.19 per hour for each hour that such employee provides services under this Agreement. In addition, while this Agreement is in effect, Vendor shall provide to such employee no less than 96 hours of paid leave per calendar year.
- B. Vendor agrees to post, at a location readily accessible to those employees providing services to the City, a copy of the Living Wage Policy adopted by City Council on July 9, 2002 and effective October 1, 2002.
- C. If Vendor fails to compensate such employee pursuant to the Living Wage Policy, the City Manager or designee shall terminate this Agreement on written notice to Vendor, effective immediately.
- D. In addition, if Vendor fails to comply with the Living Wage Policy in any manner, Vendor shall pay to City a fine of \$500 and shall pay to any employee providing services under this Agreement a penalty of three times the amount or value of the compensation owed to such employee under the Living Wage Policy. Vendor shall pay such fine and penalty within 15 days after the City Manager or designee provides written notice to Vendor of the amount owed.

**CITY OF OXNARD LIVING WAGE REQUIREMENTS
EFFECTIVE JULY 1, 2019**

42. a. Vendor shall compensate any employee of Vendor who provides services under this Agreement in accordance with the Living Wage Policy, attached hereto and incorporated herein by reference as Exhibit 1. While this Agreement is in effect, Vendor shall pay such employee no less than **\$16.19 per hour** for each hour that such employee provides services under this Agreement. **This hourly rate shall be adjusted on July 1, 2020, and each July 1 thereafter, according to the percentage change in the Consumer Price Index**, all items, prepared by the Bureau of Labor Statistics for the Los Angeles area relating to all urban consumers (CPI-U), index base 1982-84=100, comparing May of the previous year to May of the current year. In addition, while this Agreement is in effect, Vendor shall provide to such employee no less than 96 hours of paid leave per calendar year.

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

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

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

e. The foregoing requirements are restated on page 5 of the Agreement for Trade Services.

INSURANCE EXHIBIT

INSURANCE REQUIREMENTS FOR CONSULTANTS
(WITH ERRORS AND OMISSIONS REQUIREMENT)

1. Consultant shall obtain and maintain during the performance of any services under this Agreement the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of services hereunder by Consultant, its agents, representatives, employees or subconsultants.

a. Commercial General Liability Insurance, including Contractual Liability, in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability Coverage (Occurrence Form CG 0001). If a general aggregate limit is used, that limit shall apply separately to the project or shall be twice the occurrence amount;

b. Business automobile liability insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Insurance Services Office automobile liability coverage (Occurrence Form CA0001) covering Code No. 1, "any auto;"

c. Professional liability/errors and omissions insurance appropriate to Consultant's profession to a minimum coverage of \$1,000,000, with neither Consultant nor listed subconsultants having less than \$500,000 individually. The professional liability/errors and omissions insurance must be project specific with at least a one year extended reporting period, or longer upon request.

d. Workers' compensation insurance in compliance with the laws of the State of California, and employer's liability insurance in an amount not less than \$1,000,000 per claimant. Additionally, the workers' compensation policy shall include a waiver of all rights of subrogation which the insurer may have against the City.

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

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

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

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

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

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

7. All insurance standards applicable to Consultant shall also be applicable to Consultant's subconsultants. Consultant agrees to maintain appropriate agreements with subconsultants and to provide proper evidence of coverage upon receipt of a written request from the Risk Manager.

INSTRUCTION FOR SUBMITTING INSURANCE CERTIFICATES AND ENDORSEMENT FORMS

Certificates of Insurance

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

Endorsement Forms

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

INS-A.doc

ACORD CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

PRODUCER

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

CODE SUB-CODE

COMPANIES AFFORDING INSURANCE COVERAGE

INSURED

COMPANY
LETTER A SPECIFY COMPANY NAMES IN THIS SPACE

COMPANY
LETTER B

COVERAGES

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

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY [x] COMMERCIAL GENERAL LIABILITY [] CLAIMS MADE [x] OCCUR. [x] OWNER'S & CONTRACTOR'S PROT.				GENERAL AGGREGATE \$1,000,000 PRODUCTS COMP/OP AGG. \$1,000,000 PERSONAL & ADV. INJURY \$1,000,000 EACH OCCURRENCE \$1,000,000 FIRE DAMAGE (Any one fire) \$ MED. EXPENSE (Any one person) \$
A	AUTOMOBILE LIABILITY [x] ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS GARAGE LIABILITY				COMBINED SINGLE \$1,000,000 LIMIT BODILY INJURY \$ (Per person) BODILY INJURY \$ (Per accident) PROPERTY DAMAGE \$
A	EXCESS LIABILITY UMBRELLA FORM OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS EACH ACCIDENT \$1,000,000 DISEASE-POLICY LIMIT \$1,000,000 DISEASE-EACH EMPLOYEE \$1,000,000
A	OTHER Errors and omissions insurance or malpractice insurance available for the insured's profession				Minimum coverage \$1,000,000 Each consultant/ & listed sub-consultant \$500,000

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

CERTIFICATE HOLDER

CITY OF OXNARD

Attn: Insurance Compliance

Reference No. _____

P.O. Box 100085 – OX

Duluth, GA 30096

Via Email: cityofoxnard@ebix.com

Via Fax: 678-259-1007

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

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

ENDORSEMENT HOLDER



February 14, 2020

Purchasing Division
City of Oxnard
300 West Third Street
Oxnard, CA 93030

RE: Request for Bid PW-2049 Laboratory Chemical Testing and Sampling

Thank you for giving BC Laboratories, Inc. (BCL) the opportunity to submit this response to your Request for Bid – Request for Bid PW-2049 Laboratory Chemical Testing and Sampling.

BC Laboratories, Inc. is a 70 year old, family operated environmental laboratory based in Bakersfield, CA that has served the environmental needs of clients throughout the State of California.

Our 28,000 square foot, state-of-the-art laboratory is located in Bakersfield, CA to which we link our clients through an internal, lab operated courier system staffed with lab trained employees who understand the sensitive nature of these samples. Additionally, we established a Service Center in Ventura 5 years ago in an effort to better service our growing markets in Central California. The service center will handle the sample pick-up for the City and will be available from Monday – Friday between 8am to 5pm or after hours can be arranged by calling me. Sample containers/ice chests will be delivered and pick-up at your preferred location and time. All samples are delivered to laboratory the same day. Upon arrival, all samples are thoroughly checked (temperature, sample description, labels) to assure regulatory integrity. Chain of custody information is translated to electronic login information and compared to project specifications.

We have reviewed the Request for Bid and are responding with a comprehensive, cost competitive proposal. As outlined in your bid criteria, we will perform analyses as required. Our bid response in PDF is fully navigable and bookmarked.

Should you have any questions regarding BCL's response or clarification of documentation provided, please feel free to contact me at (805) 815-7966 or alin.repede@bclabs.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Alin Repede", is written over a light blue circular background.

Alin Repede
Business Development Specialist
BC Laboratories, Inc.
4464 McGrath St. Suite 105
Ventura, CA 93003

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

5.0 COMPANY PROFILE

This section of the proposal is designed to establish the bidder as an entity with the ability and experience to operate the program as specified in the solicitation. The Company Profile should be concise and clear, including descriptive information regarding service delivery. The following information must be provided as follows:

A. Business name and legal business status (i.e. partnership, corporation, etc.).

BIDDER'S RESPONSE: BC Laboratories, Inc.

B. Company overview and disclosure of services or activities performed, including:

- i. The City of Oxnard is a public agency with a City Council composed of elected officials. The elected officials are restricted from voting on any action concerning a contract whose owners have made a campaign contribution of \$250 or more in the previous 12 months. To assist them in their decision making process, please indicate the owners of the company and if any contributions were made to the Elected Officials.
- ii. Company hierarchy (President, Vice President, Company Officers, etc.) and an organizational chart. The organizational chart shall clearly identify all staff members that will provide services under this contract.
- iii. The number of years in business under the present business name, as well as prior business names, and the number of years of experience providing the proposed, equivalent or related services.
- iv. Location of the office from which the work under this contract will be provided and the staff allocation at that office.

i. **BIDDER'S RESPONSE:** President / CEO – Carolyn Jackson Vice President – Rich Eglin

ii. **BIDDER'S RESPONSE:** Attachment 1 – BC Laboratories Organizational Chart

iii. **BIDDER'S RESPONSE:** Since 1949 (70+ years of service)

iv. **BIDDER'S RESPONSE:** 4100 Atlas Court Bakersfield, CA 93308

C. Provide any financial interests in any other business. Individuals who are personally performing the contracted services and governmental agencies are exempt from this requirement. If exempt, please indicate with an "N/A" in the box below.

BIDDER'S RESPONSE: N/A

D. An explanation of any litigation involving the Bidder or any principal officers thereof in connection with any contract. Is your firm, or the principals associated with your firm, under investigation, being sued, suing, or affiliated in any lawsuit or alternative dispute resolution with any governmental agency? If so, please provide details.

City of Oxnard
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BIDDER'S RESPONSE: None

- E. List the members of your organization who are authorized to negotiate and execute an Agreement.

BIDDER'S RESPONSE: Carolyn Jackson – President
Richard Eglin – Vice President
Stuart Buttram – Laboratory Director
Alin Repede – Business Development Specialist

F. Credentials/Resumes/Certifications/Licenses:

This section shall state all employees/subcontractors responsible for administering or providing services. Provide a summary list of the organizational personnel that will actively participate and contribute their skills to this project. Include in this list the individual's name, job title, work location and relevant experience in projects of similar size and complexity. (Responses may be one page per individual.)

Bidder shall specifically provide the following information on all employees to be providing services related to this RFB:

- i. Position Title
- ii. Current Responsibilities
- iii. Qualifications/Experiences
- iv. Education
- v. Certifications/licenses, if applicable
- vi. List other pertinent information that will assist in evaluating Bidder's qualifications.

i. **BIDDER'S RESPONSE:** Attachment 2

ii. **BIDDER'S RESPONSE:** Attachment 2

iii. **BIDDER'S RESPONSE:** Attachment 2

iv. **BIDDER'S RESPONSE:** Attachment 2

v. **BIDDER'S RESPONSE:** Attachment 2

vi. **BIDDER'S RESPONSE:** Attachment 2

Bidder can add as many sections to this bid response box as they need to state all employees providing services.

City of Oxnard
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CITY INFORMATION

6.0 GENERAL INFORMATION

The City of Oxnard, incorporated as a general law city in 1903, is located about sixty miles west of the Los Angeles Civic Center and about ten miles southeast of the City of Ventura. It is situated near the mouth of the Santa Clara River on a gently sloping alluvial fan commonly known as the Oxnard Plain. Elevations in the City range from mean sea level to about 100 feet above mean sea level. Today, the City of Oxnard has a population of slightly more than 200,000 residents and its corporate limits cover an area of about 32 square miles.

7.0 BACKGROUND INFORMATION

Laboratory testing for Water and Wateswater samples for various city departments.

8.0 SERVICE DESCRIPTION

Laboratory Chemical Testing and sampling for several types of analysis, see attachment A.

9.0 TERM

It is the intent of the City to issue a non-exclusive agreement for a three (3) year term with pricing locked in for this term, with the option if agreed upon by both parties for two (2) additional one-year periods.

City of Oxnard
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ATTACHMENT A
SCOPE OF WORK AND COMPENSATION SCHEDULE

See attached below:



LAB TEST
SCOPE.docx

Bidder acknowledges receipt of all addenda

Addendum:	Date Received:	Addendum:	Date Received:
#01	<u>02/05/20</u>	#03	<u> </u>
#02	<u> </u>	#04	<u> </u>

In case of any discrepancy between the cost per unit/services and the extended amount, the cost per unit/service shall prevail; but, if the amount set forth as an cost per unit/service amount is ambiguous, unintelligible, uncertain, omitted or identical to the amount listed in the extended amount, then the amount set forth in the extended amount shall prevail. In case of any discrepancy between the extended amount and the total bid amount, the extended amount shall prevail; but, if the amount set forth as an extended amount is ambiguous, unintelligible, uncertain, omitted or identical to the amount listed in the total bid amount, then the amount set forth in the total bid amount shall prevail. In case of any discrepancy between words and figures in the total bid amount, the words shall prevail.

CITY OF OXNARD

LABORATORY CHEMICAL TESTING AND SAMPLING

WATER CAMPUS 251 SOUTH HAYES AVE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
monthly	10	120	Methyl Tertiary Butyl Ether	EPA 524.2	\$35	\$4,200
weekly	7	364	Nitrate	EPA 300.0	\$8	\$2,912
monthly	10	120	Nitrate	EPA 300.0	\$8	\$960
weekly	7	354	TDS	SM 2540	\$7	\$2,478
quarterly	8	32	Trihalomethanes	EPA 524.2	\$40	\$1,280
quarterly	8	32	Haloacetic Acids	EPA 552.2	\$50	\$1,600
annual	10	10	Volatile Organics Compounds	EPA 524.2	\$55	\$550
annual	10	10	General Minerals	Various	\$90	\$900
annual	10	10	General Physicals	Various	\$15	\$150
annual	10	10	Inorganics	Various	\$70	\$700
weekly	4	208	Manganese	EPA 200.7	\$5	\$1,040
annual	10	10	Synthetic Organics Compounds EPA 525.2 Only	EPA 500 Series/1613	\$100	\$1,000
annual	7	7	Gross Alpha Radioactivity	EPA 900.0	\$35	\$245
annual	7	7	Gross Beta Radioactivity	EPA 900.0	\$10	\$70
annual	7	7	Radium 226	EPA 903.0	\$90	\$630
annual	7	7	Radium 228	EPA 904.0	\$120	\$840
weekly	4	208	pH, Conductivity	SM 4500-H+B-2000, EPA120.1	\$10	\$2,080
weekly	1	52	Langelier Index	By Calculation	\$5	\$260
quarterly	3	12	Uranium	EPA 200.8	\$15	\$180

CITY OF OXNARD

LABORATORY CHEMICAL TESTING AND SAMPLING

WATER CAMPUS 251 SOUTH HAYES AVE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	3	12	EPA 200.8	EPA 200.8	\$80	\$960
annual	1	1	Strontium 90	EPA 905.0	\$110	\$110
annual	1	1	Tritium	EPA 906.0	\$60	\$60
If needed	5	5	Turbidity	EPA 180.1	\$5	\$0
If needed	5	5	BOD5	SM 5210B	\$20	\$0
If needed	5	5	Settable Solids	SM 2540	\$15	\$0
If needed	1	1	Acute Toxicity	96 hours	\$250	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Metals	EPA 200.8	\$40	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Bromide	EPA 300.1	\$35	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Pesticides	EPA 525.3	\$230	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Semivolatiles	EPA 530	\$201	\$0
If needed	3 Entry Point 1 Maximum Residence		UCMR 4 Alcohols	EPA 541	\$201	\$0
If needed	3 Entry Point		UCMR 4 Microcystins & Nodularin	EPA 544	\$230	\$0
If needed			UCMR 4 Anatoxin & Cylindrospermopsin	EPA 545	\$201	\$0
If needed			UCMR 4 Total Microcystin (ELISA)	EPA 546	\$173	\$0
If needed			UCMR 4 Haloacetic Acids	EPA 552.3	\$144	\$0
If needed			UCMR 4 Organic, Carbon	SM 5310C	\$35	\$0

annual	11	11	Asbestos	EPA 600/R-94/134	\$140	\$1,540
annual	11	11	Aggressive Index	By Calculation	\$5	\$55
annual	10	10	Perchlorate	EPA 314, 314.1, 331.0 or 332.0	\$25	\$250
weekly	43	2236	Coliforms	SM 9223 P/A	\$8	\$17,888
Total Annual Estimated Cost: Water Campus					\$42,938	

CITY OF OXNARD

LABORATORY CHEMICAL TESTING AND SAMPLING

WASTEWATER TREATMENT PLANT 6001 PERKINS ROAD						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	3	12	Dioxins- EPA 8290 High Resolution- Solid	EPA 8290	\$400	\$4,800
quarterly	3	12	PCB's Solid	EPA 8082	\$50	\$600
quarterly	2	8	PCB Congener (56) by GC/MS SIM- Water	EPA 625	\$400	\$3,200
monthly	1	12	PCB- Water	EPA 608	\$40	\$480
monthly	1	12	Chlorinated Pesticides-By-products+Mirex	EPA 608	\$40	\$480
quarterly	3	12	Dioxins- EPA 8290 High Resolution- Water	EPA 8290	\$400	\$4,800
quarterly	2	6	Chlorinated Pesticides including Mirex- Solid	EPA 8081A	\$40	\$240
quarterly	2	6	PCBs- Solid	EPA 8082A	\$40	\$240
semiannual	2	4	Semivolatile Organics Full List- Solid	EPA 8270	\$100	\$400
semiannual	2	4	Volatile Organics Full List including Acrylon, Acrylonitrile and 2-Chloroethyl Vinyl Ether- Solid	EPA 8260	\$55	\$220
semiannual	3	6	Semivolatile Organics Full List- Water	EPA 625	\$100	\$600
semiannual	3	6	Volatile Organics - Water	EPA 624	\$55	\$330
semiannual	3	6	Hexavalent Chromium (Cr6+) Water	EPA 218.6	\$25	\$150
semiannual	3	6	Organophosphorus Pesticides including Malathion- Water	EPA 8141	\$85	\$510

semiannual	3	6	Gross Alpha and Beta Water	EPA 9310	\$35	\$210
semiannual	3	6	Tributyltin - Water	GC/FPD	\$180	\$1,080
Total Annual Estimated Cost: Wastewater Treatment Plant					\$18,340	

ADVANCED WATER PURIFICATION FACILITY-INJECTION WELLS (MW-1D, MW-1M, MW-1S, MW-2, MW-3)						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	5	20	General Minerals	Varies	\$90	\$1,800
quarterly	5	20	Inorganic Chemicals	Varies	\$70	\$1,400
quarterly	5	20	General Physical (Title 22)	Varies	\$15	\$300
quarterly	5	20	1,4-Dioxane - GCMS	EPA 827M	\$75	\$1,500
quarterly	5	20	1,2,3-Trichloropropane (TCP) - GCMS-SIM	SRL 524M-TCP	\$55	\$1,100
quarterly	5	20	EPA 625 - Semivolatile Organic Compounds	EPA 625	\$100	\$2,000
quarterly	5	20	EPA 556 - Formaldehyde only	EPA 556	\$110	\$2,200
quarterly	5	20	Bromate - EPA 300.1	EPA 300.1	\$25	\$500
quarterly	5	20	Chlorate - EPA 300.1	EPA 300.1	\$25	\$500
quarterly	5	20	Chlorite - EPA 300.1	EPA 300.1	\$25	\$500
quarterly	5	20	EPA 531.1 - Carbamates	EPA 531.1	\$85	\$1,700
quarterly	5	20	EPA 508 - Organochlorine Pesticides & PCBs	EPA 508	\$70	\$1,400
quarterly	5	20	EPA 515.3 - Chlorinated Acid Herbicides	EPA 515.3	\$70	\$1,400
quarterly	5	5	Oil and Grease - EPA 1664A	EPA 1664A	\$25	\$125
quarterly	5	20	EPA 549.2 - Diquat	EPA 549.2	\$70	\$1,400
quarterly	5	20	EPA 548.1 - Endothall	EPA 548.1	\$70	\$1,400
quarterly	5	20	EPA 8330A - Explosives	EPA 8330A	\$150	\$3,000
quarterly	5	20	EPA 504.1 - Fumigants (EDB, DBCP)	EPA 504.1	\$40	\$800
quarterly	5	20	EPA 547 - Glyphosate	EPA 547	\$80	\$1,600
quarterly	5	20	EPA 8015B - Glycol	EPA 8015B	\$100	\$2,000
quarterly	5	20	EPA 552.2 - Haloacetic Acids (HAA5)	EPA 552.2	\$50	\$1,000

ADVANCED WATER PURIFICATION FACILITY-INJECTION WELLS MW-1D, MW-1M, MW-1S, MW-2, MW-3						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	5	20	Boron - EPA 200.8	EPA 200.8	\$5	\$100
quarterly	5	20	Vanadium - EPA 200.8	EPA 200.8	\$5	\$100
quarterly	5	20	Nitrosoamines low-level - EPA 1625M	EPA 1625M	\$250	\$5,000
quarterly	5	20	Perchlorate - EPA 314.0	EPA 314.0	\$25	\$500
quarterly	5	20	PFCs in water by LC/MS	EPA 537M	\$300	\$6,000
quarterly	5	20	Polybrominated Diphenyl Ethers (PBDEs) - EPA 1614M	GC/MS SIM	\$316	\$6320
quarterly	5	20	PPCP - Morphine by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$6,000
quarterly	5	20	PPCP - Pharmaceuticals by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$6,000
quarterly	5	20	PPCP - Pharmaceuticals by LCMSMS-ESI-	EPA 1694M-ESI-	\$300	\$6,000
quarterly	5	20	PPCP - Hormones by LCMSMS-APCI+	EPA 1694M-APCI	\$300	\$6,000
quarterly	5	20	Alkyl Phenols by GCMS D7065	ASTM D7065	\$288	\$5760
quarterly	5	20	Pyrethroid Pesticides by GC/MS SIM	GC/MS NCI-SIM	\$253	\$5060
quarterly	5	20	Gross Alpha - EPA 900.0	EPA 900.0	\$35	\$700
quarterly	5	20	Gross Beta - EPA 900.0	EPA 900.0	\$10	\$200
quarterly	5	20	Uranium (pCi/L) - EPA 200.8	EPA 200.8	\$15	\$300
quarterly	5	20	EPA 525.2 - Semivolatile Organics - extended	EPA 525.2	\$100	\$2,000
quarterly	5	20	EPA 525.2 Mod - OPP low-level	EPA 525.2M	\$224	\$4480
quarterly	5	20	Dioxin 2378TCDD - EPA 1613B-ATP	EPA 1613B	\$200	\$4,000
quarterly	5	20	Asbestos, water - TEM	EPA 100.2	\$140	\$2,800

ADVANCED WATER PURIFICATION FACILITY MW-1D, MW-1M, MW-1S, MW-2, MW-3						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
quarterly	5	20	Radium-228	EPA Ra-05	\$120	\$2,400
quarterly	5	20	Strontium-90	EPA 905.0	\$110	\$2,200
quarterly	5	20	Tritium	EPA 906.0	\$60	\$1,200
quarterly	5	20	EPA 524.2 – TBA	EPA 524.2	\$35	\$700
quarterly	5	20	EPA 524.2 - Volatile Organic Compounds	EPA 524.2	\$55	\$1,100
quarterly	5	20	EPA 624 - Volatile Organic Compounds	EPA 624	\$55	\$1,100
Total Annual Estimated Cost: ASR Monitoring Wells					\$103,645	

ADVANCED WATER PURIFICATION FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
Monthly	1	12	General Minerals & Inorganic Chemicals	Varies	\$160	\$1,920
Quarterly	1	4	General Physical (Title 22)	Varies	\$15	\$60
Monthly	1	12	1,4-Dioxane - GCMS	EPA 8270M	\$75	\$900
Monthly	1	12	EPA 556 - Formaldehyde only	EPA 556	\$110	\$1,320
Monthly	1	12	Bromate - EPA 300.1	EPA 300.1	\$25	\$300
Monthly	1	12	Chlorate - EPA 300.1	EPA 300.1	\$25	\$300
Monthly	1	12	Chlorite - EPA 300.1	EPA 300.1	\$25	\$300
Monthly	1	12	EPA 531.1 - Carbamates	EPA 531.1	\$85	\$1020
Monthly	1	12	EPA 508 - Organochlorine Pesticides & PCBs	EPA 508	\$70	\$840
Monthly	1	12	EPA 515.3 - Chlorinated Acid Herbicides	EPA 515.3	\$70	\$840
Monthly	1	12	Oil and Grease - EPA 1664A	EPA 1664A	\$25	\$300
Monthly	1	12	EPA 549.2 - Diquat	EPA 549.2	\$70	\$840
Monthly	1	12	EPA 548.1 - Endothall	EPA 548.1	\$70	\$840
Monthly	1	12	EPA 8330A - Explosives	EPA 8330A	\$150	\$1,800
Monthly	1	12	EPA 504.1 - Fumigants (EDB, DBCP)	EPA 504.1	\$40	\$480
Monthly	1	12	EPA 547 - Glyphosate	EPA 547	\$80	\$960
Monthly	1	12	EPA 8015B - Glycol	EPA 8015B	\$100	\$1,200
Monthly	1	12	EPA 552.2 - Haloacetic Acids (HAA5)	EPA 552.2	\$50	\$600

ADVANCED WATER PURIFICATION FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
Monthly	1	12	Boron - EPA 200.8	EPA 200.8	\$5	\$60
Annual	1	1	MBAS	SM 5540C	\$25	\$25
Monthly	1	12	Perchlorate - EPA 314.0	EPA 314.0	\$25	\$300
Monthly	1	12	PFCs in water by LC/MS	EPA 537M	\$300	\$3,600
Monthly	1	12	Polybrominated Diphenyl Ethers (PBDEs) - EPA 1614M	GC/MS SIM	\$316	\$3,792
Monthly	1	12	PPCP - Morphine by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$3,600
Monthly	1	12	PPCP - Pharmaceuticals by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$3,600
Monthly	1	12	PPCP - Pharmaceuticals by LCMSMS-ESI-	EPA 1694M-ESI-	\$300	\$3,600
Monthly	1	12	PPCP - Hormones by LCMSMS-APCI+	EPA 1694M-APCI	\$300	\$3,600
Monthly	1	12	Alkyl Phenols by GCMS D7065	ASTM D7065	\$288	\$3,456
Monthly	1	12	Pyrethroid Pesticides by GC/MS SIM	GC/MS NCI-SIM	\$253	\$3,036
Monthly	1	12	Gross Alpha - EPA 900.0	EPA 900.0	\$35	\$420
Monthly	1	12	Gross Beta - EPA 900.0	EPA 900.0	\$10	\$120
Monthly	1	12	Strontium-90	EPA 900.0	\$110	\$1,320
Monthly	1	12	Uranium (pCi/L) - EPA 200.8	EPA 200.8	\$15	\$180
Monthly	1	12	Combined Radium-226 and Radium 228	EPA EMSL-19	\$200	\$2,400
Monthly	1	12	EPA 525.2 Mod - OPP low-level	EPA 525.2M	\$224	\$2,688
Monthly	1	12	Dioxin 2378TCDD - EPA 1613B-ATP	EPA 1613B	\$200	\$2,400
Monthly	1	12	Asbestos, water - TEM	EPA 100.2	\$140	\$1,680

ADVANCED WATER PURIFICATION FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
Monthly	1	12	EPA 524.2 – TBA	EPA 524.2	\$35	\$420
Monthly	1	12	EPA 524.2 - Volatile Organic Compounds	EPA 524.2	\$55	\$660
Monthly	1	12	Total Trihalomethanes	EPA 624	\$40	\$480
Weekly	1	52	TOC	SM5310B	\$10	\$520
Monthly	1	12	Metals(Cu, Pb, Al, Ag, Sb, As, Ba, Be, Cd, Total Chromium, Hg, Ni, Se, Tl)	EPA 200.8	\$80	\$960
Monthly	1	12	Chromium 6 ⁺	EPA 218.6	\$25	\$300
Monthly	1	12	Perchlorate	EPA 314.0	\$25	\$300
Monthly	1	12	Cyanide	EPA 335.4	\$25	\$300
Monthly	1	12	Flouride	EPA 300.4	\$8	\$96
Total Annual Estimated Cost: Advanced Water Purification Facility					\$58,733	

SOURCE CONTROL PROGRAM 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE						
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price
monthly	5	60	BOD	SM5210B	\$20	\$1,200
monthly	5	60	Total Suspended Solids	SM 2540D	\$7	\$420
monthly	5	60	Total Dissolved Solids	SM 2540C	\$7	\$420
monthly	5	60	Chloride	EPA 300.0	\$7	\$420
monthly	10	120	Oil and Grease-Vegetable Only	EPA 1664	\$25	\$3,000
monthly	2	24	EPA 625 - Semivolatile Organic Compounds	EPA 625	\$100	\$2,400
monthly	2	24	EPA 624 - Volatile Organic Compounds	EPA 624	\$55	\$1,320
monthly	2	24	EPA 608 - Organochlorine Pesticides & PCBs	EPA 608	\$70	\$1,680
monthly	2	24	Dioxins	EPA 8290A m	\$400	\$9,600
monthly	2	24	Cyanide	EPA 335.4	\$25	\$600
monthly	2	24	Metals (Cadmium, Total Chromium, Copper, Lead, Nickel, Silver, Zinc)	EPA 200.8	\$35	\$840
monthly	2	24	Ammonia as N	SM 4500-NH ₃ C	\$15	\$360
monthly	5	60	Dissolved Sulfide	SM 4500-S ²⁻ D	\$15	\$900
Total Annual Estimated Cost: Source Control					\$23,160	

City of Oxnard
Purchasing Department

Solicitation #PW20-49
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ATTACHMENT B COMPANY INFORMATION

Name of Company: BC Laboratories, Inc.

Address: 4100 Atlas Court Bakersfield, CA 93308

Service to provide: Environmental Testing Laboratory

Main Point of Contact: Alin Repede

Fed Tax ID: 95-23744170

City Tax ID: will apply upon award

E-mail: alin.repede@bclabs.com

Phone: 805-815-7966

9.0 Credentials/Resumes/Certifications/Licenses:

This section shall state all employees/subcontractors responsible for administering or providing services. Provide a summary list of the organizational personnel that will actively participate and contribute their skills to this project. Include in this list the individual's name, job title, work location and relevant experience in projects of similar size and complexity. (Responses may be one page per individual.)

10.0 Bidder shall specifically provide the following information on all employees to be providing services related to this solicitation: (Bidder can add as many sections to this bid response box as they need to state all employees providing services.)

- a. Position Title
- b. Current Responsibilities
- c. Qualifications/Experiences
- d. Certifications/licenses, if applicable
- e. List other pertinent information that will assist in evaluating Bidder's qualifications.

a. **BIDDER'S RESPONSE:** Attachment 2

b. **BIDDER'S RESPONSE:** Attachment 2

c. **BIDDER'S RESPONSE:** Attachment 2

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

d. **BIDDER'S RESPONSE:** Attachment 2

e. **BIDDER'S RESPONSE:** Attachment 2

CERTIFICATIONS

I, Alin Repede , a duly authorized agent of BC Laboratories, Inc.

Printed Name of Agent/Officer

Name of Organization

hereby certify that BC Laboratories, Inc. by submission of this proposal in response to the

Name of Organization

solicitation, agree upon contract award to carry out the requirements specified and obligations set forth therein.

Signature:



Date: 02/14/2020

Title of Agent/Officer: Alin Repede/ Business Development Specialist

"Execution hereof is certification that the undersigned has read and understands the terms and conditions hereof, and that the undersigned's principal is fully bound and committed."

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

ATTACHMENT C REFERENCES

All Bidder(s) must include present and past performance information with a minimum of three (3) references of recent similar projects. References cannot include City staff as a reference. However, references can include other governmental agencies. Please verify that all reference information is correct.

Reference 1	
Company name:	Santa Barbara County Public Works (Resource Recovery & Waste Management Division)
Address:	130 East Victoria Street, Suite 100
Contact person:	Jeannette Gonzales-Knight, PE
Email address:	jgonzal@cosbpw.net
Telephone address:	805-882-3627
Project name:	Environmental Compliance Monitoring at County of Santa Barbara Landfills Project No. 129909
Dates worked performed:	08/21/2019 – 06/30/2020
Summary of scope of services:	Perform groundwater laboratory analysis services
Project cost:	\$53,073.90+

Reference 2	
Company name:	City of San Jose
Address:	200 E Santa Clara St, 10 th Floor San Jose, CA 95113
Contact person:	Geoffrey Blair
Email address:	geoffrey.blair@sanjoseca.gov
Telephone address:	408-975-2576
Project name:	Laboratory Testing
Dates worked performed:	07/01/16 – 06/30/2020
Summary of scope of services:	Analytical laboratory testing of soil and groundwater sample collected for various projects
Project cost:	\$30,000.00+

Reference 3	
Company name:	Riverside County Waste Management Department

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

Address:	14310 Fredrick Street
Contact person:	Panda Workman
Email address:	pworkman@rcwaste.org
Telephone address:	951-486-3276
Project name:	Environmental Laboratory Services
Dates worked performed:	05/ 2019 – 05/2024
Summary of scope of services:	Provide laboratory analysis of water, soil and air samples collected from various Class III landfills located within Riverside County. BC Lab performs laboratory analysis of NPDES, groundwater, stormwater, landfill leachate, gas condensate, and soil sampling.
Project cost:	\$497,908.00

1. Provide a list of contracts that your company has been awarded during the last three (3) years, showing year, type of services, dollar amounts of services provided, location, contracting company, contact name, and phone number.

BIDDER'S RESPONSE:

- Yolo County
44090 County Road 28H
Woodland, CA 95776
Tel: 530-666-8858
Contact: John Borrego
Contract Duration: May 2017 – June 2020
Type of Service: Provide analytical Testing
Project Cost: \$120,00.00
- Kern County Public Works Department
2700 M St. Suite 450 4th Floor
Bakersfield, CA 93301
Tel: 661-862-8907
Contact: Tim Long
Contract Duration: January 2018 – January 2023
Type of Service: Chemical analytical services for liquid, solid, and gaseous samples from County's landfill, burn dumps, and other facilities.
Project Cost: \$600,000.00

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

- City of Ventura
1400 Spinnaker Drive
Ventura, CA 93001
Tel: (805) 677-4134
Contact: Jeremy Grant
Contract Duration: August 2019 – June 2020
Type of Service: Environmental Laboratory Services
Project Cost: \$60,000.00

2. Provide details of any failure or refusal to complete a contract. If none, that must be stated.

BIDDER'S RESPONSE: None

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

ATTACHMENT D
STATEMENT OF BIDDER'S PAST CONTRACT DISQUALIFICATIONS

Has bidder or any of its officers or employees who have a proprietary interest in such bidder ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, State, or local government project because of a violation of law or a safety regulation?

Yes _____ No X _____

1. If so, explain the circumstances:

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

ATTACHMENT E
CITY OF OXNARD
SIGNATURE SHEET, AFFIDAVIT

I, Alin Repede
depose and say that I am Business Development Specialist
("Sole Owner", "A Partner", "President", or other proper title)
of BC Laboratories, Inc.
Name of Bidder

Whoever submits this proposal to the City of Oxnard declares:

1. That the bidder has read these bid documents and specifications, will abide by and agrees to the conditions herein, and does hereby propose to furnish all equipment required for the item totals listed in the Bid Proposal.
2. That this bid is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, firm or corporation to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure an advantage over any other bidder.
3. That the addenda indicated on page 1 of this proposal are acknowledged.

I certify or declare under penalty of perjury that the foregoing is true and correct and I am an authorized agent to submit bids.



Signature

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

ATTACHMENT F

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2852

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA,
ESTABLISHING A SMALL LOCAL BUSINESS
PURCHASING PREFERENCE PROGRAM

WHEREAS, the unemployment rate in the City of Oxnard in recent years consistently has been higher than the unemployment rate of other cities in Ventura County and in the State; and

WHEREAS, the Council finds it necessary, desirable, and in the best interests of the City to establish a small business preference program in order to attract businesses to Oxnard, to retain businesses, and to increase employment and reduce competitive barriers faced by small local businesses; and

WHEREAS, the City is authorized by its municipal affairs authority and state law to establish such a program.

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

Part 1. In cases where the Oxnard City Code requires a written competitive bid for the purchase of goods or services, in determining the lowest responsible bidder when responsibility and quality are equal, a credit in a percentage of the bid submitted by the lowest responsible bidder meeting specifications shall be given to a bidder that meets the definition of a "Small Local Business" in this ordinance as follows: 5% of the amount up to \$500,000; 4% of the amount between \$500,001 and \$750,000; 3% of the amount between \$750,001 and \$1,000,000; 2% of the amount between \$1,000,001 and \$1,250,000 and 1% of the amount between \$1,250,001 and \$1,500,000. For example, if the lowest responsible bid is \$1,000,000, the preference would be \$42,500 ($\$500,000 \times .05 + \$250,000 \times .04 + \$250,000 \times .03$). The preference applies to all contracts, including contracts over \$1,500,000, but the amount of the preference is limited as provided herein, so that the maximum preference is \$50,000.

Part 2. "Small Local Business" shall mean a business entity that has for at least thirty six (36) months immediately preceding submittal of its bid held a current business license issued by the City and maintained its principal business office within the City's geographic boundaries, and has average annual gross receipts of twenty million dollars (\$20,000,000) or less over the thirty six (36) months immediately preceding submittal of its bid, and that employs fewer than one hundred (100) employees at least fifty percent (50%) of whom are Oxnard residents and have been Oxnard residents for at least 90 days prior to submission of the bid.

Part 3. As an alternative to the employment requirements described in Part 2, and only with respect to trade services or construction contracts to perform which the contractor intends to

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

Ordinance No. 28522

Page 2

hire employees or to subcontract, a contractor submitting a bid shall satisfy the resident employment requirements for obtaining preference as follows. With the submission of its bid, the contractor shall submit a certification under penalty of perjury that it has verified its own proposed employee base for performance of the contract and confirmed with all subcontractors providing bids used to formulate the contractor's bid, all of whom have subcontracted with or will subcontract with the contractor, that at least 50% of the labor hours devoted to performance of the contract will be provided by residents of the City of Oxnard. During, or within one year after performance of the contract, the City Manager or designee shall have the right to audit all the contractor's records to confirm the accuracy of the contractor's certification and the contractor shall provide to the City all documents (including subcontractors' records) appropriate to perform such an audit. Should it be determined after such audit by the City Manager that the requirements of this Part 3 have not been met or should the contractor not upon request provide documents sufficient for the audit required by this Part 3 to be performed, the contractor shall be required to pay upon demand to the City the entire amount of any preference granted, which amount may be withheld from any payment otherwise due the contractor. The foregoing is in addition to any other consequences which may be imposed upon the contractor for violation of the provisions of a City ordinance. The City Manager's determination under this Part 3 may be reviewed pursuant to sections 1 – 55 et seq., of the City Code, enacted by Ordinance No. 2840.

Part 4. The principal business office shall mean the place where the principal officers or owners generally transact business and the place to which reports are made and from which orders and payments are made, and the place which the business represents to government authorities as its principal office or principal place of business. Subject to review by the City Manager or designee, the requirements to obtain a Small Local Business preference may be established by submission with the bid of certification under penalty of perjury that the business meets such requirement, including a list showing all employee addresses and affirming that the employees have granted permission for the use of their addresses.

Part 5. The City Manager or his designee shall determine whether a business is a Small Local Business under this ordinance, including whether the principal office of the business is in the city, and whether employees are residents of the City. The City Manager's determination shall be final and not appealable under any provision of the City Code, except for the determination described in Part 3.

Part 6. The City Manager may adopt or instruct the purchasing agent to adopt such regulations, applications and forms as the City Manager determines are appropriate to implement the provisions of this ordinance.

Part 7. The provisions of this ordinance shall not apply when the Small Local Business preference described herein is contrary to or precluded by requirements of State or federal law or contrary to or precluded by requirements of a State of federal funding source or program providing assistance to the City for the particular project.

Part 8. In addition to any other consequence which may be imposed for violation of a City ordinance, the City Manager may prohibit a business entity which he determines has falsely claimed to be a Small Local Business from bidding on City contracts for a period of up to five

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

Ordinance No. 2852
Page 3

years. The City Manager's determination may be reviewed pursuant to sections 1 – 55 et seq., of the City Code, enacted by Ordinance No. 2840.

Part 9. Within fifteen days (15) after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the City.

Part 10. Ordinance No. 2852 was first read on Dec. 6, 2011, and finally adopted on Dec. 13, 2011, to become effective thirty days thereafter.

AYES: Councilmembers Holden, MacDonald, Flynn, and Ramirez.

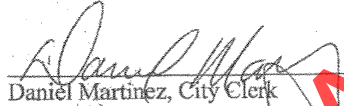
NOES: None.

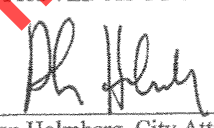
ABSENT: Mayor Pro Tem Pinkard.


Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:


Daniel Martinez, City Clerk


Alan Holmberg, City Attorney

City of Oxnard
Purchasing Department

Solicitation #PW20-49
Bid Close Date: 02/18/20 at 2:00 pm PT

ATTACHMENT F

LOCAL BUSINESS QUALIFICATION AFFIDAVIT

The City of Oxnard's Local Business Preference may be applied to this solicitation. If you qualify for this preference, this form must be submitted along with each bidder's response to this solicitation. If a Bidder fails to provide a completed Local Business Qualification Affidavit form with their bid submittal, the Bidder may be disqualified from obtaining local preference. It is the sole responsibility of the Bidder to identify local preference with each bid submittal. Reference Ordinance 2852.

Definition of Local Business

A local business shall mean a business firm meeting the following requirements:

1. Fixed offices located within the geographical boundaries of the City of Oxnard, authorized to perform business within the City, and in doing so, holds a current City Business license, and provides, produce/s, or performs contracted work using employees, of whom the majority are physically located in said local offices, and
2. A City of Oxnard business street address, shall be open and staffed during normal business hours with an annual gross receipts of twenty million dollars (\$20,000,000) or less, thirty-six months (36) and,
3. Employee fewer than one hundred (100) employees at least fifty percent (50%) Oxnard residents, per the Ordinance. (Refer to Ordinance 2852).
4. Post office box numbers shall not suffice to establish status as a "local business."

Additional supporting documentation is required to verify qualification includes:

1. A copy of a current BOE 531-A and/or BOE 530-C form (State, Local & District Sales, and Use Tax Return Form). This is what businesses submit to the State Board of Equalization when paying the sales tax to the State of California indicating the amount of the payment to be credited to each jurisdiction (i.e. Counties, Cities).
2. A current business license if required.
3. Proof of the current business address. The business address must match for points 1, 2 and 3.

Business Name: _____

Physical Address: _____

Phone: _____

E-Mail: _____

Date Principal Business Address Established: _____

No. of Company Employees at this address: _____

If less than 36 months, list previous City of Oxnard location: _____

City Business License No.: _____

Taxpayer Identification No. (TIN): _____

Primary function of this location (i.e., sales, distribution, production, corporate, etc.): _____

Signature of Company Official _____

Date _____

Print Name, Title _____

Submittal of false data will result in disqualification of local preference and/or doing business with the City of Oxnard.

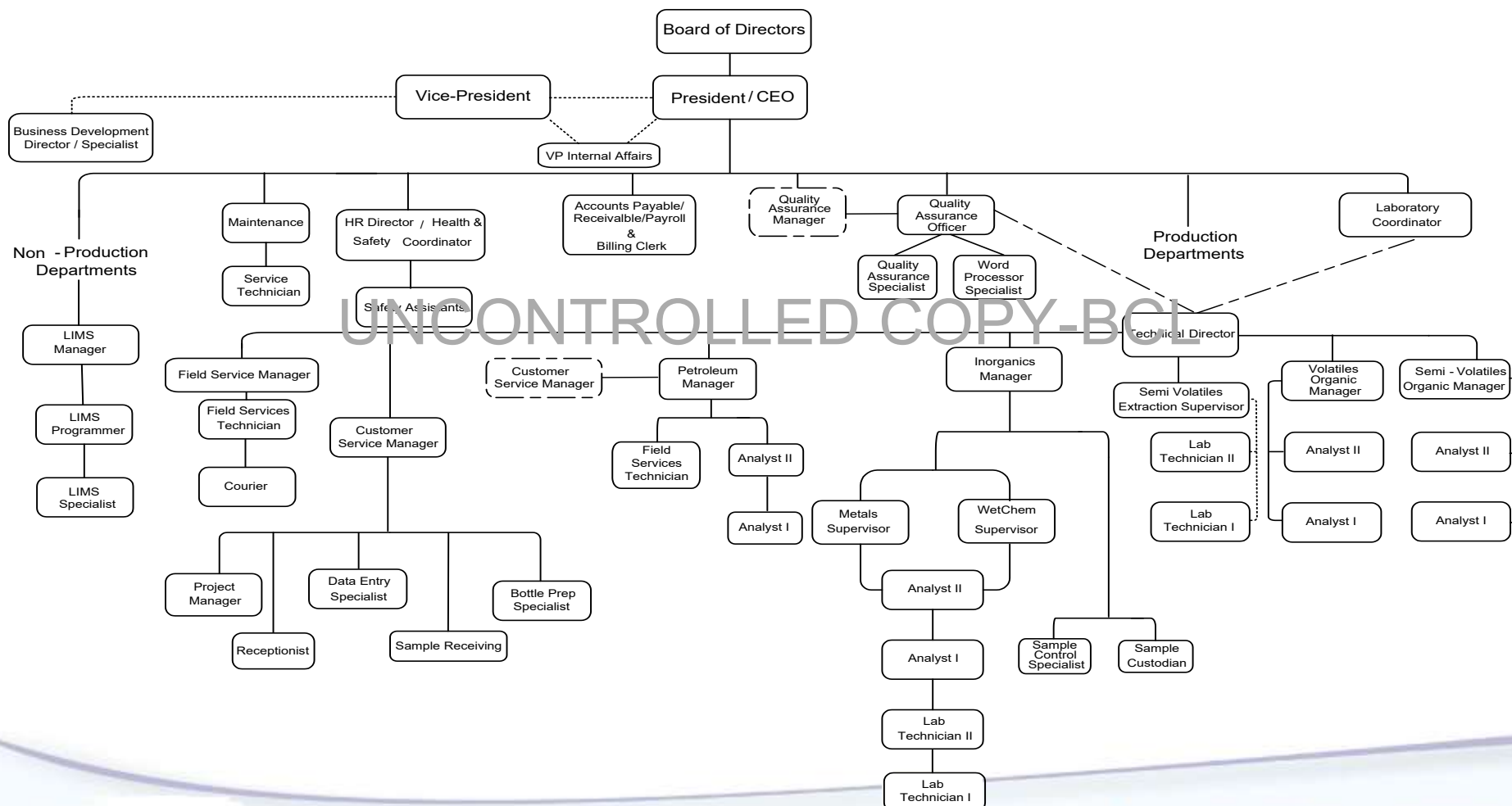
QUALITY ASSURANCE PROGRAM PLAN

ORGANIZATION, RESPONSIBILITIES, COMMUNICATION AND REDUNDANCY



QAPP SECTION II

Laboratory Organizational Chart



Rev. 2019

4100 BAKERSFIELD, CA 93308 | 800-878-4911 | WWW.BCLABS.COM

BC Laboratories analyst and key personnel have combined laboratory experience in excess of 100 years.

Credentials-Resumes-Certifications-Licenses

Stuart Buttram

Technical Director

800-878-4911 ext. 240

stuart@bclabs.com

Years with BC Laboratories: 32 Years

Total Years of Experience: 32 Years

B.S. Chemistry 1987, California Polytechnic State University, San Luis Obispo

Experience

2003 – Present Technical Director

- Responsible for all the day to day activities of the laboratory.
- Oversee all organic and inorganic test methods, including organization, production, report generation, and quality control.
- Review capabilities of the laboratory and make adjustments as necessary.
- Negotiate supplier discounts, instrument maintenance, implement new methods and applications. Design and implement cost saving, time saving strategies. Review Standard Operation Procedures (SOPs) and logbooks.
- Provides leadership, by example, establishing and maintaining quality standards and in conjunction with the Director of Human Resources, hire, counsel, discipline, provide training and monitor performance of those reporting to the Technical Director.
- Responsible for the accuracy and quality of all data reported by the laboratory
- Delegates Quality Improvement of Processes
- Works in conjunction with managers of laboratory to attain company goals for growth
- Review of logbooks and SOPs performed for completeness and legibility purposes.
- Responsible for the radiation safety policy as Radiological Safety Officer.
- Provide technical guidance for clients regarding RCRA, CERCLA, SDWA, and CWA programs.
- Final Report Approval
- Compliance with DoD QSM and ISO 17025:2005

1991 – 2002

Organics Department Supervisor

BC Laboratories, Inc.

- Supervision and management of all organics testing analysts and preparation technicians
- Sample throughout and scheduling (prioritization)
- Turnaround/holding time monitoring
- Method and chemistry consultation.
- Data review, approval and interpretation
- Method development

- Adherence of work to project specific goals
- SOP development and review
- Instrument and supply procurement
- Training
- Quality Improvement of Processes

1988 – 1991

Volatiles and Semi-volatiles GC/MS Group Leader
BC Laboratories Inc.

- Duties include oversight of GC/MS analyses 8270/625, 8240/8260/524.2.
- Review Standard Operation Procedures (SOPs) and logbooks.
- Review of logbooks and SOPs performed for completeness and legibility purposes.
- Turnaround and holding time monitoring
- Method consultation
- Data Review, approval, and interpretation
- Method development
- Adherence of work to project specific goals
- SOP Development and review
- Instrument/supply procurement
- Work in conjunction with laboratory director to company's growth and goals
- Quality Improvement of Processes

1987 – 1988

Analyst
BC Laboratories, Inc.

- Analyze and prep for organics analyses of pesticides, herbicides, volatiles, and semi volatiles
- Sample analysis in accordance to QC protocols
- Reporting of sample results onto bench worksheets
- Analysis and instrument documentation
 - a) Instrument maintenance
 - b) Ordering instrument supplies
 - c) Analysis records
 - 1) Run/Analysis Log
 - 2) Standard Logs
 - 3) Reagent Logs
 - 4) Maintenance Logs
- Temporary data storage
- Technical data review
- Method development
- SOP development
- Training

Rick Penner
Laboratory Coordinator
800-878-4911 ext. 254
rlp@bclabs.com

B.A. Natural Science, Pacific Fresno College 1973
Years with BC Laboratories: 28 Years
Total Years of Experience: 46 Years

Experience

2001 – Present
Laboratory Coordinator

- Program management and operations director
- Final Report Approval
- Delegates Quality Improvement of Processes
- Resource person for laboratory personnel
- Handle issues relating to analytical reports and quality control and dealing with analytical testing questions
- Assists client service teams with reporting results in nonstandard formats and electronic deliverables
- Work with Technical Director, Supervisors, and Team Leaders to direct activities in the analytical portion of the laboratory
- Provide input and perspective to President from the analytical and LIMS areas of the laboratory
- Train in the use of the LIMS (Laboratory Information Management System)
- Assist LIMS Manager in development of new features or refines existing features of the LIMS
- Define Quality Control processing tests in the LIMS
- Maintain MDL, PQL, and validation parameters in the LIMS

1991 – 1997
Metals Department Supervisor
BC Laboratories, Inc.

- Responsible for the day-to-day operation of the metals analyst and metals preparation technicians.
- Check and evaluate documentation for: control charting, preparation logs, run logs, maintenance logs, and standard and reagent logs. Evaluate new processes.
- Review System Improvement Forms.
- Turnaround and holding time monitoring.
- Method and chemistry consultation
- Data review, approval, and interpretation
- Method Development
- Adherence of work to project specific goals
- Reviews SOPs for conformance to method and practice.
- Instrument procurement
- Training
- Quality Improvement Processes

1985 – 1991

Laboratory Director

Zalco, Laboratory

- Responsible for the daily operation of the environmental laboratory and supervision of departmental managers.
- Work with departmental managers to maximize productivity while improving quality on a daily basis.
- Run the environmental laboratory in a safe, secure manner, and motivate employees to work at a high level productivity while contributing to the overall success of the laboratory

1973 – 1985

Chemist

Hornkohl Laboratory

- Responsible for running various WET Chemistry analysis, preparation of metals and analysis of metals using AA and GFAA.

Sara Guron

Quality Assurance Officer

800-878-4911 ext. 288

sguron@bclabs.com

B.A., Biological Sciences, California State University, Sacramento, 1993

Years with BC Laboratories: 20 Years

Total Years of Experience: 28 Years

Experience

2004 – Present

Quality Assurance Officer

- Development and maintenance of Quality Assurance Program
- Management of internal audit programs
- SOP development and maintenance
- Correspondence with clients concerning audits results
- Data validation
- Project Plan Development
- TQM Training
- QC Reporting
- Prepares QA reports for management
- Final report approval
- Monitors subcontractor quality controls and records
- Assists in the development of corrective action plans and ensuring correction of non-conformances reported in internal or external audits
- Quality Improvement of Processes

- Qualifying instruments and apparatus
- System capability
- Supervision of QA Specialist and Word Processor
- Compliance with DoD QSM and ISO 17025:2005
- Level 4 Package data review
- Conducts systems and performance audits to monitor compliance with environmental regulations, contractual requirements, QAPP requirements, and corporate

2000 – 2004
QA Specialist
BC Laboratories, Inc.

- Monitor laboratory equipment, refrigerator, incubators, ovens, thermometers, glassware and report finds to QA Officer.
- Quality Control Reporting and Quality Assurance Monitoring
- Data Processing
- Control Chart Maintenance
- Final Report Formatting
- Data Storage

1999 - 2000
Analyst I
BC Laboratories, Inc.

- GC Operator for the analysis of soil and water EPA Methods 8015M, 8020, and 8021
- Sample analysis in accordance to QC protocols
- Reporting of sample results onto bench worksheets
- Analysis and instrument documentation
- Method and SOP development

1996 – 1998
QC Analyst
BSK and Associates Laboratory

- Review analytical runs to determine quality, verify results, prepare Control charts, review final reports, and procurement laboratory supplies.

1991 – 1992
Laboratory Technician
Madera Enterprises, Inc.

- Miscellaneous analytical methods and quality control duties.

Keith Vogel
Laboratory Information Management System (LIMS) Manager
800-878-4911 ext. 210
kvogel@bclabs.com
B.S. in Agriculture, California Polytechnic University, San Luis Obispo, CA, 1982
Years with BC Laboratories: 31 Years
Total Years of Experience: 33 Years

Experience

1991 – Present
Laboratory Information Management System (LIMS) Manager

- LIMS development, modification, and maintenance
- LIMS training
- Data reporting and formatting
- Electronic Data archiving
- Customize electronic data deliverables
- LIMS equipment and supply approval
- Supervision of LIMS assistant
- Delegate Quality Improvement of Processes
- Check for any anomalies in reporting of results, methods, formats, etc.
- Evaluate data processing, resources, and EDD's

1986 – 1991
Hazardous Waste Department Manager
BC Laboratories, Inc.

- Responsible for the day-to-day operation of the department
- Check and evaluate documentation for: control charting, preparation logs, run logs, maintenance logs, and standard and reagent logs. Evaluate new processes.
- Review System Improvement Forms.
- Turnaround and holding time monitoring.
- Method and chemistry consultation
- Data review, approval, and interpretation
- Method Development
- Adherence of work to project specific goals
- Reviews SOPs for conformance to method and practice.
- Instrument procurement
- Training
- Quality Improvement Processes

1982 – 1986
Atomic Absorption Analyst
Agriculture Technical Services

- Responsible for analysis of water and soil extraction for cations and metals



Marna Atencio
Inorganic Department Supervisor
800-878-4911 ext. 220
marna@bclabs.com
B.S., Animal Husbandry, University of California, Davis, 1972
Years with BC Laboratories: 47 Years
Total Years of Experience: 47 Years

Experience

1972 – Present
Inorganic Department Supervisor

- Supervision and management of all Inorganic Preparation and sample receiving and microbiology, metals/wet chemistry and miscellaneous testing analysts
- Check and evaluate documentation for: control charting, preparation logs, run logs, maintenance logs, and standard and reagent logs. Evaluate new processes.
- Review System Improvement Forms.
- Turnaround and holding time monitoring.
- Method and chemistry consultation
- Data review, approval, and interpretation
- Method Development
- Adherence of work to project specific goals
- Reviews SOPs for conformance to method and practice.
- Instrument procurement
- Training
- Quality Improvement Processes
- Technical data review
- Final Review approval
- Handle issues relating to analytical reports quality control and dealing with analytical testing questions

Work with Technical Director, Supervisors, and Team Leader to direct activities in the analytical portion of the lab



Jatinder Riar
Volatile Organic Department Supervisor
800-878-4911 ext. 249
jriar@bclabs.com
Years with BC Laboratories: 23 Years
Total Years of Experience: 23 Years
B.S. Chemistry, Biology Guru Nanak Dev University, India, 1985

Experience

2004 – Present
Organics Department Supervisor
BC Laboratories, Inc.

- Supervision and management of all organics testing analysts and preparation technicians
- Sample throughout and scheduling (prioritization)
- Turnaround/holding time monitoring
- Method and chemistry consultation.
- Data review, approval and interpretation
- Method development
- Adherence of work to project specific goals
- SOP development and review
- Instrument and supply procurement
- Training
- Quality Improvement of Processes

2001 - 2004
Analyst II Volatile GC/MS Operator
BC Laboratories Inc.

- Duties include oversight of GC/MS analyses 8270/625, 8240/8260/524.2.
- Review Standard Operation Procedures (SOPs) and logbooks.
- Review of logbooks and SOPs performed for completeness and legibility purposes.
- Turnaround and holding time monitoring
- Method consultation
- Data Review, approval, and interpretation
- Method development
- Adherence of work to project specific goals
- SOP Development and review
- Instrument/supply procurement
- Work in conjunction with laboratory director to company's growth and goals
- Quality Improvement of Processes

1996 - 2001
Analyst I ICP Operator
BC Laboratories, Inc.

- Sample analysis in accordance to QC protocols
- Reporting of sample results onto bench worksheets
- Analysis and instrument documentation



- Technical data review
- SOP and Method development

Vanessa Sandoval

Project Manager

800-878-4911 ext. 203

Vanessa.sandoval@bclabs.com

Years with BC Laboratories: 10 Years

Total Years of Experience: 10 Years

Experience

2009 – Present

Project Manager

- Oversee and coordinate projects between project managers, supervisors, field service, clients and subcontractors if needed.
- Liaison between the client and the laboratory staff
- Project organization and maintenance
- Data and Report review
- Data Deliverables Packaging
- Method Consultant
- Bottle Orders
- Project Checklist completions
- Ensure that the laboratory meets the requested turnaround time and holding times.

Ms. Sandoval is responsible for a large number of the municipal and commercial contracts we provide services for. She will be the contact when requesting results, sampling supplies and all other needs you may require.



STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

CALIFORNIA STATE



ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM

CERTIFICATE OF ENVIRONMENTAL ACCREDITATION

Is hereby granted to

BC Laboratories, Inc.

4100 Atlas Court

Bakersfield, CA 93308

Scope of the certificate is limited to the
"Fields of Testing"
which accompany this Certificate.

Continued accredited status depends on successful completion of on-site inspection, proficiency testing studies, and payment of applicable fees.

This Certificate is granted in accordance with provisions of
Section 100825, et seq. of the Health and Safety Code.

Certificate No.: **1186**

Expiration Date: **5/31/2020**

Effective Date: **6/1/2018**

Sacramento, California
subject to forfeiture or revocation

Christine Sotelo, Chief
Environmental Laboratory Accreditation Program



**CALIFORNIA STATE
ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM
Accredited Fields of Testing**

**BC Laboratories, Inc.**

4100 Atlas Court
Bakersfield, CA 93308
Phone: 6613274911

Certificate No. 1186
Expiration Date 5/31/2020

Field of Testing: 101 - Microbiology of Drinking Water

101.010	001	Heterotrophic Bacteria	SM 9215 B
101.020	001	Total Coliform P/A	SM 9221 B
101.020	002	Fecal Coliform P/A	SM 9221 B,E
101.020	004	Total Coliform (Enumeration)	SM 9221 B,C
101.020	005	Fecal Coliform (Enumeration)	SM 9221 B,E
101.050	001	Total Coliform P/A	SM 9223 B Colilert
101.050	002	E. coli P/A	SM 9223 B Colilert
101.050	003	Total Coliform (Enumeration)	SM 9223 B Colilert
101.050	004	E. coli (Enumeration)	SM 9223 B Colilert
101.170	001	Enterococci	Enterolert

Field of Testing: 102 - Inorganic Chemistry of Drinking Water

102.026	001	Calcium	EPA 200.7
102.026	002	Magnesium	EPA 200.7
102.026	003	Potassium	EPA 200.7
102.026	004	Silica	EPA 200.7
102.026	005	Sodium	EPA 200.7
102.026	006	Hardness (Calculation)	EPA 200.7
102.030	001	Bromide	EPA 300.0
102.030	003	Chloride	EPA 300.0
102.030	005	Fluoride	EPA 300.0
102.030	006	Nitrate (as N)	EPA 300.0
102.030	009	Sulfate (as SO ₄)	EPA 300.0
102.045	001	Perchlorate	EPA 314.0
102.050	001	Cyanide, Total	EPA 335.4
102.061	001	Nitrite (as N)	EPA 353.2
102.100	001	Alkalinity	SM 2320 B
102.130	001	Specific Conductance	SM 2510 B
102.140	001	Residue, Filterable TDS	SM 2540 C
102.174	002	Chlorine, Total Residual	SM 4500-Cl F
102.262	001	Total Organic Carbon TOC	SM 5310 C
102.263	001	Dissolved Organic Carbon (DOC)	SM 5310 C
102.270	001	Surfactants	SM 5540 C-2011

Field of Testing: 103 - Toxic Chemical Elements of Drinking Water

As of 5/31/2019, this list supersedes all previous lists for this certificate number.
Customers: Please verify the current accreditation standing with the State.

BC Laboratories, Inc.

Certificate No. 1186

Expiration Date 5/31/2020

103.130	001	Aluminum	EPA 200.7
103.130	003	Barium	EPA 200.7
103.130	004	Beryllium	EPA 200.7
103.130	005	Cadmium	EPA 200.7
103.130	007	Chromium	EPA 200.7
103.130	008	Copper	EPA 200.7
103.130	009	Iron	EPA 200.7
103.130	011	Manganese	EPA 200.7
103.130	012	Nickel	EPA 200.7
103.130	015	Silver	EPA 200.7
103.130	017	Zinc	EPA 200.7
103.130	018	Boron	EPA 200.7
103.140	001	Aluminum	EPA 200.8
103.140	002	Antimony	EPA 200.8
103.140	003	Arsenic	EPA 200.8
103.140	004	Barium	EPA 200.8
103.140	005	Beryllium	EPA 200.8
103.140	006	Cadmium	EPA 200.8
103.140	007	Chromium	EPA 200.8
103.140	008	Copper	EPA 200.8
103.140	009	Lead	EPA 200.8
103.140	010	Manganese	EPA 200.8
103.140	012	Nickel	EPA 200.8
103.140	013	Selenium	EPA 200.8
103.140	014	Silver	EPA 200.8
103.140	015	Thallium	EPA 200.8
103.140	016	Zinc	EPA 200.8
103.140	017	Boron	EPA 200.8
103.140	018	Vanadium	EPA 200.8
103.160	001	Mercury	EPA 245.1
103.310	001	Chromium (VI)	EPA 218.6

Field of Testing: 104 - Volatile Organic Chemistry of Drinking Water

104.030	001	1,2-Dibromoethane (EDB, Ethylene Dibromide)	EPA 504.1
104.030	002	1,2-Dibromo-3-chloropropane (DBCP)	EPA 504.1
104.035	001	1,2,3-Trichloropropane (TCP)	SRL 524M-TCP
104.040	000	Volatile Organic Compounds	EPA 524.2
104.040	001	Benzene	EPA 524.2
104.040	007	n-Butylbenzene	EPA 524.2
104.040	008	sec-Butylbenzene	EPA 524.2
104.040	009	tert-Butylbenzene	EPA 524.2
104.040	010	Carbon Tetrachloride	EPA 524.2
104.040	011	Chlorobenzene	EPA 524.2

As of 5/31/2019, this list supersedes all previous lists for this certificate number.
 Customers: Please verify the current accreditation standing with the State.

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104.040	015	2-Chlorotoluene	EPA 524.2
104.040	016	4-Chlorotoluene	EPA 524.2
104.040	019	1,3-Dichlorobenzene	EPA 524.2
104.040	020	1,2-Dichlorobenzene	EPA 524.2
104.040	021	1,4-Dichlorobenzene	EPA 524.2
104.040	022	Dichlorodifluoromethane	EPA 524.2
104.040	023	1,1-Dichloroethane	EPA 524.2
104.040	024	1,2-Dichloroethane	EPA 524.2
104.040	025	1,1-Dichloroethene (1,1-Dichloroethylene)	EPA 524.2
104.040	026	cis-1,2-Dichloroethene	EPA 524.2
104.040	027	trans-1,2-Dichloroethene	EPA 524.2
104.040	029	1,2-Dichloropropane	EPA 524.2
104.040	033	cis-1,3-Dichloropropene	EPA 524.2
104.040	034	trans-1,3-Dichloropropene	EPA 524.2
104.040	035	Ethylbenzene	EPA 524.2
104.040	037	Isopropylbenzene	EPA 524.2
104.040	041	N-propylbenzene	EPA 524.2
104.040	042	Styrene	EPA 524.2
104.040	043	1,1,1,2-Tetrachloroethane	EPA 524.2
104.040	044	1,1,2,2-Tetrachloroethane	EPA 524.2
104.040	045	Tetrachloroethylene (Tetrachloroethene)	EPA 524.2
104.040	046	Toluene	EPA 524.2
104.040	047	1,2,3-Trichlorobenzene	EPA 524.2
104.040	048	1,2,4-Trichlorobenzene	EPA 524.2
104.040	049	1,1,1-Trichloroethane	EPA 524.2
104.040	050	1,1,2-Trichloroethane	EPA 524.2
104.040	051	Trichloroethene	EPA 524.2
104.040	052	Trichlorofluoromethane	EPA 524.2
104.040	054	1,2,4-Trimethylbenzene	EPA 524.2
104.040	055	1,3,5-Trimethylbenzene	EPA 524.2
104.040	056	Vinyl Chloride	EPA 524.2
104.040	057	Xylenes, Total	EPA 524.2
104.040	061	Carbon Disulfide	EPA 524.2
104.045	000	Trihalomethanes, Total	EPA 524.2
104.045	001	Bromodichloromethane	EPA 524.2
104.045	002	Bromoform	EPA 524.2
104.045	003	Chloroform	EPA 524.2
104.045	004	Dibromochloromethane	EPA 524.2
104.050	002	Methyl tert-butyl Ether (MTBE)	EPA 524.2
104.050	003	tert-Amyl Methyl Ether (TAME)	EPA 524.2
104.050	004	Ethyl tert-butyl Ether (ETBE)	EPA 524.2
104.050	005	Trichlorotrifluoroethane	EPA 524.2

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BC Laboratories, Inc.

Certificate No. 1186

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104.050 006 tert-Butyl Alcohol (TBA) EPA 524.2

Field of Testing: 105 - Semi-volatile Organic Chemistry of Drinking Water

105.035	001	Aldrin	EPA 508
105.035	002	Dieldrin	EPA 508
105.035	003	Endosulfan I	EPA 508
105.035	004	Endosulfan II	EPA 508
105.035	005	Endosulfan Sulfate	EPA 508
105.035	006	Endrin	EPA 508
105.035	007	Endrin Aldehyde	EPA 508
105.035	008	Heptachlor	EPA 508
105.035	009	Heptachlor Epoxide	EPA 508
105.035	010	Hexachlorobenzene	EPA 508
105.035	011	Lindane (HCH-gamma)	EPA 508
105.035	012	Methoxychlor	EPA 508
105.035	014	Chlordane	EPA 508
105.035	015	Toxaphene	EPA 508
105.035	016	PCBs as Aroclors	EPA 508
105.035	017	Aroclor 1016	EPA 508
105.035	018	Aroclor 1221	EPA 508
105.035	019	Aroclor 1232	EPA 508
105.035	020	Aroclor 1242	EPA 508
105.035	021	Aroclor 1248	EPA 508
105.035	022	Aroclor 1254	EPA 508
105.070	001	Bentazon	EPA 515.1
105.070	002	2,4-D	EPA 515.1
105.070	003	Dalapon	EPA 515.1
105.070	004	Dicamba	EPA 515.1
105.070	005	Dinoseb	EPA 515.1
105.070	006	Pentachlorophenol	EPA 515.1
105.070	007	Picloram	EPA 515.1
105.070	008	2,4,5-TP (Silvex)	EPA 515.1
105.090	001	Alachlor	EPA 525.2
105.090	002	Aldrin	EPA 525.2
105.090	003	Atrazine	EPA 525.2
105.090	004	Benzo(a)pyrene	EPA 525.2
105.090	005	Butachlor	EPA 525.2
105.090	007	Dieldrin	EPA 525.2
105.090	008	Di(2-ethylhexyl) Adipate	EPA 525.2
105.090	009	Di(2-ethylhexyl) Phthalate	EPA 525.2
105.090	013	Endrin	EPA 525.2
105.090	014	Heptachlor	EPA 525.2
105.090	015	Heptachlor Epoxide	EPA 525.2

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105.090	016	Hexachlorobenzene	EPA 525.2
105.090	017	Hexachlorocyclopentadiene	EPA 525.2
105.090	019	Methoxychlor	EPA 525.2
105.090	022	Molinate	EPA 525.2
105.090	025	Simazine	EPA 525.2
105.101	000	Carbamates	EPA 531.2
105.101	001	Carbofuran	EPA 531.2
105.101	002	Oxamyl	EPA 531.2
105.101	003	Aldicarb	EPA 531.2
105.101	004	Aldicarb Sulfone	EPA 531.2
105.101	005	Aldicarb Sulfoxide	EPA 531.2
105.101	006	Carbaryl	EPA 531.2
105.101	007	3-Hydroxycarbofuran	EPA 531.2
105.101	008	Methomyl	EPA 531.2
105.120	001	Glyphosate	EPA 547
105.140	001	Endothall	EPA 548.1
105.150	001	Diquat	EPA 549.2
105.201	001	Haloacetic Acids (HAA5)	EPA 552.3

Field of Testing: 106 - Radiochemistry of Drinking Water

106.092	001	Uranium	EPA 200.8
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Field of Testing: 107 - Microbiology of Wastewater

107.020	002	Total Coliform (Enumeration)	SM 9221 B-2006
107.040	002	Fecal Coliform (Enumeration)	SM 9221 C,E-2006

Field of Testing: 108 - Inorganic Chemistry of Wastewater

108.020	001	Specific Conductance	EPA 120.1
108.090	001	Residue, Volatile	EPA 160.4
108.110	001	Turbidity	EPA 180.1
108.112	001	Boron	EPA 200.7
108.112	002	Calcium	EPA 200.7
108.112	003	Hardness (Calculation)	EPA 200.7
108.112	004	Magnesium	EPA 200.7
108.112	005	Potassium	EPA 200.7
108.112	006	Silica, Dissolved	EPA 200.7
108.112	007	Sodium	EPA 200.7
108.120	001	Bromide	EPA 300.0
108.120	002	Chloride	EPA 300.0
108.120	003	Fluoride	EPA 300.0
108.120	008	Sulfate (as SO ₄)	EPA 300.0
108.120	012	Nitrate (as N)	EPA 300.0
108.183	001	Cyanide, Total	EPA 335.4
108.209	001	Ammonia (as N)	EPA 350.1
108.211	002	Kjeldahl Nitrogen, Total (as N)	EPA 351.2

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108.232	003	Nitrate-Nitrite (as N)	EPA 353.2
108.232	004	Nitrite (as N)	EPA 353.2
108.260	001	Phosphate, Ortho	EPA 365.1
108.266	001	Phosphorus, Total	EPA 365.4
108.323	001	Chemical Oxygen Demand	EPA 410.4
108.362	001	Phenols, Total	EPA 420.4
108.381	002	Oil & Grease Total	EPA 1664 B
108.410	001	Alkalinity	SM 2320 B-1997
108.430	001	Specific Conductance	SM 2510 B-1997
108.440	001	Residue, Total	SM 2540 B-1997
108.441	001	Residue, Filterable TDS	SM 2540 C-1997
108.442	001	Residue, Non-filterable TSS	SM 2540 D-1997
108.443	001	Residue, Settleable	SM 2540 F-1997
108.464	001	Chlorine, Total Residual	SM 4500-Cl F-2000
108.490	001	Hydrogen Ion (pH)	SM 4500-H+ B-2000
108.536	001	Oxygen, Dissolved	SM 4500-O G-2001
108.584	001	Sulfide (as S)	SM 4500-S D-2000
108.585	001	Sulfide (as S)	SM 4500-S F-2000
108.592	001	Biochemical Oxygen Demand	SM 5210 B -2001
108.592	002	Carbonaceous BOD	SM 5210 B -2001
108.595	001	Chemical Oxygen Demand	SM 5220 D-1997
108.597	001	Organic Carbon-Total (TOC)	SM 5310 C-2000
108.605	001	Surfactants	SM 5540 C-2000

Field of Testing: 109 - Toxic Chemical Elements of Wastewater

109.010	001	Aluminum	EPA 200.7
109.010	002	Antimony	EPA 200.7
109.010	003	Arsenic	EPA 200.7
109.010	004	Barium	EPA 200.7
109.010	005	Beryllium	EPA 200.7
109.010	006	Boron	EPA 200.7
109.010	007	Cadmium	EPA 200.7
109.010	009	Chromium	EPA 200.7
109.010	010	Cobalt	EPA 200.7
109.010	011	Copper	EPA 200.7
109.010	012	Iron	EPA 200.7
109.010	013	Lead	EPA 200.7
109.010	015	Manganese	EPA 200.7
109.010	016	Molybdenum	EPA 200.7
109.010	017	Nickel	EPA 200.7
109.010	019	Selenium	EPA 200.7
109.010	021	Silver	EPA 200.7
109.010	023	Thallium	EPA 200.7

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109.010	024	Tin	EPA 200.7
109.010	025	Titanium	EPA 200.7
109.010	026	Vanadium	EPA 200.7
109.010	027	Zinc	EPA 200.7
109.020	001	Aluminum	EPA 200.8
109.020	002	Antimony	EPA 200.8
109.020	003	Arsenic	EPA 200.8
109.020	004	Barium	EPA 200.8
109.020	005	Beryllium	EPA 200.8
109.020	006	Cadmium	EPA 200.8
109.020	007	Chromium	EPA 200.8
109.020	008	Cobalt	EPA 200.8
109.020	009	Copper	EPA 200.8
109.020	010	Lead	EPA 200.8
109.020	011	Manganese	EPA 200.8
109.020	012	Molybdenum	EPA 200.8
109.020	013	Nickel	EPA 200.8
109.020	014	Selenium	EPA 200.8
109.020	015	Silver	EPA 200.8
109.020	016	Thallium	EPA 200.8
109.020	017	Vanadium	EPA 200.8
109.020	018	Zinc	EPA 200.8
109.020	022	Tin	EPA 200.8
109.190	001	Mercury	EPA 245.1

Field of Testing: 110 - Volatile Organic Chemistry of Wastewater

110.040	000	Purgeable Organic Compounds	EPA 624
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Field of Testing: 111 - Semi-volatile Organic Chemistry of Wastewater

111.100	000	Base/Neutral & Acid Organics	EPA 625
111.103	000	Nitrosamines	EPA 625
111.170	000	Organochlorine Pesticides and PCBs	EPA 608
111.210	000	Carbamates	EPA 632

Field of Testing: 114 - Inorganic Chemistry of Hazardous Waste

114.010	001	Antimony	EPA 6010 B
114.010	002	Arsenic	EPA 6010 B
114.010	003	Barium	EPA 6010 B
114.010	004	Beryllium	EPA 6010 B
114.010	005	Cadmium	EPA 6010 B
114.010	006	Chromium	EPA 6010 B
114.010	007	Cobalt	EPA 6010 B
114.010	008	Copper	EPA 6010 B
114.010	009	Lead	EPA 6010 B
114.010	010	Molybdenum	EPA 6010 B

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114.010	011	Nickel	EPA 6010 B
114.010	012	Selenium	EPA 6010 B
114.010	013	Silver	EPA 6010 B
114.010	014	Thallium	EPA 6010 B
114.010	015	Vanadium	EPA 6010 B
114.010	016	Zinc	EPA 6010 B
114.020	001	Antimony	EPA 6020
114.020	002	Arsenic	EPA 6020
114.020	003	Barium	EPA 6020
114.020	004	Beryllium	EPA 6020
114.020	005	Cadmium	EPA 6020
114.020	006	Chromium	EPA 6020
114.020	007	Cobalt	EPA 6020
114.020	008	Copper	EPA 6020
114.020	009	Lead	EPA 6020
114.020	010	Molybdenum	EPA 6020
114.020	011	Nickel	EPA 6020
114.020	012	Selenium	EPA 6020
114.020	013	Silver	EPA 6020
114.020	014	Thallium	EPA 6020
114.020	015	Vanadium	EPA 6020
114.020	016	Zinc	EPA 6020
114.025	001	Mercury	EPA 6020 A
114.106	001	Chromium (VI)	EPA 7199
114.140	001	Mercury	EPA 7470 A
114.141	001	Mercury	EPA 7471 A
114.221	001	Cyanide, Total	EPA 9012 A
114.240	001	Corrosivity - pH Determination	EPA 9040 B
114.241	001	Corrosivity - pH Determination	EPA 9045 C

Field of Testing: 115 - Extraction Test of Hazardous Waste

115.020	001	Toxicity Characteristic Leaching Procedure (TCLP)	EPA 1311 (TCLP)
115.021	001	TCLP Inorganics	EPA 1311 (TCLP)
115.030	001	Waste Extraction Test (WET)	CCR Chapter 11, Article 5, Appendix II
115.040	001	Synthetic Precipitation Leaching Procedure (SPLP)	EPA 1312 (SPLP)

Field of Testing: 116 - Volatile Organic Chemistry of Hazardous Waste

116.020	031	Ethanol and Methanol	EPA 8015 B
116.040	041	Methyl tert-butyl Ether (MTBE)	EPA 8021 B
116.080	000	Volatile Organic Compounds	EPA 8260 B
116.080	120	Oxygenates	EPA 8260 B
116.100	001	Total Petroleum Hydrocarbons - Gasoline (GRO)	LUFT GC/MS
116.100	010	BTEX and MTBE	LUFT GC/MS

Field of Testing: 117 - Semi-volatile Organic Chemistry of Hazardous Waste

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BC Laboratories, Inc.

Certificate No. 1186

Expiration Date 5/31/2020

117.010	001	Diesel-range Total Petroleum Hydrocarbons	EPA 8015 B
117.015	001	Diesel-range Total Petroleum Hydrocarbons	LUFT GC/MS
117.016	001	Diesel-range Total Petroleum Hydrocarbons	LUFT
117.110	000	Extractable Organics	EPA 8270 C
117.111	071	Pesticides	EPA 8270 C
117.140	000	Polynuclear Aromatic Hydrocarbons	EPA 8310
117.170	000	Nitroaromatics and Nitramines	EPA 8330
117.210	000	Organochlorine Pesticides	EPA 8081 A
117.220	000	PCBs	EPA 8082
117.240	000	Organophosphorus Pesticides	EPA 8141 A
117.250	000	Chlorinated Herbicides	EPA 8151 A

Field of Testing: 120 - Physical Properties of Hazardous Waste

120.010	001	Ignitability	EPA 1010
120.022	001	Ignitability	EPA 1030
120.040	001	Reactive Cyanide	Section 7.3 SW-846
120.050	001	Reactive Sulfide	Section 7.3 SW-846
120.070	001	Corrosivity - pH Determination	EPA 9040 B
120.080	001	Corrosivity - pH Determination	EPA 9045 C

Field of Testing: 126 - Microbiology of Recreational Water

126.010	001	Total Coliform (Enumeration)	SM 9221 B,C-2006
126.030	001	Fecal Coliform (Enumeration)	SM 9221 B,E-2006

PW 20-49 Laboratory Chemical Testing and Sampling Bids

PW 20-49 Laboratory Chemical Testing and Sampling Bids										
					BC Laboratories		Weck Laboratories		Eurofins	
WATER CAMPUS 251 SOUTH HAYES AVE										
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
monthly	10	120	Methyl Tertiary Butyl Ether	EPA 524.2	\$35	\$4,200	\$50	\$6,000	\$50	\$6,000
weekly	7	364	Nitrate	EPA 300.0	\$8	\$2,912	\$25	\$9,100	\$15	\$5,460
monthly	10	120	Nitrate	EPA 300.0	\$8	\$960	\$25	\$3,000	\$12	\$1,440
weekly	7	354	TDS	SM 2540	\$7	\$2,478	\$15	\$5,310	\$22	\$7,788
quarterly	8	32	Trihalomethanes	EPA 524.2	\$40	\$1,280	\$50	\$1,600	\$50	\$1,600
quarterly	8	32	Haloacetic Acids	EPA 552.2	\$50	\$1,600	\$60	\$1,920	\$100	\$3,200
annual	10	10	Volatile Organics Compounds	EPA 524.2	\$55	\$550	\$80	\$800	\$50	\$500
annual	10	10	General Minerals	Various	\$90	\$900	\$160	\$1,600	\$125	\$1,250
annual	10	10	General Physicals	Various	\$15	\$150	\$30	\$300	\$45	\$450
annual	10	10	Inorganics	Various	\$70	\$700	\$100	\$1,000	\$125	\$1,250
weekly	4	208	Manganese	EPA 200.7	\$5	\$1,040	\$10	\$2,080	\$15	\$3,120
annual	10	10	Synthetic Organics Compounds*	EPA 500 Series/1613 (*BC Labs propose method 525.2)	\$100	-	\$955	-	\$125	-
annual	10	10	Synthetic Organics Compounds*	EPA 505 (*propose method 508, BC labs and Weck labs)	\$60	\$600	\$90	\$900	\$80	\$800
annual	10	10	Synthetic Organics Compounds*	EPA 515.3 (*Eurofins proposed EPA 515.4)	\$55	\$550	\$90	\$900	\$80	\$800
annual	10	10	Synthetic Organics Compounds	EPA 524.2	\$50	\$500	\$80	\$800	\$50	\$500
annual	10	10	Synthetic Organics Compounds	EPA 525.2	\$100	\$1,000	\$190	\$1,900	\$125	\$1,250
annual	10	10	Synthetic Organics Compounds*	EPA 531.1 (*Eurofins proposed EPA 531.2)	\$85	\$850	\$80	\$800	\$80	\$800
annual	10	10	Synthetic Organics Compounds	EPA 547	\$80	\$800	\$80	\$800	\$80	\$800
annual	10	10	Synthetic Organics Compounds	EPA 548.1	\$70	\$700	\$90	\$900	\$80	\$800
annual	10	10	Synthetic Organics Compounds*	EPA 549(*Eurofins proposed EPA 549.2)	\$70	\$700	\$90	\$900	\$80	\$800
annual	10	10	Synthetic Organics Compounds*	EPA 1613(*Eurofins proposed EPA 1613B)	\$200	\$2,000	\$220	\$2,200	\$190	\$1,900
annual	10	10	Synthetic Organics Compounds	EPA 504.1	\$40	\$400	\$50	\$500	\$40	\$400
annual	7	7	Gross Alpha Radioactivity	EPA 900.0	\$35	\$245	\$40	\$280	\$50	\$350
annual	7	7	Gross Beta Radioactivity	EPA 900.0	\$10	\$70	\$40	\$280	\$0	\$0
annual	7	7	Radium 226	EPA 903.0	\$90	\$630	\$130	\$910	\$80	\$560
annual	7	7	Radium 228	EPA 904.0	\$120	\$840	\$180	\$1,260	\$80	\$560
weekly	4	208	pH, Conductivity	SM 4500-H+B-2000, EPA120.1	\$10	\$2,080	\$20	\$4,160	\$9	\$1,872
weekly	1	52	Langelier Index	By Calculation	\$5	\$260	\$60	\$3,120	\$10	\$520
quarterly	3	12	Uranium	EPA 200.8	\$15	\$180	\$20	\$240	\$20	\$240
quarterly	3	12	EPA 200.8	EPA 200.8	\$80	-	\$10	-	\$90	-

Clarification /see lines 19-28 added

Clarification for Metals line 37

quarterly	3	12	For Metals (each element)	EPA 200.8	\$5	\$60	\$10	\$120	\$10	\$120
annual	1	1	Strontium 90	EPA 905.0	\$110	\$110	\$110	\$110	\$100	\$100
annual	1	1	Tritium	EPA 906.0	\$60	\$60	\$75	\$75	\$100	\$100
If needed	5	5	Turbidity	EPA 180.1	\$5	\$25	\$10	\$50	\$15	\$75
If needed	5	5	BOD5	SM 5210B	\$20	\$100	\$30	\$150	\$40	\$200
If needed	5	5	Settable Solids	SM 2540	\$15	\$75	\$10	\$50	\$20	\$100
If needed	1	1	Acute Toxicity	96 hours	\$250	\$250	\$350	\$350	\$400	\$400
If needed	3 Entry Point 1 Maximum Residence		List 1 UCMR3-7 VOC	EPA 524.3	\$40	\$0	\$0	\$0	\$90	\$0
If needed	3 Entry Point 1 Maximum Residence		List 1 UCMR3-1 SOC	EPA 522	\$35	\$0	\$0	\$0	\$250	\$0
If needed	3 Entry Point 1 Maximum Residence		List 1 UCMR3-6 Metals	EPA 200.8 Rev 5.4	\$230	\$0	\$0	\$0	\$50	\$0
If needed	3 Entry Point 1 Maximum Residence		List 1 UCMR3-1 Oxyhalide Anion	EPA 300.1	\$201	\$0	\$0	\$0	\$40	\$0
If needed	3 Entry Point 1 Maximum Residence		List 1 UCMR3-6 Perflourinated Compounds	EPA 537 Rev 1.1	\$201	\$0	\$0	\$0	\$300	\$0
If needed	3 Entry Point		List 2 UCMR3-7 Hormones	EPA 539	\$230	\$0	\$0	\$0	\$350	\$0
annual	11	11	Asbestos	EPA 600/R-94/134	\$140	\$1,540	\$160	\$1,760	\$125	\$1,375
annual	11	11	Aggressive Index	By Calculation	\$5	\$55	\$60	\$660	\$10	\$110
annual	10	10	Perchlorate	EPA 314, 314.1, 331.0 or 332.0	\$25	\$250	\$30	\$300	\$40	\$400
weekly	43	2236	Coliforms	SM 9223 P/A	\$8	\$17,888	\$10	\$22,360	\$14	\$31,304
Total Annual Estimated Cost: Water Campus						\$49,588		\$79,545		\$79,294

WASTEWATER TREATMENT PLANT 6001 PERKINS ROAD										
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
quarterly	3	12	Dioxins- EPA 8290 High Resolution- Solid	EPA 8290	\$400	\$4,800	\$575	\$6,900	\$450.0	\$5,400.0
quarterly	3	12	PCB's Solid	EPA 8082	\$50	\$600	\$70	\$840	\$56.0	\$672.0
quarterly	2	8	PCB Congener (56) by GC/MS SIM- Water	EPA 625	\$400	\$3,200	\$250	\$2,000	\$300.0	\$2,400.0
monthly	1	12	PCB- Water	EPA 608	\$40	\$480	\$70	\$840	\$0.0	\$0.0
monthly	1	12	Chlorinated Pesticides-By-products+Mirex	EPA 608	\$40	\$480	\$90	\$1,080	\$84.0	\$1,008.0
quarterly	3	12	Dioxins- EPA 8290 High Resolution- Water	EPA 8290	\$400	\$4,800	\$575	\$6,900	\$450.0	\$5,400.0
quarterly	2	6	Chlorinated Pesticides including Mirex- Solid	EPA 8081A	\$40	\$240	\$90	\$540	\$84.0	\$504.0
quarterly	2	6	PCBs- Solid	EPA 8082A	\$40	\$240	\$70	\$420	\$56.0	\$336.0
semiannual	2	4	Semivolatile Organics Full List- Solid	EPA 8270	\$100	\$400	\$160	\$640	\$132.0	\$528.0
semiannual	2	4	Volatile Organics Full List including Acrylon, Acrylonitrile and 2-Chloroethyl Vinyl Ether- Solid	EPA 8260	\$55	\$220	\$90	\$360	\$75.0	\$300.0

semiannual	3	6	Semivolatile Organics Full List- Water	EPA 625	\$100	\$600	\$160	\$960	\$132.0	\$792.0
semiannual	3	6	Volatile Organics - Water	EPA 624	\$55	\$330	\$90	\$540	\$60.0	\$360.0
semiannual	3	6	Hexavalent Chromium (Cr6+) Water	EPA 218.6	\$25	\$150	\$30	\$180	\$75.0	\$450.0
semiannual	3	6	Organophosphorus Pesticides including Malathion- Water	EPA 8141	\$85	\$510	\$130	\$780	\$120.0	\$720.0
semiannual	3	6	Gross Alpha and Beta Water	EPA 9310	\$35	\$210	\$80	\$480	\$75.0	\$450.0
semiannual	3	6	Tributyltin - Water	GC/FPD	\$180	\$1,080	\$200	\$1,200	\$180.0	\$1,080.0
Total Annual Estimated Cost: Wastewater Treatment Plant						\$18,340		\$24,660		\$20,400.0

ADVANCED WATER PURIFICAITON FACILITY-INJECTION WELLS (MW-1D, MW-1M, MW-1S, MW-2, MW-3)										
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
quarterly	5	20	General Minerals	Varies	\$90	\$1,800	\$160	\$3,200	\$125	\$2,500
quarterly	5	20	Inorganic Chemicals	Varies	\$70	\$1,400	\$100	\$2,000	\$125	\$2,500
quarterly	5	20	General Physical (Title 22)	Varies	\$15	\$300	\$30	\$600	\$45	\$900
quarterly	5	20	1,4-Dioxane - GCMS	EPA 827M	\$75	\$1,500	\$80	\$1,600	\$175	\$3,500
quarterly	5	20	1,2,3-Trichloropropane (TCP) - GCMS-SIM	SRL 524M-TCP	\$55	\$1,100	\$65	\$1,300	\$70	\$1,400
quarterly	5	20	EPA 625 - Semivolatile Organic Compounds	EPA 625	\$100	\$2,000	\$160	\$3,200	\$125	\$2,500
quarterly	5	20	EPA 556 - Formaldehyde only	EPA 556	\$110	\$2,200	\$130	\$2,600	\$150	\$3,000
quarterly	5	20	Bromate - EPA 300.1	EPA 300.1	\$25	\$500	\$25	\$500	\$55	\$1,100
quarterly	5	20	Chlorate - EPA 300.1	EPA 300.1	\$25	\$500	\$25	\$500	\$20	\$400
quarterly	5	20	Chlorite - EPA 300.1	EPA 300.1	\$25	\$500	\$25	\$500	\$20	\$400
quarterly	5	20	EPA 531.1 - Carbamates	EPA 531.1	\$85	\$1,700	\$80	\$1,600	\$90	\$1,800
quarterly	5	20	EPA 508 - Organochlorine Pesticides & PCBs	EPA 508	\$70	\$1,400	\$90	\$1,800	\$90	\$1,800
quarterly	5	20	EPA 515.3 - Chlorinated Acid Herbicides	EPA 515.3	\$70	\$1,400	\$90	\$1,800	\$90	\$1,800
quarterly	5	5	Oil and Grease - EPA 1664A	EPA 1664A	\$25	\$125	\$25	\$125	\$54	\$270
quarterly	5	20	EPA 549.2 - Diquat	EPA 549.2	\$70	\$1,400	\$90	\$1,800	\$90	\$1,800
quarterly	5	20	EPA 548.1 - Endothall	EPA 548.1	\$70	\$1,400	\$90	\$1,800	\$90	\$1,800
quarterly	5	20	EPA 8330A - Explosives	EPA 8330A	\$150	\$3,000	\$190	\$3,800	\$250	\$5,000
quarterly	5	20	EPA 504.1 - Fumigants (EDB, DBCP)	EPA 504.1	\$40	\$800	\$50	\$1,000	\$40	\$800
quarterly	5	20	EPA 547 - Glyphosate	EPA 547	\$80	\$1,600	\$80	\$1,600	\$90	\$1,800
quarterly	5	20	EPA 8015B - Glycol	EPA 8015B	\$100	\$2,000	\$100	\$2,000	\$150	\$3,000
quarterly	5	20	EPA 552.2 - Haloacetic Acids (HAA5)	EPA 552.2	\$50	\$1,000	\$60	\$1,200	\$85	\$1,700
quarterly	5	20	Boron - EPA 200.8	EPA 200.8	\$5	\$100	\$10	\$200	\$10	\$200
quarterly	5	20	Vanadium - EPA 200.8	EPA 200.8	\$5	\$100	\$10	\$200	\$10	\$200
quarterly	5	20	Nitrosoamines low-level - EPA 1625M	EPA 1625M	\$250	\$5,000	\$150	\$3,000	\$250	\$5,000
quarterly	5	20	Perchlorate - EPA 314.0	EPA 314.0	\$25	\$500	\$30	\$600	\$45	\$900
quarterly	5	20	PFCs in water by LC/MS	EPA 537M	\$300	\$6,000	\$300	\$6,000	\$275	\$5,500

quarterly	5	20	Polybrominated Diphenyl Ethers (PBDEs) - EPA 1614M	GC/MS SIM	\$316	\$6,320	\$160	\$3,200	\$250	\$5,000
quarterly	5	20	PPCP - Morphine by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$6,000	\$250	\$5,000	\$350	\$7,000
quarterly	5	20	PPCP - Pharmaceuticals by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$6,000	\$250	\$5,000	included	-
quarterly	5	20	PPCP - Pharmaceuticals by LCMSMS-ESI-	EPA 1694M-ESI-	\$300	\$6,000	\$250	\$5,000	\$350	\$7,000
quarterly	5	20	PPCP - Hormones by LCMSMS-APCI+	EPA 1694M-APCI	\$300	\$6,000	\$250	\$5,000	\$275	\$5,500
quarterly	5	20	Alkyl Phenols by GCMS D7065	ASTM D7065	\$288	\$5,760	\$175	\$3,500	-	-
quarterly	5	20	Pyrethroid Pesticides by GC/MS SIM	GC/MS NCI-SIM	\$253	\$5,060	\$200	\$4,000	\$250	\$5,000
quarterly	5	20	Gross Alpha - EPA 900.0	EPA 900.0	\$35	\$700	\$40	\$800	\$50	\$1,000
quarterly	5	20	Gross Beta - EPA 900.0	EPA 900.0	\$10	\$200	\$40	\$800	included	-
quarterly	5	20	Uranium (pCi/L) - EPA 200.8	EPA 200.8	\$15	\$300	\$20	\$400	\$20	\$400
quarterly	5	20	EPA 525.2 - Semivolatile Organics - extended	EPA 525.2	\$100	\$2,000	\$190	\$3,800	\$175	\$3,500
quarterly	5	20	EPA 525.2 Mod - OPP low-level	EPA 525.2M	\$224	\$4,480	\$190	\$3,800	\$0	\$0
quarterly	5	20	Dioxin 2378TCDD - EPA 1613B-ATP	EPA 1613B	\$200	\$4,000	\$220	\$4,400	\$190	\$3,800
quarterly	5	20	Asbestos, water - TEM	EPA 100.2	\$140	\$2,800	\$160	\$3,200	\$125	\$2,500
quarterly	5	20	Radium-228	EPA Ra-05	\$120	\$2,400	\$180	\$3,600	\$80	\$1,600
quarterly	5	20	Strontium-90	EPA 905.0	\$110	\$2,200	\$110	\$2,200	\$125	\$2,500
quarterly	5	20	Tritium	EPA 906.0	\$60	\$1,200	\$75	\$1,500	\$90	\$1,800
quarterly	5	20	EPA 524.2 – TBA	EPA 524.2	\$35	\$700	\$50	\$1,000	\$50	\$1,000
quarterly	5	20	EPA 524.2 - Volatile Organic Compounds	EPA 524.2	\$55	\$1,100	\$80	\$1,600	\$50	\$1,000
quarterly	5	20	EPA 624 - Volatile Organic Compounds	EPA 624	\$55	\$1,100	\$90	\$1,800	\$75	\$1,500
Total Annual Estimated Cost: ASR Monitoring Wells						\$103,645		\$104,125		\$101,670

ADVANCED WATER PURIFICAITON FACILITY 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE										
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
Monthly	1	12	General Minerals & Inorganic Chemicals	Varies	\$160	\$1,920	\$260	\$3,120	\$125	\$1,500
Quarterly	1	4	General Physical (Title 22)	Varies	\$15	\$60	\$30	\$120	\$45	\$180
Monthly	1	12	1,4-Dioxane - GCMS	EPA 8270M	\$75	\$900	\$80	\$960	\$175	\$2,100
Monthly	1	12	EPA 556 - Formaldehyde only	EPA 556	\$110	\$1,320	\$130	\$1,560	\$150	\$1,800
Monthly	1	12	Bromate - EPA 300.1	EPA 300.1	\$25	\$300	\$25	\$300	\$55	\$660
Monthly	1	12	Chlorate - EPA 300.1	EPA 300.1	\$25	\$300	\$25	\$300	\$20	\$240
Monthly	1	12	Chlorite - EPA 300.1	EPA 300.1	\$25	\$300	\$25	\$300	\$20	\$240
Monthly	1	12	EPA 531.1 - Carbamates	EPA 531.1	\$85	\$1,020	\$80	\$960	\$90	\$1,080
Monthly	1	12	EPA 508 - Organochlorine Pesticides & PCBs	EPA 508	\$70	\$840	\$90	\$1,080	\$90	\$1,080

Monthly	1	12	EPA 515.3 - Chlorinated Acid Herbicides	EPA 515.3	\$70	\$840	\$90	\$1,080	\$90	\$1,080
Monthly	1	12	Oil and Grease - EPA 1664A	EPA 1664A	\$25	\$300	\$25	\$300	\$54	\$648
Monthly	1	12	EPA 549.2 - Diquat	EPA 549.2	\$70	\$840	\$90	\$1,080	\$90	\$1,080
Monthly	1	12	EPA 548.1 - Endothall	EPA 548.1	\$70	\$840	\$90	\$1,080	\$90	\$1,080
Monthly	1	12	EPA 8330A - Explosives	EPA 8330A	\$150	\$1,800	\$190	\$2,280	\$250	\$3,000
Monthly	1	12	EPA 504.1 - Fumigants (EDB, DBCP)	EPA 504.1	\$40	\$480	\$50	\$600	\$40	\$480
Monthly	1	12	EPA 547 - Glyphosate	EPA 547	\$80	\$960	\$80	\$960	\$90	\$1,080
Monthly	1	12	EPA 8015B - Glycol	EPA 8015B	\$100	\$1,200	\$100	\$1,200	\$150	\$1,800
Monthly	1	12	EPA 552.2 - Haloacetic Acids (HAA5)	EPA 552.2	\$50	\$600	\$60	\$720	\$85	\$1,020
Monthly	1	12	Boron - EPA 200.8	EPA 200.8	\$5	\$60	\$10	\$120	\$10	\$120
Annual	1	1	MBAS	SM 5540C	\$25	\$25	\$40	\$40	\$25	\$25
Monthly	1	12	Perchlorate - EPA 314.0	EPA 314.0	\$25	\$300	\$30	\$360	\$45	\$540
Monthly	1	12	PFCs in water by LC/MS	EPA 537M	\$300	\$3,600	\$300	\$3,600	\$275	\$3,300
Monthly	1	12	Polybrominated Diphenyl Ethers (PBDEs) - EPA 1614M	GC/MS SIM	\$316	\$3,792	\$160	\$1,920	\$250	\$3,000
Monthly	1	12	PPCP - Morphine by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$3,600	\$250	\$3,000	\$350	\$4,200
Monthly	1	12	PPCP - Pharmaceuticals by LCMSMS-ESI+	EPA 1694M-ESI+	\$300	\$3,600	\$250	\$3,000	\$0	\$0
Monthly	1	12	PPCP - Pharmaceuticals by LCMSMS-ESI-	EPA 1694M-ESI-	\$300	\$3,600	\$250	\$3,000	\$350	\$4,200
Monthly	1	12	PPCP - Hormones by LCMSMS-APCI+	EPA 1694M-APCI	\$300	\$3,600	\$250	\$3,000	\$275	\$3,300
Monthly	1	12	Alkyl Phenols by GCMS D7065	ASTM D7065	\$288	\$3,456	\$175	\$2,100	\$0	\$0
Monthly	1	12	Pyrethroid Pesticides by GC/MS SIM	GC/MS NCI-SIM	\$253	\$3,036	\$200	\$2,400	\$250	\$3,000
Monthly	1	12	Gross Alpha - EPA 900.0	EPA 900.0	\$35	\$420	\$40	\$480	\$50	\$600
Monthly	1	12	Gross Beta - EPA 900.0	EPA 900.0	\$10	\$120	\$40	\$480	\$0	\$0
Monthly	1	12	Strontium-90	EPA 900.0	\$110	\$1,320	\$110	\$1,320	\$125	\$1,500
Monthly	1	12	Uranium (pCi/L) - EPA 200.8	EPA 200.8	\$15	\$180	\$20	\$240	\$20	\$240
Monthly	1	12	Combined Radium-226 and Radium 228	EPA EMSL-19	\$200	\$2,400	\$310	\$3,720	\$160	\$1,920
Monthly	1	12	EPA 525.2 Mod - OPP low-level	EPA 525.2M	\$224	\$2,688	\$190	\$2,280	\$0	\$0
Monthly	1	12	Dioxin 2378TCDD - EPA 1613B-ATP	EPA 1613B	\$200	\$2,400	\$220	\$2,640	\$190	\$2,280
Monthly	1	12	Asbestos, water - TEM	EPA 100.2	\$140	\$1,680	\$160	\$1,920	\$125	\$1,500
Monthly	1	12	EPA 524.2 – TBA	EPA 524.2	\$35	\$420	\$50	\$600	\$50	\$600
Monthly	1	12	EPA 524.2 - Volatile Organic Compounds	EPA 524.2	\$55	\$660	\$90	\$1,080	\$50	\$600
Monthly	1	12	Total Trihalomethanes	EPA 624	\$40	\$480	\$50	\$600	\$50	\$600
Weekly	1	52	TOC	SM5310B	\$10	\$520	\$40	\$2,080	\$25	\$1,300
Monthly	1	12	Metals(Cu, Pb, Al, Ag, Sb. As, Ba, Be, Cd, Total Chromium, Hg, Ni, Se, Ti)	EPA 200.8	\$80	\$960	\$145	\$1,740	\$125	\$1,500
Monthly	1	12	Chromium 6+	EPA 218.6	\$25	\$300	\$30	\$360	\$75	\$900
Monthly	1	12	Perchlorate	EPA 314.0	\$25	\$300	\$30	\$360	\$40	\$480
Monthly	1	12	Cyanide	EPA 335.4	\$25	\$300	\$35	\$420	\$35	\$420
Monthly	1	12	Flouride	EPA 300.4	\$8	\$96	\$25	\$300	\$20	\$240

Total Annual Estimated Cost: Advanced Water Purification Facility						\$58,733		\$61,160		\$56,513
SOURCE CONTROL PROGRAM 5700 PERKINS ROAD- NON-POTABLE WATER SAMPLE										
Sampling Frequency	Number of Samples per Sampling frequency	Number of Samples Per Year	Analysis	Method	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
monthly	5	60	BOD	SM5210B	\$20	\$1,200	\$30	\$1,800	\$35	\$2,100
monthly	5	60	Total Suspended Solids	SM 2540D	\$7	\$420	\$15	\$900	\$22	\$1,320
monthly	5	60	Total Dissolved Solids	SM 2540C	\$7	\$420	\$15	\$900	\$22	\$1,320
monthly	5	60	Chloride	EPA 300.0	\$7	\$420	\$25	\$1,500	\$20	\$1,200
monthly	10	120	Oil and Grease-Vegetable Only	EPA 1664	\$25	\$3,000	\$25	\$3,000	\$54	\$6,480
monthly	2	24	EPA 625 - Semivolatile Organic Compounds	EPA 625	\$100	\$2,400	\$160	\$3,840	\$125	\$3,000
monthly	2	24	EPA 624 - Volatile Organic Compounds	EPA 624	\$55	\$1,320	\$90	\$2,160	\$75	\$1,800
monthly	2	24	EPA 608 - Organochlorine Pesticides & PCBs	EPA 608	\$70	\$1,680	\$90	\$2,160	\$84	\$2,016
monthly	2	24	Dioxins	EPA 8290A m	\$400	\$9,600	\$575	\$13,800	\$450	\$10,800
monthly	2	24	Cyanide	EPA 335.4	\$25	\$600	\$35	\$840	\$35	\$840
monthly	2	24	Metals (Cadmium, Total Chromium, Copper, Lead, Nickel, Silver, Zinc)	EPA 200.8	\$35	\$840	\$70	\$1,680	\$100	\$2,400
monthly	2	24	Ammonia as N	SM 4500-NH3 C	\$15	\$360	\$30	\$720	\$35	\$840
monthly	5	60	Dissolved Sulfide	SM 4500-S2- D	\$15	\$900	\$30	\$1,800	\$25	\$1,500
Total Annual Estimated Cost: Source Control						\$23,160		\$35,100		\$35,616
					Grand Total	\$253,466		\$304,590		\$293,493
							Courier Runs (ea. Round trip) at \$195			
Discount on items not quoted					30% discount		20% discount			
24 Hour turnaround					100% surcharge of original cost		100% surcharge of original cost			
Any work Subcontracted					yes		yes			



CITY COUNCIL AGENDA REPORT

REPORTS AGENDA ITEM NO. M.1

DATE: May 5, 2020

TO: City Council

FROM: Stephen Fischer, City Attorney, (805) 385-7483, stephen.fischer@oxnard.org

SUBJECT: Amendment of City Treasurer Functions; Persons Authorized to Sign Financial Instruments and Initiate Electronic Bank Transactions; Oversight of Payroll Functions; and Adjustment of Future Benefits and Compensation of the Office of City Treasurer Beginning in December 2020. (15/15/10)

RECOMMENDATION

That the City Council:

1. Approve the first reading by title only and waive further reading of an ordinance entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING AND ADDING PROVISIONS TO THE CITY CODE TO DESIGNATE THE ASSISTANT CITY TREASURER AS THE "COLLECTOR" OR "LICENSE COLLECTOR" FOR SPECIFIC PERMITTING AND LICENSING FUNCTIONS; AMENDING THE CITY CODE AND ORDINANCE NO. 2350 TO LIMIT CITY TREASURER DUTIES TO THAT POSITION'S STATUTORY DUTIES NOT OTHERWISE ASSIGNED TO THE ASSISTANT CITY TREASURER, AND TO CHANGE CITY TREASURER COMPENSATION AND BENEFITS EFFECTIVE WHEN THE CITY COUNCIL DECLARES THE RESULTS OF THE CANVASS OF THE RETURNS FOR THE NOVEMBER 2020 MUNICIPAL ELECTION; AND ADDING SECTION 2-187 REGARDING PAYROLL FUNCTIONS BEING MANAGED BY THE DIRECTOR OF HUMAN RESOURCES;

2. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING CERTAIN PERSONS TO SIGN AND ENDORSE CHECKS AND DRAFTS AND INITIATE AND APPROVE ELECTRONIC BANK TRANSACTIONS FOR THE CITY OF OXNARD, ASSESSMENT DISTRICTS AND THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY; AND AMENDING THE TITLE AND EXHIBIT B OF RESOLUTION NO. 10,820 REGARDING THE JOB SPECIFICATIONS FOR THE CITY TREASURER; and

3. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING EXHIBIT A OF RESOLUTION NO. 15,242 AS IT RELATES TO THE SALARY RANGE FOR THE CITY TREASURER.

BACKGROUND

When Mr. Phillip Molina was elected as City Treasurer for the City of Oxnard in November 2016, the position of the City Treasurer had two separate and distinct functions. Under the Oxnard City Code ("OCC" or "City Code"), the City Treasurer is to perform the statutory duties assigned to the City Treasurer by state law and confirmed by Council resolution. (OCC Section 2-168(A).) The City Treasurer also performs specific administrative duties as are assigned by the City Manager. (OCC Section 2-168(B); Resolution No. 10,820.) When Mr. Molina was sworn in as the new City Treasurer, he assumed both the statutory and administrative duties of the City Treasurer.

In August 2019, several City employees made complaints that Mr. Molina had harassed and bullied them by e-mail and other means. Employees also complained that Mr. Molina exceeded the scope of his position as City Treasurer. As a

result of these complaints, the City retained an outside law firm to investigate the allegations. Mr. Molina was informed of the investigation and instructed to cooperate with the investigator as well as to not interfere with the investigation. Right after the investigation began, employees complained that Mr. Molina spoke to them about the investigation. Mr. Molina also made contact with one of the complainants and named her publicly. These actions were violations of the instruction given to Mr. Molina, an effort to compromise the integrity of the employee complaint/investigation process, and an attempt by Mr. Molina to intimidate the complainant and potential witnesses to be interviewed. As a result, these additional complaints had to be investigated also.

The independent investigator conducted interviews of 41 City employees across multiple departments and rank. These included the City Manager's office, the Finance department, the Police department, the Information Technology department, Code Compliance, Public Works, Community Services, Community Development, and sixteen (16) employees in the Treasurer's department. The investigator also reviewed numerous relevant documents.

On February 10, 2020, the investigator submitted to the City an 83-page Confidential Report of Investigation, finding against Mr. Molina on seven of the nine matters investigated based upon a preponderance of the evidence. The investigator's report was forwarded to the City Manager for his review and final action.

Once the City Manager completed his review of the report (including the investigator's findings), the City Manager removed Mr. Molina's administrative duties as City Treasurer on March 27, 2020. Those administrative duties have been reassigned to the Assistant City Treasurer, who now serves as the head of the reorganized Department of Billing and Licensing.

Had this been any other manager, at any level, he or she would have been fired.

Because Mr. Molina is an elected official, the City Manager does not have the authority to remove Mr. Molina from his elected office. The City Manager does have the authority to remove the Treasurer's administrative duties.

Discussion

The proposed ordinance would modify provisions of the City Code and Ordinance No. 2350 to specify that the City Treasurer would no longer serve any administrative functions, but would only fulfill specific statutory duties related to particular financial matters such as deposit of City funds and investing such funds (to the extent the City Council renews the annual delegation of investment authority). With the reduction in duties -- no longer performing administrative duties such as supervising staff, managing a department's budget, nor serving as a department head -- the future salary and benefits for the elected Treasurer office should be reduced from the current level; however, such reduction in salary and benefits would not take effect until the City Council declares the results of the 2020 municipal election in November 2020. The City recommends that the new salary level should reflect the time needed to perform the statutory duties as summarized here and used the current Councilmember salary as the point of reference. In our estimation, the level of responsibility for fulfilling statutory duties of the elected Treasurer office is no greater than that of an elected Councilmember.

To reassign various administrative functions, the proposed ordinance would amend a number of City Code sections to provide that the Assistant City Treasurer would serve as the "collector" or "license collector" for a number of licensing and permitting functions. The Assistant City Treasurer has fulfilled these functions for a number of years. The proposed changes would codify those existing City practices.

The proposed ordinance would also add language assigning to the Director of Human Resources oversight of the City's payroll processing functions, which are currently overseen by the Chief Financial Officer. Moving oversight of, and responsibility for, the City's payroll processing functions from the Chief Financial Officer to the Director of Human Resources is a natural consequence of the City beginning to implement new enterprise resource planning (ERP) software. The new software modules for Human Capital Management (human resources) are so tightly interwoven with the modules for payroll processing that both their implementation and ongoing operation and maintenance after "go-live"

need to be undertaken by the same team.

While it is obviously not feasible to move Human Resources functions into the Finance Department, it is feasible to move payroll processing functions into the Human Resources Department. Indeed, the three employees in payroll have been physically embedded in the office space of the Human Resources Department since mid-2019. Under the new arrangement, they will simply report to a different department head. As before, segregation of duties remains in that Human Resources benefits and employee processing staff will continue to implement Council-approved employee compensation policy and guidelines, which payroll staff will continue to process bi-weekly.

Since 70 percent of the General Fund budget (and high percentages of most other funds' budgets) is attributable to employee compensation, both the Budget and the General Accounting divisions of the Finance Department will continue to require their existing "read-only access" (i.e., they cannot make any changes) to the payroll database and reports, and the proposed ordinance reflects this need.

The first proposed resolution would replace Resolution No. 10,456, which was adopted in 1992 to authorize certain persons to sign and endorse City of Oxnard and assessment district checks and drafts. Under the proposed resolution, the Assistant City Treasurer would be authorized in conjunction with either the Chief Financial Officer or Assistant Chief Financial Officer to sign all financial instruments drawn on any eligible depository, and initiate or approve electronic bank transactions for the City of Oxnard, assessment districts and the Oxnard Community Development Commission Successor Agency. The proposed resolution also designates the Assistant City Treasurer as the custodian of the facsimile signature plates used by the City to sign most checks issued by the City and assessment districts within the City. The Chief Financial Officer would continue to review and audit the supporting documents submitted with each approved invoice and claim to ensure the accuracy of each demand and the availability of funds for payment of each demand. (OCC Section 2-184.) This delegation of authority between two departments is authorized by state law and consistent with the practices of many general law cities, such as the City of Camarillo. Approximately one quarter of California's 482 cities have an elected treasurer. Therefore, around 75 percent of the cities in California rely on professional appointed city staff for segregation of duties in financial transaction processing. The City's independent audit firm will continue to examine the City's design, implementation and maintenance of internal controls each year.

Finally, the first proposed resolution would amend Resolution No. 10,820 to specify that the City Treasurer no longer has any administrative functions, only the assigned statutory functions such as deposit and investment of City funds as previously described.

As described previously, the second proposed resolution would reduce the City Treasurer's salary to the same level as that of the members of the City Council. The reduction in the City Treasurer's salary would not, however, occur during the current term of the City Treasurer. Instead, the reduction in salary would go into effect at such time that the City Council declares the results of the canvass of the returns for the November 2020 municipal election.

STRATEGIC PRIORITIES

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

FINANCIAL IMPACT

The estimated cost of the new signature plates for printing the City's physical checks is less than \$1,000.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Kenneth Rozell, Chief Assistant City Attorney, Stephen Fischer, City Attorney

ATTACHMENTS

1. Ordinance Collector_Payroll (4_22_20)
2. Resolution Replacing 10456.v2
3. Resolution re Compensation.docx

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING AND ADDING PROVISIONS TO THE CITY CODE TO DESIGNATE THE ASSISTANT CITY TREASURER AS THE “COLLECTOR” OR “LICENSE COLLECTOR” FOR SPECIFIC PERMITTING AND LICENSING FUNCTIONS; AMENDING THE CITY CODE AND ORDINANCE NO. 2350 TO LIMIT CITY TREASURER DUTIES TO THAT POSITION’S STATUTORY DUTIES NOT OTHERWISE ASSIGNED TO THE ASSISTANT CITY TREASURER, AND TO CHANGE CITY TREASURER COMPENSATION AND BENEFITS EFFECTIVE WHEN THE CITY COUNCIL DECLARES THE RESULTS OF THE CANVASS OF THE RETURNS FOR THE NOVEMBER 2020 MUNICIPAL ELECTION; AND ADDING SECTION 2-187 REGARDING PAYROLL FUNCTIONS BEING MANAGED BY THE DIRECTOR OF HUMAN RESOURCES

THE CITY COUNCIL OF THE CITY OF OXNARD DOES ORDAIN AS FOLLOWS:

Section 1. Section 10-1(C) is added to the Oxnard City Code to read as follows:

“(C) LICENSE COLLECTOR - The Assistant City Treasurer or designee.”

Section 2. Section 11-1(F) of the Oxnard City Code shall be amended to read as follows:

“(F) COLLECTOR - The Assistant City Treasurer or designee.”

Section 3. Section 11-141 of the Oxnard City Code is amended to read as follows:

“Section 11-141. APPLICATIONS

The license collector shall provide each applicant for a dance permit with a form specifying the information required for the permit. The city shall begin processing an application when the completed form, the applicable fee, and documents required are provided to the license collector. For purposes of this article, the Assistant City Treasurer or designee shall be the license collector.”

Section 4. Section 11-170(C) is added to the Oxnard City Code to read as follows:

“(C) LICENSE COLLECTOR - The Assistant City Treasurer or designee.”

Section 5. Section 11-232(D) of the Oxnard City Code shall be amended to read as follows:

“(D) LICENSE COLLECTOR - The Assistant City Treasurer or designee.”

Section 6. Section 11-261(D) of the Oxnard City Code shall be amended to read as follows:

“(D) LICENSE COLLECTOR - The Assistant City Treasurer or designee.”

Section 7. Section 11-370(B) of the Oxnard City Code shall be amended to read as follows:

“(B) COLLECTOR - The Assistant City Treasurer or designee.”

Section 8. Section 12-8 is added to the Oxnard City Code to read as follows:

“Section 12-8. DEFINITION OF LICENSE COLLECTOR.

For purposes of this Chapter, “License Collector” shall mean the Assistant City Treasurer or designee.”

Section 9. Section 2-165 of the Oxnard City Code regarding the City Treasurer serving as the Department Head and administrative head of the City Treasurer Department is hereby repealed.

Section 10. Section 2-166 of the Oxnard City Code is amended to read as follows:

“Section 2-166. BENEFITS OF CITY TREASURER.

A. Until the City Council declares the results of the canvass of the returns for the November 2020 municipal election, the person occupying the city treasurer classification shall receive the same benefits as that person received as of the effective date of the ordinance that amended this section. Starting with the City Council declaring the results of the canvass of the returns for the November 2020 municipal election and continuing thereafter, the person occupying the city treasurer classification shall receive all benefits provided to the members of the City Council.

B. Notwithstanding the above, a person occupying the classification of city treasurer shall not be entitled to transfer to or be promoted or demoted to any other classification in the city service.”

Section 11. Section 2-168 of the Oxnard City Code is amended to read as follows:

“Section 2-168. DUTIES OF CITY TREASURER.

The city treasurer shall perform such statutory duties as are assigned to the city treasurer of a general law city by the laws of the State and which are not assigned to another City employee by ordinance or resolution. Pursuant to Cal. Gov't Code Section 34004, the duties imposed on the city treasurer by Cal. Gov't Code Section 41003 are transferred to the assistant city treasurer."

Section 12. Section 2-169 of the Oxnard City Code is amended to read as follows:

"Section 2-169. COMPENSATION OF CITY TREASURER.

Until the City Council declares the results of the canvass of the returns for the November 2020 municipal election, the person occupying the city treasurer classification shall receive the same compensation as that person received as of the effective date of the ordinance that amended this section. Starting with the City Council declaring the results of the canvass of the returns for the November 2020 municipal election and continuing thereafter, the person occupying the city treasurer classification shall receive such compensation as determined by City Council resolution for that position."

Section 13. Section 2-184 of the Oxnard City Code is amended to read as follows:

"Section 2-184. PROCEDURE FOR PAYMENT OF DEMANDS, WARRANTS AND CHECKS.

The finance director shall prepare a written form of demand and proposed check for each approved invoice and claim. Supporting documents such as the purchase order, and invoice or claim for payment shall be attached thereto. Demands shall be individually audited by the finance director or designee, who shall certify as to the accuracy of each demand and the availability of funds for payment thereof. Such demands may be in the form of check-warrants and when approved by all officers as required by this code, shall be delivered to the assistant city treasurer. The assistant city treasurer shall subscribe a direction to the depository of funds to pay the funds to the order of the payee, which action shall convert the warrant, or demand, to a bona fide check."

Section 14. Section 2-186(B)(2) of the Oxnard City Code is amended to read as follows:

"(2) Such warrants, when presented to the assistant city treasurer, shall be paid by the finance director out of the fund therein designated if there be sufficient money in such fund for that purpose."

Section 15. Part 6 of Ordinance No. 2350 relating to the compensation of the city treasurer for statutory duties is hereby repealed effective as of the date that the City Council declares the results of the canvass of the returns for the November 2020 municipal election. Ordinance No. 2350 was adopted on December 6, 1994.

Section 16. Part 8 of Ordinance No. 2350 relating to the compensation of the city treasurer for administrative duties is hereby repealed effective as of the date that the City Council declares the results of the canvass of the returns for the November 2020 municipal election.

Section 17. Part 9 of Ordinance No. 2350 is hereby amended to read as follows:

“Part 9. The City Council, by resolution, may include the City Clerk classification as part of the management pay for performance system. The inclusion of the City Clerk classification in the management pay for performance system is limited to the evaluation and establishment of compensation of the City Clerk for performance of administrative duties.”

Section 18. Part 10(B) of Ordinance No. 2350 is hereby amended to read as follows:

“B. The City Manager will establish the administrative functions of the City Clerk. These administrative functions are in addition to the statutory duties that are mandated by State law to be performed by the person elected as City Clerk in a general law city.”

Section 19. Part 10(C) of Ordinance No. 2350 regarding the administrative duties of the City Treasurer is hereby repealed.

Section 20. Section 2-187 is added to the Oxnard City Code to read as follows:

“Section 2-187 - PAYROLL FUNCTIONS MANAGED BY DIRECTOR OF HUMAN RESOURCES.

Notwithstanding any language in this Division 5 to the contrary, the payroll functions of the City of Oxnard shall be delegated to and managed by the Director of Human Resources. The Budget and the General Accounting Divisions of the Finance Department will continue to have ‘read-only access’ to the payroll database and reports.”

Section 21. If any subsection, sentence, clause, phrase or word of the Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

Section 22. The City Clerk shall certify as to the adoption of this Ordinance and shall cause summary thereof to be published a minimum of five (5) days before the City Council's adoption of the ordinance and within fifteen (15) calendar days of the adoption in a newspaper of general circulation published and circulated in the City; and shall post a certified copy of this Ordinance in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on May 5, 2020, was adopted on May ____, 2020 to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this ____ day of May, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
AUTHORIZING CERTAIN PERSONS TO SIGN AND ENDORSE CHECKS
AND DRAFTS AND INITIATE AND APPROVE ELECTRONIC BANK
TRANSACTIONS FOR THE CITY OF OXNARD, ASSESSMENT DISTRICTS
AND THE OXNARD COMMUNITY DEVELOPMENT COMMISSION
SUCCESSOR AGENCY; AND AMENDING THE TITLE AND EXHIBIT B OF
RESOLUTION NO. 10,820 REGARDING THE JOB SPECIFICATIONS FOR
THE CITY TREASURER

The City Council of the City of Oxnard resolves as follows:

Section 1. In connection with funds, accounts payable, and payroll accounts of the City of Oxnard, assessment districts and the Oxnard Community Development Commission Successor Agency, the Assistant City Treasurer, acting together with the Chief Financial Officer or the Assistant Chief Financial Officer, are hereby authorized to sign all financial instruments drawn on any eligible depository and that each of the above persons, individually, may endorse all financial instruments for deposit to the credit of the City of Oxnard, assessment districts or the Oxnard Community Development Commission Successor Agency.

Section 2. In connection with funds, accounts payable, and payroll accounts of the City of Oxnard and all assessment districts, the Assistant City Treasurer, acting together with the Chief Financial Officer or the Assistant Chief Financial Officer, are hereby authorized to initiate and approve electronic bank transactions for the City of Oxnard, assessment districts or the Oxnard Community Development Commission Successor Agency.

Section 3. The signatures of the above authorized persons may be by facsimile signature. The Assistant City Treasurer is directed to be the custodian of and to control the use of the facsimile signature plates for such authorized persons.

Section 4. The above persons are authorized to execute those documents necessary to perform the acts authorized there.

Section 5. Resolution No. 10,456 adopted on September 15, 1992 is hereby repealed.

Section 6. The title of Resolution No. 10,820 is hereby amended to read as follows:

“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
ESTABLISHING JOB SPECIFICATIONS FOR THE PERFORMANCE OF
STATUTORY AND ADMINISTRATIVE DUTIES BY THE CITY CLERK
AND STATUTORY DUTIES BY THE CITY TREASURER”

Section 7. Exhibit B to Resolution No. 10,820 is amended to delete pages 2 and 3 of the exhibit. The deleted page 2 of the Exhibit B of Resolution No. 10,820 has the heading

“ADMINISTRATIVE DUTIES”, while the deleted page 3 of Exhibit B has the heading “QUALIFICATIONS – Administrative Duties”.

Section 8. This resolution shall become effective upon its adoption.

PASSED AND ADOPTED THIS 5th day of May, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
 AMENDING EXHIBIT A OF RESOLUTION NO. 15,242 AS IT RELATES TO THE
 SALARY RANGE FOR THE CITY TREASURER

WHEREAS, the City Treasurer is no longer performing the previously assigned administrative duties of that office; and

WHEREAS, because of the City Treasurer's reduced responsibilities, the City Council wishes to reduce the salary of the City Treasurer; and

WHEREAS, such reduction in salary, however, will not occur during the current term of the City Treasurer, but will go into effect at such time that the City Council declares the results of the canvass of the returns for the November 2020 municipal election.

The City Council of the City of Oxnard resolves as follows:

Section 1. Exhibit A of Resolution No. 15,242, as it relates to the salary range for the City Treasurer, is amended to read as follows:

Salary Grade	Classification Title	FLSA Status	Salary Range
7305	City Treasurer	Exempt	\$114,656.88 – 157,652.98 (effective until the City Council declares the results of the canvass of the returns for the November 2020 municipal election).
1102	City Treasurer	Exempt	\$20,412.08 (effective once the City Council declares the results of the canvass of the returns for the November 2020 municipal election).

Section 2. Except as specifically amended herein by this Resolution, all other provisions of Resolution No. 15,242 shall remain in full force and effect.

Section 3. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 5th day of May, 2020, by the following vote:

YES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney



CITY COUNCIL AGENDA REPORT
REPORTS
AGENDA ITEM NO. M.2

DATE: May 5, 2020

TO: City Council

FROM: Jeffrey Lambert, Community Development Director, (805) 385-7882, jeffrey.lambert@oxnard.org

SUBJECT: Formation of the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park). (5/10/5)

RECOMMENDATION

That the City Council approve a resolution declaring its intention to establish the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park), authorize the levy of a special tax within said District, and designate certain property for future annexation to the District.

BACKGROUND

The Sakioka Farms Business Specific Plan consists of approximately 430 acres of land located in the northeast portion of the City of Oxnard. The property is owned by Sakioka Farms, a California general partnership as to an undivided 80% interest, and AMS Craig, LLC, as to an undivided 20% interest (collectively, the "Landowner"). The site is bounded on the north by the Ventura Freeway (U.S. Route 101), on the east by the Oxnard-Camarillo Greenbelt, on the south by the existing Procter & Gamble plant and portions of the McGinnis Ranch Business Park, and on the east by Rice Avenue.

Community Facilities Districts (CFDs) are established pursuant to the provisions of the California Government Code Section 53311 *et seq.* (commonly known as the "Mello-Roos Community Facilities Act of 1982") (the "Act"), and are a form of financing district that can be used by cities, counties, school district, and special districts. The City Council is the legislative body of any CFD the City forms. CFDs raise money through special taxes that must be approved by 2/3 of the voters within the CFD. Most often, CFDs are formed by the landowner prior to subdivision. A CFD can be formed to finance a wide list of improvements, which include roads, parking facilities, water facilities, sewers and schools. They are also used to finance ongoing maintenance services of the facilities or for services such as police and fire, landscaping, streets, lighting and drainage facilities. The taxes are secured by a continuing lien and are levied against property within the district on an annual basis. The revenue stream is used to pay debt service on bonds, to finance facilities on a pay-as-you-go basis, and to pay for services, or a combination thereof.

DISCUSSION

On March 17, 2020 the City Council directed City staff to negotiate a development agreement with the Developer for recommendation by the Planning Commission and consideration by the City Council. In accordance with the proposed Development Agreement for the Sakioka Farms Business Park Specific Plan, a CFD is proposed to be established for the purpose of funding certain public services, including, primarily, fire protection services, and, if not funded by a property owner association, the maintenance of certain public improvements. It is the intent to have the property owner association pay for ongoing maintenance and operation of the public improvements. All parties have reviewed the parameters of the special tax formula or the Rate and Method of Apportionment (the "RMA"). An annual special tax for

such contingent services is included in the CFD and would only be implemented if the association in the unlikely event would not cover these costs. The formation the CFD is a condition of approval of recording a new development's map.

A petition to form the CFD has been received from the Landowner covering approximately 430 acres of the development, along with a request to designate the remaining portion of the development as future annexation area to the community facilities district.

The formal Council approval process to create a new CFD takes approximately seventy-five days (75) days. This process includes: adopting a resolution of intention to form the CFD (ROI), holding a public hearing (at least 30 days after the ROI), conducting a special mailed ballot election and adopting an ordinance levying the special tax. Land designated as "Future Annexation Area" to the CFD allows for a streamlined annexation process in the future. Instead of an election each time a landowner wants to annex to the CFD, the landowner would sign a consent to be annexed into the CFD, and the CFD would hold a public hearing and adopt a resolution of annexation.

Tonight's action, intention to establish the CFD to be named "City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park)" and designate future annexation area, is step one of the process. The next step a public hearing, tentatively scheduled for June 16, 2020. Provided there is no majority protest, the CFD will be established. The Landowner has waived election time lines, so an election may be held on June 16, 2020 to authorize the levy of an annual special tax on such property. Should the proposition pass with a two-thirds vote from the qualified voters (the Landowner), the City may hold the first reading of an ordinance on June 16, 2020 and adopt the ordinance at the following meeting. Following adoption of the ordinance, the CFD may levy the annual special tax pursuant to the RMA.

STRATEGIC PRIORITIES

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

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

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

Goal 2. Enhance business development throughout the City.

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

FINANCIAL IMPACT

No direct fiscal impact is anticipated by the initiation of CFD. However, the CFD is a requirement of a proposed development agreement. A detailed fiscal impact analysis will be presented with the development agreement when it is presented to the City Council for consideration.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Kenneth Rozell, Chief Assistant City Attorney

ATTACHMENTS

1. CFD 8 Resolution of Intention and RMA (**Added 4/30/20**)
2. Presentation Formation of the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park)

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 8 (SAKIOKA FARMS BUSINESS PARK), AUTHORIZE THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT AND DESIGNATE CERTAIN PROPERTY FOR FUTURE ANNEXATION TO SAID DISTRICT

WHEREAS, the City Council (the “City Council”) of the City of Oxnard (the “City”) has received a petition signed by the owner of certain property (the “Owner”) requesting the establishment of City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park) (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”); and

WHEREAS, the City Council intends to finance certain public services, including fire protection services (the “Fire Protection Services”), and, but only if such services are not funded and provided through private parties or organizations, the maintenance of landscaping within public rights of way, the maintenance of drainage facilities, including the water quality components of the drainage facilities, and weed control related to development of the Property (“Contingent Services,” and together with the Fire Protection Services, the “Services”), that are in addition to those provided in the territory within the District prior to the formation of the District and do not supplant services already available within the territory included in the District, through the formation of the District subject to the levy of a special tax to pay for such services, approved at an election held within the boundaries of the District; and

WHEREAS, the Owner has also petitioned to institute proceedings to designate a future annexation for certain other property (the “Future Annexation Area”) under and pursuant to the terms of the Act for the purpose of financing the Services;

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

PART 1. The City Council hereby determines to institute proceedings for the formation of a community facilities district and the designation of the Future Annexation Area for future annexation to the District under the terms of the Act. The exterior boundaries of the community facilities district are hereby specified and described to be as shown on that certain map now on file in the office of the City Clerk entitled “Map of Proposed Boundaries, City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park)” which map indicates by a boundary line the extent of the territory included in the proposed community facilities district and shall govern for all details as to the extent of the District. On the original and one copy of the map of such District on file in the City Clerk’s office, the City Clerk shall endorse the certificate evidencing the date and adoption of this Resolution. The City Clerk shall file the original of such map in her office and, within fifteen (15) days after the adoption of this Resolution, the City Clerk shall file a copy of such map so endorsed in the records of the County Recorder, County of Ventura, State of California.

PART 2. The area to be designated for future annexation to the District shall be known as part of the “Future Annexation Area of City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park)” and will be annexed into the District only upon the unanimous approval of the owner or owners of each parcel or parcels at the time that the parcel or parcels are annexed. The City intends to designate the Future Annexation Area as a future annexation to the proposed District pursuant to the terms of the Act. The boundaries of the proposed Future Annexation Area are hereby specified and described to be as shown on that certain map described in Part 1 above and now on file in the office of the City Clerk.

PART 3. The name of the proposed community facilities district shall be “City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park).”

PART 4. The types of services proposed to be provided for, and financed by, the proposed District, and in the future when annexed, the Future Annexation Area, include fire protection labor and personnel services, including, but not limited to, salary, medical, benefits, pension expenses (the “Fire Protection Services”), and, but only if such services are not funded and provided through private parties or organizations, the maintenance of landscaping within public rights of way, the maintenance of drainage facilities, including the water quality components of the drainage facilities, and weed control related to development of the Property (“Contingent Services,” and together with the Fire Protection Services, the “Services”), which Services are in addition to and do not supplant those services already provided in the territory within the proposed District prior to the establishment of the District, or provided in the territory of the Future Annexation Area prior to annexation to the District.

PART 5. Except where funds are otherwise available, it is the intention of the City Council to levy annually, in perpetuity, in accordance with procedures contained in the Act, a special tax (the “Special Tax”) sufficient to finance the cost of providing the Services, the costs of administering the levy and collection of the Special Tax and all other costs of the levy of the Special Tax, including any foreclosure proceedings, legal, fiscal, and financial consultant fees, election costs, and all other administrative costs of the tax levy. The Special Tax will be secured by the recordation of a continuing lien against all taxable and nonexempt real property in the proposed District, and, when annexed, the taxable property within the Future Annexation Area.

The rate and method of apportionment (the “RMA”) and manner of collection of the Special Tax to be levied on parcels of taxable property within the proposed District shall be as described in detail and set forth in Exhibit “A” attached hereto and by this reference made a part hereof. The RMA provides sufficient detail to allow each owner of nonexempt real property within the proposed District to estimate the maximum amount that such person will have to pay for the Services. The Special Tax is apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act and as described in the RMA and such Special Tax is not levied on or based upon the value or ownership of real property.

Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of the State of California, a continuing lien to secure each levy of the Special Taxes shall attach to all nonexempt real property in the proposed District, and, when annexed, the proposed Future Annexation Area, and that lien shall continue in force and effect until collection of the Special Taxes ceases.

PART 6. Pursuant to Section 53340 of the Act, and except as provided in Section 53317.3 of the Act, properties of entities of the state, federal, and local governments shall be exempt from the levy of the Special Tax.

PART 7. The City Council finds that the proposed Services described in Part 4 hereof are necessary to meet increased demands placed upon the City as a result of new development occurring within the boundaries of the proposed District, and, when annexed, the Future Annexation Area.

PART 8. A public hearing (the "Hearing") on the establishment of the District, the designation of the Future Annexation Area, and the proposed RMA of the Special Tax shall be held on June 16, 2020 at 6:00 p.m., or as soon thereafter as practicable, at the chambers of the City Council of the City of Oxnard, 305 West Third Street, Oxnard, CA 93030. At the time and place set forth for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed District or the Future Annexation Area may appear or be heard. Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for such Hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such Hearing. If written protests against the formation of the District or the designation of the Future Annexation Area are filed by (a) fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the proposed District, or the area proposed to be annexed in the future, or (b) the owners of one-half (½) or more of the area of land included within the proposed District, or the area proposed to be annexed in the future, the proceedings shall be abandoned. If said majority protest is limited to certain types of services or certain provisions of the special tax, those services or those provisions of the tax must be eliminated by the City Council.

PART 9. Each City officer who is or will be responsible for the District, if it is established, is hereby directed to study the proposed District and Future Annexation Area and, at or before the time of the above-mentioned Hearing, file a report with the City Council, and which is to be made a part of the record of the Hearing, containing a brief description of the District and his or her estimate of the cost of providing additional fire protection services [and maintenance and lighting of landscaping, parkways, streets, roads and open space services] within the boundary of the District. The Finance Director is directed to estimate or cause the estimation of the fair and reasonable cost of all incidental expenses, including all costs associated with the creation of the District, determination of the amount of any Special Taxes, collection of any Special Taxes, or costs otherwise incurred in order to carry out the authorized purposes of the City with respect to the District.

PART 10. The City Clerk is hereby directed to publish a notice ("Notice") of the Hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of the proposed District and Future Annexation Area. Such Notice shall contain the text or a summary of this Resolution, state the time and place of the Hearing, a statement that the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners in the proposed Community Facilities District No. 8 (Sakioka Farms Business Park), as provided in Section 53322 of the Act and a

description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

PART 11. The voting procedures to be followed in conducting the special election on the proposition with respect to the levy of special taxes on the land within proposed District to fund the Services, if the District is established and such special election (the "Election") are held, shall be as follows:

(a) If at least 12 persons have been registered to vote within the territory of the proposed District for each of the ninety (90) days preceding the close of the Hearing, the vote in the Election shall be by the registered voters of the District with each voter having one vote. In that event, the Election shall be conducted by the City Clerk (the "Election Official") and shall be held on a date selected by the City Council in conformance with the provisions of Section 53326 of the Act and pursuant to the provisions of the Elections Code of the State of California governing elections of cities, insofar as they may be applicable, and pursuant to said Section 53326 the ballots for the Election shall be distributed to the qualified electors of the proposed District by mail with return postage prepaid, and the Election shall be conducted as a mail ballot election.

(b) If at the time of the close of the Hearing, and for at least the preceding ninety (90) days, less than 12 persons have been registered to vote within the territory of the proposed District, and pursuant to Section 53326 of the Act, the vote is therefore to be by the landowners of the proposed District, with each landowner of record at the close of the Hearing having one vote for each acre or portion of an acre of land that he or she owns within the proposed District, the Election shall be conducted by the Election Official as follows:

(1) The Election shall be held on the earliest date, following the Hearing and adoption of a resolution submitting the proposition of the levy of special taxes to fund the Services, upon which such Election can be held pursuant to said Section 53326 which may be selected by the City Council, or such earlier date as the owners of land within the proposed District and the Election Official agree and concur is acceptable.

(2) Pursuant to said Section 53326, the Election may be held earlier than ninety (90) days following the close of the Hearing if the qualified electors of the proposed District waive the time limits for conducting the elections set forth in said Section 53326 by unanimous written consent and the Election Official concurs in such earlier election date as shall be consented to by the qualified electors.

(3) Pursuant to said Section 53326, ballots for the Election shall be distributed to the qualified electors by the Election Official by mail with return postage prepaid, or by personal service.

(4) Pursuant to applicable sections of the Elections Code of the State of California governing the conduct of mail ballot elections of cities, and the City, the Election Official shall, among other things, mail or deliver or cause to be mailed or delivered to each qualified elector an official ballot in a form specified by the City Council in the resolution calling

the Election, and a return identification envelope with prepaid postage thereon addressed to the Election Official for returning voted official ballots.

(5) The official ballot to be mailed or delivered by the Election Official to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted the official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot.

(6) The return identification envelope mailed or delivered by the Election Official to each landowner-voter shall have printed or typed thereon the following: (i) the name of the landowner, (ii) the address of the landowner, (iii) a declaration under penalty of perjury stating that the voter is the landowner or the authorized representative of the landowner entitled to vote the enclosed ballot and is the person whose name appears on the identification envelope, (iv) the printed name and signature of the voter, (v) the address of the voter, (vi) the date of signing and place of execution of said declaration, and (vii) a notice that the envelope contains an official ballot and is to be opened only by the Election Official.

(7) The instruction to voter form to be mailed or delivered by the Election Official to the landowner-voters shall inform them that the official ballots shall be returned to the Election Official properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by the hour on the date of the Election which is specified by the Election Official for the receipt of ballots; provided that if all qualified voters have voted, the Election may be closed by the Election Official.

(8) Upon receipt of the return identification envelopes which are returned prior to the voting deadline on the date of the Election, the Election Official shall canvass the votes cast in the Election, and shall file a statement with the City Council as to the results of such canvass and the election on each proposition set forth in the official ballot.

The procedures set forth in this section for conducting the Election, if held, may be modified as the City Council may determine to be necessary or desirable.

PART 12. The Future Annexation Area will be annexed into the District only at such time as the District receives unanimous written approval to be annexed from the owner or owners of each parcel or parcels of the portion of the Future Annexation Area proposed to be annexed at that time.

PART 13. The City may accept advances of funds from any sources, including private persons or private entities, and is authorized and directed to use such funds for any authorized purpose, including any cost incurred by the City in creating the District. The City may enter into an agreement to repay all of such funds as are not expended or committed for any authorized

Resolution No.
[CFD No. 8 (Sakioka Farms Business Park)]
May 5, 2020

purpose at the time of the election on the levy of the Special Tax, if the proposal to levy such tax should fail, and at its option to repay any or all of such funds advanced if the levy of the Special Tax shall be approved by the qualified electors of the proposed District.

PART 14. Pursuant to Section 53329.5 of the Act and except as provided in the RMA, the City Council finds that the public interest will not be served by allowing the property owners within the District to enter into a contract in accordance with subdivision (a) of that section, and that the property owners shall not be permitted to elect to perform the work and enter into a written contract with the City for the provision of the Services pursuant to said Section 53329.5 except as provided in the RMA.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Oxnard, State of California, held on the _____ day of May, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tim Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney

Resolution No.
[CFD No. 8 (Sakioka Farms Business Park)]
May 5, 2020

EXHIBIT A

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

EXHIBIT A

CITY OF OXNARD Community Facilities District No. 8 (Sakioka Farms Business Park)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax shall be levied and collected in City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park) (the "District") each fiscal year, in an amount determined by the application of the procedures described below. All of the Taxable Property (as defined below) in the District, unless exempted by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

I. DEFINITIONS

The terms used herein shall have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map or in the Assessor's Data for each Assessor's Parcel. In the event the Assessor's Parcel Map or Assessor's Data shows no acreage, the Acreage for any Assessor's parcel shall be determined by the District Administrator based upon the applicable final map, parcel map, condominium plan, or other recorded County parcel map or calculated using available spatial data and GIS. The square footage of an Assessor's Parcel is equal to the Acreage of such parcel multiplied by 43,560.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Act of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of the District: the costs of computing the Annual Special Tax Requirement and the annual Special Tax and of preparing the annual Special Tax collection schedules; the costs of collecting the Special Taxes, including any charges levied by the County Auditor's Office, Tax Collector's Office or Treasurer's Office; the costs of the City or designee in complying with the disclosure requirements of the California Government Code (including the Act), including public inquiries regarding the Special Taxes; the costs of the City or designee related to an appeal of the Special Tax; and the costs of commencing and pursuing to completion any foreclosure action arising from delinquent Special Taxes in the District. Administrative Expenses shall also include costs related to the formation of the District and of annexing territory to the District as well as any amounts advanced by the City for any administrative purposes of the District and an allocable share of the salaries of City staff and an allocable portion of City overhead costs relating to the foregoing, or costs of the City in any way related to the establishment or administration of the District.

"Annual Services Costs" means the amounts required to fund Fire Protection Services authorized to be funded by the District, which amount for Fiscal Year 2020/21 is equal to \$300,000 and is subject to the Tax Escalation Factor for each Fiscal Year thereafter.

“Annual Special Tax Requirement” means that amount with respect to each Tax Zone determined by the Council or designee as required in any Fiscal Year to pay: (1) the Administrative Expenses, (2) the Annual Services Costs, (3) the Contingent Special Tax Requirement, (4) any amount required to establish or replenish any reserve or replacement fund established in connection with the District until the funds held in reserve equal the Expected Special Tax Revenue for that Fiscal Year, (5) reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year, and (6) less any amount collected for anticipated delinquencies in the previous Fiscal Year that were not utilized to fund delinquent Special Taxes.

“Assessor’s Data” means Acreage or other Parcel information contained in the records of the County Assessor.

“Assessor’s Parcel” means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel number.

“Backup Contingent Special Tax” means the Backup Contingent Special Tax applicable to each Assessor’s Parcel of Taxable Property, as determined in accordance with Section III below.

“Backup Special Tax” means the Backup Special Tax applicable to each Assessor’s Parcel of Taxable Property, as determined in accordance with Section III below.

“Building Permit” means a permit for new construction of a Non-Residential structure.

“City” means the City of Oxnard, County of Ventura.

“Contingent Services” means maintenance of the landscaping within public rights of way, the maintenance of drainage facilities, including the water quality components of the drainage facilities, and weed control related to development of the property.

“Contingent Special Tax” means that amount levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Contingent Special Tax Requirement.

“Contingent Special Tax Requirement” means that amount with respect to each Tax Zone as required in any Fiscal Year if the POA is unable to pay the costs of Contingent Services incurred or otherwise payable.

“Council” means the City Council of the City, acting as the legislative body of the District.

“County” means the County of Ventura, California.

“District” means the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park).

“District Administrator” means an official of the City, or designee or agent or consultant, responsible for determining the Annual Special Tax Requirement and providing for the levy and collection of Special Taxes each Fiscal Year.

“Exempt Property” means all property located within the boundaries of the District that is exempt from the Special Tax pursuant to Section V below.

“Expected Contingent Special Tax Revenue” means the total expected Contingent Special Tax Revenue, as increased annually by the Tax Escalation Factor, expected within the Tax Zone, as shown in Table 2.

“Expected Special Tax Revenue” means the total expected Annual Special Tax Revenue, as increased annually by the Tax Escalation Factor, expected within the Tax Zone, as shown in Table 1.

“Finance Director” means the official of the City who is the chief financial officer or other comparable officer of the City or designee thereof.

“Fire Protection Services” means fire protection labor and personnel services, including, but not limited to, salary, medical, benefits, pension expenses, as more fully described in the resolution of intention of the District.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Future Annexation Area” means the area designated for future annexation to the District as shown in the District boundary map, as may be amended from time to time.

“GIS” means a geographic information system.

“Maximum Contingent Special Tax” means the maximum Contingent Special Tax authorized for levy in any Fiscal Year that may apply to Taxable Property as described in Section III.

“Maximum Special Tax” means the maximum Special Tax authorized for levy in any Fiscal Year that may apply to Taxable Property as described in Section III.

“Non-Residential Property” means all property that is not used for people to live in and does not include Public Property.

“Parcel” means a lot or parcel with a parcel number assigned by the Assessor of the County.

“Property Owner’s Association” or “POA” means any property owner’s association established to provide Contingent Services within a Tax Zone.

“Proportionately” means that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels.

“Public Property” means property within the boundaries of the District owned by, irrevocably offered or dedicated to, or for which an easement for purposes of public right-of-way has been granted to the federal government, the State, the County, or any local government or other public agency, provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

“Special Tax” means the amount levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Annual Special Tax Requirement.

“Tax Escalation Factor” means the percentage change in the Consumer Price Index, All Urban Consumers Los Angeles, February to February that will be applied annually after Fiscal Year 2020/21 to increase the Maximum Special Tax Rates shown in Section III. In the case that the index decreases, the Tax Escalation Factor will be zero. In the case that the index is no longer available, a comparable index may be used.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this Rate and Method of Apportionment. ***All of the Taxable Property within the District at the time of its formation is within Tax Zone No. 1.*** Additional Tax Zones may be created when property is annexed to the District, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone when such Parcels are annexed to the District shall be identified by Assessor’s Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

“Taxable Property” means all Non-Residential Property within the boundary of the District that are not Exempt Property, exempt from the Special Tax pursuant to the Act or Section V below.

“Welfare Exempt Property” means all Parcels of Exempt Property within the boundaries of the District that are receiving a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.

II. DETERMINATION OF TAXABLE PARCELS

On July 1 of each Fiscal Year, the District Administrator shall determine the valid Assessor’s Parcel Numbers for the current Fiscal Year for all Taxable Property within the District. If any Parcel numbers are no longer valid from the previous Fiscal Year, the District Administrator shall determine the new Parcel number or numbers that are in effect for the current Fiscal Year. To the extent a Parcel or Parcels of Taxable Property are subdivided, consolidated or otherwise reconfigured, the Special Tax rates shall be assigned to the new Assessor’s Parcels pursuant to Section III. The District Administrator shall also determine: (i) the Tax Zone within which each Parcel is located; (ii) the Acreage each Parcel contains; and (iii) the Annual Special Tax Requirement for the Fiscal Year; and (iv) whether a building permit for construction of a Non-Residential Property has been issued for any Assessor’s Parcel in each Tax Zone.

III. ANNUAL SPECIAL TAX - METHOD OF APPORTIONMENT

All Taxable Property shall be subject to a Special Tax defined as follows.

The Special Tax shall be levied each Fiscal Year by the District Administrator. The Annual Special Tax Requirement shall be apportioned to each Parcel of Taxable Property within the District by the method shown below after a building permit has been issued for the construction of Non-Residential Property for any Assessor’s Parcel in each Tax Zone.

- First. Determine whether a building permit has been issued for construction of Non-Residential Property in each Tax Zone.
- Second. Determine the Annual Special Tax Requirement for each Tax Zone.
- Third. Levy the Special Tax on each Parcel of Taxable Property Proportionately within each Tax

Zone, up to the Maximum Special Tax for each Tax Zone described in tables below to satisfy the Annual Special Tax Requirement for each Tax Zone.

TABLE 1
SPECIAL TAX RATES – TAX ZONE NO. 1
FISCAL YEAR 2020/21

Property Type	Special Tax Rate	Per	Expected Special Tax Revenue
Non-Residential Property	\$948.41	Acre	\$379,365.00

**On each July 1, commencing on July 1, 2021, the Maximum Special Tax Rate and Expected Special Tax Revenue for each Tax Zone shall be increased by the Tax Escalation Factor.*

TABLE 2
CONTINGENT SPECIAL TAX RATES – TAX ZONE NO. 1
FISCAL YEAR 2020/21

Property Type	Contingent Special Tax Rate	Per	Expected Contingent Special Tax Revenue
Non-Residential Property	\$746.71	Acre	\$298,682.93

**On each July 1, commencing on July 1, 2021, the Maximum Special Tax Rate and Expected Contingent Special Tax Revenue for each Tax Zone shall be increased by the Tax Escalation Factor.*

Maximum Special Taxes

The Maximum Special Tax for each Assessor's Parcel of Taxable Property within each Tax Zone shall be the greater of the Special Tax as show in Table 1 or the Backup Special Tax.

The Maximum Contingent Special Tax for each Assessor's Parcel of Taxable Property within each Tax Zone shall be the greater of the Contingent Special Tax as show in Table 2 or the Backup Contingent Special Tax.

Backup Special Taxes

The Backup Special Tax for each Assessor's Parcel of Taxable Property within each Tax Zone shall be the rate per Acre that results in the Expected Special Tax Revenue for each Tax Zone.

The Backup Contingent Special Tax for each Assessor's Parcel of Taxable Property within each Tax Zone shall be the rate per Acre that results in the Expected Contingent Special Tax Revenue for each Tax Zone.

A different Maximum Special Tax Rate may be identified in Tax Zones added to the District as a result of future annexations.

IV. FORMULA FOR PREPAYMENT OF SPECIAL TAX OBLIGATIONS

The Special Tax may not be prepaid.

V. EXEMPTIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Taxes shall be levied on Public Property, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act. Additionally, Welfare Exempt Property that is exempt under subdivision (g) of Section 214 of the Revenue and Taxation Code to the District, shall be reimbursed for Special Tax levied and paid. A property owner must provide documentation of the exemption within one calendar year after having paid the Special Taxes for which an exemption has been granted.

VI. INTERPRETATION OF RATE AND METHOD OF APPORTIONMENT

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be at the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

VII. MANNER AND DURATION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided that the City may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner if needed to meet the financial obligations of the District, and may collect delinquent Special Taxes through foreclosure or other available methods.

A Special Tax shall continue to be levied and collected within the District as required to fund the Annual Special Tax Requirement in perpetuity or so long as the Annual Services Costs are incurred to provide Fire Protection Services within the District or Contingent Services are provided within the District.

VIII. APPEAL OF SPECIAL TAX LEVY

Any property owner may file a written appeal of the Special Tax with the District Administrator claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Taxes that are disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Taxes are in error. The District Administrator shall review the appeal, meet with the appellant if the District Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the District Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council whose subsequent decision shall be final and binding on all interested parties. If the decision of the District Administrator or subsequent decision by the City Council requires the Special Taxes to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Taxes, but an adjustment shall be made to credit future Special Taxes.

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

IX. Additional Special Taxes

The Special Tax mitigates the obligation of the property owners to pay for the annual cost of three firefighters (including benefits) in lieu of the property owners' specific plan obligation to dedicate a 1.5 acre site near Rice Avenue and the easterly extension of Gonzales Road for a new fire station site; provided, however, that should the development of any portion of an Assessor Parcel be for residential uses and/or schools, hospitals, nursing homes, explosive plants, refineries, high-rise buildings and other high life hazard or large fire potential occupancies, it is the intention of the District and the property owners to conduct change proceedings pursuant to Section 53331 of the Act to modify the Special Tax or add additional special taxes ("Additional Special Taxes") based upon the specific uses that are added to the Assessor Parcel for fire protection services to mitigate the obligation of the property owners for such uses. Such change proceedings shall be concluded prior to the approval of the development and/or transfer of such Assessor Parcel.

Fire Services

Fire Services	\$300,000.00
Reserve Fund	36,000.00
Anticipated Delinquencies	18,065.00
Administration Costs	
County Collection Fee	1,300.00
City Administrative Costs	20,000.00
Special Tax Consultant	4,000.00
 Total	 \$379,365.00
 Rate per Acre (Assume 400 net taxable acres)	 \$948.41

Contingent Services

Contingent Maintenance Services*	\$225,410.66
Reserve Fund	27,049.28
Anticipated Delinquencies	14,223.00
Administration Costs	
County Collection Fee	1,000.00
City Administrative Costs	30,000.00
Special Tax Consultant	1,000.00
 Total	 \$298,682.93
 Rate per Acre (Assume 400 net taxable acres)	 \$746.71

* Reflects City adjustments to the cost estimate.

Tract 5996 - SFBP						
POA/CFD Maintenance Cost Estimate						
					Total Annual Maintenance/	
Tasks	Units	Cost (\$) Per unit Per Task	Quantity	Freq. Per Year	POA/CFD Backup Improvements	Total Improvements
A. Landscaping						
Parkways & Medians	SF	\$0.330	347,027	1	\$114,518.91	\$114,518.91
Sub-Total					\$114,518.91	\$114,518.91
B. Drainage Water Quality Improvements						
Catch Basin Filter Replacement	EA	\$2,600.00	37	0.67	\$64,133.33	\$64,133.33
Sub-Total					\$64,133.33	\$64,133.33
C. Detention Basin Drainage Improvements						
Detention Basin	SF	\$0.083	513,691	1	\$42,636.35	\$42,636.35
15' Wide Dirt Access Road	SF	\$0.130	9,362	1	\$1,217.06	\$1,217.06
Eastern Property Line Channel	SF	\$0.083	35,000	1	\$2,905.00	\$2,905.00
Sub-Total					\$46,758.41	\$46,758.41
Total					\$225,410.66	

Formation of the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park)

Kenneth Rozell, Chief Assistant City Attorney
City Attorney's Office

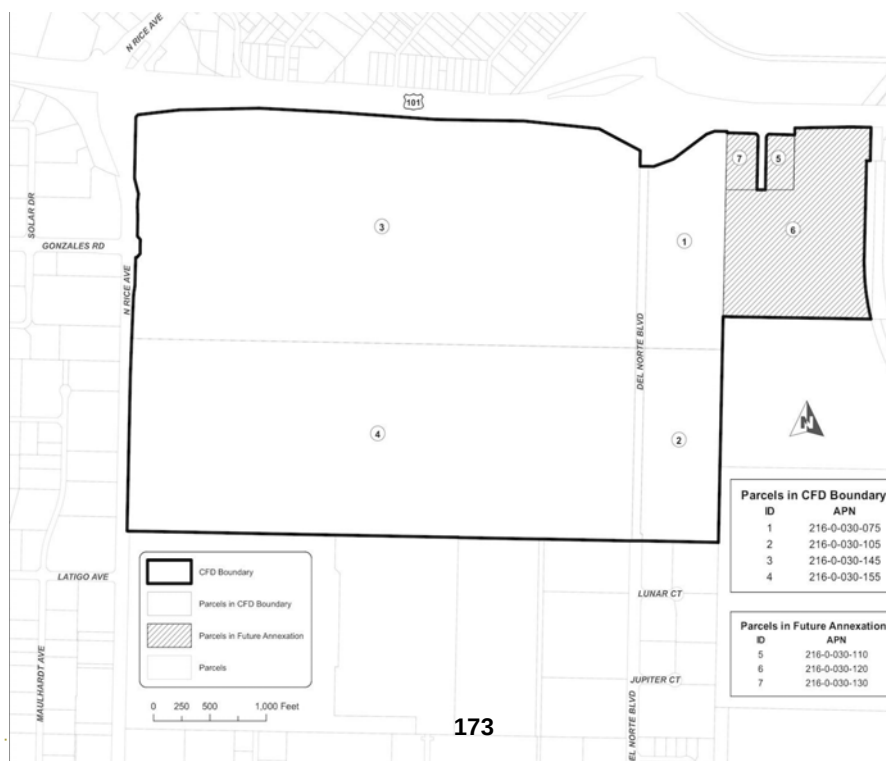
Jeffrey Lambert, Community Development Director
Community Development Department

City Council Meeting
May 5, 2020



BACKGROUND

- Sakioka Farms Business Specific Plan consists of approximately 430 acres of land located in the northeast portion of the City of Oxnard.



- Community Facilities Districts (CFDs) raise money through special taxes that must be approved by the property owners (voters) within the CFD boundary.
- CFD can be formed to finance a wide list of improvements, which include roads, parking facilities, water facilities, sewers and schools and
 - Finance ongoing maintenance services of the facilities or for services such as police and fire, landscaping, streets, lighting and drainage facilities.
- Taxes are secured by a continuing lien and are levied against property within the district on an annual basis.

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DISCUSSION

- March 17, 2020: City Council directed City staff to negotiate a development agreement with the Developer
- The CFD is proposed to be established for the purpose of funding certain public services and if not funded by a property owner association, the maintenance of certain public improvements.
- Annual special tax for such contingent services is included in the CFD and would only be implemented if the association in the unlikely event would not cover these costs.
- Petition to form the CFD has been received from the Landowner covering approximately 430 acres of the development.

1. Adopting a resolution of intention to form the CFD (ROI);
2. Holding a public hearing (at least 30 days after the ROI)
 - a. Tentatively scheduled for June 16, 2020
3. Conducting a special mailed ballot election
 - a. The Landowner waived election timelines
 - b. Election may be held on June 16, 2020 to authorize the levy of an annual special tax on such property.
4. Adopting an ordinance levying the special tax

Following adoption of the ordinance, the CFD may levy the annual special tax pursuant to the RMA.

5

RECOMMENDATION

- That the City Council approve a resolution declaring its intention to establish the City of Oxnard Community Facilities District No. 8 (Sakioka Farms Business Park), authorize the levy of a special tax within said District, and designate certain property for future annexation to the District.



DISCUSSION



CITY COUNCIL AGENDA REPORT
REPORTS
AGENDA ITEM NO. M.3

DATE: May 5, 2020

TO: City Council

FROM: Kevin Riper, Chief Financial Officer, (805) 385-7475, kevin.riper@oxnard.org

SUBJECT: Presentation of Single Audit Report and Update on Corrective Action Plan. (25/10/5)

RECOMMENDATION

That the City Council receive the Single Audit Report from the audit firm Eadie + Payne, and an update on the Corrective Action Plan (CAP) from staff. (Finance and Governance Committee approved 2-0.)

BACKGROUND

The City's annual audit for FY 2014-15 produced 111 single-audit findings. These findings were primarily concerning the policies and procedures of the City (or lack thereof.) During the FY 2015-16 audit, there were an additional five audit findings. For FY 2016-17, an additional 19 audit findings occurred, of these nine were repeat findings from the two prior audits. For FY 2017-18, an additional 37 audit findings have occurred, of which 13 are repeat findings from the prior three audits. For FY 2018-19, an additional 11 findings, of which three are repeat findings from the prior four audits totaling 183 findings through FY 2018-19.

In order to correct these findings, the City is required to produce a Corrective Action Plan, or CAP. This plan must address all unresolved findings, and the steps and timeline to correct them. In October 2019, staff provided an update to the Finance & Governance Committee (and, later, to City Council) that indicated the total number of unresolved, unique (non-repeat) findings was 57.

DISCUSSION

In the past year, staff continued to make progress on the audit findings and build technical competencies through hiring of experienced staff and greater investment in training. In the FY2019-20 Adopted Budget, a new position was approved for the Finance Department – Senior Manager, Internal Controls -- to focus primarily on helping the organization strengthen its internal controls. This additional role provides a dedicated resource to accelerate completion of the CAP and improve ongoing compliance with new processes and control procedures.

More detailed control documentation will be completed over the course of the next year to address Single Audit findings and to support implementation of the Internal Control Integrated Framework (ICIF). Over the next two to three years significant changes will affect the financial reporting environment of the City, especially the implementation of the ICIF and the implementation of a new ERP system. Many controls will be automated in the ERP such as data validation controls, which will reduce the risk of errors in financial reporting. The Finance Department – and, for a handful of items, the Information Technology Department -- will continue working to cure the findings and will report to Council every six months on progress.

STRATEGIC PRIORITIES

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

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

Objective 1a. Ensure the 128 recommendations outlined in the organizational assessment are implemented through the 3 phased implementation action plans adopted by Council in July, 2015 and provide periodic reports to Council on the status of the implementation plans.

Objective 1b. Establish an Internal Audit Program to complete performance audits of identified programs to ensure compliance with state and federal law and that Council policy is adhered to.

Objective 1c. Develop written procedures to address Internal Control recommendations from Auditor.

Objective 1d. Ensure adequate systems are established, reviewed, and updated within the Human Resources Department related to personnel policies and procedures, employee compensation, benefits, recruitments, testing and other human resources related systems.

FINANCIAL IMPACT

There is no financial impact at this time.

COMMITTEE OUTCOME

The Finance and Governance Committee approved 2-0 (Member Lopez was absent) on April 14, 2020 to approve the staff recommendation to forward the item for Council approval.

Prepared by: Christine Williams, Senior Manager, Internal Controls

ATTACHMENTS

1. 2019 Single Audit Report
2. 2019 Single Audit Presentation
3. CAP Update Presentation

SINGLE AUDIT REPORT

2019



FISCAL YEAR ENDED JUNE 30, 2019

WWW.OXNARD.ORG



Single Audit Report for Fiscal Year Ended June 30, 2019

City Council Meeting
May 5, 2020



Agenda

Introduction.....	1
Schedule of Expenditures of Federal Awards (SEFA).....	2
Single Audit Report Findings.....	3
Current Year Findings – Major Federal Programs.....	4
Current Year Findings – Financial Statements.....	5





Introduction

CAFR

- Issuance Date:
• November 18, 2019

State Controller's Office

- Submission Date:
• January 29, 2020

Single Audit Report

- Issuance Date:
• February 14, 2020

Federal Audit Clearinghouse

- Submission
Date:
• March 16, 2020



Schedule of Expenditures of Federal Awards (SEFA)

- Total Expenditures \$5.8M
- Major Programs 2
- Total Programs 17



Single Audit Report Findings

- Findings Categories
 - Material weakness (MW)
 - Significant deficiency (SD)
 - Non-compliance (NC)
 - Best practice opportunity (BP)
- Current Year Findings
- Prior Year Findings



Current Year Findings – Major Federal Programs

2019-001	NC
Major Federal Programs	
U.S. Department of Justice	1
TOTAL	1

Current Year Findings – Financial Statements



Finding No. and Description	MW	SD	BP	Repeat of PY
2019-002: Bank Reconciliations		✓		Yes
2019-003: Utility Billing Rates		✓		No
2019-004: Inventory Control		✓		No
2019-005: On-call Consultants		✓		No
2019-006: Retirement Enhancement Plan Eligibility		✓		No
2019-007: Use of Credit Cards			✓	Yes
2019-008: Journal Entries			✓	No
2019-009: Payroll Records			✓	Yes
2019-010: Vendor Master File			✓	No
2019-011: General Liability and Workers' Compensation Allocation			✓	No
TOTAL NO. OF FINDINGS: 10	0	5	5	

THANK YOU



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UPDATE ON CORRECTIVE ACTION PLAN: FY 2015-2019 SINGLE AUDITS

Presentation to City Council

Christine Williams, Senior Manager, Internal Controls

May 5, 2020



RECOMMENDATION

That the City Council receive the Single Audit Report from the audit firm Eadie + Payne, and an update on the Corrective Action Plan (CAP) from staff.

- Status of Corrective Action Plan
- Continued progress and additional resources
- Questions

CAP STATUS DEFINITIONS

Complete – Auditors have tested and determined that corrective action for the finding has been effectively implemented

To Be Tested – Policies and Procedures (P&P) approved (if applicable), training completed and corrective action ready for auditors to test during the next single audit

P&P Draft – P&P drafted but not yet approved by CFO, training not yet provided

In Progress – Staff has taken steps towards implementation, but not yet drafted P&P or completed training

Not Started – Staff has not initiated mitigations, implemented resolutions or provided training

Rejected/No Longer Required – Staff disagrees with the finding and/or auditors have determined corrective action is no longer required

LAST YEAR OF THE 172 FINDINGS, 86 WERE COMPLETE AND 7 ARE NO LONGER REQUIRED

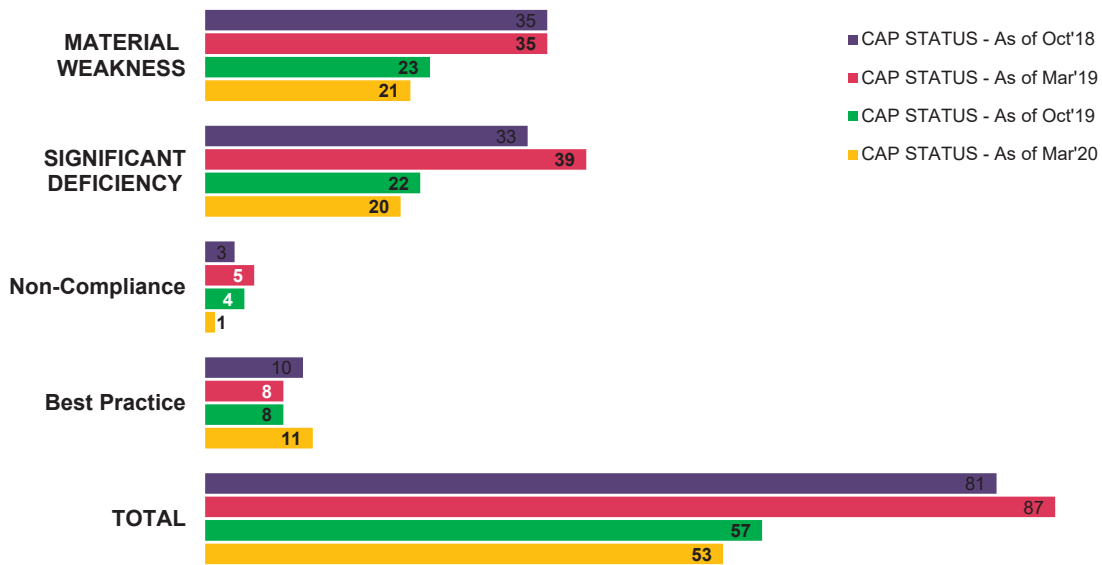
ITEM HM-3

FINDINGS STATUS (2015-2018) (as of Oct'19)	MATERIAL WEAKNESS	SIGNIFICANT DEFICIENCY	Non- Compliance	Best Practice	TOTAL
COMPLETE	42	37	2	5	86
TO BE TESTED	0	7	4	1	12
P&P DRAFT	10	3	0	1	14
IN PROGRESS	17	17	3	5	42
NOT STARTED	3	4	2	2	11
Passed / No Longer Required	0	2	5	0	7
TOTAL Findings	72	70	16	14	172
<i>Repeat Findings</i>	(7)	(9)	(5)	(1)	(22)
TOTAL Unique Findings	65	61	11	13	150
TOTAL Unresolved Unique Findings	23	22	4	8	57

FY 2019 SINGLE AUDIT RESULTED IN 11 ADDITIONAL FINDINGS, 3 WERE REPEAT FINDINGS

FINDINGS STATUS (2015-2019) (as of March'20)	MATERIAL WEAKNESS	SIGNIFICANT DEFICIENCY	Non- Compliance	Best Practice	TOTAL
COMPLETE	48	47	7	5	107
TO BE TESTED	3	10	0	1	14
P&P DRAFT	8	0	0	1	9
IN PROGRESS	9	14	1	11	35
NOT STARTED	2	2	0	1	5
Passed / No Longer Required	2	2	9	0	13
TOTAL Findings	72	75	17	19	183
<i>Repeat Findings</i>	(7)	(11)	(4)	(3)	(25)
TOTAL Unique Findings	65	64	13	16	158
TOTAL Unresolved Unique Findings	21	20	1	11	53

UNRESOLVED* FINDINGS 2015-2019



* Includes all unique findings excluding "Complete" or "Passed/No Longer Required" status

CONTINUED PROGRESS AND ADDITIONAL RESOURCES

- The City plans to adopt ICIF implementing policies that will address financial reporting control risks.
- More detailed control documentation will be completed over the course of the next year to address Single Audit findings and other identified issues.
- New Position FY 2019-20

Internal Control Senior Manager - dedicated to implementing and maintaining Internal Control Integrated Framework; facilitating resolution of remaining audit findings; driving continuous process improvement to minimize future findings; providing subject matter expertise for ERP implementation

- Comprehensive Annual Financial Report (CAFR) and Single Audit Report completed on schedule.
- New ERP system approved by City Council in October 2019.

Questions

