

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



AGENDA

OXNARD CITY COUNCIL

*OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

*OXNARD FINANCING AUTHORITY

*OXNARD HOUSING AUTHORITY

Regular Meetings

City Council Chambers, 305 West Third Street, Oxnard

December 10, 2013

A. ROLL CALL/POSTING OF AGENDA

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

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

C. CLOSED SESSION

D. OPENING CEREMONIES – 6:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. SUBJECT: Visitor From the North Pole.
2. SUBJECT: Employee of the Fourth Quarter.

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

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

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

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

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending October 31, 2013. (001)

RECOMMENDATION: Receive Report.

Legislative Body: CC

Contact: James Cameron

Phone: 385-7461

H. INFORMATION/CONSENT PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Fifth Amendment to the RiverPark Development Agreement No. A-6128 (PZ Nos. 13-670-02, 13-670-03, and 13-670-04). (019)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance approving the Fifth Amendment to the RiverPark Development Agreement No. A-6128 (PZ Nos. 13-670-02, 13-670-03 and 13-670-04), between the owners of the RiverPark Project and the City of Oxnard, and authorize the Mayor to execute the Fifth Amendment to the RiverPark Development Agreement after the second reading of the ordinance.

Legislative Body: CC

Contact: Doug Spondello

Phone: 385-3919

I. PUBLIC HEARINGS – 6:15 P.M.

Housing Department

1. SUBJECT: Extremely-Low to Low-Income Needs Assessment – FY 2014-2015 Annual Action Plan, Second Annual Plan Component of the FY 2013-2018 Consolidated Plan. (025)

RECOMMENDATION: Conduct a first public hearing to receive comments and provide direction to staff concerning unmet needs of extremely-low to low-income persons, residing in the City of Oxnard, for affordable housing, community development and homelessness.

Legislative Body: CC

Contact: Juliette Dang

Phone: 385-7493

J. APPOINTMENT ITEMS

K. REPORTS

Public Works Department

1. SUBJECT: Groundwater Recovery Enhancement and Treatment (GREAT) Program Report. (035)

RECOMMENDATION: 1) Receive a verbal report on the GREAT Program and provide direction to staff regarding next steps; and 2) Approve a special budget appropriation (SBA) to reflect current project priorities and establish new accounts for financial management of the various projects in the GREAT Program.

Legislative Body: CC

Contact: Anthony Emmert

Phone: 207-1669

Development Services Department

2. SUBJECT: Review of Northeast Community Specific Plan (NECSP) Environmental Impact Report (EIR) Fire Station Mitigation. (039)

RECOMMENDATION: Receive and file a report reviewing the sequence of California Environmental Quality Act (CEQA) documents and actions related to NECSP EIR mitigation measure PS-1, construction of a fire station.

Legislative Body: CC

Contact: Chris Williamson

Phone: 385-8156

Housing Department

3. SUBJECT: Receive a Verbal Report on the 2012 activities of the Mobilehome Park Rent Review Board.

RECOMMENDATION: Receive a verbal report.

Legislative Body: CC

Contact: Karl Lawson

Phone: 385-8095

City Manager Department

4. SUBJECT: Receive a Verbal Report on the Oxnard Alliance for Community Strength.

RECOMMENDATION: Receive a verbal report.

Legislative Body: CC

Contact: Grace Magistrale Hoffman

Phone: 385-7445

L. PUBLIC COMMENTS ON REPORTS

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

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

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

1. SUBJECT: Verbal Update on the Materials Recycling Facility (MRF).

RECOMMENDATION: Receive and consider verbal report.

Legislative Body: CC

Contact: Rob Roshanian

Phone: 385-7893

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

1. SUBJECT: Presentation on the Business Assistance and Economic Development Program. (Mayor Flynn)

O. STUDY SESSION**Finance Department**

1. **SUBJECT:** Fiscal Year 2012-13 Preliminary Year-End Financial Update and General Fund Projection for Fiscal Year 2013-14. (081)
RECOMMENDATION: Receive a preliminary year-end update for Fiscal Year (FY) 2012-13 and General Fund projections for FY 2013-14.
Legislative Body: CC Contact: James Cameron Phone: 385-7461

P. PUBLIC COMMENTS ON STUDY SESSION

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

Q. 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.

R. 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.

S. INFORMATION/CONSENT AGENDA**City Clerk Department**

1. **SUBJECT:** Minutes of the Regular Meetings of the Oxnard City Council for November 5, 2013; and Minutes of the Special Meeting of the Oxnard City Council for November 6 and 12, 2013. (089)
RECOMMENDATION: Approve.
Legislative Body: CC Contact: Daniel Martinez Phone: 385-7803

City Manager Department

2. **SUBJECT:** Agreements for City Council Review. (099)
RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.
Legislative Body: CC Contact: Karen Burnham Phone: 385-7430
3. **SUBJECT:** Reprogram CDBG Funds to the Campus Park Gymnasium Wing Interior Remodel Balance from Completed Projects. (101)
RECOMMENDATION: Approve a special budget appropriation reprogramming \$300,000 of CDBG funding to the Campus Park Gymnasium Project No. 137401 for the remodel of the North Wing.
Legislative Body: CC Contact: Michael Henderson Phone: 385-7950

Police Department

4. SUBJECT: Second Amendment to Agreement for Security Services in the Central Business District Core Area and Oxnard Downtown Management District. (105)
RECOMMENDATION: Approve and authorize the Mayor to execute the Second Amendment to the Agreement for Trade Services with Securitas Security Services USA, Inc. (A-7362) to extend the term one year to December 31, 2014, for a total agreement value of \$1,260,000.
Legislative Body: CC Contact: Martin Meyer Phone: 207-7078

Public Works Department

5. SUBJECT: Purchase Order No. 4698 with Quinn Company for the Acquisition of Heavy-Duty Equipment for the Del Norte Regional Recycling and Transfer Station. (111)
RECOMMENDATION: 1) Approve and authorize the Mayor to execute Purchase Order No. 4698 with Quinn Company in the amount \$875,426.11 for the acquisition of heavy-duty equipment for the Del Norte Regional Recycling and Transfer Station (Del Norte Facility); and 2) Approve a Special Budget Appropriation (SBA) in the amount \$875,426.11 from the Solid Waste Operating Fund to the Del Norte Facility Start-Up Equipment Acquisition Project No. I63001.
Legislative Body: CC Contact: Todd Housley Phone: 890-3153

T. ADJOURNMENT



INFORMATION ONLY

NO ACTION REQUIRED

DATE: November 7, 2013

TO: City Council

FROM: James Cameron, Chief Financial Officer
Finance Department

A handwritten signature in cursive script that reads "James Cameron".

SUBJECT: Monthly Budget Status Report for the Period Ending October 31, 2013
(Fiscal Year 2013-14)

The monthly budget status report for revenues and expenses include both Governmental and Enterprise Funds for the period ending October 31, 2013. Because this report includes year-end accruals for Fiscal Year 2012-2013, there are timing issues on offsetting revenues and expenditures.

Included in the report is a discussion of recent economic trends and significant variances from anticipated revenues and expenditures for the fiscal year.

JC:MM:tr

Attachment #1: Monthly Budget Status Reports

**City of Oxnard
Monthly Budget Status Report
For the Period Ending October 31, 2013**

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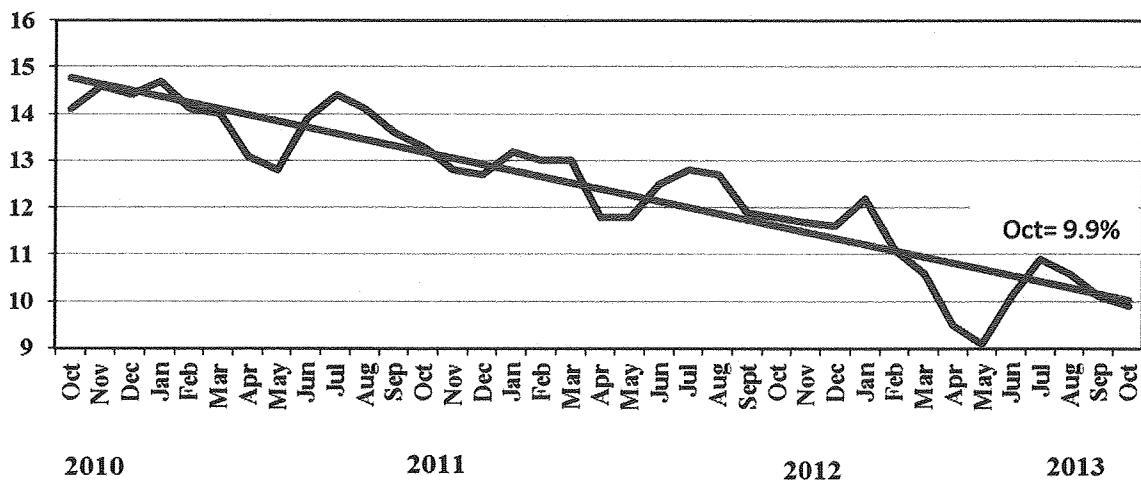
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Economic & Budget Trends

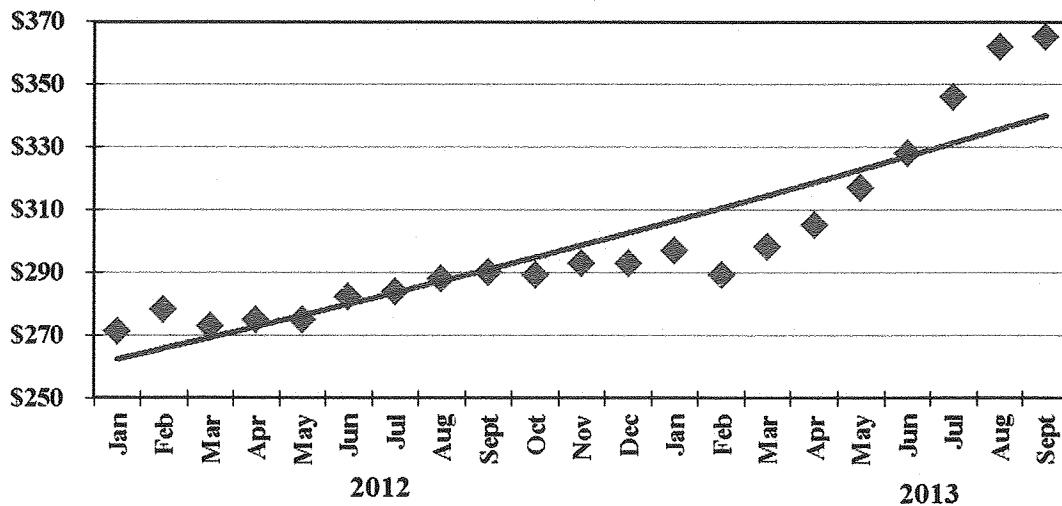
The economic trend through the 3rd quarter and October are mixed. The Gross Domestic Product (GDP) Advanced Estimate was a surprising 2.8% for the 3rd quarter. Retail sales in October were up 3.9% with autos up 11.9%; however, October consumer confidence fell to 71.2 from 80.2 in September. Finally, the decrease in unemployment has leveled off at around 7.3%, although October job creation was a strong 204,000.

On the local level, unemployment and housing trends are continue to be positive..

**Oxnard Unemployment
(percent)**



**Oxnard Home Prices
3-month moving average
(\$ thousands)**



Employment in Oxnard has gradually increased with 800 jobs added in the last year through October. The unemployment rate has fallen to 9.9% from 11.8% a year ago. Local numbers are not seasonally adjusted and the summer months consistently show a moderate drop in the number of jobs.

Housing prices continue to improve as shown in the previous chart. The three month moving average is used due to the higher volatility. Actual home prices in June were \$350,000 compared to \$286,500 a year ago, a 22% increase.

The FY 2013-14 Budget is based on continued moderate growth during the fiscal year. Due to year end accruals, it is difficult to make comparisons to prior years. While sales taxes reflect a decrease from the prior year of 9%, this is due to a timing difference in reporting of \$400,000 last fiscal year representing 11%. Adjusting for this timing difference, sales taxes would have been up 2% and total revenues up 3%. Overall expenditures were 1% lower than last year in spite of a close to 3% increase in Public Safety.

General Fund Revenues October Compared to Prior Year

Property Taxes		0%
Sales Tax	↓	9%
Other	↑	4%
All Revenues		0%

General Fund Expenditures October Compared to Prior Year

Public Safety	↑	3%
Culture & Recreation	↓	-2%
Other	↓	-9%
All Expenditures	↓	-1%

City of Oxnard
General Fund
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes:			
Property Taxes	\$ 26,861,000	\$ 26,861,000	\$ 141,641 a
Property Tax in-lieu of Vehicle License Fee	14,755,000	14,755,000	-
Sales Tax	26,751,000	26,751,000	3,268,228 b
Other Taxes and Fees	12,977,000	12,977,000	3,126,232 c
Licenses and Permits	1,967,000	1,967,000	919,053
Intergovernmental	12,939,000	12,939,000	4,010,054 c
Charges for Services	8,489,000	8,489,000	2,747,904
Fines and Forfeitures	591,000	591,000	71,243 c
Investment Earnings	103,000	103,000	58,418
Miscellaneous	2,976,000	3,051,000	575,934
Total Operating Revenues	\$ 108,409,000	\$ 108,484,000	\$ 14,918,707
Operating Expenditures			
General Government	10,644,903	10,644,903	2,743,806
Public Safety	64,738,295	64,727,295	18,370,703
Transportation	2,343,658	2,343,658	702,827
Community Development	8,903,327	8,991,327	2,732,061
Culture and Recreation	15,721,355	15,706,355	4,827,355
Total Operating Expenditures	\$ 102,351,538	\$ 102,413,538	\$ 29,376,752
NET REVENUES FROM OPERATIONS	\$ 6,057,462	\$ 6,070,462	\$ (14,458,045)

Notes:

- a Current year receipts reduced for year-end accrual of \$582,616.
- b Current year receipts reduced for year-end accrual of \$4,568,261 to prior year.
- c Actual amounts reflect accrual reversals for receipts recognized in the prior year in the amount of \$1,492,657.

**City of Oxnard
General Fund
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)**

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers in	\$ 37,000	\$ 37,000	\$ -
Sub-total Non-operating Sources	<u>37,000</u>	<u>37,000</u>	<u>-</u>
Non-operating Uses			
Capital outlay	75,000	176,000	40,416
Transfers out	<u>6,019,462</u>	<u>5,931,462</u>	<u>322,840</u> d
Sub-total Non-operating Uses	<u>6,094,462</u>	<u>6,107,462</u>	<u>363,256</u>
NET NON-OPERATING SOURCES AND USES	\$ (6,057,462)	\$ (6,070,462)	\$ (363,256)
USE OF FUND BALANCE			
Use of Reserve for Encumbrances	-	-	-
From Available Fund Balance	<u>-</u>	<u>-</u>	<u>14,821,301</u> e
TOTAL USE OF FUND BALANCE	\$ -	\$ -	\$ 14,821,301
FISCAL YEAR BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Notes:

d Transfers out are internal payments to other funds made at the time obligations are due in the target fund.

e Temporary use of fund balance due to lag in property taxes and recognition of future years.

City of Oxnard
Measure O 1/2 Cent Sales Tax
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes	\$ 11,000,000	\$ 11,000,000	\$ 3,132,254 a
Investment Earnings	90,000	90,000	51,330
Total Operating Revenues	\$ 11,090,000	\$ 11,090,000	\$ 3,183,584
Operating Expenditures			
General Government	50,000	111,449	17,068
Public Safety	3,002,642	4,637,700	1,194,112
Transportation	900,000	1,137,568	400,052
Community Development	420,000	420,000	176,363
Culture and Recreation	1,299,000	1,462,250	294,017
Total Operating Expenditures	\$ 5,671,642	\$ 7,768,967	\$ 2,081,612
NET REVENUES FROM OPERATIONS	\$ 5,418,358	\$ 3,321,033	\$ 1,101,972
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Proceeds from Lease Purchase Agreement	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Interest Expense	-	-	-
Payment of Principal	-	-	-
Capital Outlay	745,000	11,144,618	707,194
Sub-total Non-operating Uses	745,000	11,144,618	707,194
NET NON-OPERATING SOURCES AND USES	\$ (745,000)	\$ (11,144,618)	\$ (707,194)
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	5,662,943	1,206,695 b
Appropriated Fund Balance	-	4,160,000	-
TOTAL USE OF FUND BALANCE	\$ -	\$ 9,822,943	\$ 1,206,695
FISCAL YEAR BALANCE	\$ 4,673,358	\$ 1,999,358	\$ 1,601,473

Notes:

- a Current year receipts reduced for year-end accrual of \$2,087,400 to prior year.
b Carryover of prior year project balances.

**City of Oxnard
Grant Funds
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)**

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Intergovernmental	\$ 3,268,385	\$ 8,842,421	\$ (425,548)
Fines and forfeitures	-	-	19,071
Investment Earnings	-	-	3,841
Miscellaneous	-	98,920	56,082
Total Operating Revenues	\$ 3,268,385	\$ 8,941,341	\$ (346,554)
Operating Expenditures			
General Government	-	-	-
Public Safety	561,292	7,643,716	1,136,208
Transportation	-	250,000	6,876
Community Development	1,789,998	9,084,350	1,426,379
Culture and Recreation	37,940	313,325	43,500
Total Operating Expenditures	\$ 2,389,230	\$ 17,291,391	\$ 2,612,963
NET REVENUES FROM OPERATIONS	\$ 879,155	\$ (8,350,050)	\$ (2,959,517)
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers in	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Capital Outlay	1,026,317	12,105,141	866,029
Transfers out	-	-	-
Sub-total Non-operating Uses	1,026,317	12,105,141	866,029
NET NON-OPERATING SOURCES AND USES	\$ (1,026,317)	\$ (12,105,141)	\$ (866,029)
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	20,194,554	3,035,810
From/(to) Available Fund Balance	147,162	260,637	789,736 a
TOTAL USE OF FUND BALANCE	\$ 147,162	\$ 20,455,191	\$ 3,825,546
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

Notes:

a Grants are typically on a reimbursement basis resulting in a revenue lag.

City of Oxnard
Other Governmental Funds
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes	\$ 12,000,000	\$ 12,000,000	\$ 86,624
Licenses and Permits	804,000	804,000	752,067
Intergovernmental	5,639,816	5,639,816	1,754,894
Growth and Development Fees	2,717,000	2,717,000	1,871,312
Charges for services	110,000	110,000	5,877
Fines and forfeitures	320,000	320,000	16,278
Investment Earnings	311,401	311,401	177,389
Special Assessments	9,133,079	9,133,079	209,759
Miscellaneous	<u>1,354,500</u>	<u>1,362,050</u>	<u>1,221,167</u>
Total Operating Revenues	\$ 32,389,796	\$ 32,397,346	\$ 6,095,367
Operating Expenditures			
General Government	253,177	253,177	45,220
Public Safety	20,631,913	20,631,913	5,305,391
Transportation	6,608,532	6,677,352	1,928,816
Community Development	9,400	42,938	50,878
Culture and Recreation	<u>5,124,470</u>	<u>5,124,470</u>	<u>1,743,715</u>
Total Operating Expenditures	\$ 32,627,492	\$ 32,729,850	\$ 9,074,020
NET REVENUES FROM OPERATIONS	\$ (237,696)	\$ (332,504)	\$ (2,978,653)
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers in	\$ 6,839,750	\$ 6,839,750	\$ - a
Bond Proceeds	<u>-</u>	<u>-</u>	<u>- a</u>
Sub-total Non-operating Sources	<u>6,839,750</u>	<u>6,839,750</u>	<u>-</u>
Non-operating Uses			
Interest Expense	3,899,829	3,899,829	397,965
Payment of Principal	4,134,322	4,134,322	565,907
Capital Outlay	1,811,580	18,878,047	742,478
Transfers out	<u>1,788,471</u>	<u>1,788,101</u>	<u>- a</u>
Sub-total Non-operating Uses	<u>11,634,202</u>	<u>28,700,299</u>	<u>1,706,350</u>
NET NON-OPERATING SOURCES AND USES	\$ (4,794,452)	\$ (21,860,549)	\$ (1,706,350)

City of Oxnard
Other Governmental Funds
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	16,594,175	671,228
Appropriated Fund Balance	-	889,001	-
From Available Fund Balance	5,032,148	4,709,877	4,013,775
TOTAL USE OF FUND BALANCE	<u>\$ 5,032,148</u>	<u>\$ 22,193,053</u>	<u>\$ 4,685,003</u>
FISCAL YEAR BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Notes:

- a Transfers in/out are internal payments from/to other funds made at the time obligations are due in the target fund.

**City of Oxnard
Water Funds
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)**

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	\$ 46,620,000	\$ 46,620,000	\$ 15,774,980
Security/Contamination Prevention Fees	870,000	870,000	97,573
Miscellaneous and Reimbursements	5,000	5,000	2,250
Total Operating Revenues	\$ 47,495,000	\$ 47,495,000	\$ 15,874,803
Operating Expenditures			
Salaries and Wages	5,321,501	5,321,501	1,286,376
Contracts and Services	2,227,546	2,227,546	463,042
Operating Supplies	2,001,650	2,001,650	312,137
Water Acquisition	18,784,000	18,784,000	6,074,352
General and Administrative	4,302,582	4,302,582	1,425,492
Total Operating Expenditures	\$ 32,637,279	\$ 32,637,279	\$ 9,561,399
NET REVENUES FROM OPERATIONS	\$ 14,857,721	\$ 14,857,721	\$ 6,313,404
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	2,067,900	2,067,900	- a
Investment Earnings	2,184,000	2,184,000	121,683
Connection Fees	1,090,000	1,090,000	561,435
Sub-total Non-operating Sources	5,341,900	5,341,900	683,118
Non-operating Uses			
Capital Outlay (non-debt financed)	20,325,000	28,714,398	615,025
Interest Expense	11,250,259	11,250,259	3,856,868
Transfers Out	-	-	-
Sub-total Non-operating Uses	31,575,259	39,964,657	4,471,893
NET NON-OPERATING SOURCES AND USES	\$ (26,233,359)	\$ (34,622,757)	\$ (3,788,775)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(3,864,734)	(3,864,734)	(1,131,916)
Designated for Authorized Projects & Encumbrances	-	14,196,564	2,188,764
Use of Bond Principal	-	(5,807,166)	(2,009,074)
From/(To) Capital Reserve	15,240,372	15,240,372	(1,572,403)
NET USE OF BONDS AND OTHER DEBT FINANCING	\$ 11,375,638	\$ 19,765,036	\$ (2,524,629)
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

Notes:

a Transfers in are internal payments from other funds made at the time obligations are due in the target fund.

**City of Oxnard
Wastewater Funds
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)**

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	\$ 30,010,000	\$ 30,010,000	\$ 7,421,009
Security/Contamination Prevention Fees	350,000	350,000	-
Miscellaneous and Reimbursements	770,000	770,000	555,606 ^a
Total Operating Revenues	\$ 31,130,000	\$ 31,130,000	\$ 7,976,615
Operating Expenditures			
Salaries and Wages	7,035,467	7,035,467	1,722,638
Contracts and Services	5,047,927	5,438,218	1,889,095
Operating Supplies	1,747,500	1,747,500	422,366
General and Administrative	3,513,420	3,513,420	1,034,208
Total Operating Expenditures	\$ 17,344,314	\$ 17,734,605	\$ 5,068,307
NET REVENUES FROM OPERATIONS	\$ 13,785,686	\$ 13,395,395	\$ 2,908,308
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Investment Earnings	100,000	100,000	49,555
Connection Fees	210,000	210,000	721,185
Sub-total Non-operating Sources	310,000	310,000	770,740
Non-operating Uses			
Capital Outlay (non-debt financed)	5,400,000	9,661,322	143,118
Interest Expense	6,744,616	6,744,616	736,723
Sub-total Non-operating Uses	12,144,616	16,405,938	879,841
NET NON-OPERATING SOURCES AND USES	\$ (11,834,616)	\$ (16,095,938)	\$ (109,101)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(4,715,183)	(4,715,183)	(38,154)
Designated for Authorized Projects & Encumbrances	-	4,086,738	63,125
Appropriated Fund Balance	-	564,875	-
From/(To) Capital Reserve	2,764,113	2,764,113	(2,824,178)
NET USE OF BONDS AND OTHER DEBT FINANCING	\$ (1,951,070)	\$ 2,700,543	\$ (2,799,207)
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

Notes:

a Prior period adjustment.

City of Oxnard
Environmental Resources
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	\$ 43,970,000	\$ 43,970,000	\$ 13,708,304 a
Security/Contamination Prevention Fees	80,000	80,000	69
Miscellaneous and Reimbursements	270,000	270,000	184,250
Total Operating Revenues	\$ 44,320,000	\$ 44,320,000	\$ 13,892,623
Operating Expenditures			
Salaries and Wages	7,607,149	7,607,149	1,902,346
Operating Supplies	584,400	584,400	75,970
Contracts and Services	26,378,449	26,678,449	7,166,755
General and Administrative	3,846,790	3,846,790	1,352,643
Total Operating Expenditures	\$ 38,416,788	\$ 38,716,788	\$ 10,497,714
NET REVENUES FROM OPERATIONS	\$ 5,903,212	\$ 5,603,212	\$ 3,394,909
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Investment Earnings	20,000	20,000	26,347
Connection Fees	60,000	60,000	47,457
Sub-total Non-operating Sources	80,000	80,000	73,804
Non-operating Uses			
Capital Outlay (non-debt financed)	232,000	297,660	88,287
Interest Expense	606,126	606,126	197,005
Transfers out	62,097	62,097	- b
Sub-total Non-operating Uses	900,223	965,883	285,292
NET NON-OPERATING SOURCES AND USES	\$ (820,223)	\$ (885,883)	\$ (211,488)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(3,685,551)	(3,685,551)	(201,174)
Designated for Authorized Projects & Encumbrances	-	11,926	-
Appropriated Fund Balance	-	300,000	-
From/(To) Capital Reserve	(1,397,438)	(1,343,704)	(2,982,247)
NET USE OF BONDS AND OTHER DEBT FINANCING	\$ (5,082,989)	\$ (4,717,329)	\$ (3,183,421)
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

Notes:

a Current year revenues reduced by FY 2013 accruals.

b Transfers out are internal payments to other funds made at the time obligations are due in the target fund.

**City of Oxnard
Golf
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)**

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	\$ 4,200,000	\$ 4,200,000	\$ 1,773,947
Miscellaneous and Reimbursements	-	-	-
Total Operating Revenues	<u>\$ 4,200,000</u>	<u>\$ 4,200,000</u>	<u>\$ 1,773,947</u>
Operating Expenditures			
Salaries and Wages	60,290	60,290	17,399
Operating Supplies	-	-	-
Contracts and Services	3,585,324	3,585,324	1,556,629
General and Administrative	195,716	195,716	59,536
Total Operating Expenditures	<u>\$ 3,841,330</u>	<u>\$ 3,841,330</u>	<u>\$ 1,633,564</u>
NET REVENUES FROM OPERATIONS	\$ 358,670	\$ 358,670	\$ 140,383
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	-	-	-
Investment Earnings	-	-	(7,444)
Sub-total Non-operating Sources	<u>-</u>	<u>-</u>	<u>(7,444)</u>
Non-operating Uses			
Capital Outlay (non-debt financed)	80,500	80,500	-
Interest Expense	116,200	116,200	-
Transfers out	-	-	-
Sub-total Non-operating Uses	<u>196,700</u>	<u>196,700</u>	<u>-</u>
NET NON-OPERATING SOURCES AND USES	\$ (196,700)	\$ (196,700)	\$ (7,444)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(972,223)	(972,223)	-
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Capital Reserve	-	-	(132,939)
NET USE OF BONDS AND OTHER DEBT FINANCING	<u>\$ (972,223)</u>	<u>\$ (972,223)</u>	<u>\$ (132,939)</u>
FISCAL YEAR BALANCE	<u>\$ (810,253)</u>	<u>\$ (810,253)</u>	<u>\$ -</u>

Notes:

City of Oxnard
Performing Arts & Convention Center
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Charges for Services	\$ 440,000	\$ 440,000	\$ 153,781
Miscellaneous	<u>20,000</u>	<u>20,000</u>	<u>5,330</u>
Total Operating Revenues	<u>\$ 460,000</u>	<u>\$ 460,000</u>	<u>\$ 159,111</u>
Operating Expenditures			
Salaries and Wages	1,071,219	1,071,219	274,993
Operating Supplies	300	300	156
Contracts and Services	252,355	252,355	93,407
General and Administrative	<u>172,511</u>	<u>172,511</u>	<u>55,930</u>
Total Operating Expenditures	<u>\$ 1,496,385</u>	<u>\$ 1,496,385</u>	<u>\$ 424,486</u>
NET REVENUES FROM OPERATIONS	<u>\$ (1,036,385)</u>	<u>\$ (1,036,385)</u>	<u>\$ (265,375)</u>
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	905,160	905,160	301,720 a
Investment Earnings	<u>-</u>	<u>-</u>	<u>(6,042)</u>
Sub-total Non-operating Sources	<u>905,160</u>	<u>905,160</u>	<u>295,678</u>
Non-operating Uses			
Capital Outlay	<u>-</u>	<u>-</u>	<u>-</u>
Sub-total Non-operating Uses	<u>-</u>	<u>-</u>	<u>-</u>
NET NON-OPERATING SOURCES AND USES	<u>\$ 905,160</u>	<u>\$ 905,160</u>	<u>\$ 295,678</u>
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Capital Reserve	<u>-</u>	<u>-</u>	<u>(30,303)</u>
NET USE OF BONDS AND OTHER DEBT FINANCING	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (30,303)</u>
FISCAL YEAR BALANCE	<u><u>\$ (131,225)</u></u>	<u><u>\$ (131,225)</u></u>	<u><u>\$ -</u></u>

Notes:

a Transfers in are internal payments from other funds made at the time obligations are due.

City of Oxnard
Housing Set-aside Successor Agency Fund
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes	\$ -	\$ -	\$ 2,253
Rental Income	-	-	-
Miscellaneous and Reimbursements	-	-	9,713 a
Total Operating Revenues	\$ -	\$ -	\$ 11,966
Operating Expenditures			
Salaries and Wages	-	-	49,014
Contracts and Services	-	-	-
General and Administrative	-	-	11,071
Total Operating Expenditures	\$ -	\$ -	\$ 60,085
NET REVENUES FROM OPERATIONS	\$ -	\$ -	\$ (48,119)
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	-	-	-
Investment Earnings	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Capital Outlay	-	-	36,600
Payment to Ventura County	-	-	- b
Transfers out	-	-	-
Sub-total Non-operating Uses	-	-	36,600
NET NON-OPERATING SOURCES AND USES	\$ -	\$ -	\$ (36,600)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of principal	-	-	-
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Operating and Capital Reserves	-	-	84,719
TOTAL USE OF FUND BALANCE	\$ -	\$ -	\$ 84,719
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

Notes:

a Housing set-aside deposit.

b Payment to Ventura County of unobligated cash as required by the California Department of Finance.

City of Oxnard
Successor Agency to the Community Development Commission
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

OPERATING REVENUES AND EXPENDITURES

Operating Revenues

Taxes	\$ -	\$ -	\$ - a
Rental Income	-	-	19,608
Miscellaneous and Reimbursements	-	-	101,060
Total Operating Revenues	\$ -	\$ -	\$ 120,668

Operating Expenditures

Salaries and Wages	-	-	36,874
Contracts and Services	-	-	79,134
General and Administrative	250,000	250,000	103,393
Total Operating Expenditures	\$ 250,000	\$ 250,000	\$ 219,401

NET REVENUES FROM OPERATIONS	\$ (250,000)	\$ (250,000)	\$ (98,733)
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NON-OPERATING SOURCES AND USES

Non-operating Sources

Transfers In	-	-	-
Investment Earnings	-	-	47,747
Sub-total Non-operating Sources	-	-	47,747

Non-operating Uses

Capital Outlay	-	-	-
Interest Expense	-	-	978,308
Project Costs	8,141,632	8,141,632	278,754 b
Transfers out	-	-	-
Sub-total Non-operating Uses	8,141,632	8,141,632	1,257,062

NET NON-OPERATING SOURCES AND USES	\$ (8,141,632)	\$ (8,141,632)	\$ (1,209,315)
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DEBT FINANCING & USE OF FUND BALANCE

Payment of principal	-	-	(1,460,000)
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Operating and Capital Reserves	8,391,632	8,391,632	2,768,048 c

TOTAL USE OF FUND BALANCE	\$ 8,391,632	\$ 8,391,632	\$ 1,308,048
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FISCAL YEAR BALANCE	\$ -	\$ -	\$ -
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City of Oxnard
Successor Agency to the Community Development Commission
Budget Status Report
For the Month Ended October 31, 2013
(Unaudited)

Notes:

- a Revenues from the County for expenditures approved in the Recognized Obligation Payment Schedule for January 2014 to June 2014 (not yet approved by California Department of Finance).
- b Amounts approved by the California Department of Finance for the period of July 2013 to December 2013
- c Revenues were received from the County in June 2013 for expenditures approved in the Recognized Obligation Payment Schedule for July 2013 to December 2013.



Meeting Date: 12/10/2013

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

Prepared By: Douglas J. Spondello, Associate Planner DS Agenda Item No. H-1Reviewed By: City Manager mmh City Attorney SmF Finance JC Other (Specify) _____

DATE: November 27, 2013

TO: City Council

FROM: Matthew G. Winegar, AICP, Director
Development Services Department MS

SUBJECT: Fifth Amendment to the RiverPark Development Agreement No. A-6128 (PZ Nos. 13-670-02, 13-670-03, and 13-670-04)

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance approving the Fifth Amendment to the RiverPark Development Agreement No. A-6128 (PZ Nos. 13-670-02, 13-670-03 and 13-670-04), between the owners of the RiverPark Project and the City of Oxnard, and authorize the Mayor to execute the Fifth Amendment to the RiverPark Development Agreement after the second reading of the ordinance.

DISCUSSION

Background: On September 10, 2002, the City Council adopted Ordinance No. 2605, approving Planning and Zoning Permit No. 01-5-46 (Development Agreement No. A-6128) between the owners of the RiverPark Project and the City of Oxnard.

The City Council has approved four previous amendments to the RiverPark Development Agreement. On December 14, 2004, the City Council approved the First Amendment to incorporate properties located within the RiverPark Specific Plan that were acquired by RiverPark A and RiverPark B after the effective date of the Development Agreement. The first amendment specifies which rights, duties, and obligations under the agreements are retained and assumed by the various parties to the Agreement.

The Second Amendment to the Development Agreement was adopted on July 24, 2007. The Second Amendment incorporated changes, which allowed construction of the multiplex theater consistent with Ordinance No. 2742, which permits the location of a multiplex theater within the specific plan area for Century Theaters.

The Third Amendment to the Development Agreement was adopted on October 5, 2010 and froze specific development fees for residential and commercial development at 2006 levels in light of the delayed recovery of the real estate market following the 2007 recession. Fees for market rate and

affordable residential building permits were locked for three years, expiring January 6, 2014. Fees applicable to commercial and retail building permits were locked for five years, to January 6, 2016.

The Fourth Amendment to the Development Agreement was adopted on June 12, 2012 to increase the maximum number of residences within Planning District D by 212, for a total of 3,043 residences within the RiverPark Specific Plan Area. As of the date of this report, building permits have been issued for 2,294 residential units.

Request: The proposed Fifth Amendment modifies the current terms to allow:

1. Planned Traffic Circulation Facilities Fee (commonly known as and referred to herein as "Traffic Impact Fee") shall be adjusted for an additional two years for market rate residential building permits, to January 7, 2016.
2. The increase of the Traffic Impact Fee shall be limited to the following:
 - a. A 25% increase of the current Traffic Impact Fee in effect on January 7, 2014 over the Traffic Impact Fee in effect on January 6, 2014 for each permit issued between January 7, 2014 and January 6, 2015; and
 - b. 50% of the increase of the current Traffic Impact Fee in effect on January 7, 2014 over the Traffic Impact Fee in effect on January 6, 2014 for each residential permit issued between January 7, 2015 and January 6, 2016.
3. The period of limitation of increase of the existing fees pursuant to Section 4 of the Development Agreement is extended for all-affordable residential building permits to January 6, 2016.

Analysis: The proposed Development Agreement amendment does not change the use or intensity of land uses on the site, and is consistent with the project that was evaluated by the EIR and subsequent addenda. The fee adjustments and build-out of market rate and affordable housing do not create any additional environmental impacts not previously analyzed in the EIR. Therefore, staff has determined that the previously certified EIR and addenda provides the adequate California Environmental Quality Act clearance for this development agreement amendment.

FINANCIAL IMPACT

The recommended action supports the planned construction of both affordable and market rate housing resulting in a potential benefit to the City's General Fund and other fees.

(DS)

Attachment #1 - Ordinance Approving Fifth Amendment to Development Agreement

#2 - Fifth Amendment to Development Agreement (Note: There are four documents, each identical except for the signatories)

Note: Attachment #2 has been provided to the City Council under separate cover. Copies for review are available at the Circulation Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Monday prior to the Council meeting.

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

ORDINANCE OF THE CITY OF OXNARD APPROVING THE FIFTH AMENDMENT TO THE RIVERPARK DEVELOPMENT AGREEMENT NO. A-6128 (PZ NOS. 13-670-02, 13-670-03 AND 13-670-04) WITH CORONA LAND COMPANY, LLC/RIVERPARK, RIVERPARK PARTNERS, L.P., SHEA HOMES, L.P., AND AGS LAND HOLDINGS I, L.P.

WHEREAS, Government Code Section 65864 *et seq.* authorizes the City Council to adopt development agreements; and

WHEREAS, Government Code Section 65868 authorizes the City Council to adopt amendments to development agreements; and

WHEREAS, the City Council and Corona Land Company, LLC/RiverPark, RiverPark Partners, L.P., Shea Homes, L.P., and AGS Land Holdings I, L.P. (collectively "Riverpark Developers") wish to enter into a Fifth Amendment to the RiverPark Development Agreement (No. A-6128, on file with the City Clerk's Office), dated August 27, 2002; and

WHEREAS, the Environmental Impact Report (the "EIR") for the RiverPark project, which the City certified in August of 2002, evaluated the impacts of the RiverPark project, and the proposed amendment would not constitute a change in the RiverPark project that requires subsequent environmental review under the California Environmental Quality Act. Rather, the previously certified EIR provides adequate CEQA clearance for this amendment; and

WHEREAS, the City Council has considered the information contained in such EIR and addenda before approving this project; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, that the project is a logical refinement of the RiverPark Development Agreement and that the proposed Fifth Amendment to the RiverPark Development Agreement is consistent with the 2030 General Plan and the RiverPark Specific Plan; and

WHEREAS, the City Council provided notice of its intent to consider the Fifth Amendment to the RiverPark Development Agreement in accordance with the requirements set forth in Section 65867 of the Government Code; and

WHEREAS, on December 10, 2013, the City Council conducted a public hearing on the Fifth Amendment to the RiverPark Development Agreement in accordance with the requirements set forth in Section 65867 of the Government Code.

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

Part 1. The "Fifth Amendment to Development Agreement" between the City and RiverPark Developers, consisting of four agreements, identical except for the signatories, on file with the City

Clerk, is hereby adopted.

Part 2. The Mayor is authorized to execute on behalf of the City the "Fifth Amendment to the RiverPark Development Agreement" between the City and RiverPark Developers.

Part 3. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the City. Ordinance No. _____ was first read on December 10, 2013, and finally adopted on December 17, 2013 to become effective thirty days thereafter. Not later than ten (10) days after such date, the City Clerk shall record a copy of the Fifth Amendment to the RiverPark Development Agreement in the office of the Ventura County Recorder.

PASSED AND ADOPTED this 17th day of December, 2013, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

Meeting Date: 12/10/2013

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

Prepared By: Juliette Dang *JD* Agenda Item No. I-1

Reviewed By: City Manager *YRB* City Attorney *PT* Finance *JC* Other: *(Specify)*

DATE: November 14, 2013

TO: City Council

FROM: William E. Wilkins, Housing Director *[Signature]*

SUBJECT: Extremely-Low to Low-Income Needs Assessment – FY 2014-2015 Annual Action Plan, Second Annual Plan Component of the FY 2013-2018 Consolidated Plan

RECOMMENDATION

That the City Council conduct its first public hearing to receive comments and provide direction to staff concerning unmet needs of extremely-low to low-income persons, residing in the City of Oxnard, for affordable housing, community development and homelessness.

DISCUSSION

Background

On June 11, 2013, the City Council adopted the 2013-2018 Consolidated Plan (Plan), as required by the U.S. Department of Housing and Urban Development (HUD), for submission of goals for HUD's community planning and development, as well as housing and homelessness programs. The Plan, approved by HUD in August 2013, serves as: (1) a planning document for comprehensive housing affordability strategies, ending homelessness strategies, and community development planning for the City; and (2) an application for funding under the Community Planning and Development formula grant programs, which consists of the Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME) and Emergency Solutions Grant (HESG) programs.

In addition, for each year of the Plan's existence, the City must submit an Annual Action Plan (Annual Plan), which is also the annual application for the three entitlement grants. The City is required to submit the FY 2014-15 Annual Plan to HUD by May 15, 2014, for the fiscal year 2014-2015, which will begin on July 1, 2014 and end on June 30, 2015.

HUD's Formula Grant Programs

The City has received community and development CDBG funding for approximately 39 years, since 1975; HOME funding for approximately 22 years, since 1992; and Emergency Shelter Grant (which was replaced by Emergency Solutions Grant, HESG) funding for approximately 24 years, since 1990. HUD Formula Grant Programs (Attachment No. 2) is a five-year historical summary and tentative allocation for FY 2014-2015, with a projected 10 percent reduction of funding from the previous year as of December 2013.

The City has used the CDBG funds for neighborhood street improvements, park improvements, public facility improvements, homeownership assistance, mobilehome replacements, housing rehabilitation, and public service activities targeted to youth and homeless persons. HOME funding has assisted low and moderate-income families with first-time home buyer down-payment assistance, with the rehabilitation of single-family homes and mobilehomes, and with the construction of new housing units for sale or for rent through the partnerships with several Community Housing Development Organizations (CHDO's). HESG funding has provided funding for homeless prevention, rapid re-housing, stabilization and the operation of emergency shelters.

Annual Action Plan Content

The IDIS Template-Content of the Annual Action Plan (Attachment 3) is the Action Plan template provided by the Integrated Disbursement and Information System (IDIS). As of May 2012, HUD requires, by regulation 24 CFR Part 91, that submission of the FY 2013-2018 Consolidated Plan and FY 2013-2014 Annual Action Plan be done online. Thus, HUD will also require the use of the Annual Action template to complete the FY 2014-15 Annual Action Plan, and that the draft of the Annual Plan be submitted to HUD online by May 15, 2014.

The Annual Action Plan must contain: the applications for CDBG, HOME and ESG grant funds; homeless and other special needs; a proposed projects summary; annual objectives that will assist the City in meeting the five-year Plan goals; and the citizen participation process.

Citizen Participation Process

On October 1994, the City adopted a Citizen Participation Plan (CPP), which was updated in July 2000 (Attachment 4). The CPP encourages citizens to participate in the development of both the Consolidated and the Annual Action Plan. The City will conduct three public hearings and one mandatory pre-application session as mentioned in the Notice of Public Hearing (Attachment 1). The purpose of this first public hearing is to obtain citizen comments on unmet housing, homelessness and community development needs. The second hearing will be held on March 18, 2014, for the purpose of obtaining Council direction on priorities for the use of funds related to CDBG, HOME and ESG grants. The third public hearing is tentatively scheduled for May 6, 2014 to request approval from City Council for the proposed projects and the submission of the final draft of the FY 2014-15 Annual Action Plan to HUD.

FINANCIAL IMPACT

There is no financial impact to conducting the public hearing.

Attachment 1 - Notice of Public Hearing

Attachment 2 - HUD Formula Grant Programs

Attachment 3 - IDIS Template-Content of the Annual action Plan

Attachment 4 - Citizen Participation Plan

Notice of Public Hearing

Unmet Needs of Low-Income Persons Related to Affordable Housing, Homelessness, Public Facilities and Improvements, Public Services and Economic Development

December 10, 2013 at 6:00 p.m. and thereafter

Notice is hereby given that the Oxnard City Council will conduct a public hearing on **Tuesday, December 10, 2013** at 6:00 p.m., or as soon thereafter as the matter may be heard, in the **Council Chambers, at 305 West Third Street, Oxnard, California.**

Notice is hereby further given that the primary purpose of the public hearing is to receive input on the housing, homelessness, public facilities and improvements, public services and/or economic development unmet needs of extremely low- to low-income persons residing in the City of Oxnard, which are not currently being addressed by the City or local agencies and organizations. Presentations may be made by local agencies, organizations and individuals on proposed or current projects to satisfy those needs. Topics which may be addressed include: affordable housing; homelessness; transitional and permanent housing for homeless persons/households or those who are at risk of becoming homeless; public facilities; infrastructure improvements; public services; disabled accessibility; economic development; or other community development needs.

Comments about these and other related issues will be used in the preparation of the City's Fiscal Year 2014-2015 Annual Action Plan, as required by the U.S. Department of Housing and Urban Development (HUD). This Annual Action Plan is the second annual plan component of the Consolidated Plan for FYs 2013-2018. HUD requires the submission of an Annual Action Plan prior to the release of Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME), and Emergency Solutions Grant (HESG) grant monies to fund local projects starting on July 1, 2014.

The City applied for and received \$2,185,785 in CDBG, \$646,077 in HOME and \$150,512 in HESG funds for the fiscal year 2013-2014, but has anticipated a reduction in allocation of the three entitlement grants for the next cycle. CDBG funds may be utilized for affordable housing, economic development, public facilities and improvements, public services, planning and general administration. HOME funds may be utilized to increase the supply of affordable housing for low-income persons, or to assist low-income families to purchase housing. Eligible projects are for acquisition, new construction, first-time homebuyer assistance, rehabilitation of housing units, and tenant-based rental assistance. HESG funds may be utilized for street outreach, emergency shelter, homelessness prevention, rapid rehousing assistance, homeless management information system (HMIS) and administrative costs.

Please note the following important dates for the preparation of FY 2014-2015 Annual Action Plan as follows:

December 10, 2013: First Public Hearing related to Needs Assessments for FY 2014-15 Annual Action Plan at City Council Chambers

January 9, 2014: Mandatory pre-application meeting for all potential applicants at Oxnard Main Library. Detailed information will be posted to the website, when available.

January 24, 2014: Proposals and projects funding applications are due to Grants Management Division

March 18, 2014: Second public hearing related to priorities and needs determination at City Council Chambers

May 6, 2014: Third public hearing related to funding recommendations of CDBG, HOME and HESG projects

If you plan to attend the hearing, staff suggests that you contact the Office of the City Clerk at (805) 385-7803 the Thursday prior to the scheduled date to confirm that the hearing has not been rescheduled. Persons with disabilities needing special assistance to participate in the hearing, or persons requiring a translator, should also contact the City Clerk's Office at least 72 hours prior to the meeting.

For additional information, E-mail Juliette.dang@ci.oxnard.ca.us or contact Juliette Dang at (805) 385-7493. Written comments may be addressed to the following:

City of Oxnard Housing Department
Grants Management Division
435 South "D" Street
Oxnard, **28**93030

Attachment No. 1
Page 1 of 2

Aviso de Audiencia Pública
Necesidades insatisfechas de personas de bajos ingresos
relacionadas a la vivienda asequible, la indigencia, las instalaciones públicas y
mejoramiento, Servicios Públicos y desarrollo económico
10 Diciembre, 2013 a las 6:00 p.m. y posteriormente

Con la presente se da aviso que el consejo de la Ciudad de Oxnard conducirá una audiencia pública el **martes, 10 de diciembre, 2013 a las 6:00 p.m.**, o, posteriormente, tan pronto como el asunto se pueda escuchar en la sala del Concejo, en **305 West Third Street, Oxnard, California.**

Además, con la presente se da aviso que el propósito principal de la audiencia pública es la de recibir la aportación del público sobre el tema de necesidades insatisfechas de personas de bajos y muy bajos recursos en cuanto a la vivienda, la indigencia, instalaciones públicas y mejoramiento, servicios públicos y el desarrollo económico en la Ciudad de Oxnard, los cuales actualmente no se están manejando por la Ciudad ni por agencias y organizaciones locales. Podrá haber presentaciones por agencias, organizaciones o individuos locales acerca de proyectos actuales o propuestos para satisfacer esas necesidades. Los temas que se pueden tratar incluyen: vivienda asequible; la indigencia; vivienda transitoria y permanente para los desamparados o aquellos que corren el riesgo de quedar sin hogar; instalaciones públicas; mejoramiento a la infraestructura; servicios públicos; accesibilidad para los discapacitados; desarrollo económico; u otras necesidades de desarrollo comunitario.

Los comentarios sobre estos y otras cuestiones relacionadas se usarán en la preparación del Plan de Acción Anual de la Ciudad de Oxnard, Año Fiscal 2014-2015, como los requiere el Departamento (Ministerio) estadounidense de Vivienda y Desarrollo Urbano (HUD por sus siglas en inglés). Este Plan de Acción Anual es el segundo componente del plan del Plan Consolidado para el año fiscal 2013-2018. HUD exige la presentación de un Plan de Acción Anual antes de liberar los fondos del Programa de Subvenciones en Bloque para el Desarrollo Comunitario (CDBG), la ley de Colaboración en la Inversión HOME, y el Programa de Subvenciones para Soluciones de Emergencias (HESG) para financiar proyectos locales a partir del 1º de julio de 2014.

La Ciudad solicitó y recibió \$2, 185,785 en fondos de CDBG, \$646,077 de HOME y \$150,512 en fondos de HESG para el año fiscal 2013-2014, pero se prevé una reducción en la asignación para las tres subvenciones para el próximo ciclo. Los fondos de CDBG pueden ser utilizados para vivienda asequible, desarrollo económico, instalaciones públicas y su mejoramiento, y servicios públicos, planificación y administración general. Los fondos de HOME pueden ser utilizados para aumentar el suministro de vivienda asequible para las personas de bajos ingresos o para ayudar a familias de bajos ingresos a comprar vivienda. Proyectos elegibles son para la adquisición, construcción nueva, ayuda para el comprador de vivienda por primera vez, rehabilitación de viviendas, y asistencia con la renta basados en inquilinos. Los fondos de HESG pueden ser utilizados para ayuda comunitaria, refugio de emergencia, prevención de indigencia, asistencia rápida de realojamiento y Dirección del Sistema de información de Indigentes (HMIS) y costos administrativos.

Por favor, tenga en cuenta las siguientes fechas importantes para la preparación del Plan de Acción Anual Año Fiscal 2014-2015:

10 de diciembre de 2013: primera audiencia pública relacionada con las evaluaciones de las necesidades para el Plan de Acción Anual Año Fiscal 2014-15 en la Sala del Consejo de la Ciudad.

09 de enero de 2014: Reunión obligatoria previa a la solicitud para todos los solicitantes potenciales se llevará a cabo en la biblioteca principal de Oxnard. Información detallada se publicará en el sitio web según sea necesario.

24 de Enero de 2014: Las solicitudes de financiación de propuestas y proyectos se deben entregar al la Gerencia de Subvenciones.

18 de marzo de 2014: Segunda audiencia pública relacionada con las evaluaciones de las necesidades en la Sala del Concejo de la Ciudad.

06 de mayo de 2014: Tercera audiencia pública relacionada con las recomendaciones de financiamiento para los proyectos de CDBG, HOME y HESG proyectos.

Si planea asistir a esta audiencia, el personal le sugiere que llame a las Oficina de la Secretaría Municipal al (805) 385-7803 el jueves anterior de la audiencia para confirmar que la audiencia no ha cambiado de fecha. Las personas con discapacidad que requieran ayuda especial para participar en la audiencia o quien necesite servicios de intérprete, deben comunicarse con la Oficina de Secretaría por lo menos 72 horas antes de la junta.

Para más información comuníquese con Juliette Dang al (805) 385-7493 o vía correo electrónico juliette.dang@ci.oxnard.ca.us. Comentarios por escrito deben entregarse a:

City of Oxnard Housing Department
Grants Management Division
435 South "D" Street
Oxnard, CA 93030

HUD FORMULA GRANT PROGRAMS
FIVE-YEAR ENTITLEMENT SUMMARY

	2010	2011	2012	2013	2014*
Community Development Block Grant (CDBG)	\$2,961,698	\$2,472,356	\$2,063,138	2,185,785	1,967,206
HOME Investment Partnerships Act (HOME)	\$1,147,134	\$1,012,662	\$667,268	646,077	581,467
Emergency Shelter Grant (ESG)	\$120,297	\$187,486	\$214,100	\$150,512	135,460
Total	\$4,229,129	\$3,672,504	\$2,944,506	\$2,982,374	2,684,133

Note: * Estimated Amounts Only

IDIS Template-Content of the Annual action Plan

Annual Action Plan

Setup

AD-26 Administration

AD-50 Verify Grantee/PJ Information in IDIS

AD-55 Verify Grantee/PJ - Program Contacts

Process

AP-05 Executive Summary

PR-05 Lead & Responsible Agencies

AP-10 Consultation

AP-12 Participation

Annual Action Plan

AP-15 Expected Resources

AP-20 Annual Goals and Objectives

AP-35 Projects

AP-50 Geographic Distribution

AP-55 Affordable Housing

AP-60 Public Housing

AP-65 Homeless and Other Special Needs Activities

AP-75 Barriers to affordable housing

AP-85 Other Actions

AP-90 Program Specific Requirements

CITY OF OXNARD CITIZEN PARTICIPATION PLAN CONSOLIDATED PLAN

Introduction

The U.S. Department of Housing and Urban Development (HUD) required a community receiving funding under Community Planning and Development formula grant programs to submit to HUD a multi-year Consolidated Plan and Annual Action Plan component. The Consolidated Plan is a program and funding implementation plan combined in one document, and states the City's objectives for housing and community planning and development. The formula grant programs include Community Development Block Grant (CDBG), including activities under Section 108, such as guaranteed loan funds, Emergency Shelter Grants (ESG), HOME Investment Partnerships (HOME), and Housing Opportunities for Persons With Aids (HOPWA). In addition, a community must have a Consolidated Plan approved by HUD before receiving funds under a variety of other programs including, but not limited to, the following: the HOPE Public Housing programs; Supportive Housing for the Elderly (Section 202); Single-Room Occupancy Housing (SRO); Shelter Plus Care; John Heinz Neighborhood Development; and, Lead-Based Paint Hazard Reduction.

An important component in the preparation of the Consolidated Plan is a Citizen Participation Plan (CP Plan), which must be adopted by City Council. The CP Plan must assure participation by all citizens will be encouraged including minorities, non-English speaking persons, and persons with mobility, visual, or hearing impairments. The CP Plan is also designed to specifically encourage participation in the development of the Consolidated Plan by low- and very-low income persons, especially in blighted areas, and by persons in areas proposed to receive CDBG funded programs.

The Oxnard CP Plan consists of the following elements:

Public Outreach and Access

- Prior to the adoption of the Consolidated Plan by City Council the following information shall be made available to citizens, public agencies and other interested parties.
 - Amount of funds available for the proposed plan
 - Range of activities that may be undertaken
 - Activities and funds that will benefit person of low- and very-low income
 - Plans to minimize displacement of persons and to assist any persons displaced.
- A summary of the proposed Consolidated Plan shall be published in one or more newspapers of general, local circulation. The summary shall describe the contents and purpose of the plan and include a list of the locations where copies of the entire plan may be examined. At a minimum, copies of the plan shall be available for public review at the Oxnard Public Library and City Clerk's Office.

- The Consolidated Plan and amendments to the plan shall be made available for public comment for a minimum of 30 days prior to submission to HUD.
- The Consolidated Annual Performance and Evaluation Report (CAPER) shall be made available for public comment for a minimum of 15 days prior to submission to HUD.
- Citizens shall be notified of the availability and given a reasonable opportunity to examine the adopted Consolidated Plan, any amendments, and its CAPER.
- The Housing Director shall be notified about housing and community development plan activities relating to the Oxnard Housing Authority development and surrounding communities.
- The City shall provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's Consolidated Plan and the City's use of assistance under the programs covered by the plan during the preceding multi-year or single year planning process.

Public Hearings

- The City shall hold a minimum of two public hearings per program (Fiscal) year. The purpose of the hearings is to obtain public comments, to address housing and community development needs, and to outline the development of proposed activities.

One of these hearings must be held prior to the time that a public notice is published inviting comments on the proposed Consolidated Plan. The purpose of this initial hearing is to obtain the public comments on housing and community development needs, including priority non-housing community development needs. The second hearing shall be held prior to adoption of the Consolidated Plan and/or Annual Action Plan by the City Council.

- The first hearing may be held in facilities in or adjacent to low/moderate income neighborhoods or City Council Chambers. The second hearing presenting the Consolidated Plan shall be held in the City Council Chambers.
- The hearings shall be scheduled at times to ensure the maximum attendance by residents. Persons with disabilities needing special assistance to participate in the meetings shall contact the City Clerk's Office at least 72 hours prior to the meeting to mobility, visual or hearing impairments shall be accommodated. A Spanish language translator shall be provided at each hearing and other translators may be made available upon request.
- Notices of the hearings shall be sent to members of the Inter-Neighborhood Council Committee (INCC) and the presidents of the public housing tenant advisory councils.

Technical Assistance

The City shall provide, upon request, technical assistance to organizations and individuals representative of low- and moderate-income residents wishing to develop proposals for funding assistance under any of the programs covered by the Consolidated Plan. The City shall determine the level and type of assistance consistent with HUD policies and questions.

Comments and Complaints

- The City shall consider any comments or views of citizens received in writing or orally at the public hearings in preparing the final Consolidated Plan, amendment to the Plan, or CAPER.

A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Consolidated Plan, amendment to the Plan, or CAPER.

- The City shall respond in a timely manner, within 15 days where practical, to all written complaints, grievances and requests for information about the Consolidated Plan.
- The City shall amend the Consolidated Plan when there is a substantial change, defined as follows:
 - A change of 25 percent of an annual grant amount; or
 - A change in an activity's address, where activity is defined as any program or project identified in the Annual Action Plan with an allocated dollar amount.

Adoption of the CP Plan

The City shall provide the public with a reasonable opportunity to comment on the original CP Plan and any amendments thereto, and shall make the CP Plan available. The CP Plan will be made available in other formats for persons with disabilities upon request.

Originally adopted by City Council on October 18, 1994. Modifications adopted by City Council on July 25, 2000.



Meeting Date: 12/10/13

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

Prepared By: Anthony Emmert, Water Resources Manager *AE* Agenda Item No. K-1Reviewed By: City Manager *RRB* City Attorney *S.M.F.* Finance *J.C.* Other Public Works**DATE:** November 5, 2013**TO:** City Council**FROM:** Rob Roshanian, Interim Public Works Director *J.R.*
Public Works**SUBJECT:** Groundwater Recovery Enhancement and Treatment (GREAT) Program Report**RECOMMENDATION**

That City Council:

1. Receive a verbal report on the GREAT Program and provide direction to staff regarding next steps.
2. Approve a special budget appropriation (SBA) to reflect current project priorities and establish new accounts for financial management of the various projects in the GREAT Program.

DISCUSSION

On June 25, 2013, staff provided a status report to City Council regarding the GREAT Program, a comprehensive set of projects and programs, that is being implemented by the City of Oxnard to improve the reliability of the City's water supply portfolio, improve blended drinking water quality, and stabilize future water rates.

In 2009, the City completed the Water Campus Desalter, Wellfield No. 2, and Power Building No. 2 Projects, which made it possible for the City to pump and treat poor quality Oxnard Aquifer water, removing dissolved minerals and producing an improved blended water product for delivery to the City's water customers. This project was needed for the use of water credits that would be generated by the GREAT Program.

Currently, the City is completing the first phase of the Recycled Water System, including:

- the Advanced Water Purification Facility (AWPF), which will receive 8 million gallons per day (MGD) of treated wastewater from the City's Oxnard Wastewater Treatment Plant (OWTP), and treat it further to produce 6.25 MGD of purified recycled water product (full advanced treatment);
- the Ventura Road backbone recycled water distribution system, to deliver recycled water product to in-City recycled water customers; and

Groundwater Recovery Enhancement and Treatment (GREAT) Program Report

November 5, 2013

Page 2

- the first phase of a Hueneme Road backbone recycled water distribution system, to deliver recycled water product to agricultural customers to the east of the City, and to the future Rose Avenue Backbone pipeline.

Late this year, the Combined Effluent Sampling Facility will be completed, in order to meet new State requirements for obtaining accurate samples prior to discharge of the blended AWPf membrane concentrate with the secondary treated wastewater from the OWTP to the Pacific Ocean. This group of projects is partially funded by a \$20 million U.S. Bureau of Reclamation (USBR) Title XVI grant. The balance of the funding for this group of projects is the 2010 Water Revenue Bonds funds and development impact fees.

The California Department of Public Health (CDPH) has granted preliminary approvals for each of the recycled water use sites along the Ventura Road Backbone pipeline. In late 2014, conversion of the first group of recycled water use sites will be completed, and upon CDPH granting final approvals, they will be connected to the recycled water system.

Due to favorable construction prices, the City has been able to construct more pipelines than initially expected with the Title XVI grant plus the 2010 Water Revenue Bonds funds. City staff is currently working with the USBR staff to wrap-up the grant reporting and billing within the next few months.

In order to reflect the current statuses and budgets of the various capital projects due to be completed over the next few months, a reconciliation SBA is needed (Attachment No. 1). The SBA will not result in a net increase to the overall GREAT Program budget.

FINANCIAL IMPACT

The attached SBA realigns the GREAT Program funding to reflect the current projects' statuses and facilitate grant close-out, with no net increase in funding to the overall Program.

Attachment #1 - Special Budget Appropriation

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: Public Works - Water
Project/Program
Manager: Daniel Rydberg

Date: November 19, 2013
Phone: 8055

Reason for Appropriation:

Realign capital budgets to reflect current priorities.

Accounts and Descriptions

AMOUNT

Fund: WATER RESOURCE DEVELOPMENT FEE (603)

Expenditures/Transfers Out

Backbone Hueneme Pipeline 2- 106002

603-6556-821.86-06 CAPITAL OUTLAY / MACHINERY & EQUIPMENT NEW (963,367)

Ventura Rd Utility Impr. - 106503

603-6555-821.82-01 CONTRACTS AND SERVICES / SVSC ARCHITECT/ENGINEER (8,922)

Backbone P1 - Hueneme Pipeline- 126002

603-6556-821.86-06 CAPITAL OUTLAY / MACHINERY & EQUIPMENT NEW 1,258,703

Sub-total Expenditures 286,414

Net Change to Fund Balance (286,414)

Fund: WATER BONDS (609)

Expenditures/Transfers Out

Recycled Backbone - 096002

609-6556-821.82-01 CONTRACTS AND SERVICES / SVSC ARCHITECT/ENGINE (33,898)

Backbone Hueneme Pipeline 2- 106002

609-6556-821.82-01 CONTRACTS AND SERVICES / SVSC ARCHITECT/ENGINE 800,000

Ventura Rd Utility Impr. - 106503

609-6555-821.86-10 CAPITAL OUTLAY / CONSTRUCTION OTHER (101,330)

Recycled Water Retrofit - 116503

609-6551-821.86-10 CAPITAL OUTLAY / CONSTRUCTION OTHER 301,330

Great ASR Well- 116505

609-6551-821.86-10 CAPITAL OUTLAY / CONSTRUCTION OTHER 33,898

Backbone P1 - Hueneme Pipeline- 126002

609-6556-821.86-06 CAPITAL OUTLAY / MACHINERY & EQUIPMENT NEW (500,000)

AWPFSampling- 126502

609-6551-821.86-10 CAPITAL OUTLAY / CONSTRUCTION OTHER (500,000)

Sub-total Expenditures 0

Net Change to Fund Balance 0

SBA# (Finance Use Only) _____

BA Doc# (Finance Use Only) _____

Revised : 2/23/2012

REQUIRES CITY COUNCIL AUTHORIZATION

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: Public Works - Water
Project/Program
Manager: Daniel Rydberg

Date: November 19, 2013
Phone: 8055

Fund: **WASTEWATER COLLECTION FUND (611)**

Expenditures/Transfers Out

Ventura Rd Utility Impr. - 106503

611-6555-821.86-10 CAPITAL OUTLAY / CONSTRUCTION OTHER (286,414)

Sub-total Expenditures (286,414)

Net Change to Fund Balance 286,414

Net Appropriation Change 0

Approvals

Department Director

Chief Financial Officer

City Manager





REQUIRES CITY COUNCIL AUTHORIZATION

SBA# (Finance Use Only) _____
BA Doc# (Finance Use Only) _____
Revised : 2/23/2012

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

Prepared By: Chris Williamson, AICP, Principal Planner *CW*Agenda Item No. *K-2*Reviewed By: City Manager *JEG*City Attorney *SMF*Finance *JC*

Other (Specify) _____

DATE: November 6, 2013

TO: City Council

FROM: *for* Matthew Winegar, Director
Development Services*Chris Williamson*

SUBJECT: Review of Northeast Community Specific Plan (NECSP) Environmental Impact Report (EIR) Fire Station Mitigation

RECOMMENDATION

That City Council receive and file a report reviewing the sequence of California Environmental Quality Act (CEQA) documents and actions related to NECSP EIR mitigation measure PS-1, construction of a fire station.

DISCUSSION

This report reviews the background and sequence of CEQA documents and findings related to NECSP EIR mitigation measure PS-1: "A fire station in the vicinity of Rice Road and Highway 101 shall be constructed before 50 % of the Specific Plan is implemented;" and how this mitigation measure was modified over time by the Planning Commission and City Council in compliance with CEQA.

Oxnard 2020 General Plan. The 2020 General Plan, Growth Management Element, required the preparation and adoption of specific plans for three major undeveloped areas before development would be permitted: Teal Club, Northeast Community, and Ormond Beach (Attachment 1). The Public Facilities Element (Chapter VII) stated that fire stations would be required in the following general areas: Sakioka Specific Plan Area, Ormond Beach Specific Plan Area, and Gonzales Road and Rice Avenue (Attachment 2).

NECSP. The 856-acre NECSP was adopted in February, 1994. It provided for 3,411 residential units, 21 acres of commercial uses, 72.2 acres for recreation and open space, four schools on 62 acres, and 35.5 acres of business and research park use. A fire station was not included in the NECSP. The NECSP states "A future fire station which would serve the NIAD [Northeast Industrial Area] and NECSP areas is proposed at Rice Avenue and Gonzales Road" (Attachment 3). In compliance with CEQA, an EIR was prepared for the NECSP and certified in tandem with the NECSP adoption. EIR chapter 5, Public Services and Utilities, included mitigation measure PS-1, listed above (Attachment 4). The NECSP EIR did not include detailed documentation in support of the fire station mitigation requirement.

NECSP Amendments: Beginning in 1998, six NECSP amendments were approved by the City Council. In the Daily Ranch (third) Amendment, the PS-1 fire station mitigation was removed as a required mitigation for continuing NECSP development. CEQA allows for supplemental EIR's under State CEQA Guidelines sections 15162 and 15163 that investigate proposed changes to the project and also changed circumstances since adoption of the parent EIR that could lead to removing and/or substituting mitigations that have similar results and meet the rational nexus and rough proportionality requirements.

The six NECSP amendments are listed below:

1. Lombard-Levy Modification (November 1998), amended the southeast portion of the NECSP to add 148 units of affordable housing. The SEIR prepared for the amendment was limited in scope and did not revisit Public Services, therefore there was no change to the PS-1 mitigation (Attachment 5).
2. Shea Homes/JM Developers (March 2001), removed a small greenbelt area. No EIR was prepared for this small amendment.
3. Daily Ranch (September 2001), modified several land use designations. A Supplemental EIR (SEIR) was prepared that examined Oxnard Fire Department (OFD) staffing, facilities, standards, and response times. The SEIR noted that the OFD was in the process of developing a Fire Services Master Plan (adopted in 2005) that included a new station in the vicinity of Rice Avenue and the 101 Freeway, and that the OFD had adopted seven strict fire prevention guidelines on new buildings to decrease the damage and danger by a fire before emergency crews respond. Based on this information, NECSP EIR mitigation PS-1 was no longer considered necessary by the City (Attachment 6). The Final SEIR responses to a comment letter regarding the fire station relied on the development of the OFD master plan (Attachment 7). The August 16, 2001 Planning Division staff report to the Planning Commission stated on page 5 that the "SEIR examines fire services available for this project and concludes that, while not ideal, a new fire station is not required to provide the project with adequate fire services and will not have a significant adverse impact on the surrounding area. Therefore, mitigation measure PS1 should not be applied to this project" (Attachment 8).
4. John Laing Homes (September, 2003), allowed the addition of 71 homes on the Pfeiffer property and established the Oxnard Historic Farm Park for the Gottfried Maulhardt/Albert Pfeiler homestead. The EIR for this project noted that the fire station requirement had been removed in the Daily Ranch SEIR (Attachment 9).
5. Gables Apartments (November 2004), this project, later built as the Artisan Apartments, changed the 15-acre site near St. John's Regional Medical Center from Business Research Park to Medium Density Residential. The EIR for this project noted that the fire station requirement had been removed in the Daily Ranch SEIR (Attachment 10).
6. Rose Ranch Commercial Center (January, 2009), changed the land use designation of the vacant southwest corner of Gonzales Road and Rose Avenue from residential to General Commercial. The EIR for this project noted that the fire station requirement had been removed in the Daily Ranch SEIR (Attachment 11).

The East Village Phase III Annexation EIR, although not technically for a project that amended the NECSP, was approved on May 14, 2013 and also noted that the fire station requirement had been removed in the Daily Ranch SEIR (Attachment 11).

Finally, the Sakioka Farms Business Park Specific Plan (SFSP), adopted in June, 2012, reserves 1.5 acres for a fire station just east of Rice Avenue along what will be the eastward extension of Gonzales Road (Attachment 13). The applicant does not propose to dedicate the fire station site nor contribute funding other than payment of capital facilities impact fees. The OFD determined that fire protection is adequate for up to 1.7 million square feet of new development within the SFSP before a fully operational station is needed at the proposed location for the nature and number of expected fire service calls in industrial parks. Planned preemption of traffic signals from existing stations (including the approved College Park station) and extensive use of fire detection and suppression technology required in new buildings also factor into the OFD's decision. While the OFD would prefer the proposed fire station be completed earlier, the lack of funding requires the City to accumulate capital facility impact fees from the first 20 percent of SFSP development. It remains the City's position that if a development agreement is requested, Sakioka Farms should dedicate the fire station site and enable completion and operation of the new fire station as early as possible.

In summary, the NECSP fire station was not a part of the 1994 NECSP itself, but was a mitigation measure in the NECSP EIR. CEQA allows for subsequent environmental reviews to revisit mitigations with new information and circumstances. The OFD provided new information as part of the Daily Ranch SEIR that led to the removal of the fire station mitigation requirement. The Daily Ranch and three subsequent NECSP amendment EIRs were properly circulated for public review and certified by the Planning Commission and/or City Council. With adoption of the SFSP in 2012, the "NECSP EIR" fire station is required by completion of 20 percent of the SFSP project.

Financial Impact

None.

CW

- Attachment #1 - 2020 General Plan, pg IV-21
#2 - 2020 General Plan, pg VII-16
#3 - NECSP, pg. 6-3
#4 - NECSP EIR, pg. 5-197
#5 - Lombard/Levy Supplemental EIR, pg. 1-8
#6 - Daily Ranch SEIR, pgs. 5.5-12 to 5.5-20 "Fire Protection"
#7 - Daily Ranch Final SEIR, pgs. 2.0-16, 2.0-25 to 2.0-28
#8 - Daily Ranch Planning Commission Staff Report (no attachments)
#9 - John Laing SEIR, pg. PSU-5
#10- Gables at East Village SEIR, pg. 4.9-4 to 4.9-5
#11- Rose Ranch SEIR, pg. 4.8-5 to 4.8-7
#12- East Village Phase III Annexation EIR, pg. IV.E-8
#13- Sakioka Farms Specific Plan, pg. 123

income units and/or fifteen percent or greater low income units shall be exempt from residential development targets.

b. *Residential In-Fill and Specific Plan Projects*

Numerous vacant parcels exist within areas of the City that are adequately served by public utilities and services. Development of these areas would result in a more continuous and compact City form and would reduce the need to expand current services. Accordingly, it is City policy to encourage development of these parcels prior to committing City resources to undeveloped areas.

Several major undeveloped areas in the City of Oxnard are subject to the preparation and adoption of specific plans before development is permitted. These residential Specific Plan Areas are:

- Teal Club Road
- Northeast Community
- Ormond Beach

The specific plans for these areas (and any other areas designated in the future as Specific Plan Areas by the City Council) will provide further detail on the implementation of the goals and policies of the 2020 General Plan. In addition to other requirements, each specific plan shall incorporate a phasing program for provision of infrastructure and community facilities and a schedule of development for the areas subject to the specific plan that shall address phasing of all types of land uses within the Specific Plan Area.

Accordingly, in order to control the timing of residential development, the following phasing priorities are established for the development areas of the 2020 General Plan.

Phase 1: First priority for development is assigned to those areas necessary to “round out” or “fill in” the boundaries of existing partially developed neighborhoods and infill properties and for which public services are already present or can be readily provided at the expense of the developer.

Phase 2: Second priority is assigned to Specific Plan Areas for which the infrastructure has been or will be planned on a master plan or assessment district basis. Development should not be permitted in these areas until building permits have been issued for 75 percent of the units in Phase 1 areas and Phase 1 areas have achieved a Level of Service on affected roadways as called for in the Circulation Element. Utilities and services are to be planned to accommodate a logical, sequential and orderly pattern of development. The development of Phase 2 areas will be concurrent with the construction of improvements required to support the designated Level of Service at those intersections impacted by the development.

2. Future Needs

In order to meet the projected growth, relocated or new fire stations would be required in the following general areas:

- Sakioka Specific Plan Area
- Ormond Beach Specific Plan Area
- Gonzales and Rice

Additional fire engines, ladder trucks, and specialized equipment, such as hazardous materials response and heavy rescue units, would be required for any new fire stations.

K. Public Libraries

1. Existing Conditions

The City of Oxnard is currently served by the Central Library located in the Civic Center in the Central Business District and by a branch library located in the South Oxnard Center. The present Central Library is inadequate to serve existing needs; a new Central Library is under construction within the Civic Center complex.

2. Future Needs

With the construction of the new Central Library, this facility will be sufficient to meet future needs. Additional branch libraries are identified in the Northwest Community and Northeast Community Specific Plan areas.

L. Community Centers

1. Existing Conditions

The City of Oxnard maintains three community centers that provide a range of social and recreational services to the surrounding communities. The following is a description of these facilities:

- Oxnard Community Center/Performing Arts Center (PAC) Complex: Activities at the Oxnard Community Center/Performing Arts Center (PAC) concentrate on fulfilling recreational needs for the greater Oxnard community. The Oxnard Community Center contains a large auditorium (PAC) as well as a variety of meeting rooms that are available to various community groups. Social services such as day care and youth programs are also provided at this facility. The City maintains recreation staff at the facility to coordinate the City's recreation and cultural programs. A large community park surrounds the complex.
- Colonia Multi-Service Center: The Colonia Multi-Service Center provides a range of recreational and social services from a facility located adjacent to the Del Sol Community

6.3 Public Safety

1. Fire Protection: The Northeast Community is currently served by the Oxnard Fire Department. The development of the Northeast Community will require additional staffing and fire fighting equipment. A fire station currently exists at the intersection of Camino del Sol and Camino de la Raza. A future station which would serve the NIAD and NECSP areas is proposed at Rice Avenue and Gonzales Road.
2. Police: The Northeast Community is currently served by the City of Oxnard Police Department. The development of the Northeast Community will require additional staffing and equipment. The possibility exists for potential expansion of the City's community policing program by establishing storefront police stations and neighborhood council offices in the neighborhood centers or shopping centers.

6.4 Solid Waste Collection

The City of Oxnard provides solids waste collection services. The solid waste is taken to the Bailard Landfill for disposal (1995). The City is currently working cooperatively with the Ventura Regional Sanitation District, the Ventura County Waste Commission and other Ventura County cities in establishing regional recycling and programs.

EXHIBIT A

Northeast Specific Plan
Mitigation Requirements

5.12 Public Services and Utilities

MITIGATION MEASURES

Fire

- PS1. A fire station in the vicinity of Rice Road and Highway 101 shall be constructed before 50% of the Specific Plan is implemented.
- PS2. Two more fire inspectors shall be added to the Oxnard Fire Department prior to 50% of project completion.
- PS3. All new construction shall be equipped with fire sprinklers.
- PS4. All development plans shall be subject to Fire Department review for emergency access, adequate fire flow, provision of hydrants and fire detection and alarm equipment.
- PS5. The Oxnard City Council should consider adopting an ordinance to facilitate the collection of a fire protection development fee. This fee could be used to help fund additional firefighters and equipment.

Police

- PS6. Future construction shall comply with all recommendations of the Oxnard Police Department relative to building security design (doors, locks, access, visibility) prior to approval of final plans.
- PS7. The Oxnard Police Department shall be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development.

Sewer

- PS8. Detailed sewer system calculations and plans shall be provided for each project within the Specific Plan area. The design and sizing of all proposed sewer improvements shall meet the needs of the ultimate Specific Plan build-out as well as the interim requirements of the proposed project.

estimated by the schools, the schools agreed to accept the school fees provided by the School Agreement in lieu of any other mitigation measures. The Lombard/Levy Development would contribute to the significant and unavoidable impact to schools associated with buildout under the Specific Plan, although it should be noted that the proposed project includes an elementary school site that would accommodate students directly generated by the project. Because the impact to schools is not substantially different than that identified in the 1993 Program EIR, further analysis is not warranted.

1.3.8 Public Services and Utilities

The 1993 Program EIR for development of the Specific Plan area evaluated buildout impacts to fire protection and police services, electricity and natural gas infrastructure, telephone utilities, water supply, sewer and storm drain infrastructure, and solid waste service. The proposed project has the potential to result in impacts to sewer and storm drain infrastructure beyond those of the approved land uses; therefore, impacts to wastewater and storm drain infrastructures are assessed in this Supplemental EIR. However, the additional development as proposed was determined not to create substantially greater impacts on the remaining public services and utilities. Implementation of mitigation measures contained in the 1993 Program EIR directed at reducing impacts to fire, police, and solid waste services would mitigate project-related impacts to less than significant levels. Further analysis of public services and utilities is not warranted. Nevertheless, in a comment letter on the Draft EIR, the Ventura County Solid Waste Management Department suggested several additional mitigation measures to reduce impacts to solid waste disposal facilities. These have been added to the EIR and are as follows:

Added in response to Comment Letter 5

- SW-1 Project applicants shall submit recycling plans to the City to provide information on how waste generated during construction is to be diverted from landfills.
- SW-2 Project applicants shall provide for the collection and recycling of materials (i.e., concrete, wood, metal, etc.) generated from the construction and ultimate occupancy of the proposed project to the extent feasible.
- SW-3 Recycling or reduction of green waste collected from the proposed project shall occur through xeriscaping, mulching, and/or small-scale composting activities.
- SW-4 Arrangements shall be made with a local trash/recyclables hauling company for materials collection or the applicants shall arrange for self-hauling to an authorized facility that accepts recyclable material.

1.4 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* require EIRs to identify "lead," "responsible" and "trustee" agencies. The City of Oxnard is the lead agency for the project because it has principal responsibility for approving the project. Discretionary approval of the project is vested with the City Council and Planning Commission.

A "responsible agency" refers to public agencies other than the "lead agency" that have discretionary approval over the project. Because the Ventura County Local Agency Formation

INTRODUCTION

This section describes the City's existing fire protection services and the potential impacts to these services with ultimate development of the Daily Ranch project. Sources used in the preparation of this section include: the City of Oxnard 2020 General Plan (November 1990), the City of Oxnard General Plan Final EIR (June 1990), the Northeast Community Specific Plan EIR, and personal communication with City of Oxnard Fire Department officials.

EXISTING CONDITIONS

Staffing and Facilities

Fire protection services are provided in the City by the Oxnard Fire Department. The Fire Department also responds to chemical spills, injuries, and vehicle accidents, and is responsible for managing the City's records pertaining to hazardous materials Risk Management and Prevention programs. The City maintains a total of six fire stations. Each is staffed by three fire fighters at all times. The location of these stations relative to the project area is depicted in Figure 7. Each fire station contains a fire engine and over 200 pieces of equipment including breathing apparatus, emergency medical supplies, tools, and fire-proof clothing. The Fire Department also keeps and maintains reserve equipment.

Standards and Response Times

The City of Oxnard Fire Department's goal in response to a call for service is to have a fire unit on the scene in four minutes for all developed areas in the City. A quick response time is critical for the prevention of property damage and loss of life. As the number of calls increase, the response times also increase, resulting in increased loss of life and property.

The City is divided into 6 overlapping response beats. As shown in Figure 7, Each station has a primary service area in which they respond to calls. Each station also has a secondary and tertiary area. This assures complete coverage in the event that the engine company with primary response is out on a call. In this event, the designated secondary and tertiary stations would respond to a call for service. In addition, secondary response units are dispatched to any structure fire along with the primary response unit.

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Several fire stations respond to calls from the project area dependent upon the type and severity of the call. This is a requirement of the Insurance Service Office Class 2 fire rating. For a medical emergency, the primary response unit for the study area is Station 5, located approximately 0.5 miles southeast of the site.¹ Response time from Station 5 to the project site would normally be four to four and a half minutes or less. The project is located in the secondary response area of Station 1. This station is located approximately 1.0 miles north of the project site. Response time from Station 1 to the project site would normally be five minutes to six minutes.

The first station to respond is dependent upon a number of factors including availability, quickest to the scene, etc. Once the situation has been assessed, the first crew at the scene contacts the station and identifies the need, or lack thereof, for additional assistance. In this manner, the Department assures that staff is available to respond to calls for assistance throughout the City on an as needed basis.

Emergency Assistance

The City of Oxnard Fire Department has mutual aid agreements with Ventura County, the City of Ventura, Port Hueneme Naval Construction Battalion, and Point Mugu Naval Air Station.

Existing Fire Flows

It is the City of Oxnard's policy not to permit new construction unless there is adequate water supply and pressure to serve the project. Recent expansions of the City's water distribution system include additional water pressure separation vaults to ensure that enough water can be delivered at adequate pressure and fire flow levels as new customers are added to the system. These expanded facilities are capable of delivering approximately 106 cubic feet per second (roughly 68 million gallons per day), and meet fire flow levels required by the State of California.

Plans and Policies for Fire Fighting

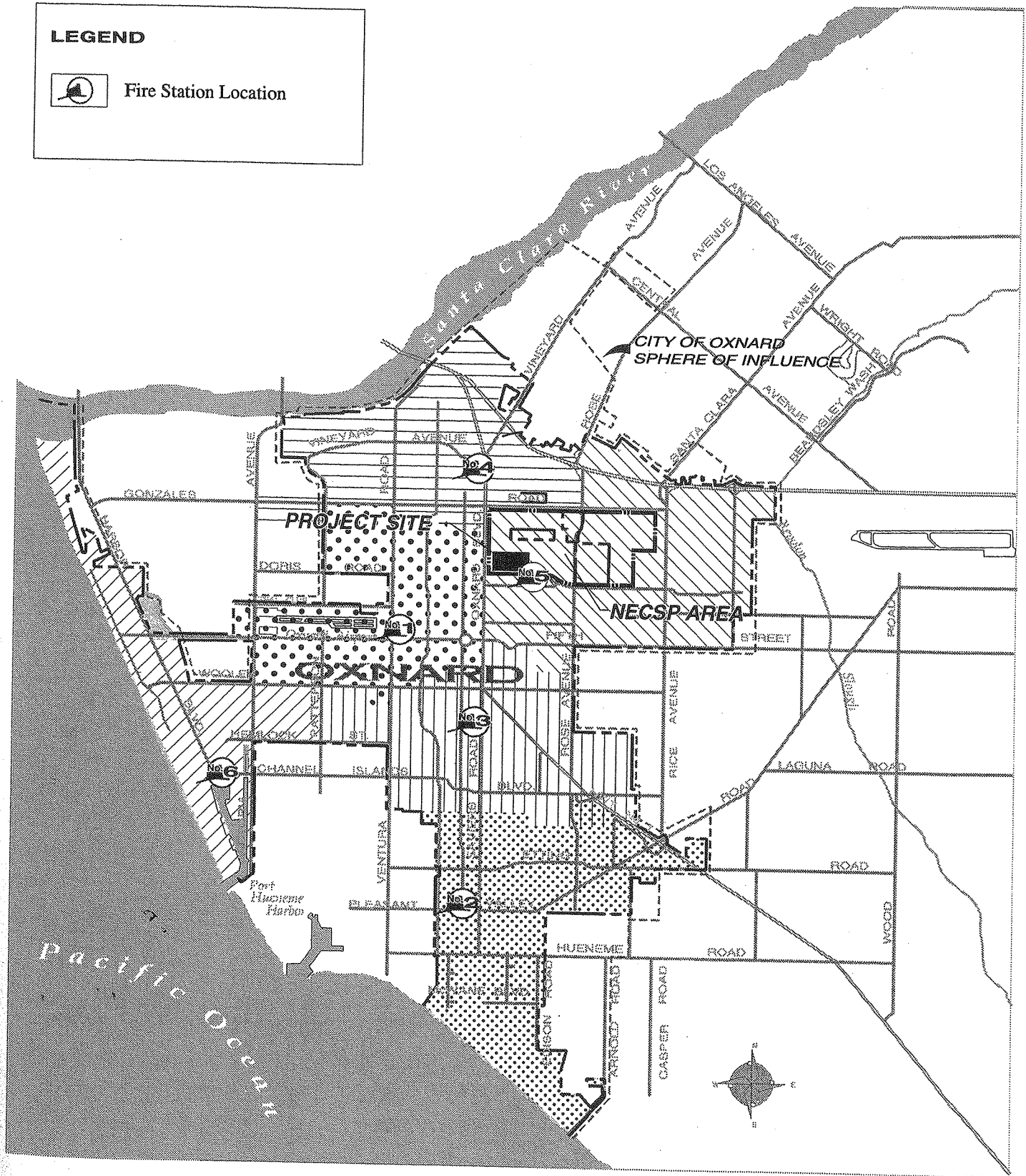
According to the City of Oxnard Fire Department, no department plan exists at the current time for staff or facility expansion, other than that listed in the City of Oxnard 2020 *General Plan* (November, 1990), discussed later in this section. The Fire Department is in the process of developing a Fire Services Master Plan, to be completed in August 2001, that would determine the facilities and personnel needs of the Fire Department. Specifically, the study will address the number and locations of existing and

¹ City of Oxnard Fire Station Response Area Maps, Oxnard Fire Department, March 2001.

LEGEND



Fire Station Location



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PAGE 3 OF 9 FIGURE 7

future fire stations, staffing issues, and fire service response time with respect to the goal for response time.² The Fire Department has established a computer database that organizes, records, and assigns fire department operations.

The City has adopted strict fire prevention regulations on new buildings to decrease the damage and danger incurred by a fire before the emergency crews can respond. The following routine measures are required for all new development projects:

1. Implement the City of Oxnard Fire Department fire prevention recommendations through project design. Include the Oxnard Fire Department in the plan check process for new tenant improvements so the department can recommend and inspect specific tenant improvements prior to the opening of business. This increases the level of fire prevention and allows for the fire department to better plan for calls that may be generated.
2. All roof materials provided on the project site shall be of non-combustible material.
3. All new structures are required to contain automatic fire sprinkler systems. The fire safety devices provided within the project buildings shall be designed by a California Life Safety Specialist who is approved by the City of Oxnard.
4. All fire protection and alarm systems shall be maintained in accordance with Fire Department guidelines by licensed, certified, or otherwise qualified personnel. Maintenance records shall be kept on-site.
5. Exterior building glass shall be protected by using the newly available coatings designed to eliminate glass shards in the event of seismic activity, heat, or Fire Department operations.
6. The project shall comply with all State of California fire requirements.
7. Addresses for each tenant shall be clearly identified on the front and rear of all buildings.

2020 General Plan Policies

The Safety Element of the 2020 *General Plan* lists policies which seek to provide effective and efficient fire protection services. The City will implement those policies by: 1) monitoring the need for personnel and requiring all large developments to prepare a fiscal analysis of fire personnel and equipment needs in conjunction with the Capital Facilities Improvement Evaluation (CFIE) process; 2) incorporating development standards for fire prevention and access for fire fighting personnel and equipment; 3) considering a Fire Prevention Mitigation Fee to provide a continued adequate level of service; 4) prohibiting new development in any areas not served by sufficient water pressure to meet current standards; and, 5) publicizing the fire services throughout the education system.

² Waller, Tom, Fire Marshall, City of Oxnard Fire Department. Communication with Impact Sciences. May 22, 2001.

A stated objective of the Public Facilities Element is to provide adequate fire facilities through implementation of specific policies relating to development. Policies relating to the provision of adequate fire protection services suggest that in order to maintain a four-minute response time for fire department emergencies, the City shall provide either relocated or new fire stations, and the City shall consider establishing new substations as shown on the Public Facilities Map. The specific timing and staffing of such stations shall be incorporated into the City's Five-Year Development Plan.

Northeast Community Specific Plan Policies

At the time the EIR for the NECSP was prepared, the Fire Department recommended a mitigation measure that requires an additional fire station be built in the vicinity of Rice Road and the Ventura Freeway and the addition of two additional fire inspectors before 50 percent of the Specific Plan was implemented to ensure that adequate response times could be maintained throughout the NECSP Area. As discussed above, the Fire Department is in the process of developing a Fire Services Master Plan that would determine the facilities and personnel needed by the Fire Department to serve new growth on a citywide basis. Currently, the owner of the property on which the new fire station near Rice Avenue is planned has begun preliminary planning, and the City is coordinating the size and location of a fire station to be on this property. As the City is currently beginning planning for the new fire station near Rice Avenue and the fire services master plan is under preparation, the mitigation measure from the NECSP EIR calling for the station to be built before 50 percent of the Specific Plan is implemented is no longer considered to be necessary by the City.

A new station in the vicinity of Rice Road and the Ventura Freeway would primarily serve development in the East Village portion of the NECSP Area. The project site is located closer to the existing Fire Station 5 than the proposed fire station. While the response areas of the new fire station will not be determined until the proposed station is completed, the proximity of the project site to Station 5 suggests that the project site would be located in the primary response area of Station 5 for the long term.

IMPACT ANALYSIS

Thresholds Of Significance

The *CEQA Guidelines* do not specify criteria for determining a significance threshold for fire protection services. Therefore, for the purposes of this analysis, ultimate development of the project would be considered significant if impacts to fire protection services would result in:

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- a potential for inadequate staffing of fire stations;
- a substantial decline in response times to handle calls for services;
- special fire protection problems associated with the proposed project or general area; and/or,
- substantial interference with an evacuation plan.

Construction Impacts

A large amount of wood framing would occur on the project site during its buildout. In association with the framing operations, electrical, plumbing, communications, and ventilation systems would be installed in each structure. Although rare, fires do occur at construction sites, and it is expected that the electrical, plumbing, and mechanical systems for the development would be properly installed during framing operations (they would be subject to City codes and inspection by City personnel prior to drywalling). In addition, construction sites would also be subject to City requirements relative to water availability and accessibility to fire fighting equipment. Therefore, adherence to City codes and requirements during construction would reduce the potential for fire hazards at the project site during construction to below the threshold of significance.

In addition, construction of the project would increase traffic both on and adjacent to the project site during working hours because commuting construction workers, trucks, and other large construction vehicles would be added to normal traffic periodically during the buildout of the project. Slow-moving, construction-related traffic on local adjacent roadways may temporarily reduce optimal traffic flows on local roadways and could conceivably delay emergency vehicles traveling through the area. This potential is considered small given the periodic and short term nature of any construction related traffic and no significant impacts are expected with the use of flagmen and other standard construction practices.

Operational Impacts

At buildout of the project, a total of up to 373 dwelling units, with some potential commercial uses, would be developed. This development would require emergency fire protection and medical services. The City of Oxnard Fire Department will be responsible for fire protection and emergency medical service to the project area. It is anticipated that demands for fire protection service will increase above current levels upon buildout of the project, as a total of up to 1,347 persons could be introduced into this area upon buildout. Calls for service are expected to be those typical of commercial and residential uses. Such calls include kitchen/house fires, garbage bin fires, car fires, electrical fires, emergency

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medical, etc. All such fires and medical emergencies can be adequately addressed with the types of equipment typically found at City fire stations.

Response Times

The site is located within an existing service area and the Department estimates the primary response time to the project at four to four-and-a-half minutes for primary response and five to six minutes for secondary response. The response times are at or above the Department's goal in response to a primary call for service.³ The Fire Department indicates their ability to provide emergency fire suppression and medical service to the project area without adverse impact to their existing service obligations. Thus, no significant impact upon response times in the City are expected.

Emergency Plans and Evacuation Routes

With regard to emergency plans and evacuation routes, the proposed project would be required to comply with all City standards and policies contained in the City's Safety Element of the 2020 *General Plan* and appropriate sections of the City's Zoning Code. These standards are enforced during the review of the project tract map at the subdivision stage of the development process. Furthermore, development of the project would not adversely hinder the performance of evacuation routes in the area because any significant impacts to the local circulation network would be mitigated to maintain an acceptable level of service. Please refer to **Section 5.2, Traffic and Circulation**, for a discussion of traffic impacts and mitigation. Thus, no significant impacts to emergency plans or evacuation routes are expected.

Unusual Number or Unique Calls for Service

None of the uses allowed within the project are considered to be unusual in nature or to have the potential to generate an unusual number or type of calls for service. The proposed project will comply to comply with all applicable Fire Department codes and regulations for residential and related developments. The project would, therefore, not generate service calls that are "out of the ordinary." Rather, service calls from the proposed project would be similar to those from other residential and recreational uses within the City of Oxnard.

³ Waller, Tom, Fire Marshall, City of Oxnard Fire Department. Communication with Paul Huckabee, City of Oxnard. May 7, 2001.

Cumulative Impacts

Buildout of the NECSP and other uses allowed by the 2020 General Plan would result in an increase in housing and population that will increase the demand for fire protection and emergency services throughout the City. The fire department has maintained a very respectable Class II fire rating by conducting a pro-active approach to fire fighting. For example, the department requires that all new structures contain sprinkler systems which substantially reduce the intensity and duration of a fire, and the Fire Department is currently preparing a Fire Services Master Plan. The maintenance of the various programs, which the department employs to achieve this rating, would ensure the continued ability of the Department to meet the cumulative demand for fire protection service.

MITIGATION MEASURES

The City of Oxnard Fire Department has prepared a *Fire Protection Planning Guide* to provide a compilation of general development requirements which involve fire prevention and protection measures. All development within the City must comply with the requirements in this guide. All development is also subject to a detailed review by Fire Department staff to ensure compliance with the requirements. Measures in the *Fire Protection Planning Guide* address development guidelines for various projects within the City and are meant as a guide for the design of projects. Specific measures for the project would be identified during its design.

5.5.2-1 During construction, all fire hydrants, permanent all-weather surface roadways, curbs and gutters, shall be in place prior to combustible framing. All combustible framing shall be kept within 150 feet of an acceptable access road serviced with active fire hydrants.

5.5.2-2 The Oxnard Fire Department shall be alerted to all temporary road closures or construction-related traffic restrictions to ensure that emergency vehicle access is not constrained in any way by construction activities.

The Northeast Specific Plan Mitigation Monitoring Program also contains additional mitigation measures that apply to the project:

5.5.2-3 All new construction shall be equipped with fire sprinklers.

5.5.2-4 The Fire Department shall review all development plans.

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UNAVOIDABLE SIGNIFICANT IMPACTS

Buildout of the project would not result in unavoidable significant fire protection impacts. Funding for Fire Department staffing and facilities comes from the City's General Fund, and is allocated to the Department through the City's budget process.

JERRY DAVIS

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RECEIVED

JUL 18 2001

PLANNING DIVISION
CITY OF OXNARD

July 16, 2001

Mr. Paul Huckabee
Associate Planner
City of Oxnard Planning & Environmental Services Program
305 West Third Street
Oxnard, CA 93030

Re: Planning and Zoning Permits 00-5-94, 00-5-95, 00-5-135, and 00-5-136 (Daley Ranch)

Dear Mr. Huckabee:

Please consider this letter as public comment regarding the above entitled project.

The proposed supplemental EIR for the Daley Ranch project fails to adequately address the conflict between the project and the public safety mitigation requirements applicable to construction within the Northeast Specific Plan area. The project requires an additional condition to address this deficiency.

NORTHEAST SPECIFIC PLAN REQUIREMENTS:

The Northeast Specific Plan EIR contains a mitigation measure (measure PS1) that reads as follows: "A fire station in the vicinity of Rice Road and Highway 101 shall be constructed before 50% of the Specific Plan is implemented."¹ Barring any unforeseen event, completion of the Daley Ranch project will occur after 50% of the Specific Plan has been implemented. The proponent argues that certain actions by the city have removed the necessity for this mitigation measure. I disagree.

THE CITY'S ACTIONS:

The proponent relies on an informal representation that the city no longer believes the fire station requirement to be necessary. The city has available to it, through the amendment process, the ability to remove the fire station requirement from the Northeast Specific Plan EIR. It has not chosen to do so. Moreover, even absent the requirement, the Commission would still be obligated to consider the issue of cumulative impact.

The proponent gives weight to the argument that the city has begun initial discussions on the siting of a station. However, those familiar with the recent history of a number of city projects are aware that there is frequently little consanguinity between negotiations over a project and the actual completion of a project. Or to put it more simply, talking about building a fire station is not building a fire station, building a fire station is building a fire station.

Moreover, there is no funding in the city's 2001-2003 budget for either construction or staffing of a new station.

¹ See attachment

Letter from Mr. Jerry Davis, dated July 16, 2001

Response 1

The NECSP EIR contains Mitigation Measure PS1, which has been addressed in Section 5.5.2, Fire Protection, of the Draft SEIR. This mitigation measure was adopted more than seven years ago during approval of the NECSP. It is possible that more than 50 percent of the NECSP would be implemented prior to the construction of the proposed project. The Draft SEIR provides updated information and analysis with regard to fire services. For example, as discussed in the Draft SEIR, the Fire Department is currently preparing a Fire Services Master Plan to ensure the adequacy of fire protection services throughout the City. In addition, the City is currently working with a property owner to coordinate the size and location of a new fire station on a property near Rice Avenue. The Fire Department has also reviewed this project and stated that this project as proposed will not have a significant impact on fire services. The Fire Department also indicated that the cumulative impact of development in the City on fire protection services needs to be addressed. The Fire Services Master plan currently under preparation will address cumulative impacts.

With regard to Mr. Davis' mention of "the proponent," please note that the Draft SEIR was prepared by the City of Oxnard with assistance from its consultants. The Fire Department was consulted during the preparation of the Draft SEIR. The purpose of this SEIR is to present an update to the environmental analysis in the original NECSP EIR.

Response 2

Cumulative impacts have been addressed in Section 5.5.2, Fire Protection, of the Draft SEIR. As mentioned, the Fire Department is currently preparing a Fire Services Master Plan. This plan will address long-term facility, equipment and staffing needs of the Oxnard Fire Department. The Oxnard Fire Department has maintained a very respectable Class II fire rating, and the Fire Services Master Plan will maintain this rating by planning for additional planning and services throughout the City. Based on the updated information provided in the SEIR, the City may remove Mitigation Measure PS1 from the adopted Mitigation Monitoring Program for the NECSP.

Response 3

As mentioned in Section 5.5.2, Fire Protection, of the Draft SEIR, the City is currently coordinating the size and location of a fire station on a property near Rice Avenue with the owner of this property, who

is presently preparing a land plan for this property. It is acknowledged that the planing for this new fire station is not complete at this time. Coordinating the location of an appropriate site with the owner of the property is the first step in the planning of this new fire station.

Response 4

It is true that there is no funding in the City's 2001-2003 budget for either the construction or staffing of a new station. However, no new facility was proposed at the time the budget was prepared. Furthermore, the current budget does not preclude the possibility that future budgets will contain funds for the construction of a new fire station and additional staff.

Response 5

While it is true that the staffing level of the Oxnard Fire Department has not had a significant change since 1994 and that the average number of calls has increased since 1994, the Oxnard Fire Department has maintained a very respectable Class II fire rating. Nonetheless, other changes in circumstances, including the ongoing preparation of a Fire Services Master Plan allow for the reconsideration of Mitigation Measure PS1.

Response 6

Please see **Response 2** for discussion on cumulative impacts.

Response 7

Section 5.5.2, Fire Protection, of the Draft SEIR includes mention of both emergency fire protection and medical services. No particular focus has been given to structural fires over medical emergency calls, or vice versa.

Response 8

The Oxnard Fire Department has stated that development of the Daily Ranch will not have a significant impact on fire services and that adequate service can be provided to the site.

Response 9

Map 1 in the comment letter pertains to response times to the project site. According to the letter dated May 7, 2001, from Tom Waller, Oxnard Fire Marshall, to Paul Huckabee, Oxnard Planning Division, the response time from Fire Station 5 to the project site will be four to four-and-one-half minutes. The response times from the next two closest fire stations to the project site would be five to six minutes. As mentioned in this comment letter, the Oxnard Fire Department's current goal is to achieve four-and-one-half minute response times 75 percent of the time in those circumstances where the closest engine company is in quarter. For this reason, there is no significant impact on response times associated with the operation of the project.

Map 2 pertains to the response time for the portion of the NECSP Area east of Rose Avenue. Currently, the majority of the eastern portion of the NECSP Area has been developed with commercial, residential, and other types of land uses. The comment letter suggests that the development of the project site will decrease the ability of the Oxnard Fire Department to serve the eastern portion of the NECSP Area. This statement is true only in the rare event that while Fire Station 5 is responding to a call on the project site, another call for fire service comes from the eastern portion of the Specific Plan. As discussed above, this project will not have a significant impact on fire services by itself. The project will add to cumulative impacts on the City's fire protection services. As the amount of development, both inside and outside the NECSP Area, increases in the northeastern portion of the City, the need for an additional fire station in this portion of the City becomes greater. The City is currently coordinating the size and location of a new fire station being planned on a property near Rice Avenue to meet this long-term need. The City is preparing the Fire Services Master Plan, which the Oxnard Fire Department is expecting to be completed within the year, to address the long-term need for fire protection service facilities, equipment and manpower throughout the City.

Response 10

The Fire Services Master Plan currently being prepared by the City will address the need to additional fire stations, equipment and fire fighters consistent with the suggestions in this comment.

Response 11

Removal of Mitigation Measure PS1 from the Mitigation Monitoring Program for the NECSP is being considered by the City. If this mitigation measure is no longer considered necessary, the additional condition proposed in the comment letter would not be necessary. The City is preparing a Fire Services

Master Plan to ensure that adequate fire protection service facilities, equipment and manpower are provided throughout the City to meet long-term cumulative demands.

Response 12

As stated in the Draft SEIR and in the responses above, the Daily Ranch project will not have a significant impact on fire services in the City. The Oxnard Fire Department has stated that the project will not have a significant impact on fire services.



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
FROM: Paul Huckabee, Associate Planner
DATE: August 16, 2001
SUBJECT: Specific Plan Amendment PZ 00-5-136
Zone Change PZ 00-5-135
Planned Development Permit PZ 00-5-94
Tentative Subdivision Map PZ 00-5-95

1. Recommendation

That the Planning Commission:

- A. Certify the Final Supplemental Environmental Impact Report in accordance with the California Environmental Quality Act.
- B. Adopt a resolution recommending approval of PZ 00-5-136 (Specific Plan Amendment) to the City Council.
- C. Adopt a resolution recommending approval of PZ 00-5-135 (Zone Change) to the City Council.
- D. Adopt a resolution approving PZ 00-5-94 (Planned Development), subject to certain conditions.
- E. Adopt a resolution recommending approving of PZ 00-5-95 (Tentative Subdivision Map) to the City Council, subject to certain conditions.

2. Project Description and Applicant: The project is primarily a proposal to construct 198 single family homes in the Northeast Community Specific Plan area. The proposal includes applications for a planned development, tentative subdivision map, zone change and amendment of the specific plan.

The application for the specific plan amendment (PZ 00-5-136) consists of several modifications to accommodate the development as proposed: 1) increase the number of dwelling units allocated for the site from 156 to 198; 2) place a residential overlay on the commercial site to allow development of up to and additional 175 dwelling units; 3) delete the greenbelt currently shown on the eastern project boundary; 4) change the designation of the northwest portion of the site from condominium/townhomes to a conventional single family subdivision; 5) allow the 69 dwelling units at the northwest corner to be in a gated community; 6) allow reduced rear yard setbacks for garages within the development; and 7) allow reduced lot width for single family lots within the development.

The zone change application (PZ 00-5-135) requests a change of zoning from C-R (Community Reserve) to R-2-PD (Multiple Family, Planned Development) and C-2-PD (General Commercial, Planned Development). The R-2-PD zoning covers the area proposed for the 198 single family dwellings. The C-2-PD zoning covers the approximately 11 acres at the southwest corner of the site. The C-2-PD zoning would allow commercial or residential development. The proposed zone designations are consistent with the adopted Oxnard 2020 General Plan Land Use Plan.

The planned development application (PZ 00-5-94) requests lot sizes for the single family homes of 4,500 square feet or greater. It also includes a gated community of 69 homes where variations from City standards for street cross-sections are requested.

The tentative subdivision map application (PZ 00-5-95) requests the subdivision of approximately 47 acres into 198 single family lots, one detention basin lot and one approximately 11 acre lot for commercial and/or residential development.

3. Existing Land Use: Undeveloped agricultural with one single family dwelling.
4. General Plan Policies and Land Use Designation Conformance: The land use map of the General Plan designates the subject parcel for Low Medium Residential (8-12 dwelling units per acre) and General Commercial. The northwest portion of the site also has a Mixed Use Overlay. The density of the proposed development is approximately 6.65 dwelling units per acre for the eastern half and northwest corner. The overlay density would be approximately 15.6 dwelling units per acre. The proposal is consistent with the Oxnard General Plan.
5. Environmental Determination: The California Environmental Quality Act (CEQA) requires review of the project. An environmental impact report (EIR) was prepared for the Northeast Community Specific Plan (NECSP) and certified in March 1993. A statement of overriding considerations was adopted with the NECSP. A supplemental environmental impact report for the Lombard/Levy development located at the southeast corner of the NECSP was certified in August 1998.

The EIR prepared for the NECSP evaluated the site for future development as 156 dwellings and 14.5 acres of commercial development. The proposed project consists of 198 dwellings and approximately 10 acres of commercial development. There is also a proposed overlay on the commercial area to allow up to 175 dwelling units on the 11 acres. Supplemental Environmental Impact Report No. 01-1 (SEIR) was prepared to evaluate any changes that have occurred since the original EIR was prepared and also to evaluate the proposed changes to the Northeast Community Specific Plan.

The SEIR only addresses areas where new information was available or where new potential impacts would be created by the proposed project. The SEIR was prepared by Impact Sciences under contract to the City. All written comments received during the comment and public review periods and the responses are included in the SEIR. Two public hearings were held on the SEIR, on June 21, 2001 and July 19, 2001, at which additional input from the public and Planning Commission was received.

The following areas of potential impacts were reviewed in the SEIR:

- A. Traffic and Circulation: The SEIR concluded that the increase in density will not significantly increase the amount of traffic over the amount previously identified in the NECSP EIR. If the corner is developed as residential instead of commercial as is currently shown in the specific plan, a net decrease in traffic generated by the project would result. A traffic study was prepared for the project as a part of the SEIR.
- B. Air Quality: According to the analysis in the SEIR, the project would exceed the 25 pounds per day threshold set for ROC's and NOx. Under the City's Air Quality Guidelines, the project can mitigate the impacts by paying a 'buy down' fee. The mitigation buy down would total approximately \$322,318 if developed as all residential (373 dwellings). If developed as a combination of residential (198 dwellings) and commercial (160,000 sq. ft.) the buy down would be \$138,723.
- C. Noise: The project would not create a significant impact on adjacent parcels. The noise from Camino Del Sol should be less than 65 dBl based on predicted traffic. Noise from the railroad and Oxnard Boulevard will have impacts on the project site unless a sound wall and berm is constructed along the western side of the project. As part of the environmental review, a noise study was prepared for the project.
- D. Schools: The project is anticipated to generate 32-85 elementary age and 46-118 high school age children. The lower number reflects commercial development, while the higher reflects all residential development. The NECSP school facility agreement requires the developer to pay higher school facilities fees than are required by State law.

- E. Fire Department: It is anticipated that Fire Department response time would be approximately 4 ½ minutes. The target response time is 4 minutes. Although the response time is greater than ideal, the analysis in the SEIR concluded that the difference was not significant.

The Mitigation Monitoring Plan for the NECSP required that an additional fire station in the vicinity of Rice Avenue and Highway 101 be constructed before 50 percent of the specific plan was implemented. The Fire Department is currently developing a Fire Services Master Plan to determine facility, equipment and personnel needs on a City-wide basis. Since planning for new facilities and negotiation for a site in the northeast is under way, the EIR's timing for construction of the fire station is no longer appropriate. Further, the project site is closer to Station 5 than the future station to be located near Rice Avenue/Highway 101 and so would likely be served by the closer existing station.

- F. Police Department: The project would create an incremental increase in the demand for police staffing. It is anticipated that the tax revenue increase from the project would be sufficient to fund the required increases.
- G. Parks: Based on the number of dwelling units and current General Plan policies, the development would create a demand for a total of approximately 2 acres of park land. Parks are currently funded by Quimby fees, which this project would be required to pay. Since any increase in density would also result in a corresponding increase in Quimby fees, the impact on park funding should be insignificant.
- H. Solid Waste: No significant impacts to solid waste disposal were identified.
- I. Drainage: No significant impacts to drainage were identified.
- J. Sanitary Sewer: No significant impacts to sanitary sewer facilities were identified.
- K. Natural Gas/Electrical: Both utilities responded that the project could be served.
- L. Water: Improvements proposed and constructed as part of the project would mitigate any potential impacts to a level of insignificance.

Mitigation measures were included in the original EIR to mitigate identified potentially adverse impacts anticipated due to implementation of the specific plan. All of the previous mitigation measures are still in place with the following exceptions. Mitigation measure PS1 reads: "A fire station in the vicinity of Rice Road and Highway 101 shall be constructed before 50% of the Specific Plan is implemented." The Fire Department is currently preparing a Fire Services Master Plan to address the City's need for facilities and personnel. The City is also currently negotiating for a fire station site in the vicinity of Rice Avenue and Highway 101. The previous document, while citing that there would be a cumulative impact

on fire services, did not provide an analysis to verify the nexus of requiring the fire station before 50% of the project is complete. There was also no provision in the mitigation measure for funding. The proposed SEIR examines fire services available to this project and concludes that, while not ideal, a new fire station is not required to provide the project with adequate fire services and will not have a significant adverse impact on the surrounding area. Therefore, mitigation measure PS1 should not be applied to this project.

Mitigation measure PS2 states: "Two more fire inspectors shall be added to the Oxnard Fire Department prior to 50% of project completion." The Fire Department is currently recruiting for one additional fire inspector. Fire inspectors typically inspect new housing four times during construction. After construction the fire inspectors normally are not required to return to the dwellings, except for residential care facilities. No nexus was shown between the additional fire inspectors and the mitigation in the EIR for the NECSP. Re-analysis shows that while there would be a short-term impact during construction, there would be no significant long term impacts. Further the City has taken steps toward reducing short-term impacts by starting the recruiting for one additional fire inspector. Since there are no long term impacts and steps are being taken by the City to mitigate short-term impacts, mitigation measure PS2 should not be applied to this project.

The EIR prepared for the NECSP identified three unmitigatable impacts on the environment: 1) Cumulative impacts to air quality; 2) Loss of prime agricultural land; and 3) Aesthetic impacts due to the loss of mature windrow trees. The proposed project will contribute incrementally to all three of these impacts. With incorporation of the mitigation measures, except PS1 and PS2, provided for in the EIR for the NECSP and re-examined in SEIR 01-1 for the Daily Ranch project, all other impacts can be mitigated to a level of insignificance. Therefore, staff recommends that the Planning Commission certify SEIR 01-1 before taking action on the subject applications.

6. Surrounding Zoning and Land Uses:

Location	Zoning	Land Use
Project Site	C-R (Community Reserve)	Agricultural with one single family dwelling
North	R-1-PD (Single Family, Planned Development), R-3-PD (Garden Apartment, Planned Development)	Single family residential
South	R-1, R-2 (Multiple Family), M-1 (Light Manufacturing)	Single family residential and industrial (Citrus packing plant)
East	C-R	Robert J Frank Junior High School

Location	Zoning	Land Use
West	M-1, M-2 (Heavy Manufacturing) [both on railroad property]	Railroad, Oxnard Boulevard. (Commercial on the other side of railroad and Oxnard Boulevard)

7. Analysis:

- A. General Discussion: The site is rectangular and approximately 47 acres in size. Although currently in agricultural production, the site is surrounded by developed or developing urban uses. Conventional and condominium lot single family dwellings are being constructed immediately north of the site. The Robert J. Frank Junior High School is located immediately east of the site. An older single family residential neighborhood is located on the project's southern boundary. There is also an agricultural products packing plant located at the southwest corner of the property. Finally, Union Pacific railroad tracks extend along the west boundary of the project. Oxnard Boulevard and commercial areas are beyond the tracks to the west.

The project proposes single family residential in all areas except the southwestern quarter of the project site. No development is currently proposed for the southwestern corner, but it is proposed for commercial development with a residential overlay. The subdivision map divides the property into a total of 200 lots. Of the 200 lots, 198 of the lots are single family lots with a minimum lot size of 4,500 square feet. Many of the single family lots are at or close to the minimum size. One additional lot is used for a detention basin at the southeast corner of the property. The remaining lot is approximately 11 acres and is located at the southwest corner of the property.

All of the proposed housing units are conventional detached single family dwellings. The applicant has indicated that required affordable housing will be provided on-site.

B. Specific Plan Amendment requests:

- 1) The applicant requests an amendment to increase the number of units allowed on the subject site. The NECSP currently shows 65 dwellings for the northwest corner of the site and 91 dwellings for the eastern half of the site for a total of 156 dwellings. The applicant is proposing a total of 198 dwellings for both areas.

The 91 dwellings allowed by the NECSP for the eastern half of the site is inconsistent with the Low Medium density (7-12 dwellings per acre) provided for by the plan and the actual acreage of the site. The NECSP shows the site as 13.5 acres, where the actual site area is 22.05 gross acres or approximately 19.5 acres if the Camino Del Sol right-of-way is excluded. Using the actual acreage of the eastern half, excluding Camino Del Sol, 136 dwellings units could be built at 7 dwellings units per acre and a maximum of 234 at 12 dwelling units per acre. When the 65 dwellings allowed for the northwest quarter are

added to the dwellings which should be allowed on the eastern half, the residentially designated portions of the site should be allowed between 201 and 299 dwelling units based on the NECSP density range assigned to the property.

The applicant has proposed a total of 198 dwelling units for the northwest quarter and eastern half of the site. The proposed density, excluding Camino Del Sol, is approximately 6.65 dwelling units per acre. Staff supports increasing the dwelling unit numbers shown in the NECSP for the northwest and eastern half of the subject site to a total maximum of 198, which is consistent with the actual acreage of the site and density provided for in the NECSP.

- 2) The applicant requests an amendment to place a residential overlay on the commercial site to allow development of up to an additional 175 dwellings. The NECSP currently shows the southwest corner as 14.5 acres of General Commercial. The proposal would allow development of a commercial center, or up to 175 dwelling units. Excluding Camino Del Sol, the southwest corner is approximately 11.2 acres. The proposed density is 15.6 dwellings per acre, which falls into the Medium Residential (12-18 dwelling units per acre) land use designation of the NECSP.

If developed as a residential use instead of a commercial shopping center, traffic generation would decrease, while demand on other public facilities, such as parks and schools, would increase. No plans have been submitted for potential residential development. Three uses which are incompatible with residential development are located adjacent or nearby the site. The railroad tracks are separated from the site by a small greenbelt to the west. Camino Del Sol, which will be a major arterial, is located immediately south of the site, and a packing plant is located south of Camino Del Sol. Often higher density residential development is placed near uses which are incompatible or nuisances to residential development. However, this practice increases the number of residents exposed to such uses, which intensifies the incompatibility instead of mitigating it. The site, however, may not be well suited for many commercial uses, as it is separated from half of its potential market area by railroad tracks and a major arterial. The major arterial by itself would be a benefit to the site, but combined with the tracks creates a barrier to access on that side of the development.

Recognizing the potential difficulty of attracting commercial users to the site and desiring to limit the number of people exposed to incompatible uses, staff recommends that the overlay be approved, but with a maximum of 135 dwelling units. The density falls within the Low Medium Residential designation of the NECSP. Density could potentially be increased for qualifying lower income or senior citizen projects through a density bonus. To develop the area as residential, staff has recommended that two conditions exist first: 1) that an at-grade crossing of the railroad tracks for Camino Del Sol be approved by the California Public Utilities Commission; and 2) that a market analysis be prepared which clearly demonstrates that commercial development is

infeasible at the site. The at-grade crossing approval would not apply if at least 50% of the housing was affordable to low or very low income families. Even if both conditions are met, the Planning Commission and City Council would not be obligated to allow residential development.

- 3) The applicant requests an amendment to change the land use designation for the northwest corner of the development to allow a conventional single family subdivision. The proposed change would not increase the number of residents exposed to railroad impacts. Staff recommends that the request be approved and that the designation be changed to Low Medium Residential.
- 4) The applicant requests an amendment to allow the 69 dwelling units at the northwest corner to be in a gated community. No other developments approved within the NECSP are gated. The Parc Rose Apartment (PZ 99-5-5) complex requested fencing and gates as part of that application. The Commission did not grant the request. There is a gated community outside of the NECSP adjacent to the eastern boundary of the plan.

Closing off this portion of the development would restrict pedestrian access through the gated community, which would be inconsistent with the goals of the NECSP to "promote pedestrian and resident friendly neighborhoods". Therefore, staff recommends that the requested amendment to allow gates not be granted.

- 5) The applicant requests an amendment to reduce rear yard setbacks for garages within the development. One of the proposed models shows a rear yard setback of five feet. The NECSP requires a minimum of a 15 foot rear yard setback. Although the applicant has also filed a planned development application, the reduction requested is greater than the 25% the Commission can grant under that application. Except for the one model, all of the proposed dwellings comply with the setback requirements. Staff recommends that the request be granted, provided the minimum rear yard area requirement is complied with.
- 6) The specific plan amendment request also includes a request to eliminate the greenbelt shown along the eastern boundary of the property. The greenbelt is not needed as a pedestrian connection and is not necessary as a buffer between the school and residential uses. Therefore, staff is recommending that the request be granted.
- 7) Finally, the applicant requests an amendment to reduce lot widths for single family lots within the development. The NECSP requires a minimum lot width of 45 feet for detached single family housing. There are 10 lots within the development do not meet the minimum lot requirements. Nine of the 10 lots are on curves and one is a corner lot. Four of the lots are in the area with the proposed reduced street width.

Through the planned development application, the Planning Commission may reduce the minimum lot width by 25% to 33.75 feet. Smaller lot widths reduce on-street parking available and reduce the amount of landscaping area available at the street. Staff recommends that lot widths not be reduced to less than that allowed through the planned development application, and that no more than 10% (20 lots) of the lots within the subdivision be reduced to less than the requirements of the NECSP.

C. Zone Change request: The proposed R-2 and C-2 zones are consistent with the General plan designations of Low Medium Residential and General Commercial. The proposed zoning is also consistent with the land use designations of the NECSP.

D. Planned Development/Tentative Subdivision Map request:

- 1) Site Design Analysis: Development is currently proposed on the northwest corner and eastern half of the project site. Except for a detention basin, there is no development proposed for the southwest corner of the project site at this time. The applicant is proposing 198 smaller lot, detached, single family dwellings at this time. The southern 164 feet of the site will be developed as Camino Del Sol. A railroad crossing is planned for Camino Del Sol. The 50 feet adjacent to the railroad tracks at the western project boundary will be developed as a greenbelt, which will connect to the greenbelt under construction immediately to the north. Entrada Drive bisects the property in a north-south direction. Entrada Drive will connect to the existing Entrada Drive to the north and connect to Garfield Avenue at the south end.

The lots are generally 45 feet in width, except for 10 lots. The applicant is requesting a specific plan amendment (see section 8.B.6) to allow the lots. Staff recommends that the lots not be reduced by more than 25% of the required width. The majority of the lots are close to 4,500 square feet in area, with no lots smaller than 4,500 square feet. Most of the lots are rectangular. However, two flag lots and several irregularly shaped lots are proposed, generally where streets turn.

The applicant has proposed to gate the northwest corner of the development and has requested a specific plan amendment to allow the gates (see section 8.B.4). This portion of the development is proposed to have private streets with a narrower travel area, no parkway and sidewalks only on one side of the street. The rest of the proposed development has standard streets.

- 2) Circulation Analysis: Generally, standard public residential streets are proposed for the eastern half of the project. Reduced width private streets are proposed for the northwest corner (see discussion above). Camino Del Sol will be wholly on the project site along the southern boundary. The City Traffic Engineer and the applicant are discussing an agreement which would provide for an offer of dedication of Camino Del Sol prior to recordation of a final map for the project.

The traffic report prepared for the project concludes that existing and proposed streets are adequate to convey traffic from the site and nearby development without immediate construction of a railroad crossing at Camino Del Sol. Until the crossing is built, site access will be from Entrada Drive on the north, from Morado Place and Camino Del Sol on the east, and through the La Colonia neighborhood primarily on Garfield Avenue and McKinley Avenue on the south. Once the crossing is constructed, Camino Del Sol will provide for additional east-west access for the eastern half of the City and the project site.

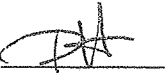
The applicant is working closely with City to submit an application to Public Utilities Commission, which oversees railroad crossings, to establish the crossing at Camino Del Sol. Adequate ingress and egress to the project site for emergency vehicles is or will be available before the project starts construction. Please see the SEIR for further discussion of traffic and circulation.

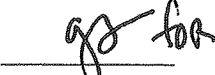
- 3) Architectural Design Analysis: Garages dominate the street view of the dwellings as the project is proposed. Staff recommends a condition to require further articulation and architectural detail, and to bring elements of the dwellings forward to comply with the intent of the NECSP. The roofing materials proposed are composite shingles. All recent new development in the vicinity has used concrete tile. Composite shingles are not generally associated with higher quality developments. Several nearby residents expressed concern with composite roofing proposed for the project. Staff recommends a condition requiring concrete tile.
- 4) Landscaping Code Compliance: The project generally complies with landscaping codes. Parks and Facilities has recommended conditions to insure compliance. As noted earlier under the discussion of specific plan amendments, the applicant has requested that the greenbelt shown on the eastern boundary of the property line be deleted and staff concurs. The project still has two large landscape area required by the NECSP. A greenbelt along the western edge of the property is required and shown on the project plans. The greenbelt will connect to the greenbelt constructed north of the site and to the park located north of the John Laing development.

A considerable amount of required landscaping adjacent to Camino Del Sol. A 30 foot wide parkway with a sidewalk is proposed along both sides of Camino Del Sol. There is an alley between the existing residential neighborhood to the south of the project site and the southern greenbelt of Camino Del Sol. Staff recommends a pilaster and wrought iron fence adjacent to the north side of the residential alley and a decorative block wall adjacent to the packing house. The pilaster and wrought iron treatment appeared to be the preference of the neighborhood.

8. Development Advisory Committee (DAC) Recommendation: The DAC has recommended approval of the project subject to the attached conditions. The DAC expressed some concern over the elimination of the greenbelt along the eastern property line.

9. Neighborhood Meetings: A total of three joint neighborhood meetings were held for the project. The first meeting was held at the Robert J. Frank Junior High School on February 12, 2001. The meeting was attended by approximately 30 people. Those in attendance felt the project was brought before them prematurely because the SEIR was not complete. The second meeting was held at Cesar Chavez School on June 14, 2001 and about two dozen people were in attendance. The last neighborhood meeting was held at Brekke School on July 10, 2001 with approximately one dozen people in attendance. No votes were taken at any of the meetings to support or oppose the project. The neighborhoods expressed concerns about traffic generation and patterns, architectural/material compatibility with adjacent new development, treatment of the south side of Camino Del Sol and school impacts. Generally, the traffic concerns were on patterns and volume, particularly south through the La Colonia neighborhood and north on Entrada Drive. Several people expressed a concern that the housing be of a similar quality to the new homes being constructed elsewhere within the NECSP and predominantly focused on the roofing material. The existing neighborhoods to the south expressed interest in the fencing treatment on the south side of Camino Del Sol. The neighborhood felt that a wall next to the alley south of Camino Del Sol would be a magnet for graffiti and not be aesthetically acceptable. Finally, the most prevalent concern was on school capacity.
10. Attachments:
- A. Resolutions (SEIR certification, Specific Plan Amendment approval, Zone Change approval, Planned Development approval, Tentative Subdivision Map approval)
 - B. Location Map
 - C. Zone Map
 - D. Tentative Subdivision Map
 - E. Planned Development Plans (Site Plan, Elevations and Landscape Plans)

Prepared by: 
PAH

Approved by: 
MM

Solid Waste

Project impacts to landfill capacity would be considered significant impacts if the project solid waste disposal rate could not be reduced by 50% through recycling and materials recovery programs. Cumulatively significant impacts would result if the General Plan were amended or revised to allow a much more intensive use than that which was previously approved.

PROJECT-SPECIFIC IMPACTS

Fire Protection

The NECSP Final EIR originally specified as a mitigation for development of the NECSP that construction of a new fire station in the vicinity of US 101 and Rice Road take place before 50% of the Specific Plan was implemented. As per the discussion (hereby incorporated by reference) contained within the Daily Ranch SEIR, this mitigation is no longer considered to be necessary by the City.

The proposed project would result in the development of 228 residential dwelling units, a park, and associated infrastructure. Calls for emergency fire protection and emergency medical services are expected to be similar to that of other suburban residential areas within the City. Such calls would likely include kitchen/ house fires, car fires, electrical fires, heart attacks, strokes, etc. All such fires and medical emergencies can adequately be addressed with the types of equipment typically found at City Fire stations. The project site is located within an existing service area and would have response times similar to those experienced by the adjacent elementary school and surrounding residential areas. Proposed project roadways and access to individual home sites from major roadways would be adequate. Implementation of the proposed project would not result in a substantial decline in fire/ emergency services response times, nor would it result in special fire protection problems. As the project site is currently fenced and generally impassable, implementation of the proposed project and its associated internal circulation network would actually facilitate any necessary community evacuation plans.

Impact PSU-1:

Should the project be approved, the City Fire Department will impose conditions specific to the project to ensure the continuity of adequate fire protection services. Specific conditions are likely to include installation of fire hydrants, use of non-combustible roof materials, etc. Project-specific impacts related to fire protection services would, therefore, be less than significant (Class III).

new or physically altered facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service levels.

b. Project Impacts and Mitigation Measures.

Impact PS-1 The proposed project would incrementally increase demands on the Oxnard Fire Department. However, the increase would not substantially affect the personnel, equipment, or organization of the Fire Department. This is considered a Class III, *less than significant* impact.

Development of the project site with the proposed residential uses would incrementally increase demand for fire protection and emergency response services over the current on-site conditions. The proposed project would add up to 1,323 persons at the site as discussed in Section 4.8, *Population and Housing*. However, the 1,323 new residents would reduce the ratio of uniformed firefighters per 1,000 residents in the City of Oxnard by less than 0.01, (based on 92 uniformed firefighters and a post-project population of about 183,123). According to the OFD (Waller, 2003), the proposed project would not significantly affect OFD's ability to provide protection services within the 5-minute response time, or require the construction of new OFD facilities. Compared to the likely demand for emergency fire services that would result from buildout under the current NECSP Business and Research Park zone, the proposed project's impact would be slightly greater, but would nonetheless be less than significant.

Fire Station 5, located approximately 1.5 miles from the project site at 1450 Colonia Road, would be the primary response unit for medical emergencies at the proposed project. The project site is located within the OFD's preferred 5-minute response radius from this station. The project site would be within an approximately one- to two-minute response radius from Fire Station 5. Therefore, significant impacts to fire response capabilities are not anticipated (all from Waller, 2003).

The proposed project would be required to maintain a minimum fire flow to provide sufficient water to firefighters during an emergency. Fire flow is defined as the amount of water required, above and beyond domestic needs, to extinguish a fire in a structure and which should be available during peak water demand periods. It is the City's policy not to permit new development unless there is adequate water supply and pressure to serve the fire flow needs of the project. The City recently expanded its water distribution system to provide additional pressure separation vaults to ensure that fire flow pressure and water supplies are adequate to serve additional development in the City (City of Oxnard Daily Ranch EIR, 2001). Therefore, impacts relating to fire flows are not anticipated.

In addition to maintaining the mandatory fire flow and acceptable response times, the project would be required to install automatic fire sprinklers per OFD requirements and comply with all fire safety regulations outlined in the Uniform Fire Code. OFD's Design Advisory Committee also reviews every new development proposal and may suggest additional fire prevention features to be required in project design, including installation of Carbon Monoxide detectors in common areas on every floor of new residences as directed by the Fire Department (all from Waller, 2003).

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Mitigation Measures. The following mitigation measures from the Northeast Community Specific Plan EIR would apply to the proposed project (numbering corresponds to Specific Plan EIR mitigation measures):

- PS3 All new construction shall be equipped with fire sprinklers.
- PS4 All development plans shall be subject to Fire Department review for emergency access, adequate fire flow, provision of hydrants and fire detection and alarm equipment.

It should be noted that the 1993 NECSP EIR also requires the construction of a new fire station at Rice Avenue and US 101 as mitigation for buildout of the Specific Plan area (mitigation measure PS1). The OFD determined that fire protection levels were adequate and that this fire station was not necessary. The OFD has since recommended that a new fire station be constructed within the Sakioka Farms Specific Plan area, located east of the NECSP area. Thus, mitigation measure PS1 from the 1993 NECSP EIR is no longer applicable.

Significance After Mitigation. Impacts to fire protection service are considered less than significant with incorporation of the above mitigation measures from the 1993 FEIR and compliance with applicable Fire Code requirements.

Impact PS-2 The proposed project would incrementally increase demands on the Oxnard Police Department, which could adversely affect the Police Department. This is considered a Class III, *less than significant* impact.

Development of the vacant site with residential uses would incrementally increase the demand for police services in the area. The project site is located in a predominantly developed area that is within the service area for the OPD and could be reached within the six-minute response time for emergencies (Chief Lopez, 2003). The proposed project would add up to 1,323 persons at the site, based on an average household size of 3.89 (US Census, 2000). However, the 1,323 new residents would reduce the ratio of officers per 1,000 residents in the City of Oxnard less than 0.01, (based on 204 officers and a post-project population of about 183,123). The proposed project would not significantly affect OPD's ability to provide protection service within the six-minute response time, or require the construction of new OPD facilities. The OPD indicates that it could continue to provide service to such a population without adverse effects to service; therefore, impacts relating to police protection are not considered significant. Compared to the likely demand for emergency police service that would result from buildout under the current NECSP Business and Research Park zone, the proposed project's impact would be slightly greater, but would nonetheless be less than significant.

Mitigation Measures. The 1993 Northeast Community Specific Plan EIR determined that potential impacts to police services from buildout of the Specific Plan would not be significant with recommended mitigation measures. The following measures from the NECSP EIR would apply to the proposed project (numbering corresponds to Specific Plan EIR mitigation measures):

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b. Project Impacts and Mitigation Measures.

Impact PS-1 The proposed project would incrementally increase demands on the Oxnard Fire Department. However, the increase would not substantially affect the personnel, equipment, or organization of the Fire Department. This is considered a Class II, *significant but mitigable impact*.

Development of the project site with the proposed commercial uses would incrementally increase demand for fire protection and emergency response services over the current on-site conditions. However, the proposed project does not include any residential development and would not create any permanent on-site population. Therefore, it would not reduce the Citywide firefighter-to-population ratio. Compared to the 67 to 114 residences that could be built on the site under the current 2020 General Plan and NECSP low medium residential land use designation, the proposed project's impact on fire services would be lower. Fire Station 5, located just over one mile from the project site at 1450 Colonia Road, would be the primary response unit for medical emergencies at the proposed project. The project site is located within the OFD's preferred 5-minute response radius from this station. In addition, a new fire station is being planned just east of Rice Avenue along an extended Gonzales Road as part of the Sakioka Farms Specific Plan. Therefore, significant impacts to fire response capabilities are not anticipated.

The proposed project would be required to maintain a minimum fire flow to provide sufficient water to firefighters during an emergency. Fire flow is defined as the amount of water required, above and beyond domestic needs, to extinguish a fire in a structure and which should be available during peak water demand periods. It is the City's policy not to permit new development unless there is adequate water supply and pressure to serve the fire flow needs of the project. The City recently expanded its water distribution system in 2003 to provide additional pressure separation vaults to ensure that fire flow pressure and water supplies are adequate to serve additional development in the City. Therefore, impacts relating to fire flows are not anticipated.

In addition to maintaining the mandatory fire flow and acceptable response times, the project would be required to install automatic fire sprinklers per OFD requirements and comply with all fire safety regulations outlined in the Uniform Fire Code. OFD's Design Advisory Committee also reviews every new development proposal and may suggest additional fire prevention features to be included in project design. This is a Class II, significant but mitigable impact.

Mitigation Measures. The following mitigation measures from the Northeast Community Specific Plan (NECSP) EIR would apply to the proposed project (numbering corresponds to NECSP EIR mitigation measures):

PS-3 All new construction shall be equipped with fire sprinklers.

- PS-4 All development plans shall be subject to Fire Department review for emergency access, adequate fire flow, provision of hydrants and fire detection and alarm equipment.

Significance After Mitigation. Impacts to fire protection service are considered less than significant with incorporation of the above mitigation measures and compliance with applicable Fire Code requirements.

- Impact PS-2 The proposed project would incrementally increase demands on the Oxnard Police Department, which could adversely affect the Police Department. This is considered a Class II, *significant but mitigable* impact.

Development of the vacant site with commercial and retail uses would incrementally increase the demand for police services in the area. The project site is located in a predominantly developed area that is within the service area for the OPD and average response times described in the setting would apply to the proposed project. The proposed project does not include a residential component; therefore, it would not create any permanent population on the project site and would not reduce the citywide officer-to-population ratio. The most common incidents requiring police response at such developments are typically burglary, theft, vandalism, and traffic violations (Asst. Chief Matlock, 2007). Therefore, compared to the 67 to 114 residential units that could be built on-site under the current 2020 General Plan and NECSP low medium residential designation, the proposed project would have a lower impact on police services. Although OPD response times in the area are currently adequate, unless appropriate crime prevention design features are incorporated into project design, this impact would be potentially significant.

Mitigation Measures. The 1993 NECSP EIR determined that potential impacts to police services from buildout of the NECSP would not be significant with recommended mitigation measures. The following measures from the NECSP EIR would apply to the proposed project (numbering corresponds to NECSP EIR mitigation measures):

- PS-6 Future construction shall comply with all recommendations of the Oxnard Police Department relative to building security design (doors, locks, access, and visibility) prior to approval of final plans.
- PS-7 The Oxnard Police Department shall be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development.

The following mitigation measure is also recommended:

- PS-1 The project shall retain a private on-site security guard on duty overnight during construction, and at all times that the proposed shopping center is open for business.

Significance After Mitigation. Impacts to police protection services would be less than significant with the above mitigation measures.

b. Cumulative Impacts.

Fire. Cumulative development in the City would add about 14,588 dwelling units, 5.9 million square feet of commercial development and 10.5 million square feet of industrial development as well as 101 acres of parks, 2 schools and a 200-room hotel (see Table 3-1 in Section 3.0, *Environmental Setting*). In the vicinity of the site (about 2 miles), 312 residences, 1,289,203 square feet of commercial development and 99,540 square feet of industrial development are pending (see Table 3-2 in Section 3.0 *Environmental Setting*). Such new development would increase demands on fire protection services throughout the City and generate additional traffic that could hinder emergency response. Three new fire stations are anticipated: 1) At the intersection of Rice Avenue and Gonzales Road (part of the Sakioka Farms Specific Plan); 2) At the Channel Islands/Rose Avenue intersection; and 3) at the intersection of Patterson and Doris.

Assuming development of up to 14,588 additional residences throughout the City, and a population increase of about 56,000, the firefighter-to-population ratio would decrease to 0.35 without staffing increases. However, development of additional stations would ensure that services remain adequate to serve planned and pending development. Funding for the OFD comes from the City's General Fund. Provided that the City allocates funds to the OFD in proportion to the population and its service obligations, no significant cumulative impacts would occur with respect to service ratios. Nevertheless, the construction of these stations could have physical environmental effects that will need to be addressed at the time development is proposed. This is a potentially significant cumulative impact. However, because the proposed project would not have significant effects with implementation of mitigation measures PS 3-4, the project would pay appropriate growth development fees for future fire and police facilities, and because the project would not reduce the service ratio, the project's effects are not cumulatively considerable.

Police. Cumulative buildout of the project vicinity in accordance with that projected in Section 3.0 *Environmental Setting*, would increase demands on police protection services by adding both residents and employees, and by increasing traffic that could hinder emergency response. New facilities may be required, and without increases in staffing and equipment correlating to these population increases, potentially significant impacts could occur. Assuming staffing levels are not increased, the officer-to-population ratio at full buildout of the 14,588 residential units and 56,000 people, would decrease to 0.95 officers per 1,000 people. Funding for the police department comes from the City's General Fund. Provided that the City allocates funds to the police department in proportion with the population and its service obligations, no significant cumulative impacts would occur with respect to service ratios. However, the cumulative effect of this development is likely to require additional facilities, the construction of which could have physical environmental effects. This is a potentially significant cumulative impact. However, because the proposed project would not have significant effects with implementation of mitigation measures PS 3-4, the project would pay appropriate growth development fees for future fire and police facilities, and because the project would not reduce the service ratio, the project's effects are not cumulatively considerable. The project's effects are less than significant with mitigation and are not cumulatively considerable.

2) Response Time and Distance

As previously mentioned, desired response time is five minutes and distance from the nearest fire station not more than 1.2 miles. The development of the Project area as described has been anticipated in the Fire Department's master planning. Furthermore, Fire Station No. 5 is located approximately 1,000 feet west of the Project site at 1450 Colonia Road. Even under the conservative analysis, response times would not be greatly affected, as emergency vehicles normally have a variety of options for avoiding traffic such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Furthermore, upon completion of the proposed Project, the OFD would be provided with a diagram of each portion of the property, and this diagram would include access routes and any additional information that may facilitate OFD response to the Project site. Therefore, Project impacts related to response times and distance would be less than significant.

3) Emergency Access

Traffic impacts during operation of the proposed Project would not result in a significant impact on nearby roadways or intersections, which could thereby impede emergency access. There are several existing intersections that operate at below LOS C. However, Fire Station No. 5 is located approximately 1,000 feet west of the Project site at 1450 Colonia Road and travel to respond to an emergency to the Project site would not go through the below "C" intersections. The proposed Project would not involve any other activities during its operational phase that could impede public access or travel upon public rights-of-way or would interfere with an emergency response or evacuation plan.

4. CUMULATIVE IMPACTS

The 1992 NECSP EIR included mitigation measure PS1 which states, "A fire station in the vicinity of Rice Road and Highway 101 shall be constructed before 50% of the Specific Plan is implemented" (pg. 5-197). As the NECSP was developed, the 2001 Daily Ranch Supplemental EIR removed that mitigation for two reasons: 1) the OFD was preparing a ten-year strategic plan and 2) planning for the Sakioka Farms Business Park Specific Plan (Sakioka) fire station was in progress. The OFD Ten-Year Strategic Plan was completed in 2005 and is included by reference. Sakioka has completed its environmental review and is scheduled for City Council adoption in early 2012. Sakioka includes a fire station located east of the Rice Avenue/Gonzales Road intersection to be operational when approximately 20 percent of the Sakioka project is completed, which would be at 1.7 million square feet of light industrial and commercial development if the current version of the plan is adopted by the City Council. In addition, College Park Fire Station 8 is in preliminary design and bidding process and will be located within College Park about 2.5 miles south of the Project. A portion of Measure 'O' funding is being designated to construct Fire Station 8 which, combined with other City funds, ensures that Fire Station 8 will be completed and operational prior to significant development on the Project site.

The proposed Project, in combination with the construction and operation of the related projects in Oxnard, would increase the demand for fire protection services. This need would be funded via existing

Mitigation Measure	Action Required	Timing	Enforcement Agency
M - PUBLIC SERVICES			
<i>Fire Station</i>			
M.1-1 The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.	The Project developer shall reserve an approximately 1.5-acre site for a new fire station within the Project site near Rice Avenue and the easterly extension of Gonzales Road and pay applicable City fees in the amount agreed to by the City, the OFD and Developer.	Prior to the issuance of building permits for projects that would exceed an aggregated total of 1.7 million square feet within the Specific Plan Area.	City of Oxnard Planning Division
<i>Police – Construction</i>			
M.2-1 During all construction activities, the Project or subsequent developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, be secured with temporary fences to prevent trespass.	Project developer shall obtain a temporary use permit and/or fence permit.	Prior to issuance of building permit	City of Oxnard Engineering Services Division or Public Works Department, depending on type of permit.
<i>Police – Operation</i>			
M.2-2 The building and site design of subsequent developments under the Specific Plan program shall include crime deterrence and prevention features, building security systems, architectural design modifications, surveillance systems, and secure parking facilities. In addition, industrial businesses may be required to enroll into existing Oxnard Police crime prevention programs, depending on the nature of the business.	The development review process incorporates these topics.	Prior to approval of building permits	City of Oxnard Planning Division and/or Engineering Services Division



Meeting Date: 12/10/2013

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

Prepared By: James Cameron *J.C.* Agenda Item No. 0-1Reviewed By: City Manager *J.C.* City Attorney *S.M.F.* Finance *J.C.* Other (Specify) _____**DATE:** December 3, 2013**TO:** City Council**FROM:** James Cameron, Chief Financial Officer
Finance Department *James Cameron***SUBJECT:** Fiscal Year 2012-13 Preliminary Year-End Financial Update and General Fund Projection for Fiscal Year 2013-14**RECOMMENDATION**

That City Council receive a preliminary year-end update for Fiscal Year (FY) 2012-13 and General Fund projections for FY 2013-14.

DISCUSSIONFY 2012-13 Year-end Financial Update

In May of 2013, City Council received an update of the FY 2012-13 General Fund budget. At that time, a \$2.3 million revenue shortfall was projected to be offset by a similar amount of savings. The FY 2012-13 budget included the use of \$775 thousand of General Fund Balance. The actual revenue shortfall, excluding the use of fund balance was \$1.1 million, while the final expenditure savings were \$1.2 million. As a result, only \$625 thousand of fund balance was required rather than the \$775 thousand appropriated. FY 2012-13 revenues of \$106.9 million were slightly up from FY 2011-12 revenues of \$106.5 million. General Fund expenditures of \$107.5 million were \$1.2 million higher than FY 2012-13. This information is summarized in Attachment 1.

The General Fund for financial reporting purposes includes Measure O and various minor funds based on accounting standards. Measure O expenditures totaled \$13.5 million with \$3.3 million from fund balance for carryover projects. The remaining fund balance is \$14.7 million, \$9.8 million of which has been appropriated.

The combined General Fund Balance of \$33.5 million included restricted items such as Measure O. Anticipated adjustments include \$5.7 million in outstanding principal classified as "unspendable" for loans made to the former Community Development Commission (CDC) that will not be available until FY 2014-15 for repayment. Adjustments for "restricted" balances included \$1.5 million for Public Education, Government (PEG) while \$14.7 million is "assigned" for Measure O. The remaining General Fund Balance, "unassigned" is \$11.6 million. In prior years, the "unassigned" fund balance

included the PEG and a portion of the CDC loans.

Enterprise funds are accounted for on a full accrual basis as opposed to the modified accrual basis used for governmental funds such as the General Fund. For example, enterprise funds include depreciation as an expense, but exclude the principal portion of debt service payments and capital outlays. As a result it is important to understand the cash flow of enterprise funds which in many ways is similar to the reporting of governmental funds.

Based on the cash flow for the various enterprise funds, the utilities (Water, Wastewater, and Environmental Resources) covered operating expenditures from customer revenues as shown in Attachment 2. More importantly, net cash from operations was adequate to cover debt service payments. Net cash flow from Water operations was \$14.6 million with \$14 million required for debt service. In addition, \$10.4 million of bond funds and fund balance were used for capital improvements and acquisitions. Wastewater net cash of \$11.4 million was used to make debt service payments of \$10.3 million and a \$0.8 million repayment to Water. Environmental Resources net cash of \$4.5 million was used to make debt service payments of \$3.5 million and a \$0.9 million repayment to Water.

Golf and the Performing Arts and Convention Center did not generate adequate cash flow to cover expenses and required assistance from other funds (see Attachment 3). The performing arts center receives an annual general fund subsidy of \$0.9 million; however, because net cash requirements exceeded this subsidy, an additional \$0.1 million was required. The Golf fund operating revenues of \$4.1 million covered the operating agreement of \$3.9 million, but were not adequate to cover City administrative and maintenance costs paid directly by the City. The 2011 bonds issued for the Golf Fund are repaid from the general fund which is reflected as a \$1.3 million transfer in; however, the 2003 bonds are the responsibility of the Golf Fund. To meet the FY 2012-13 Golf cash flow requirements, a loan from non-operating Water Funds was approved by Council.

FY 2013-14 General Fund Projections

FY 2013 -14 General Fund revenues and expenditures are projected to be in line with budgets based on data through October. Revenues are projected to be \$149 thousand under budget with minor variances in various accounts (see Attachment 4). Expenditures are projected to be \$280 thousand under budget with \$3.4 million in personnel savings offsetting a \$1.8 million overtime deficit projected for the year. In addition, the Affordable Care Act and other employee contractual requirements are projected to cost just over \$0.6 million through the end of the fiscal year.

FINANCIAL IMPACT

FY 2012-13 financial data is based on unaudited preliminary results which may vary as the audit process is completed. FY 2013-14 General Fund projections are based on four months of data and may vary through the remainder of the year.

- Attachment 1 - FY 2012-13 General Fund Summary
2 - FY 2012-13 Enterprise Utility Funds Summary
3 - FY 2012-13 PACC and Golf Funds Summary
4 - FY 2013-14 General Fund Projection

FY 2012-13
General Fund Summary
(\$ thousands)

Revenues	
Original Budget*	\$ 108,737
Actual	<u>106,872</u>
Change	<u>\$ (1,865)</u>
<u>Explanation of Revenue Change</u>	
Taxes and Fees	1,356
Services to Other Programs	(1,535)
Other Charges for Services	(345)
Licenses & Permits	(121)
Fines & Forfeitures	(190)
Interest Income	(295)
Other	40
Appropriated Fund Balance**	<u>(775)</u>
Total Revenue Change	<u>\$ (1,865)</u>
Expenditures	
Projected Budget Variance	
Personnel Savings	\$ 2,553
Overtime	(1,322)
Fuel & Equipment Maintenance	(17)
Special Election	(158)
Other	<u>184</u>
Total Expenditure Variance	<u>\$ 1,240</u>
Projected Budget Balance	<u><u>\$ (625)</u></u>

* Includes \$745 thousand appropriated by City Council for budget balancing.

** Includes an additional \$30 thousand appropriated by City Council.

FY 2012-13
Enterprise Utility Funds Summary
Based on Cash Flow
(\$thousands)

Water Funds		
Operations		
Revenues	48,874	
Expenditures	<u>(34,225)</u>	
Net cash flow from operations		14,649
Non-Operating		
Debt Service	(14,004)	
Interest on Investments	2,250	
Other	<u>394</u>	
Non-operating cash flow		(11,360)
Balance		<u>3,289</u>
Capital Improvements and Acquisitions		
Bond funds	9,300	
Expenditures	<u>(10,445)</u>	
Net cash required for capital improvements		(1,145)
From Reserves		2,144
Wastewater Funds		
Operations		
Revenues	30,931	
Expenditures	<u>(18,576)</u>	
Net cash flow from operations		12,355
Non-Operating		
Debt Service	(10,274)	
Interest on Investments	47	
Other	<u>(799)</u>	
Non-operating cash flow		(11,026)
Balance		<u>1,329</u>
Capital Improvements and Acquisitions		
Bond funds	-	
Expenditures	<u>(478)</u>	
Net cash required for capital improvements		(478)
From Reserves		851

FY 2012-13
Enterprise Utility Funds Summary
Based on Cash Flow
(\$thousands)

Environmental Resources Funds		
Operations		
Revenues	42,331	
Expenditures	<u>(37,826)</u>	
Net cash flow from operations		4,505
Non-Operating		
Debt Service	(3,493)	
Interest on Investments	133	
Other	<u>(1,005)</u>	
Non-operating cash flow		(4,365)
Balance		<u>140</u>
Capital Improvements and Acquisitions		
Bond funds	-	
Expenditures	<u>(296)</u>	
Net cash required for capital improvements		(296)
From Reserves		(156)

FY 2012-13
PACC & Golf Funds Summary
Based on Cash Flow
(\$thousands)

PACC		
Operations		
Revenues	485	
Expenditures	(1,474)	
Net cash flow from operations		(989)
Non-Operating		
Subsidy	905	
Interest on Investments	(10)	
Other	94	
Non-operating cash flow		989
Balance		-
Golf		
Operations		
Revenues	4,158	
Expenditures	(4,282)	
Net cash flow from operations		(124)
Non-Operating		
Debt Service	(1,109)	
Interest on Investments	-	
Other	1,284	
Non-operating cash flow		175
Balance		51
Capital Improvements and Acquisitions		
Bond funds	-	
Expenditures	(51)	
Net cash required for capital improvements		(51)
From Reserves		-

FY 2013-14
General Fund Projection
as of October 2013
(\$ thousands)

Revenues	
Budget	\$ 108,521
Revised Estimated	<u>108,372</u>
Change	<u>\$ (149)</u>
<u>Explanation of Revenue Change</u>	
Property Tax	59
Sales Tax	274
Other Taxes and Fees	(302)
Charges for Services	(185)
Licenses & Permits	145
Fines & Forfeitures	(247)
Other	<u>107</u>
Total Revenue Change	<u>\$ (149)</u>
Expenditures	
Projected Budget Variance	
Personnel Savings	\$ 3,414
Overtime	(1,778)
Fuel & Equipment Maintenance	(146)
Parks Water	(300)
Electricity	(140)
Affordable Care Act/Labor Contract	(642)
Other	<u>(128)</u>
Total Expenditure Variance	<u>\$ 280</u>
Projected Budget Balance	<u><u>\$ 131</u></u>

MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 5, 2013

A. ROLL CALL/POSTING OF AGENDA

At 4:38 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers concurrently with the Commission Development Commission Successor Agency. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Stephen Fischer, Interim City Attorney; Michelle Tellez, Human Resources Director and Martin Erickson, Deputy City Manager.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Steve Nash and Dan Pinedo.

C. CLOSED SESSION

At 4:44 p.m. the City Council and Successor Agency recessed to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title and case number of the litigation being discussed SOCM I, LLC v. City of Oxnard, et al., Ventura County Superior Court, Case No. 56-2012-00427637-CU-MC-VTA.

The City Council also recessed 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 8 potentials cases.

The City Council also recessed to a closed session, pursuant to Government Code section 54957.6 to give instructions to negotiators, Michelle Tellez, Human Resources Director and Jeffrey C. Freedman, City's labor attorney, regarding salaries, salary schedules, or compensation paid in the form of fringe benefits for employees represented by the Service Employees International Union (SEIU), Local No. 721 and other matters within the scope of representation.

At 6:36 p.m. the City Council reconvened and recessed to the evening session. At 6:38 p.m., the Interim City Attorney announced directions: 1) to labor negotiators regarding SEIU matter; 2) to legal counsel regarding litigation of SOCM I, LLC v. City of Oxnard, et al.; and 3) to initiate in 6 actions (4-1 vote) with no action in one case due to expiration of statue and still considering pursuing legal action in one remaining case.

D. OPENING CEREMONIES

At 6:38 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers, concurrently with the Community Development Commission Successor Agency. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence for Rodney Fernandez, former director of Cabrillo Economic Development. Mayor Flynn presided. Additional staff members present were: Danielle Navas, City Treasurer; Jeri Williams,

Police Chief; James Williams, Fire Chief; Matt Winegar, Development Services Director; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Lou Balderrama, City Engineer; Kymberly Horner, Interim Redevelopment Services Manager; Michael Henderson, General Services Manager; Todd Housley, Environmental Resources Manager; Cynthia Daniels, Project Manager and Anthony Emmert, Water Resources Manager.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of Resolution to Bruce Dandy for Twenty-Six Years of Exemplary Service to the City of Oxnard. (001)
RECOMMENDATION: Approve **Resolution No. 14,441**.
ACTION: Approve as recommended. (Ramirez/Padilla) Ayes: Flynn, Ramirez, MacDonald, Padilla and Perello.
DISCUSSION: Mr. Dandy thanked the Council and commented on the working conditions at the City.
2. SUBJECT: Presentation of Proclamation Designating November as "End Domestic Violence" Month.
DISCUSSION: Mayor Flynn presented a proclamation to Sandy Quintanilla, President Soroptimist International of Oxnard. She thanked the Council for the recognition and commented on where information is available to the public.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from: Ed Ellis; Betty Michel; Maria Pantoja; Raquel Cisneros; Juan Martin; Steve Nash; Paul Montgomery; Woodrow Thomas; George Miller; Nancy Lindholm; Morey Navarro; Dan Pinedo; Ron Mulvihill; Larry Stein and Pat Brown.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Discussion of City Manager Recruitment Process (Mayor Flynn)
DISCUSSION: The Council discussed the "City Manager" selection process including public input, privacy issues and the timeline.

Public comments were received from: Harold Ceja and Orlando Dozier.

ACTION: Move to have a special meeting November 12, 2013 from 6:30 p.m. to 9:30 p.m. and provided comments to staff (Flynn/Perello). Ayes: Ramirez, MacDonald, Padilla, Perello and Flynn.

At 7:58 p.m., Councilman MacDonald left the meeting.

K. REPORTS

Q. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Interim City Attorney (S-2(c)) & (S-10); General Services Manager (S-2(e)); Chief Financial Officer (S- 2(e)); City Treasurer (S-3); Project Manager (S-4); Police Chief (S-8); and City Engineer (S-10).

At 10:03 p.m. Mayor Flynn left the meeting and Mayor Pro Tem Ramirez presided. At 10:06 p.m., Mayor Flynn returned to the meeting and presided.

R. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from: Ralph Valenzula (S-10); Larry Stein (S-4); and Jeff McDeromott (S-10).

S. INFORMATION/CONSENT AGENDA

City Manager Department

2. SUBJECT: Agreements for City Council Review. (131)

RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

City Treasurer Department

3. SUBJECT: Quarterly Investment Report for the First Quarter F/Y 2013-2014. (135)

RECOMMENDATION: Accept the quarterly Investment Report for the First Quarter F/Y 2013-2014.

Development Services Department

4. SUBJECT: Request for Cooperative Work Agreement with the California Department of Finance (DOF) for Funding for the Rice Avenue/Santa Clara Avenue Interchange Improvements at U.S. Highway 101. (143)

RECOMMENDATION: Approve and authorize the Mayor to execute the request for a time extension to June 30, 2016 as a cooperative work agreement (CWA) with the California Department of Finance (DOF) in the amount of \$10,580,280 for the Rice Avenue/Santa Clara Avenue Interchange Improvements at U.S. Highway 101.

5. SUBJECT: Resolution Suspending Fee for Electric Vehicle Charging for One-Year Trial. (149)

RECOMMENDATION: Adopt **Resolution No. 14,442** suspending the hourly rate for electric vehicle charging on City-owned property for a one-year trial period.

6. SUBJECT: Approval of Award for Project Specification No. GS09-18 Oxnard Boulevard Bicycle & Pedestrian Path. (153)

RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with R.C. Becker and Son, Inc. (A-7621) in the amount of \$421,865.42 for Specification No. GS09-18 to construct a bicycle and pedestrian path east of Oxnard Boulevard and south of Gonzales Road, adjacent to the future Sports Park.

7. SUBJECT: Second Reading of **Ordinance No. 2874** Establishing Parking Regulations for Electric Vehicle Charging on City-Owned and Operated Parking Facilities. (217)

RECOMMENDATION: Second reading and adoption

Police Department

8. SUBJECT: Federal Asset Forfeiture Funds. (219)

RECOMMENDATION: Approve a special budget appropriation in the amount of \$203,150 for the use of Federal Asset Forfeiture funds allocated to the City of Oxnard Police Department.

Public Works Department

9. SUBJECT: Second Amendment to Agreement with KEH & Associates, Inc. for Design and Post Design Services for the Effluent Sampling Facility Project. (221)

RECOMMENDATION: Approve and authorize the Mayor to execute a Second Amendment to the Agreement with KEH & Associates, Inc. (5639-11-PW) to increase the amount by \$59,530 for a total contract of \$278,057 for design and post design services of the Effluent Sampling Project.

10. SUBJECT: Approval of Award of Contract to Los Angeles Engineering, Incorporated for PW03-18 Hueneme Road Widening Improvement Project. (227)

ACTION: Failed to be approved with 2-2 vote.

11. SUBJECT: Metropolitan Water District of Southern California Member Agency Funded Water Conservation Programs. (257)

RECOMMENDATION: 1) Adopt **Resolution No. 14,443** authorizing the City Manager or designee to execute agreements, amendments and documents necessary to secure reimbursements from Metropolitan Water District of Southern California and Calleguas Municipal Water District for the following three water conservation programs: (a) A High Efficiency Toilet Exchange Program for single-family water customers; (b) A High Efficiency Toilet Exchange Program for multi-family water customers; (c) A High Efficiency Sprinkler Nozzle Distribution program for both residential and commercial water customers; and 2) Approve a Special Budget Appropriation in the amount of \$315,000 consisting of \$145,000 reimbursements from MWD through CMWD and \$170,000 from Water Fund Balance.

12. SUBJECT: Agreement for Professional Services with Aquatic Bioassay and Consulting Laboratories, Inc. (263)

RECOMMENDATION: Approve and authorize the Mayor to execute an agreement with Aquatic Bioassay and Consulting Laboratories, Inc., (A-7620) in the amount of \$211,098 for receiving water monitoring services.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with exception of S-10 which was not approved (Ramirez/Padilla). Ayes: Flynn, Ramirez, Padilla and Perello. Absent: MacDonald. Noes: Flynn and Perello only for S-10.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:49 p.m. the joint meetings with the Community Development Successor Agency concluded.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

2. SUBJECT: Verbal Report on Agriculture-Tourism.

RECOMMENDATION: Receive and consider verbal report.

DISCUSSION: Councilmember Padilla and Susan Smith, Director of the Oxnard Visitors and Convention Bureau commented on Agriculture-Tourism program.

ACTION: Received verbal report.

H. INFORMATION/CONSENT PUBLIC HEARINGS

ACTION: Mayor Flynn declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and that there were no written communications received.

Public Works Department

1. SUBJECT: Amendments to the City Code Regarding the Sewer Use Ordinance. (025)

RECOMMENDATION: 1) Hold a public hearing concerning the adoption of an ordinance that amends Oxnard City Code Chapter 19, Sections 19-4 (C), (E), (WW), (JJJ), (SSS), (BBBB), (CCCC), 19-71, 19-75, 19-80, 19-92, 19-93, and 19-118 to provide the City of Oxnard (the "City") with the adequate legal authority to comply with all applicable State and federal laws including the Clean Water Act (33 USC Sections 1251 *et seq.*), general pretreatment regulations (40 CFR Part 403), and the requirements of the city's national pollutant discharge elimination system permit; and 2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2875** that amends Oxnard City Code Chapter 19, Sections 19-4 (C), (E), (WW), (JJJ), (SSS), (BBBB), (CCCC), 19-71, 19-75, 19-80, 19-92, 19-93, and 19-118.

DISCUSSION: The Water Resources Manager reviewed the need to update the current ordinance regarding sewer use and to follow federal code. The Interim City Attorney also commented on the need to update the code.

The Council commented on enforcement requirements and the need to update the City code.

ACTION: Close the public hearing. (Ramirez/Perello) Ayes: Padilla, Perello, Flynn and Ramirez. Absent: MacDonald. Approved as recommended. (Ramirez/Padilla) Ayes: Padilla, Perello, Flynn and Ramirez. Absent: MacDonald.

2. SUBJECT: Amendments to the City Code Regarding the Storm Water Quality Management. (039)

RECOMMENDATION: 1) Hold a public hearing concerning the adoption of an ordinance that amends Oxnard City Code Chapter 22, Sections 22-215 through 22-231, to provide the City of Oxnard with the adequate legal authority to comply with Part 3.B.4 of Order No. R4-2010-0108, NPDES Permit No. CAS004002, dated July 8, 2010, issued by the Regional Water Quality Control Board – Los Angeles Region and entitled "Waste Discharge Requirements for Storm Water (Wet Weather) and Non-Storm Water (Dry Weather) Discharges from the Municipal Separate Storm Sewer Systems within the Ventura County Watershed Protection District, County of Ventura and the Incorporated Cities Therein" (2010 MS4 Permit); and 2) Approve the first reading by title only and subsequent adoption of **Ordinance No. 2876** that amends Oxnard City Code Chapter 22, Sections 22-215 through 22-231.

DISCUSSION: The Water Resources Manager reviewed the need to update the current ordinance regarding run-off water and use of ground water by residents.

Public comments received from: Larry Stein.

The Council commented on use of ground water by residents and the collecting of runoff water.

ACTION: Close the public hearing (Perello/Padilla). Ayes: Flynn, Ramirez, Padilla and Perello. Absent: MacDonald. Approved as recommended (Perello/Ramirez) Ayes: Flynn, Ramirez, Padilla and Perello. Absent: MacDonald.

3. SUBJECT: Drinking Water Public Health Goals Report 2013. (063)

RECOMMENDATION: Hold a public hearing to receive and respond to public comments on the Drinking Water Public Health Goals Report 2013.

DISCUSSION: The Water Resources Manager discussed the quality of water in the City of Oxnard and stated that the entire City meets all State and federal standards. He also commented on the efforts to place all septic tanks on the municipal wastewater collection system; use of fertilizers by local farms; and reasons for colored water.

Public comments were received from: George Miller, Juan Delego and Larry Stein.

The Council commented on the quality of water in the community; use of fertilizers by farmers; septic tank use; and Santa Clara Wastewater (truck waste disposal) permit.

ACTION: Close the public hearing (Padilla/Ramirez). Ayes: Ramirez, Padilla, Perello and Flynn. Absent: MacDonald. Approved as recommended. (Ramirez/Perello) Ayes: Ramirez, Padilla, Perello and Flynn. Absent: MacDonald.

I. PUBLIC HEARINGS

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending September 30, 2013. (003)

RECOMMENDATION: Approve Report.

DISCUSSION: The Chief Financial Officer and General Services Manager provided information regarding Golf course.

Public comments were received from: Larry Stein.

The Council commented on meeting with the Golf Course management and financial information regarding golf course.

ACTION: Received and filed.

2. SUBJECT: State Controller Financial Transactions Report. (021)

RECOMMENDATION: Receive the State Controller Financial Transactions Report and make the report available per sections 53891 and 53893 of the Government Code.

DISCUSSION: The Chief Financial Officer commented on report details and possible future reporting options.

ACTION: Received and filed.

J. APPOINTMENT ITEMSL. PUBLIC COMMENTS ON REPORTSM. REPORT OF CITY MANAGER

1. SUBJECT: Verbal Update on the Materials Recycling Facility (MRF).

RECOMMENDATION: Receive and consider verbal report.

DISCUSSION: The Environmental Resources Manager updated the Council on the transition plan including negotiating service contracts and hiring of personnel. The Chief Financial Officer commented on report details and possible future reporting options.

Public comments were received from: Larry Stein.

The Council commented purchase of equipment, hiring of personnel and reports to Council.

ACTION: Received and filed.

O. STUDY SESSIONP. PUBLIC COMMENTS ON STUDY SESSIONN. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed: Oxnard College Park soccer fields use; Channel Islands bridge overpass maintenance; shopping in Oxnard during the holidays; a Science Fair at Thurgood Marshall School; and Ethics Workshop (November 6, 2013).

T. ADJOURNMENT

At 12:28 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

CARMEN RAMIREZ
Mayor Pro Tem

MINUTES
OXNARD CITY COUNCIL
Special Meeting
November 6, 2013

A. ROLL CALL/POSTING OF AGENDA

At 3:10 p.m., the special meeting of the Oxnard City Council convened in the Oxnard City Library, Room B. Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald and Dorina Padilla were present. Councilmember Bert Perello was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Danielle Navas, City Treasurer; Karen Burnham, Interim City Manager; Stephen Fischer, Interim City Attorney; Jeri Williams, Police Chief; James Williams, Fire Chief; Rob Roshanian, Interim Public Works Director; Barbara Murray, Library Director; William Wilkins, Housing Director; Matthew Winegar, Development Services Director; Michelle Tellez, Human Resources Director; James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Rahsaan Tilford, Deputy City Attorney; Christina Aerenlund, Public Information Officer; Michael Henderson, General Services Manager; Martin Erickson, Deputy City Manager; Sofia Balderrama, Management Analyst; Kymberly Horner, Interim Redevelopment Services Manager; Efren Gorre, Youth Development Manager; Terrel Harrison, Recreation Supervisor/PAL Co-Director; Jan Perkins, Management Partners (facilitator); and Martha Perego, International City/County Management Association (facilitator). At 3:31 p.m., Councilmember Perello was present.

B. PUBLIC COMMENT

The public was informed that comment(s)/question(s) would be received by writing. Several comments from the public were publicly read-out loud. The public was informed by the facilitators that the December 2, 2013 workshop would be for public input.

- C. STUDY SESSION – Ethics Workshop: The agenda item for this Special Meeting is an Ethics Workshop to be conducted in the following format: (1) Welcome, (2) Introduction of Facilitators, (3) Review of Workshop Agenda, (4) Introduction to Ethics, (5) Discussion Relating to City of Oxnard Service, (6) Building Consensus on Ethical Values and Behaviors, (7) Ethics Laws, (8) Next Steps and Evaluation.

DISCUSSION: The facilitators outlined agenda, guidelines, objectives, discussed several aspects of ethics including values, mistakes, ethics laws and behaviors. The Council and staff were divided into several groups to discuss several ethical topics and questions.

ACTION: The City Council received ethics information and provided comments at the meeting.

D. ADJOURNMENT

At 6:02 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor

MINUTES
OXNARD CITY COUNCIL
Special Meeting
November 12, 2013

A. ROLL CALL/POSTING OF AGENDA

At 6:19 p.m., the special meeting of the Oxnard City Council convened in the Council Chambers Councilmembers Tim Flynn, Carmen Ramirez, Bryan A. MacDonald, Dorina Padilla and Bert Perello were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Flynn presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Stephen Fischer, Interim City Attorney; Grace Hoffman, Deputy City Clerk; and Scott Whitney, Assistant Police Chief .

B. PUBLIC COMMENT

Public comments were received from the following individuals: Elaine Tracy; Donald Thibeault; Marilyn Valenzuela; Martin Vasquez; Woodrow Thomas; Larry Stein; Ralph James; Steve Nash; Armando Vazquez; Deborah Devires; Gloria Roman; William Terry; Rachel Flores; Pat Brown; Shirley Godwin; Larry Godwin; Barbara Macri-Ortiz; Vincent Stewart; Orlando Dozier; Juan Delego; Vince Behrens; Harold Ceja and Dan Pinedo.

C. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Discussion of City Manager Recruitment Process (Mayor Flynn)

DISCUSSION: The Interim City Attorney reviewed the City Manager selection process including recruiting process (advertisement); responsibilities of the consultant; receiving input from public, Council and staff; interview process/background review and function of recruitment brochure.

The Council commented on several issues including timeline of the process, review of top candidates, use of consultant, application information, formation of selection panel and suggestions to "ad hoc" committee (drafting recruitment brochure). The Council discussed the qualities searching for which included: have "vision for future"; looking at City policies; being "open to public"; managerial abilities; creating jobs; leadership relating to the public; getting hands dirty; and transform government.

ACTION: Provided comments to staff including directions to consultant.

D. ADJOURNMENT

At 9:18 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

TIM FLYNN
Mayor



Meeting Date: 12/10/2013

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

Prepared By: Karen R. Burnham, Interim City Manager

Agenda Item No. S-2

Reviewed By: City Manager KRB City Attorney SMF Finance JRC Other (Specify) _____

DATE: December 2, 2013

TO: City Council

FROM: Karen R. Burnham, Interim City Manager
City Manager's Office

SUBJECT: Agreements for City Council Review

RECOMMENDATION

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

DISCUSSION

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

FINANCIAL IMPACT

Funding information is included on the attached list.

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

NOTE: Copies of the agreement/contracts and change orders/amendments on the list are available in the City Clerk's Office after 10:00 a.m. on Thursday prior to the Council meeting.

City Manager Contract List for 12/10/2013

Item	Type	Department/Contact	Vendor/Agreement Number	Description/Purpose	Amount
A	Original Agreement	Police - Community Patrol Sergeant Mike Adair 486-6211	Ventura County District Attorney Agreement No. A-7589	Prosecution Services - Gang Injunctions Consulting Services with the Ventura County District Attorney's Office for vertical prosecution of criminal cases arising out of violations of the Colonia and Southside Chiques gang injunctions. This is an enhanced service provided to the City of Oxnard and no other entity or organization can provide these services. Total Contract Amount: \$98,668 FundingSource: General Fund	\$98,668
B	Original Agreement	Police Police Chief Jeri Williams 805-385-7653	County of Ventura, CSUCI, VCCCD, City of Port Hueneme, Simi Valley, Santa Paula Agreement No. 6291-13-PO	AVOID 14 MOU To reduce alcohol involved fatalities and injuries and raise general awareness regarding the problems associated with drinking and driving; increased DUI enforcement and intensive media campaigns will be conducted on a county-wide basis. The agreement is between the City of Oxnard, County of Ventura, California State University Channel Islands, cities of Port Hueneme, Simi Valley, Santa Paula and San Buenaventura. This is an annual grant funded by the Office of Traffic Safety. The grant provides funding for overtime for various DUI enforcement operations, including checkpoints, saturations and warrant services. The City of Oxnard is the lead agency and serves as the fiscal agent for disparate agencies. City Council previously approved the submission for this grant at its September 24, 2013 meeting. Total Contract Amount: \$111,400 FundingSource: State Grants	\$111,400
C	Amendment	Police - Police Support Services Scott Hebert 385-7619	Dr. Lawrence N. Blum, PhD., Inc. Agreement No. 5640-11-PO Amendment 2	Second Amendment to Psychological Services Contract Dr. Lawrence Blum has provided services to the Oxnard Police Department since 2005. A Request for Proposal was distributed in November 2011, and Dr. Blum was selected for the services. Examples of these services include pre-employment psychological services, stress exposure incident management, and tactical decision making under stress training. The existing contract expired on November 30, 2013. The amendment will extend the contract for the term of one year, which is the final year allowable under the RFP (three years total). Total Contract Amount: \$90,000 FundingSource: General Fund	\$16,000

100

ATTACHMENT
PAGE 1 OF 1

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

Prepared By: Michael Henderson *MH* Agenda Item No. *S-3*Reviewed By: City Manager *YJB* City Attorney *SMF* Finance *QC* Other (Specify) _____

DATE: November 7, 2013

TO: City Council

FROM: Michael Henderson, General Services Superintendent
City Manager Department *MH***SUBJECT: Reprogram CDBG Funds to the Campus Park Gymnasium Wing Interior Remodel
Balance from Completed Projects****RECOMMENDATION**

That City Council approve a special budget appropriation reprogramming \$300,000 of CDBG funding to the Campus Park Gymnasium Project No. 137401 for the remodel of the North Wing.

DISCUSSION

When CDBG funded projects have been completed, remaining funds are available for reprogramming to needed and eligible projects. The City's General Services Division is requesting \$300,000 of those funds for the remodel of the North Wing of the Gymnasium building located at Campus Park (Attachment 1). These funds are required because of additional scope to address structural issues; extensive flooring repairs and providing heating to the area. These funds are the remaining balance from the completed Lemonwood Rehabilitation Project and reprogramming funds that have been generated since July 1, 2013. These funds can only be used on the projects that were identified in the Action Plan approved by City Council July, 2013 and Campus Park Gymnasium is one of those projects.

FINANCIAL IMPACT

Campus Park Gymnasium Project (137401) currently has appropriations in the amount of \$1,380,600 from CDBG for the remodel of the North Wing. Based on unforeseen conditions including structural, flooring and heating (Attachment 2), the total cost is estimated to be \$1,680,600. Additional CDBG funds in the amount of \$300,000 are recommended for reprogramming to this project.

MH/pcf

Attachment #1 – Project Agenda
#2 – Special Budget Appropriations

PROJECT AGENDA

10/28/2013

Project: Campus Park Gym North Wing

Scope: North Wing is to be made water tight by replacing the roof and windows; address structural issue by replacing the north and east side exterior walls; make repairs to interior concrete floors to make them level and with useable surface; add heating to the space to allow for use by students and staff.

Budget: \$1,380,600.00

Design: Estimate for construction cost is \$1,680,600.00 to complete the scope items above and make the interior of the north wing functional as program space for student activities and permanent staff space.

Short Fall: (\$300,000.00)

Propose: Reprogram funds from completed CDBG projects to this project that is in design phase so that it can move through the public bid and construction phase for this north wing area.

ATTACHMENT 1
EXHIBIT
PAGE 1 OF 1

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: General Services
Project/Program
Manager: Ralph Alamillo

Date: November 19, 2013
Phone: _____

Reason for Appropriation:

Reprogram funds from completed CDBG projects to Campus Park Gym project for the remodel of the North Wing.

Accounts and Descriptions

AMOUNT

Fund: **285 - CDBG ENTITLEMENT**

Revenues

5139 - GRANTS MANAGEMENT

285-5139-521-7206 FEDERAL & STATE SOURCES / CDBG GRANT 300,000

Sub-total Revenues 300,000

Expenditures

CAMPUS PARK GYM (Project 137401)

285-7465-826-8605 CAPITAL OUTLAY / IMPROV NOT BUILD-MAJOR RE 300,000

Sub-total Expenditures 300,000

Net Change to Fund Balance 0

Net Appropriation Change 300,000

Approvals

Department Director

Chief Financial Officer

City Manager

ATTACHMENT 2
EXHIBIT
PAGE 1 OF 1

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

Prepared By: Martin Meyer, Police Commander

Agenda Item No. S-4

Reviewed By: City Manager mmh

City Attorney RT

Finance J.C.

Other (Specify) _____

DATE: December 10, 2013

TO: City Council

FROM: Jeri Williams, Chief of Police
Police Department

Shirley For

SUBJECT: Second Amendment to Agreement for Security Services in the Central Business District Core Area and Oxnard Downtown Management District

RECOMMENDATION

That City Council approve and authorize the Mayor to execute the Second Amendment to the Agreement for Trade Services with Securitas Security Services USA, Inc. (Agreement No. A-7362) to extend the term one year to December 31, 2014, for a total agreement value of \$1,260,000.

DISCUSSION

Securitas Security Services USA, Inc. ("Securitas") has provided security services to Oxnard's Central Business District ("CBD") since 2005. The CBD is the area defined as an approximately thirty-five square block area in downtown Oxnard bounded by the north side of Wooley Road to the south, south of Second Street to the north, the alley west of "C" Street to the west and the east alley of Meta Street to the east. Securitas security services include bike, foot, and vehicle patrols with its security officers acting as "ambassadors" to the business community and those persons patronizing CBD establishments. These security officers also assist police officers with Crime Free Business surveys and the Oxnard Downtown Management District with varied tasks including distributing information to businesses. The combination of private security and police employing a community oriented policing and problem-solving approach to crime and disorder has proven successful in the CBD.

This vendor was selected for the initial Agreement based upon its presence and breadth of experience in working with business improvement districts. A Request for Proposal was distributed in November of 2010, seeking qualified and licensed private patrol operators to provide comprehensive private patrol, customer service, and security services in the CBD core area and Centennial Plaza. Twenty-five licensed private patrol operators attended a mandatory pre-proposal meeting, and eight operators submitted proposals. Four private patrol operators were subsequently interviewed, and Securitas was selected to provide the required services under a two-year contract.

A First Amendment to the Agreement was approved by the City Council to extend the term one year to December 31, 2013, and reduced the annual expenditure from \$345,000 to \$260,000.

FINANCIAL IMPACT

The projected cost of the amended agreement is approximately \$310,000 for calendar year 2014. This agreement is funded by General Fund (101-2101-802-8487) and the Oxnard Downtown Management District reimbursement.

(MM)

Attachment #1 - Second Amendment to Agreement for Trade Services with Securitas Security Services USA, Inc.

**SECOND AMENDMENT TO AGREEMENT
FOR TRADE SERVICES**

This Second Amendment ("Second Amendment"), to the Agreement for Trade Services ("Agreement") is made and entered into in the County of Ventura, State of California, this 31st day of December, 2013, by and between the City of Oxnard, a municipal corporation ("City"), and Securitas Security Services USA, Inc. ("Vendor"). This Second Amendment amends the Agreement entered into on January 1, 2011, by City and Vendor. The Agreement had previously been amended on December 31, 2012, by a First Amendment.

City and Vendor agree as follows:

1. In Section 3 of the Agreement, the date "December 31, 2013" is deleted and replaced with the date "December 31, 2014."
2. Section 4 of the Agreement is amended to read: "Effective as of December 31, 2013, for the period from January 1, 2014 to December 31, 2014, City shall pay Vendor an amount not to exceed \$310,000 for services provided based on the fees specified in Exhibit B2." Exhibit B2 is attached hereto and incorporated herein by reference.
3. As so amended, the Agreement remains in full force and effect.

CITY OF OXNARD

VENDOR

Tim Flynn, Mayor

Martin Scherer, Branch Manager
Securitas Security Services USA, Inc.

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, Interim City Attorney

APPROVED AS TO INSURANCE:

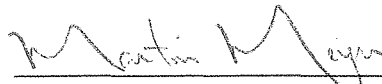
James Cameron, Risk Manager

APPROVED AS TO CONTENT:



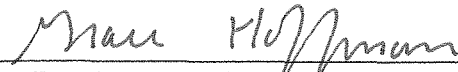
Jeri Williams, Chief of Police

APPROVED AS TO CONTENT:



Martin Meyer, Project Manager

APPROVED AS TO AMOUNT:



per Karen R. Burnham, Interim City Manager

Exhibit B-2

Fee Schedule

Salary/Compensation

<u>Position</u>	<u>Wage Rate</u>	<u>Straight Time Billing Rate</u>	<u>OT* and Holiday** Billing Rate</u>
Security Officer (Ambassador)	\$14.60	\$23.76	\$35.11
Security Officer (Sergeant)	\$14.90	\$24.22	\$35.79
New PC	\$16.00	\$27.44	\$40.63
Site Supervisor	\$17.00	\$27.44	\$40.63

* OT (Overtime) is defined as any hours beyond 8 hours per shift or 40 hours per week specifically requested by the City, without 48 hours advance notice.

** Holidays include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, when worked.

Officer will receive 40-hours of on-site training prior to permanent assignment to be billed at the training rate of \$14.73 per hour.

TOUR/INCIDENT MANAGEMENT SYSTEM: SECURITAS VISION

Monthly cost included in overall pricing

OPTIONAL PATROL VEHICLE COSTS

\$12,720 annual billing/\$1060.00 monthly billing



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

Prepared By Grant Dunne, Management Analyst IIIAgenda Item No. S-5Reviewed By: City Manager ARBCity Attorney RTFinance JL

Public Works

DATE: November 20, 2013**TO:** City Council
FROM: Rob Roshanian, Interim Public Works Director
Public Works Department

SUBJECT: Purchase Order No. 4698 with Quinn Company for the Acquisition of Heavy-Duty Equipment for the Del Norte Regional Recycling and Transfer Station

RECOMMENDATION

That City Council:

1. Approve and authorize the Mayor to execute Purchase Order No. 4698 with Quinn Company in the amount \$875,426.11 for the acquisition of heavy-duty equipment for the Del Norte Regional Recycling and Transfer Station (Del Norte Facility).
2. Approve a Special Budget Appropriation (SBA) in the amount \$875,426.11 from the Solid Waste Operating Fund to the Del Norte Facility Start-Up Equipment Acquisition Project No. I63001.

DISCUSSION

On October 1, 2013, the City Council approved the Del Norte Facility Business and Transition Plan and authorized staff to implement the plan for the City management, operation and maintenance of the Facility. On February 1, 2014, the City will begin operations at the Del Norte Facility as the current operations agreement expires with Republic Services of California, Inc. In accordance with the Business Plan, acquisition of heavy-duty equipment for start-up operations and replacing old and inefficient equipment is among the top priorities in operating an efficient and safe facility.

In October, 2013 the City's Fleet Services Division completed an evaluation of the existing heavy-duty equipment that currently operates at the Del Norte Facility (Attachment No. 3). This equipment includes front-end articulating loaders that push and load materials, skid steers that assist in floor sorting, and lift trucks that move bales and bins. Fleet's evaluation determined that all equipment was either approaching or beyond its useful life cycle, with particular equipment identified as needing immediate replacement. Initially, staff is recommending the purchase of equipment that is deemed in the worst condition and potentially unsafe for operation. Subsequent equipment purchases will be recommended as it becomes obsolete.

Staff has evaluated products from competing manufacturers and due to the aggressive timeline for transition, obtained equipment pricing from the Government Merchandising Program (GMP) and the

Purchase Order No. 4698 with Quinn Company for the Acquisition of Heavy-Duty Equipment for the Del Norte Regional Recycling and Transfer Station

November 20, 2013

Page 2

National Joint Powers Alliance (NJPA) in lieu of issuing a formal request for bid for the equipment. GMP and NJPA are federal government purchasing contracts that assist with the procurement work for other government agencies. GMP and NJPA maintain a collection of pre-negotiated contracts from vendors for government agencies to view and make competitive purchases with the knowledge that all legal procurement obligations have been verified. The pre-negotiated contracts enable government agencies to simplify and accelerate their procurement process. Using a GMP or NJPA cooperative agreement (whichever provides the best value), the City will acquire the new equipment with competitive pricing, a price discount of approximately 20%, and the equipment delivered as near to the February 1, 2014 transition date as possible.

GMP and NJPA have pre-negotiated contracts with the proposed vendor, Quinn Company for the equipment manufactured by Caterpillar. Caterpillar meets the equipment specifications to replace the existing equipment at the Del Norte Facility. Caterpillar is known for quality, reliability and their equipment is used extensively in waste transfer and material recovery facilities throughout the world. Staff has selected the Quinn Company Caterpillar dealership located at 801 Del Norte Boulevard in Oxnard due to their participation in GMP and NJPA and their close proximity to the Del Norte Facility. The proximity of Quinn to Del Norte will also provide quicker response times for maintenance that cannot be performed by City staff and also eliminate transportation costs should equipment require repair at the Quinn facility.

The equipment in Purchase Order 4698 includes:

2	Skid Steers - \$52,983.91 each	\$104,167.82
1	Pneumatic Tire Lift Truck with rotator attachment	\$37,506.24
1	Pneumatic Tire Lift Truck without the rotator attachment	\$29,774.52
1	Front-end Articulating Loader with a Rockland 6 yd. Bucket	\$367,909.64
1	Front-end Articulating Loader without a Rockland 6 yd. Bucket	\$336,067.89
Total Cost		\$875,426.11

FINANCIAL IMPACT

The purchase cost of the equipment is \$875,426.11 and will be funded by the Solid Waste Enterprise Fund. The SBA transfers \$875,426.11 from the Solid Waste Operating Fund to the Del Norte Facility Start-Up Equipment Acquisition Project No. I63001. The anticipated net savings from the existing operating agreement will offset the cost of this equipment.

- Attachment #1 - Purchase Order No. 4698
#2 - Special Budget Appropriation
#3 - Fleet Services Equipment Evaluation Report
#4 - GMP Pricing for Heavy Equipment
#5 - NJPA Pricing for Heavy Equipment



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

**PURCHASE
ORDER NO.
004698**

DATE: 11/26/2013

VENDOR PHONE: (559)896-4040
VENDOR FAX: () -
VENDOR #: 7840
VENDOR ADDRESS: QUINN POWER SYSTEMS
P.O. BOX 849665
LOS ANGELES, CA 90084-9665

SHIP TO: DEL NORTE RECYCLING CNTR
111 DEL NORTE BLVD
OXNARD, CA 93030

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

DELIVER BY		REQUISITION #	REQUISITION DATE	CONFIRMED BY	
10/31/2014		0000001405	11/15/2013	ADDR CHG: 1/1/06	
FOB		ACCOUNT NUMBER		AUTHORIZED BY	
		63163048918606		MIKE MORE	
ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE		UNIT COST	EXTENDED COST

CHANGE ORDER

1	0.00 / DL	HEAVY EQUIPMENT AND PARTS	1.0000	0.00
2	52,083.91 / DL	MODEL 262D SKID STEER LOADER	1.0000	52,083.91
3	52,083.91 / DL	MODEL 262D SKID STEER LOADER	1.0000	52,083.91
4	37,506.24 / DL	CAT 2P5000 PNEUMATIC TIRE LIFT WITH ROTATOR ATTCH	1.0000	37,506.24

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

**PURCHASE
ORDER NO.
004698**

DATE: 11/26/2013

VENDOR PHONE: (559)896-4040

VENDOR FAX: () -

VENDOR #: 7840

**VENDOR ADDRESS: QUINN POWER SYSTEMS
P.O. BOX 849665
LOS ANGELES, CA 90084-9665**

**SHIP TO: DEL NORTE RECYCLING CNTR
111 DEL NORTE BLVD
OXNARD, CA 93030**

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

DELIVER BY	REQUISITION #	REQUISITION DATE	CONFIRMED BY	
10/31/2014	0000001405	11/15/2013	ADDR CHG: 1/1/06	
FOB	ACCOUNT NUMBER		AUTHORIZED BY	
	63163048918606		MIKE MORE	
ITEM #	QUANTITY / UNIT	DESCRIPTION ARTICLE OR SERVICE	UNIT COST	EXTENDED COST

5	CAT 2P5000 PNEUMATIC TIRE LIFT	1.0000 29,774.52
	29,774.52 / DL	

6	MODEL 950K WHEEL LOADER WITH ROCKLAND 6 YD BUCKET	1.0000 367,909.64
	367,909.64 / DL	

8	950K WHEEL LOADER	1.0000 336,067.89
	336,067.89 / DL	

BY ACCEPTANCE OF THIS PURCHASE ORDER, YOU AGREE TO
THE TERMS AND CONDITIONS OF THE CITY OF OXNARD

TOTAL PURCHASE AMOUNT

\$875,426.11

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

**PURCHASE
ORDER NO.
004698**

DATE: 11/26/2013

VENDOR PHONE: (559)896-4040

VENDOR FAX: () -

VENDOR #: 7840

VENDOR ADDRESS: QUINN POWER SYSTEMS
P.O. BOX 849665
LOS ANGELES, CA 90084-9665

SHIP TO: DEL NORTE RECYCLING CNTR
111 DEL NORTE BLVD
OXNARD, CA 93030

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

F.O. # MUST Appear on ALL Invoices, Packages and Correspondence				
DELIVER BY		REQUISITION #	REQUISITION DATE	CONFIRMED BY
10/31/2014		0000001405	11/15/2013	ADDR CHG: 1/1/06
FOB		ACCOUNT NUMBER		AUTHORIZED BY
		63163048918606		MIKE MORE
ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE	UNIT COST	EXTENDED COST

Send Original and One Copy of Invoice to:
PURCHASING
300 W. THIRD ST, #202
OXNARD, CA 93030

AUTHORIZED SIGNATURE _____

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO AMOUNT:



Karen R. Burnham, Interim City Manager

PURCHASE ORDERS
TERMS AND CONDITIONS

The City Purchasing Officer and the Vendor agree as follows:

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

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

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

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: Public Works
Project/Program
Manager: Rob Roshanian

Date: December 3, 2013
Phone: 7682

Reason for Appropriation:

To purchase in-building rolling stock equipment such as front-end articulating refuse loaders, mini refuse loaders, and lift trucks to replace aging equipment for the Del Norte Regional Recycling and Transfer Station.

Accounts and Descriptions

AMOUNT

Fund: **SOLID WASTE FUND (631)**

Expenditures/Transfers In

Del Norte Facility Start-Up Equipment Acquisition (Project No. I63001)

601-6304-821-8606 CAPITAL OUTLAY/MACHINERY & EQUIPMENT - NEW 875,426

Net Change to Fund Balance (875,426)

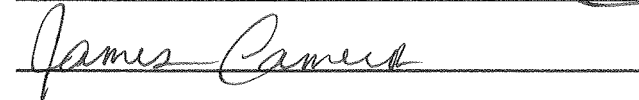
Net Appropriation Change 875,426

Approvals

Department Director



Chief Financial Officer



City Manager



REQUIRES CITY COUNCIL AUTHORIZATION

SBA# (Finance Use Only) _____

BA Doc# (Finance Use Only) _____

Revised : 2/23/2012

MEMO



Fleet Services
A Division of General Services

October 25, 2013

TO: Todd Housley
FROM: Ken Dunham, Equipment Supervisor
SUBJECT: Yellow iron evaluation

After inspecting the equipment and reviewing the records that Republic has provided it is determined that maintenance and repair practices mirror those found in a 2006 report provided by Fleet Services (see attached).

The following are recommendations from Fleet Services based on our assessment with proper operator use and recommended maintenance schedules.

Front End Loader serial# 3JW02874: Replace as soon as possible.

Front End Loader serial# 3JW01124: Replace as soon as possible.

Front End Loader serial# 9WM02566: Replace in year two.

Lift Truck serial# H177B39976A: This unit is in decent condition and should be replaced in year two or three

Lift Truck serial# H177B401125A: This unit is in fair condition and should be replaced in as soon as possible.

Lift Truck serial# H177B40019A: This unit should be replaced in year two.

Lift Truck serial# H177B40021A: This unit is unsafe to operate and should be removed from service. The load side shift cylinder has been removed and could cause the load to shift rapidly causing the lift truck to tip. This unit is in the worst condition and should be replaced as soon as possible.

MEMO



Skid Steer serial# T00332A156951: This unit is in fair condition and should be replaced in year two.

Skid Steer serial# T00332A156684: This unit is in fair condition and should be replaced in year two.

Skid Steer serial# T00332A156777: This unit is currently at John Deere and needs an engine. The quote to replace the engine is \$13,500. The cost of the new engine should be put towards the purchase price of a new unit and it should be replaced as soon as possible.

The following units are in various states of dismantle and should be prepped for auction as soon as possible.

Front End Loader serial# 3JW02867

Skid Steer serial# T00280B934841

Skid Steer serial# T00280A934865

Please be advised that **ALL** units are at or beyond their useful life expectancy. All units should be replaced sooner should funding become available. This would help reduce repair costs associated with old worn out units. Additionally there will be a cost associated with repairs needed on units that will remain in service to assure their safe operation.

CC: Bill Birch
Dan Rydberg

GMP Pricing for Heavy Equipment

Caterpillar Product and Service Pricing

<u>Model</u>	<u>Minimum Member Discount</u>
Articulated Trucks	14%
Backhoe Loaders	21%
Generators	17% - 50%
Integrated Tool Carriers	21% - 26%
Landfill Compactors	14%
Motor Graders	23% - 37%
Paving Products	14% - 18%
Skid Steer Loaders	16%
Towed Scrapers	15%
Track Excavators	12% - 25%
Track Loaders	20% - 23%
Track Type Tractors	10% - 25%
Tractor Scrapers	15% - 17%
Vocational Trucks	23%
Wheel Dozers	15%
Wheel Loaders	12% - 26%
Wheeled Excavators	32% - 35%
Work tools	15%

The following items are also available under the contract:

- Financing Options
- Used Equipment - subject to availability, 20% discount off the original list price of used Caterpillar equipment that is currently in the Cat Dealers rental fleet, excluding vocational trucks and work tools
- Used Vocational Trucks & Work Tools - pricing to be negotiated with local participating dealer
- Rentals - product and service pricing to be negotiated with local participating dealer
- Accessories/Allied Products (trailers, etc.) - product pricing to be negotiated with local participating dealer
- Parts - product pricing to be negotiated with local participating dealer
- Service/Repair - product pricing to be negotiated with local participating dealer
- Extended Warranties - product pricing to be negotiated with local participating dealer
- Maintenance Agreements - product pricing to be negotiated with local participating dealer
- Trade-In or Buyback Options - to be negotiated with local participating dealer

NJPA Pricing for Heavy Equipment

2013 NJPA Pricing & Member Discounts

P1.12

Effective as of November 19, 2012

Machine Models**

Minimum Discount

Asphalt Pavers

AP255	16%
AP500	16%
AP555	16%
AP600	16%
AP655	16%
AP800	16%
AP1000	16%
AP1055	16%

Asphalt Compactors

CB14	16%
CB22	16%
CB24	16%
CB32	16%
CB34	16%
CB44	16%
CB54	16%
CB64	16%
CB434	16%
CC24	16%
CC34	16%
CD44	
CD54	16%

Soil Compactors

CS44	14%
CS54	14%
CS56	14%
CS64	14%
CS74	14%
CS76	14%
CS433	14%
CP44	14%
CP54	14%
CP56	14%
CP64	14%
CP76	14%
CP433	14%

Track Type Tractors

D3	25%
D4	24%
D5	25%
D6	24%
D7	22%
D8	22%
D9	10%
D10	10%

Integrated Tool Carriers

IT14	26%
IT62	21%

Wheeled Excavators

M313	35%
M315	32%
M316	35%
M318	32%
M322	35%

Cold Planners

PM102	14%
PM200	14%
PM201	18%

Pneumatic Compactors

PS150	16%
PS360	16%

Rotary Mixers

RM300	14%
RM500	14%

Motor Graders

12	33%
120	37%
140	33%
160	33%
14	23%

Skid Steer Loaders

216	16%
226	16%
232	16%

236	16%
242	16%
246	16%
252	16%
262	16%
272	16%

Multi-Terrain Loaders

247	16%
257	16%
277	16%
287	16%

Compact Track Loaders

259	16%
279	16%
289	16%
299	16%

Excavators

300.9	17.5%
301.4	17.5%
301.5	17.5%
301.6	17.5%
301.7	17.5%
301.8	17.5%
302.4	17.5%
302.5	17.5%
302.7	17.5%
303	17.5%
303.5	17.5%
304	17.5%
305	17.5%
305.5	17.5%
307	17.5%
308	17.5%
311	24%
312	21%
314	25%
315	25%
316	25%
318	22%
319	22%
320	18%
321	18%

324	18%
328	18%
329	18%
330	18%
336	18%
349	12%

Backhoe Loaders

416	21%
420	21%
430	21%
450	21%

Wheel Tractor Scrapers

613	15%
615	17%
621	16%
623	17%
627	16%

Articulated Trucks

725	14%
730	14%
735	14%
740	14%

Wheel Dozers

814	15%
824	15%

Landfill Compactors

816	27%
826	27%
836	18%

Wheel Loaders

906	25%
907	25%
908	25%
914	26%
924	26%
928	26%
930	26%
938	26%
950	24%

962	24%
966	21%
972	16%
980	12%

Track Loaders

953	20%
963	23%
973	23%

Vocational Trucks

CT660	23%
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Worktools	15%
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**The models listed represent the most current offerings however depending on dealer inventory and new factory releases additional models within the respective product families may be available. Please contact the local dealer for actual model availability.