

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

January 28, 2014

5:00 P.M. – CLOSED SESSION

A. ROLL CALL/POSTING OF AGENDA

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

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

C. CLOSED SESSION - (Please see page 5 for a description of closed session items)

D. OPENING CEREMONIES – 6:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

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

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

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

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

G. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending December 31, 2013. (001)
RECOMMENDATION: Receive Report.
Legislative Body: CC Contact: James Cameron Phone: 385-7461

H. INFORMATION/CONSENT PUBLIC HEARINGS

I. PUBLIC HEARINGS

J. APPOINTMENT ITEMS – 6:30 P.M.

Recreation and Community Services Department

1. SUBJECT: Senior Services Commission Annual Verbal Report to City Council. . (019)
RECOMMENDATION: Receive the annual Senior Services Commission verbal report.
Legislative Body: CC Contact: Gregory Barnes Phone: 385-8022

K. REPORTS

City Manager Department

1. SUBJECT: Consideration of Draft Bylaws of the Board of Directors of the Gold Coast Transit District. (021)
RECOMMENDATION: Consider draft bylaws of the Board of Directors of the Gold Coast Transit District.
Legislative Body: CC Contact: Martin Erickson Phone: 385-7870

Finance Department

2. SUBJECT: Golf Course Operations Options. (039)
RECOMMENDATION: Receive a report and provide direction on options for the future operations of the Golf Course.
Legislative Body: CC Contact: James Cameron Phone: 385-7461
3. SUBJECT: General Fund Update. (043)
RECOMMENDATION: Receive an update of the fiscal year 2013-2014 General Fund.
Legislative Body: CC Contact: James Cameron Phone: 385-7461

L. 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

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

1. SUBJECT: Resolution Supporting the Volunteer Income Tax Assistance Program/Earned Income Tax Credit. (049)

RECOMMENDATION: Approve resolution.

Legislative Body: CC

Contact: Councilman Bryan MacDonald

Phone: 385-7430

2. SUBJECT: City Manager Recruitment Status.

RECOMMENDATION: Discuss status of recruitment and provide direction on recruitment process.

Legislative Body: CC

Contact: Mayor Pro Tem Carmen Ramirez
Councilman Bryan MacDonald

Phone: 385-7430

3. SUBJECT: City Attorney Recruitment.

RECOMMENDATION: Appoint City Council ad hoc subcommittee to consider City Attorney recruitment process.

Legislative Body: CC

Contact: Michelle Tellez

Phone: 385-7590

N. 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.

O. 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.

P. STUDY SESSION

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 Manager Department

1. SUBJECT: Agreements for City Council Review. (051)
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

Development Services Department

2. SUBJECT: Second Reading of Ordinance No. 2878 Planning and Zoning Permit No. 13-580-03 (Zone Text Amendment), Amendment to City Code Section No. 16-177 of the Business and Research Park Zone. (055)
RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: Juan Martinez Phone: 385-7858
3. SUBJECT: Second Reading of Ordinance No. 2879 Repealing and Reenacting Articles II Through XI, XV, and XVI of Chapter 14 of the Oxnard City Code. (057)
RECOMMENDATION: Second reading and adoption.
Legislative Body: CC Contact: Steve Newman Phone: 385-7914

Public Works Department

4. SUBJECT: Fourth Amendment to the Consulting Agreement with Carollo Engineers, Inc. for the Recycled Water Retrofit Project. (109)
RECOMMENDATION: Approve and authorize the Mayor to execute a Fourth Amendment to the Consulting Services Agreement with Carollo Engineers, Inc. (A-7338), to increase the total by \$240,000 for a total contract value of \$4,938,524.
Legislative Body: CC Contact: Lou Balderrama Phone: 340-5358
5. SUBJECT: First Amendment to Agreement with G4S Secure Solutions (USA) Inc. to Provide Security Services at Water Resources Division and Environmental Resources Division Facilities. (113)
RECOMMENDATION: Approve and authorize the Mayor to execute a First Amendment to the agreement with G4S Secure Solutions (USA) Inc. (A-7571) to increase the total by \$315,000 for a total contract value of \$1,065,000, to provide security services at the Del Norte Regional Recycling and Transfer Station.
Legislative Body: CC Contact: Anthony Emmert Phone: 207-1669

6. **SUBJECT:** Application to the California Department of Water Resources Proposition 50 Desalination Research Grant Program. (117)

RECOMMENDATION: 1) Adopt a resolution authorizing the City Manager to submit an application for \$220,000 in California Department of Water Resources (DWR) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) grant funds, to be used for the purposes of conducting research in the treatment wetlands at the Advanced Water Purification Facility; 2) Authorize the City Manager or her designee to execute all grant documents; the Finance Director or his designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Interim Public Works Director or his designee to submit non-financial reports upon award of the grant; and 3) Commit \$60,000 in cash and in-kind services as matching funds to the grant, if awarded.

Legislative Body: CC

Contact: Anthony Emmert

Phone: 207-1669

C. CLOSED SESSION – (Continued from page 1)

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.**

CC (Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code)

Name of Case: Suzanne Quitoriano v. City of Oxnard

Ventura County Superior Court Case No. 56-2012-00411146-CU-NP-VTA

The Interim City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Existing Litigation. The purpose of the closed session is to report to City Council on the status of the litigation.

2. **CONFERENCE WITH LABOR NEGOTIATORS.**

CC **Agency designated representatives:** Michelle Téllez, Director of Human Resources; Jeffrey C. Freedman, City's labor attorney.

Employee organization: Oxnard Mid-Managers' Association

The Director of Human Resources requested that this item be discussed in closed session pursuant to Government Code section 54957.6. The purpose of the closed session is for the City Council to review the status of negotiations and to provide instructions to the City's negotiators regarding salaries, salary schedules and compensation paid in the form of fringe benefits for employees represented by the employee organization identified above and other matters within the scope of representation.

T. ADJOURNMENT



INFORMATION ONLY

NO ACTION REQUIRED

DATE: January 15, 2014

TO: City Council

FROM: James Cameron, Chief Financial Officer
Finance Department

A handwritten signature in dark ink that reads "James Cameron". The signature is written in a cursive style with a large, looped "J" and a trailing flourish.

SUBJECT: Monthly Budget Status Report for the Period Ending December 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 December 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 December 31, 2013**

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Economic & Budget Trends

The FY 2013-14 Budget is based on continued moderate economic growth during the fiscal year. Due to year end accruals and one time sales tax adjustments in the prior year, it is difficult to make comparisons to prior years during the first six months. While overall revenues are 5% higher, expenditures are 1% higher due primarily to a 5% increase in Public Safety.

General Fund Revenues December Compared to Prior Year

Property Taxes		10%
Sales Tax		-15%
Other		23%
All Revenues		11%

General Fund Expenditures December Compared to Prior Year

Public Safety		5%
Culture & Recreation		2%
Other		-10%
All Expenditures		1%

Utility revenues reflect the full year impact of approved rate increases as well as pass through costs in Water for purchased water. Expenditures in Water include the higher cost of water purchases and Wastewater expenses include increased deferred maintenance.

**Utility Fund Revenues
December Compared to Prior Year**

Water		19%
Wastewater		8%
Environmental Resources		5%
Total Revenues		12%

**Utility Fund Expenditures
December Compared to Prior Year**

Water		27%
Wastewater		34%
Environmental Resources		2%
Total Expenditures		20%

**City of Oxnard
General Fund
Budget Status Report
For the Month Ended December 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	\$ 14,441,179 a
Property Tax in-lieu of Vehicle License Fee	14,755,000	14,755,000	-
Sales Tax	26,751,000	26,751,000	5,738,281 b
Other Taxes and Fees	12,977,000	12,977,000	5,520,222 c
Licenses and Permits	1,967,000	1,967,000	1,254,093
Intergovernmental	12,939,000	12,939,000	6,097,556 c
Charges for Services	8,489,000	8,489,000	4,690,342
Fines and Forfeitures	591,000	591,000	145,172 c
Investment Earnings	103,000	103,000	63,295
Miscellaneous	2,976,000	3,051,000	2,590,968
Total Operating Revenues	\$ 108,409,000	\$ 108,484,000	\$ 40,541,108
Operating Expenditures			
General Government	10,644,903	10,651,803	4,313,230
Public Safety	64,738,295	64,727,295	31,333,074
Transportation	2,343,658	2,343,658	1,150,854
Community Development	8,903,327	8,957,904	4,218,683
Culture and Recreation	15,721,355	15,732,878	7,661,715
Total Operating Expenditures	\$ 102,351,538	\$ 102,413,538	\$ 48,677,556
NET REVENUES FROM OPERATIONS	\$ 6,057,462	\$ 6,070,462	\$ (8,136,448)

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 December 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	\$ 37,000
Sub-total Non-operating Sources	<u>37,000</u>	<u>37,000</u>	<u>37,000</u>
Non-operating Uses			
Capital outlay	75,000	176,000	290,570
Transfers out	<u>6,019,462</u>	<u>5,931,462</u>	<u>473,700</u> d
Sub-total Non-operating Uses	<u>6,094,462</u>	<u>6,107,462</u>	<u>764,270</u>
NET NON-OPERATING SOURCES AND USES	\$ (6,057,462)	\$ (6,070,462)	\$ (727,270)
USE OF FUND BALANCE			
Use of Reserve for Encumbrances	-	-	-
From Available Fund Balance	<u>-</u>	<u>-</u>	<u>8,863,718</u> e
TOTAL USE OF FUND BALANCE	\$ -	\$ -	\$ 8,863,718
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, including Measure O, due to lag in property taxes and accruals.

City of Oxnard
Measure O 1/2 Cent Sales Tax
Budget Status Report
For the Month Ended December 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	\$ 4,976,312 a
Investment Earnings	<u>90,000</u>	<u>90,000</u>	<u>65,960</u>
Total Operating Revenues	\$ 11,090,000	\$ 11,090,000	\$ 5,042,272
Operating Expenditures			
General Government	50,000	111,449	32,158
Public Safety	3,002,642	4,637,700	1,833,381
Transportation	900,000	1,137,568	434,202
Community Development	420,000	420,000	258,595
Culture and Recreation	<u>1,299,000</u>	<u>1,462,250</u>	<u>714,636</u>
Total Operating Expenditures	\$ 5,671,642	\$ 7,768,967	\$ 3,272,972
NET REVENUES FROM OPERATIONS	\$ 5,418,358	\$ 3,321,033	\$ 1,769,300
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Proceeds from Lease Purchase Agreement	<u>-</u>	<u>-</u>	<u>-</u>
Sub-total Non-operating Sources	<u>-</u>	<u>-</u>	<u>-</u>
Non-operating Uses			
Interest Expense	-	-	-
Payment of Principal	-	-	-
Capital Outlay	<u>745,000</u>	<u>11,144,618</u>	<u>836,864</u>
Sub-total Non-operating Uses	<u>745,000</u>	<u>11,144,618</u>	<u>836,864</u>
NET NON-OPERATING SOURCES AND USES	\$ (745,000)	\$ (11,144,618)	\$ (836,864)
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	5,662,943	878,436 b
Appropriated Fund Balance	<u>-</u>	<u>4,160,000</u>	<u>737,051</u>
TOTAL USE OF FUND BALANCE	\$ -	\$ 9,822,943	\$ 1,615,487
FISCAL YEAR BALANCE	\$ 4,673,358	\$ 1,999,358	\$ 2,547,923

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 December 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	\$ 11,265,728	\$ 2,160,391
Fines and forfeitures	-	-	25,727
Investment Earnings	-	-	5,456
Miscellaneous	-	97,099	83,267
Total Operating Revenues	\$ 3,268,385	\$ 11,362,827	\$ 2,274,841
Operating Expenditures			
General Government	-	-	-
Public Safety	561,292	7,913,401	1,965,725
Transportation	-	660,313	6,876
Community Development	1,789,998	9,152,906	2,527,274
Culture and Recreation	37,940	465,700	88,016
Total Operating Expenditures	\$ 2,389,230	\$ 18,192,320	\$ 4,587,891
NET REVENUES FROM OPERATIONS	\$ 879,155	\$ (6,829,493)	\$ (2,313,050)
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers in	-	-	-
Sub-total Non-operating Sources	-	-	-
Non-operating Uses			
Capital Outlay	1,026,317	13,698,515	1,336,926
Transfers out	-	-	-
Sub-total Non-operating Uses	1,026,317	13,698,515	1,336,926
NET NON-OPERATING SOURCES AND USES	\$ (1,026,317)	\$ (13,698,515)	\$ (1,336,926)
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	20,194,554	5,183,805
From/(to) Available Fund Balance	147,162	333,454	(1,533,829) a
TOTAL USE OF FUND BALANCE	\$ 147,162	\$ 20,528,008	\$ 3,649,976
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 December 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	\$ 6,685,745
Licenses and Permits	804,000	804,000	775,105
Intergovernmental	5,639,816	5,639,816	3,207,366
Growth and Development Fees	2,717,000	2,717,000	2,049,152
Charges for services	110,000	110,000	78,805
Fines and forfeitures	320,000	320,000	38,049
Investment Earnings	311,401	311,401	220,601
Special Assessments	9,133,079	9,133,079	4,356,455
Miscellaneous	1,354,500	1,362,050	1,512,607
Total Operating Revenues	\$ 32,389,796	\$ 32,397,346	\$ 18,923,885
Operating Expenditures			
General Government	253,177	253,177	126,400
Public Safety	20,631,913	20,631,913	9,998,484
Transportation	6,608,532	6,677,352	2,916,768
Community Development	9,400	42,938	57,328
Culture and Recreation	5,124,470	5,124,470	2,639,541
Total Operating Expenditures	\$ 32,627,492	\$ 32,729,850	\$ 15,738,521
NET REVENUES FROM OPERATIONS	\$ (237,696)	\$ (332,504)	\$ 3,185,364
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers in	\$ 6,839,750	\$ 6,839,750	\$ - a
Bond Proceeds	-	-	-
Sub-total Non-operating Sources	6,839,750	6,839,750	-
Non-operating Uses			
Interest Expense	3,899,829	3,899,829	965,596
Payment of Principal	4,134,322	4,134,322	609,772
Capital Outlay	1,811,580	19,357,591	1,857,370
Transfers out	1,788,471	1,788,101	- a
Sub-total Non-operating Uses	11,634,202	29,179,843	3,432,738
NET NON-OPERATING SOURCES AND USES	\$ (4,794,452)	\$ (22,340,093)	\$ (3,432,738)

City of Oxnard
Other Governmental Funds
Budget Status Report
For the Month Ended December 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	1,683,548
Appropriated Fund Balance	-	1,136,345	-
From Available Fund Balance	5,032,148	4,942,077	(1,436,174)
TOTAL USE OF FUND BALANCE	<u>\$ 5,032,148</u>	<u>\$ 22,672,597</u>	<u>\$ 247,374</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 December 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	\$ 23,857,976
Security/Contamination Prevention Fees	870,000	870,000	135,866
Miscellaneous and Reimbursements	5,000	150,000	3,350
Total Operating Revenues	\$ 47,495,000	\$ 47,640,000	\$ 23,997,192
Operating Expenditures			
Salaries and Wages	5,321,501	5,321,501	2,183,735
Contracts and Services	2,227,546	2,227,546	684,453
Operating Supplies	2,001,650	2,501,650	396,782
Water Acquisition	18,784,000	18,784,000	11,483,238
General and Administrative	4,302,582	4,617,582	2,156,987
Total Operating Expenditures	\$ 32,637,279	\$ 33,452,279	\$ 16,905,195
NET REVENUES FROM OPERATIONS	\$ 14,857,721	\$ 14,187,721	\$ 7,091,997
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	2,067,900	2,067,900	1,794,465 a
Investment Earnings	2,184,000	2,184,000	1,526,187
Connection Fees	1,090,000	1,090,000	882,521
Sub-total Non-operating Sources	5,341,900	5,341,900	4,203,173
Non-operating Uses			
Capital Outlay (non-debt financed)	20,325,000	28,814,812	628,253
Interest Expense	11,250,259	11,250,259	7,505,968
Transfers Out	-	-	-
Sub-total Non-operating Uses	31,575,259	40,065,071	8,134,221
NET NON-OPERATING SOURCES AND USES	\$ (26,233,359)	\$ (34,723,171)	\$ (3,931,048)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(3,864,734)	(3,864,734)	(1,689,833)
Designated for Authorized Projects & Encumbrances	-	14,196,564	3,935,127
Use of Bond Principal	-	(5,807,166)	(3,750,023)
From/(To) Capital Reserve	15,240,372	16,010,786	(1,656,220)
NET USE OF BONDS AND OTHER DEBT FINANCING	\$ 11,375,638	\$ 20,535,450	\$ (3,160,949)
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 December 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	\$ 11,831,449
Security/Contamination Prevention Fees	350,000	350,000	-
Miscellaneous and Reimbursements	770,000	770,000	142,115 ^a
Total Operating Revenues	\$ 31,130,000	\$ 31,130,000	\$ 11,973,564
Operating Expenditures			
Salaries and Wages	7,035,467	7,035,467	2,929,822
Contracts and Services	5,047,927	5,438,218	3,009,326
Operating Supplies	1,747,500	1,747,500	610,942
General and Administrative	3,513,420	3,513,420	1,746,026
Total Operating Expenditures	\$ 17,344,314	\$ 17,734,605	\$ 8,296,116
NET REVENUES FROM OPERATIONS	\$ 13,785,686	\$ 13,395,395	\$ 3,677,448
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Investment Earnings	100,000	100,000	61,415
Connection Fees	210,000	210,000	781,809
Sub-total Non-operating Sources	310,000	310,000	843,224
Non-operating Uses			
Capital Outlay (non-debt financed)	5,400,000	9,586,006	317,702
Interest Expense	6,744,616	7,063,696	5,997,467
Sub-total Non-operating Uses	12,144,616	16,649,702	6,315,169
NET NON-OPERATING SOURCES AND USES	\$ (11,834,616)	\$ (16,339,702)	\$ (5,471,945)
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(4,715,183)	(4,715,183)	(861,435)
Designated for Authorized Projects & Encumbrances	-	4,477,029	138,734
Appropriated Fund Balance	-	418,348	215,974
From/(To) Capital Reserve	2,764,113	2,764,113	2,301,224
NET USE OF BONDS AND OTHER DEBT FINANCING	\$ (1,951,070)	\$ 2,944,307	\$ 1,794,497
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

Notes:

a Prior period adjustment.

City of Oxnard
Environmental Resources
Budget Status Report
For the Month Ended December 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	\$ 17,467,597 a
Security/Contamination Prevention Fees	80,000	80,000	103
Miscellaneous and Reimbursements	<u>270,000</u>	<u>270,000</u>	<u>230,068</u>
Total Operating Revenues	<u>\$ 44,320,000</u>	<u>\$ 44,320,000</u>	<u>\$ 17,697,768</u>
Operating Expenditures			
Salaries and Wages	7,607,149	7,607,149	3,210,412
Operating Supplies	584,400	617,900	153,598
Contracts and Services	26,378,449	26,658,449	10,997,856
General and Administrative	<u>3,846,790</u>	<u>3,833,290</u>	<u>2,044,969</u>
Total Operating Expenditures	<u>\$ 38,416,788</u>	<u>\$ 38,716,788</u>	<u>\$ 16,406,835</u>
NET REVENUES FROM OPERATIONS	<u>\$ 5,903,212</u>	<u>\$ 5,603,212</u>	<u>\$ 1,290,933</u>
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Investment Earnings	20,000	20,000	33,696
Connection Fees	<u>60,000</u>	<u>60,000</u>	<u>53,966</u>
Sub-total Non-operating Sources	<u>80,000</u>	<u>80,000</u>	<u>87,662</u>
Non-operating Uses			
Capital Outlay (non-debt financed)	232,000	1,173,086	183,546
Interest Expense	606,126	606,126	420,255
Transfers out	<u>62,097</u>	<u>62,097</u>	<u>37,000 b</u>
Sub-total Non-operating Uses	<u>900,223</u>	<u>1,841,309</u>	<u>640,801</u>
NET NON-OPERATING SOURCES AND USES	<u>\$ (820,223)</u>	<u>\$ (1,761,309)</u>	<u>\$ (553,139)</u>
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(3,685,551)	(3,685,551)	(1,172,359)
Designated for Authorized Projects & Encumbrances	-	11,926	-
Appropriated Fund Balance	-	1,175,426	263,884
From/(To) Capital Reserve	<u>(1,397,438)</u>	<u>(1,343,704)</u>	<u>170,681</u>
NET USE OF BONDS AND OTHER DEBT FINANCING	<u>\$ (5,082,989)</u>	<u>\$ (3,841,903)</u>	<u>\$ (737,794)</u>
FISCAL YEAR BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

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 December 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	\$ 2,390,908
Miscellaneous and Reimbursements	-	-	-
Total Operating Revenues	<u>\$ 4,200,000</u>	<u>\$ 4,200,000</u>	<u>\$ 2,390,908</u>
Operating Expenditures			
Salaries and Wages	60,290	60,290	28,999
Operating Supplies	-	-	-
Contracts and Services	3,585,324	3,585,324	2,197,170
General and Administrative	195,716	195,716	111,742
Total Operating Expenditures	<u>\$ 3,841,330</u>	<u>\$ 3,841,330</u>	<u>\$ 2,337,911</u>
NET REVENUES FROM OPERATIONS	<u>\$ 358,670</u>	<u>\$ 358,670</u>	<u>\$ 52,997</u>
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	-	-	-
Investment Earnings	-	-	(9,296)
Sub-total Non-operating Sources	<u>-</u>	<u>-</u>	<u>(9,296)</u>
Non-operating Uses			
Capital Outlay (non-debt financed)	80,500	80,500	-
Interest Expense	116,200	116,200	116,200
Transfers out	-	-	-
Sub-total Non-operating Uses	<u>196,700</u>	<u>196,700</u>	<u>116,200</u>
NET NON-OPERATING SOURCES AND USES	<u>\$ (196,700)</u>	<u>\$ (196,700)</u>	<u>\$ (125,496)</u>
DEBT FINANCING & USE OF FUND BALANCE			
Payment of Principal	(972,223)	(972,223)	-
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Capital Reserve	-	-	-
NET USE OF BONDS AND OTHER DEBT FINANCING	<u>\$ (972,223)</u>	<u>\$ (972,223)</u>	<u>\$ -</u>
FISCAL YEAR BALANCE	<u><u>\$ (810,253)</u></u>	<u><u>\$ (810,253)</u></u>	<u><u>\$ (72,499)</u></u>

City of Oxnard
Performing Arts & Convention Center
Budget Status Report
For the Month Ended December 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	\$ 212,694
Miscellaneous	<u>20,000</u>	<u>20,000</u>	<u>6,205</u>
Total Operating Revenues	\$ 460,000	\$ 460,000	\$ 218,899
Operating Expenditures			
Salaries and Wages	1,071,219	1,071,219	477,465
Operating Supplies	300	300	156
Contracts and Services	252,355	252,355	135,863
General and Administrative	<u>172,511</u>	<u>172,511</u>	<u>86,344</u>
Total Operating Expenditures	\$ 1,496,385	\$ 1,496,385	\$ 699,828
NET REVENUES FROM OPERATIONS	\$ (1,036,385)	\$ (1,036,385)	\$ (480,929)
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	905,160	905,160	452,580 a
Investment Earnings	<u>-</u>	<u>-</u>	<u>(7,765)</u>
Sub-total Non-operating Sources	905,160	905,160	444,815
Non-operating Uses			
Capital Outlay	<u>-</u>	<u>-</u>	<u>-</u>
Sub-total Non-operating Uses	-	-	-
NET NON-OPERATING SOURCES AND USES	\$ 905,160	\$ 905,160	\$ 444,815
DEBT FINANCING & USE OF FUND BALANCE			
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Capital Reserve	<u>-</u>	<u>-</u>	<u>-</u>
NET USE OF BONDS AND OTHER DEBT FINANCING	\$ -	\$ -	\$ -
FISCAL YEAR BALANCE	\$ (131,225)	\$ (131,225)	\$ (36,114)

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 December 31, 2013
(Unaudited)

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes	\$ -	\$ -	\$ 1,927
Rental Income	-	-	-
Miscellaneous and Reimbursements	-	-	64,735 ^a
Total Operating Revenues	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 66,662</u>
Operating Expenditures			
Salaries and Wages	-	-	78,895
Contracts and Services	-	-	-
General and Administrative	-	-	11,071
Total Operating Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 89,966</u>
NET REVENUES FROM OPERATIONS	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (23,304)</u>
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	-	-	-
Investment Earnings	-	-	-
Sub-total Non-operating Sources	<u>-</u>	<u>-</u>	<u>-</u>
Non-operating Uses			
Capital Outlay	-	-	100,100
Transfers out	-	-	-
Sub-total Non-operating Uses	<u>-</u>	<u>-</u>	<u>100,100</u>
NET NON-OPERATING SOURCES AND USES	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (100,100)</u>
DEBT FINANCING & USE OF FUND BALANCE			
Payment of principal	-	-	-
Designated for Authorized Projects & Encumbrances	-	-	-
From/(To) Operating and Capital Reserves	-	-	123,404
TOTAL USE OF FUND BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 123,404</u>
FISCAL YEAR BALANCE	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

Notes:

a Housing set-aside deposit.

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

	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Actual Amounts</u>
OPERATING REVENUES AND EXPENDITURES			
Operating Revenues			
Taxes	\$ -	\$ -	\$ - a
Rental Income	-	-	23,854
Miscellaneous and Reimbursements	-	-	105,215
Total Operating Revenues	\$ -	\$ -	\$ 129,069
Operating Expenditures			
Salaries and Wages	-	-	65,249
Contracts and Services	-	-	84,065
General and Administrative	250,000	250,000	115,615
Total Operating Expenditures	\$ 250,000	\$ 250,000	\$ 264,929
NET REVENUES FROM OPERATIONS	\$ (250,000)	\$ (250,000)	\$ (135,860)
NON-OPERATING SOURCES AND USES			
Non-operating Sources			
Transfers In	-	-	-
Investment Earnings	-	-	57,435
Sub-total Non-operating Sources	-	-	57,435
Non-operating Uses			
Capital Outlay	-	-	-
Interest Expense	-	-	978,308
Project Costs	8,141,632	8,141,632	1,320,054 b
Transfers out	-	-	-
Sub-total Non-operating Uses	8,141,632	8,141,632	2,298,362
NET NON-OPERATING SOURCES AND USES	\$ (8,141,632)	\$ (8,141,632)	\$ (2,240,927)
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	3,836,787 c
TOTAL USE OF FUND BALANCE	\$ 8,391,632	\$ 8,391,632	\$ 2,376,787
FISCAL YEAR BALANCE	\$ -	\$ -	\$ -

City of Oxnard
Successor Agency to the Community Development Commission
Budget Status Report
For the Month Ended December 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: 01/28/ 2014

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

Prepared By: Gregory Barnes 

Agenda Item No. J-1

Reviewed By: City Manager 

City Attorney 

Finance 

Other (Specify) _____

DATE: January 8, 2014

TO: City Council

FROM: Gregory D. Barnes, Interim Recreation Supervisor
Recreation & Community Services 

SUBJECT: Senior Services Commission Annual Report to City Council

RECOMMENDATION

That City Council receive the annual Senior Services Commission verbal report.

DISCUSSION

The Senior Services Commission has adopted bylaws. Pursuant to Article II of the bylaws the Senior Services Commission is required to prepare and submit an annual report to City Council.

Bylaws: Article II: Powers and Duties

The powers and duties of the Commission shall be as follows:

E. Prepare and submit an annual report of activities to the City Council and make such other reports and recommendations to the City Council from time to time as the commission may determine necessary to improve the quality of life of senior citizens.

FINANCIAL IMPACT

There is no financial impact.

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

Prepared By: Martin R. Erickson Agenda Item No. 15-1

Reviewed By: City Manager [Signature] City Attorney SMF Finance [Signature] Other (Specify) _____

DATE: January 21, 2014

TO: City Council

FROM: Martin R. Erickson, Deputy City Manager
City Manager's Office

[Signature]

SUBJECT: Consideration of Draft Bylaws of the Board of Directors of the Gold Coast Transit District.

RECOMMENDATION

That City Council consider and provide input regarding draft bylaws of the Board of Directors of the Gold Coast Transit (GCT).

DISCUSSION

On July 1, 2014 GCT will officially become a transit district pursuant to the Governor's signing of AB 664 (Williams). In order for GCT to operate most effectively, the GCT Board of Directors appointed Bryan MacDonald (Councilman from the City of Oxnard), and John Sharkey (Councilmember from the City of Port Hueneme) to comprise the ad hoc committee to draft bylaws for the new Gold Coast Transit District. Staff from GCT and all member agencies worked with the ad hoc committee to develop draft bylaws that will spell out the structure and responsibilities of the new agency. The GCT Board of Directors unanimously approved the draft bylaws at their December 4, 2013 meeting, and asked that each member agency bring forward the draft bylaws for review.

GCT is the public transit provider for western Ventura County. GCT is a Joint Powers Agency (JPA) with five members: City of Oxnard, City of Ventura, City of Ojai, City of Port Hueneme and the County of Ventura. Councilman MacDonald is Oxnard's representative on GCT, and the current Chair. Mayor Pro Tem Ramirez is the alternate.

FINANCIAL IMPACT

There is no financial impact at this time.

Attachment #1 – Draft bylaws for the new Gold Coast Transit District



December 4, 2013

TO: Gold Coast Transit Board of Directors

FROM: Steven P. Brown *Steve*
General Manager

SUBJECT: Consider Approval of Draft Bylaws for the New Gold Coast Transit District

I. EXECUTIVE SUMMARY

As reported at the November 6th Board of Directors meeting, staff has worked with the ad hoc committee to develop draft bylaws for the Gold Coast Transit District that will spell out the structure and responsibilities of the new agency. Staff reviewed the draft bylaws with the Technical Advisory Committee (TAC) on November 25, 2013 at their regular meeting. Staff will incorporate any input from the Board of Directors at today's meeting and will work with individual member agencies to schedule any desired local review of the draft bylaws.

RECOMMENDATION: It is recommended that the Board of Directors consider approval of the draft bylaws for the new Gold Coast Transit District.

II. DISCUSSION

The Board of Directors appointed Councilmember Jon Sharkey from Port Hueneme and Councilmember Bryan MacDonald from Oxnard to comprise the ad hoc committee to draft bylaws for the new Gold Coast Transit District. In advance of the ad hoc committee's first meeting, staff developed draft language for the bylaws, using the enabling legislative wording, the existing JPA, and examples from other transit districts throughout California for reference. Staff worked with the TAC over the past couple months to address any issues that the TAC members had. General Counsel Nancy Kierstyn Schreiner reviewed the draft bylaws and provided edits to the TAC that generally streamlined and standardized the language, eliminated any duplication with specific sections of the legislation, and expanded upon some of the roles and responsibilities of the General Manager. TAC reviewed and approved the attached draft

301 E Third St, Oxnard, CA 93030-6048 • 805.483.3959 • FAX 805.487.0925 • www.goldcoasttransit.org

A Joint Powers Agency of:

City of Ojai • City of Oxnard • City of Port Hueneme • City of Ventura • County of Ventura

bylaws at their November 25th meeting with a recommendation to the Board for approval.

The bylaws cover the following topics:

- Composition and responsibilities of the Board of Directors
- Duties and powers of the General Manager
- Duties and powers of the District Counsel
- Meetings
- Voting
- Committees
- Compensation and Reimbursements
- Budget process
- Ordinances and Resolutions
- Appeals
- Conflict of Interest and Ethics
- Amendment of bylaws

III. SUMMARY AND RECOMMENDATION

The draft bylaws have been developed with the Ad Hoc Committee's input and reviewed, edited, and approved by the TAC. After today's Board of Directors meeting any additional inputs and corrections will be incorporated and the draft bylaws circulated to each member agency. Staff will work with each agency to schedule any desired local review of the draft bylaws. It is anticipated that a final draft of the bylaws will be submitted to the Board of Directors in the spring and presented to the new Gold Coast Transit District Board at their first meeting in July, 2014 for adoption.

RECOMMENDATION: It is recommended that the Board of Directors consider approval of the draft bylaws for the new Gold Coast Transit District.

Attachment



BYLAWS OF THE BOARD OF DIRECTORS OF THE GOLD COAST TRANSIT DISTRICT

ARTICLE 1 INTENT

These Bylaws are intended to supplement Part 18 (commencing with Section 107000) of Division 10 of the Public Utilities Code, relating to Gold Coast Transit District. The statutory provisions set forth in section 107000 *et seq.* of the Public Utilities Code shall prevail over any conflicts with the Bylaws. All references to section shall be the California Public Utilities Code unless otherwise is specified.

These Bylaws outline the basic organization and the administrative procedures used by the Gold Coast Transit District (District), successor agency to the Gold Coast Transit (GCT), a joint powers authority. When serving as the Public Transit Operator the Gold Coast Transit District is referred to as the "District."

GOVERNMENT OF THE DISTRICT

Section 1.1 Board of Directors

The Board of Directors shall govern the District in accordance with section 107010 and the powers of the District set forth in section 107015-107022.

Section 1.2 Term of Directors

The term of office of each Director shall be at the discretion of the director's appointing agency. The membership of a member shall automatically terminate upon the member ceasing to be a member of its governing body.

Section 1.3 Ex-Officio Members

The Board may appoint one or more ex officio members pursuant to adopted procedures pursuant to section 107010(c). Ex officio members shall not be entitled to vote, pursuant to Part 18, Division 10, Chapter 503 of the Public Utilities Code.

Add procedure for appointment of ex officio members

The roles and responsibilities of the ex officio members shall be determined by a majority of the Board. Ex officio members shall serve at the pleasure of the Board. Ex officio members are not Directors.

Section 1.4 Chair and Vice Chair

- (a) Pursuant to section 107011, The Board at its first meeting and annually thereafter shall at the first regular meeting in December of each calendar year elect one of its voting members to serve as Chair and one of its voting members to serve as Vice-Chair. The Chair and Vice-Chair shall begin service at the first regular meeting in January immediately following the election, and shall serve until the beginning of the first regular meeting in January of the next succeeding calendar year.
- (b) The Chair and Vice Chair shall serve a one-year (1 year) term.
- (c) Duties and powers of Chair is defined as follows:
 - i. The Chair shall preside at all regular and special meetings. The Chair shall preserve order and decorum and shall decide all questions of order and procedure not otherwise provided for in these Bylaws
 - ii. The Chair shall be entitled to make or second any motion, discuss and present any matter as a member of the Board without having to step down from the Chair.
 - iii. The Chair may appoint committee members from time to time for any purpose the Chair deems proper for the conduct of Board business.
 - iv. Execute all documents approved by the Board

- v. Be responsible to oversee that all actions of the Board are implemented and maintain consultations with the General Manager and legal counsel.
- (d) Duties and powers of Vice Chair is defined as follows:
- i. The Vice-Chair shall assume all duties and powers of the Chair in the Chair's absence from any meeting. In the absence of both the Chair and Vice-Chair, the immediate past Chair shall nominate and elect a Director to serve as Chair Pro Tempore during the absence.
 - ii. Should the office of the Chair become vacant during the calendar year, the Vice-Chair shall assume the office of the Chair. Should the office of the Vice-Chair become vacant, the nomination and selection of the Vice-Chair shall be placed on the agenda and acted upon by the Board of Directors.
 - iii. In the event of a vacancy of both the Chair and Vice-Chair offices, the election for the remainder of the term shall be held at the next regularly scheduled meeting.

Section 1.5 Board Responsibilities

- (a) The Board shall consider staff recommendations, adopt policies, conduct hearings, make appointments, and perform all other activities required via motion, resolution, or ordinance to further the mission and goals of the District; comply with federal, state, and local laws; and provide staff guidance and oversight to fulfill its fiduciary responsibilities to the constituencies it serves.
- (b) As set forth in section 107010 (f-g), the Board shall:
 - 1. adopt an annual budget;
 - 2. adopt administrative ordinances, resolutions, regulations, rules, bylaws, policies and procedures prescribing the powers and duties of the district officers, the method of appointment of the district employees, and methods, procedures, and systems of operation and management of the district;
 - 3. make determination of policy for the District;
 - 4. adopt a conflict-of-interest code;

5. cause a post audit of the financial transactions and records of the District to be made at least annually by a certified public accountant;
6. create and administer funds of the district;
7. adopt priorities reflecting the District's goals; and,
8. do any and all things necessary to carry out the purpose of this section.

ARTICLE 2 GENERAL MANAGER

Section 2.1

- (a) Pursuant to section 107020(d), The Board shall appoint, employ and select a General Manager to serve as administrative head of the District
- (b) The General Manager shall serve as the Secretary of the Board. The Secretary shall keep the official minutes of all meetings of the Board, and shall perform such other duties as determined by the Board.

Section 2.2 Duties and Powers

- (a) The duties of the General Manager are subject to the discretion and control of the Board.
- (b) Duties shall include the following:
 - i. All duties and responsibilities assigned, delegated or allowed by federal, state and local law, rule, statute, regulation and/or ordinance to the administrative head of a transit district.
 - ii. All necessary liaison activities between the District and federal, state and local public agencies relating to public transportation services originating or terminating within the geographical boundaries of the District.
 - iii. All necessary activities required by law to plan, organize, coordinate, direct and evaluate the activities of the District, including (a) the organization and administration of Board and committee meetings; (b) the development and management of the operating and capital budgets of the District; (c) the management

- of transportation-related projects; (d) the performance of contract negotiations, monitoring and administration.
- iv. All personnel matters including the appointment, hiring, compensation, promotion, supervision and disciplining of District staff, including employee termination consistent with Board adopted personnel policies and procedures and related labor agreements.
 - v. All duties and activities related to procurement, construction, general administration, maintenance and operation of GCT facilities, equipment and transit programs as necessary and required to carry out Board approved District policies.
 - vi. Direct the planning, organization and operation of services and facilities.
 - vii. Direct studies of organization, operation, functions and activities relating to the economy, efficiency and improvement of services and facilities.
 - viii. Direct activities which fulfill all duties mandated by federal or state law, regulations or accreditation authority.
 - ix. All necessary activities related to federal and state legislative matters concerning public transportation in the District.
 - x. All necessary activities required of the Secretary to the Board.
 - xi. Such other duties and responsibilities as may be, from time to time, assigned or delegated by the District Board of Directors.
 - xii. The general manager may delegate certain duties and responsibilities to other staff where in the furtherance of District goals and objectives.

ARTICLE 3 DISTRICT COUNSEL

Section 3.1 a. Pursuant to section 107020(d), The Board shall appoint, employ, select and retain District Counsel to serve as its legal counsel.

- (a) The District Counsel shall be admitted to the practice of law in all courts of this state.

Section 3.2 Duties and Powers

- (a) The duties of the District Counsel are subject to the discretion and control of the Board.
- (b) Duties and powers shall include the following:
 - i. Represent and advise, if authorized and directed by the Board, the Board of Directors and all District officers, committees, or departments in all matters pertaining to their office.
 - ii. Represent and appear, if authorized and directed by the Board, for District and any officer or employee, in any and all actions and proceedings in which District or any officer or employee, in or by reason of their official capacity, is concerned or is a party; however, the Board shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter, or to assist the District Counsel therein.
 - iii. Attend all meetings of the Board as directed by the Board and give legal advice or opinions in writing whenever requested to do so by the Board, or by any of the committees or officers of District.
 - iv. Review contracts to be made by District and provide the Board, its officers, and staff with legal advice regarding same.
 - v. Assist in the preparation of any and all proposed ordinances or resolutions for district and amendments thereto.
 - vi. Perform such other acts relating to the office as the Board shall require.
 - vii. On vacating the office, surrender all books, papers, files, and documents, in any form, pertaining to District's affairs.

ARTICLE 4 MEETINGS

Section 4.1 Quorum

- (a) No action of the Board shall be taken unless a quorum thereof is present to commence the meeting. A majority of the non-weighted voting membership of the Board shall constitute a quorum.

Section 4.2 Regular Meetings

- (a) Regular meetings of the District Board shall be held once per month, unless the schedule is modified by a majority vote of the Board of Directors. If the regular meeting day falls on a holiday, no meeting shall be held. Regular meetings may also be held on other days and times or cancelled, as the District requires, upon appropriate notice and approval of a majority of the Board. Unless otherwise determined by a majority of the Board, meetings shall be held at the noticed location.
- (b) The regular meeting schedule shall be published for the upcoming year and approved by the Board by December of each year.
- (c) The Chair, in consultation with the General Manager, may cancel any regular meeting if there are no items presented that require the District's immediate attention.
- (d) Meetings of the Board shall be open and public and all persons shall be admitted to attend except as otherwise allowed by law or when a closed session is authorized pursuant to applicable state law and properly noticed in accordance therewith.
- (e) Board meetings shall be conducted according to the Ralph M. Brown Act (Government Code Section 54950 *et seq.*) and Roberts Rules of Order for procedural matters.

Section 4.3 Closed Sessions

All closed sessions shall be noticed and conducted in compliance with the Ralph M. Brown Act, as required by section 107012.

Section 4.4 Special Meetings

All special meetings shall be noticed and conducted in compliance with the Ralph M. Brown Act, as required by section 107012.

Section 4.5 Emergency Meetings

All emergency meetings shall be noticed and conducted in compliance with the Ralph M. Brown Act, as required by section 107012.

Section 4.6 Agenda

The Agenda for the District Board meeting will be prepared by District staff and the Chair. The Agenda will be posted in conformance with the Ralph M. Brown Act. Agenda packets shall be distributed to Board members, alternates, and ex-officio members. These may be distributed electronically upon request.

Section 4.7 Conduct of Meetings

- (a) **Call to Order.** The Chair, Vice Chair or if required in the absence of the Chair and Vice Chair or such other Director as may be presiding, shall at the hour appointed for the meeting, immediately call the Board to order when a quorum is present. The Chair shall preserve strict decorum at all meetings. The Chair shall state every question coming before the Board, call for the vote, announce the decisions of the Board, and decide all questions of order, subject, however, to an appeal to the Board, in which a majority vote of the Board shall govern and conclusively determine such question of order.
- (b) **Rights of Chair.** The Chair, or such other member of the Board as may be presiding, may second and debate, subject only to such limitation of debates as set forth in Roberts Rules of Order; the Chair shall not be deprived of any of the rights and privileges of a Director by reason of holding the position of Chair.

Section 4.8 Meeting Minutes of Open Meetings

- (a) The General Manager, or designee, shall attend all open meetings of the Board and record and maintain and prepare minutes of the proceedings of the Board.
- (b) Unless the reading of the minutes of the open meetings of the Board is requested by the Board by a majority vote, such minutes may be approved without reading if the Secretary/Executive Director has previously furnished each member with a synopsis thereof.

- (c) The approved Minutes are the official record of the Board meeting.

Section 4.9 Meeting Minutes of Closed Sessions

- (a) The General Manager, or designee, shall attend each closed session unless otherwise directed to do so by the Board and may keep and enter into a minute book a record of topics discussed and decisions made at the meeting. The closed session minute book is not a public record and shall be kept confidential. This minute book shall be available only to voting members of the Board or, if a violation of the Ralph M. Brown Act is alleged to have occurred at a closed session, to a court of general jurisdiction.

ARTICLE 5 VOTING

- (a) **Voice Vote.** Subject to the will of a majority of the voting Board Members in attendance, the Chair may call for voting on a motion by voice vote without calling the roll. A member's silence shall be recorded as a negative vote.
- (b) **Calling the Roll.** Any voting member may call for a roll call vote.
- (c) **Minimum vote.** Except as may otherwise be required by State law and except as otherwise indicated in these Bylaws, no action or recommendation of the Board shall be valid unless a majority of a quorum of voting Board Members concur therein.
- (d) Each Director has a duty to vote when present at a meeting on matters coming before the Board or a Board Committee unless the Director has notified the Board of a legal conflict of interest in accordance with state or federal law. If a conflict of interest is disclosed, the Director shall adhere to all state legal requirements.
- (e) Each director shall have one vote, except a Director appointed by a member whose population is 100,000 or more shall have a vote whose value and effect is equal to 2.0 votes on the following:
- i. Annual budget;
 - ii. Midyear budget changes and amendments; and,
 - iii. Capital expenditures of five million dollars (\$5,000,000) or more.

ARTICLE 6 COMMITTEES

Section 6.1 Establishing Committees

- (a) Subject to the will of a majority of the Board, the Chair, or the Vice-Chair in the Board Chair's absence, may establish standing and ad hoc committees, as are determined necessary. The number and function of each committee shall be determined by the Board; however, the number of Board members on any committee must be less than a quorum of the Board. These committees shall act to provide advice and recommendation to the Board on policy matters.
- (b) These committees shall include members of the Board as selected by the Chair and such other persons, including District staff and public members as selected by the Board.
- (c) Any establishment of a committee shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committees shall report to the Board. Meeting times and dates of this committee shall be established by a majority of the committee members. Written minutes of each meeting shall be maintained.
- (d) Standing Committee meetings shall be conducted in compliance with the Ralph M. Brown Open Meeting Act.
- (e) Directors who are not committee members may attend committee meetings as observers. Appointees to committees serve at the pleasure of the Board, except that no appointee will be removed from office for an illegal reason including the exercise of his/her right to speak about matters of public concern.

Section 6.2 Standing Committees

- (a) The majority of the Board of Directors may create and dissolve standing and ad hoc committees as needed.
- (b) **Technical Advisory Committee (TAC).** The TAC committee is a standing committee to the Board on technical matters related to specified transportation activities of the District. The TAC shall be composed of

management staff of each member jurisdiction, or their respective designees. In addition, the Board may include one representative each from the Ventura County Transportation Commission and any other public members as ex officio, nonvoting members.

Section 6.3 Advisory Committees

- (c) The Board shall establish advisory committees to provide input and guidance on policy issues and programs. Each member of this committee shall serve at the will of the Board.
- (d) Meeting times and dates of the advisory committees shall be established by a majority of the committee members. Written minutes of each meeting shall be kept.

ARTICLE 7 COMPENSATION AND REIMBURSEMENTS

Section 7.1 Stipend

- (a) To the extent permitted by law, each member of the Board shall be eligible to be paid a stipend for each Board meeting actually attended where a quorum is present. An alternate shall be entitled to a stipend only if the appointed member is not present at the meeting and only one stipend per meeting shall be paid per jurisdiction.
- (b) The monthly compensation amount shall be determined by an action of the Board. If the Board enacts any change to compensation, it becomes effective January 1st of the next calendar year.

Section 7.2 Reimbursements

- (a) Each member of the Board shall be reimbursed for actual and necessary expenses incurred in the performance of official District duties.
- (b) Reimbursement for travel, meals, and other actual and necessary expenses shall be in accordance with the District Travel Policy that applies to all District employees, and elected and appointed representatives.
- (c) Associated reimbursements by other, non-District agencies shall be deducted from the total reimbursement amount.

- (d) If a Board member is reimbursed in full by a local agency for expenses incurred while acting in the role of a District Board member, he or she shall not be eligible for reimbursement by District.
- (e) The Board in a public meeting shall approve all expenses that do not fall within the District Travel Policy before the expense is incurred.
- (f) Board members shall provide brief reports about the meetings attended at the expense of the District at the next regular meeting of the Board in which the member is in attendance. The report may be provided in writing or orally.

ARTICLE 8 BUDGET PROCESS

- (a) For each fiscal year (July 1st to June 30th), the Board shall adopt a District budget for capital and operating expenses, as well as capital and operating revenues. The budget shall be inclusive of a determination of the amount of Transportation Development Act funds (TDA Funds) to be subvented to member jurisdictions to cover expenditures for operating and maintaining locally-owned transit services and capital needs.
- (b) The TDA Funds Base Year shall be Fiscal Year 2014/15, adjusted annually based on the Los Angeles area Consumer Price Index. Unless exempted by the enabling legislation, Member Agency expenditures of no more than ten percent (10%) above the base year for locally owned, maintained and operated transit services and capital needs for facilities shall be submitted to the District no later than February 15th of each fiscal year as input to the budget development process. Expenditures in excess of the 10% above the Base Year shall be subject to the GCT capital planning process.
- (c) The General Manager shall introduce a proposed budget no later than the May meeting of the Board of Directors.
- (d) The Board shall adopt at least a preliminary budget by June 30th, which shall serve as the tentative District budget pending adoption of a final budget. A final budget shall be adopted no later than August 30th of each year.

ARTICLE 9 ORDINANCES AND RESOLUTIONS

- (a) Ordinances and /or Resolutions of the Board may be adopted conditionally and referred to the District Counsel for drafting in the proper form. Resolutions shall be numbered consecutively and annually and copies thereof shall be maintained by the Secretary to the Board Members and made available to the Public.
- (b) A copy of each Ordinance or Resolution shall be delivered to each Board Member.

ARTICLE 10 APPEALS

- (a) All Board decisions are final. A motion to reconsider action taken by the Board may be made only on the day the action was taken. The motion to reconsider may be made only by a Board member who voted with the prevailing side. This does not prevent a Board member from making or remaking the same or any other motion at a subsequent meeting of the Board.
- (b) Any judicial review of a Board decision shall be undertaken within the time limits established by law.

ARTICLE 11 CONFLICT OF INTEREST AND ETHICS

Board members are subject to conflict of interest laws, including Government Code section 1090 and the 1974 Political Reform Act (Government Code Section 8100 et seq.), and must identify and disclose any conflicts and refrain from participating in any manner in such matters in accordance with the applicable statutes. Members of the Board agree to adhere to all relevant standards established by state or federal law regarding ethical behavior.

ARTICLE 12 AMENDMENT OF BYLAWS

- (a) These bylaws shall be reviewed as necessary, but no less than every five (5) years as part of a strategic planning process. Recommendations for

revisions shall be considered by the Board at a regularly scheduled Board meeting.

- (b) These bylaws may be amended at any regular meeting of the Board upon the affirmative vote of the majority of voting members.



Meeting Date: 1 / 28 / 14

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

Prepared By: James Cameron

Agenda Item No. K-2

Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

DATE: January 21, 2014

TO: City Council

FROM: James Cameron
Chief Financial Officer *[Signature]*

SUBJECT: Golf Operations Options

RECOMMENDATION

That City Council receive a report and provide direction on options for the future operations of the River Ridge Golf Course.

DISCUSSION

On April 23, 2013 City Council held a study session on the Golf Fund in addition to other subsidies. On July 23, 2013 City Council discussed options to provide a long-term financial restructuring to address the FY 2011-12 imbalance as well as future imbalances resulting from debt service requirements in excess of projected net revenues to the Golf Fund. At that meeting, Council directed staff to work with the operator, High Tide & Green Grass (HTGG), on a lease alternative for the current operating agreement. Tonight's report presents that option as well as several other options to the current agreement.

Background

Declining revenues is a common theme with many public golf courses. A recurring trend for public courses is to move from public operation to private operation either through a management contract or a lease. Management contracts can take the form of the existing agreement with HTGG or a fee based contract such as the City of Ventura. Staff has looked at the following options:

1. Lease all operations and maintenance through a conversion of the existing agreement
2. Convert the existing agreement to a fee basis
3. RFP Food/Beverage and Banquets/Catering with requirement to make improvements (20 years)
4. Buy out HTGG and issue new RFP
5. Buy out HTGG and City assume operations
6. No Change and issue RFP for 2019 with Lease option

1. Lease all operations and maintenance through a conversion of the existing agreement

Council specifically directed staff to evaluate the opportunity to convert the existing agreement with HTGG to a lease based on a mutual agreement with HTGG. The benefit of a lease is to transfer risk to the lessee. Staff has found a broad range of lease payments in other agreements: \$10,000 to \$1.3 million (Sacramento) guaranteed annually depending on the terms of the lease with additional revenue sharing of 2.5% to 10% of revenues primarily combined with the low guarantee payment. The size of the golf leases varied from single 18 hole courses to multiple courses as in Sacramento. Lease terms are generally 10 years with renewal options, unless significant capital improvements were included in which case a longer term is the norm. A lease arrangement would result in possessory interest.

Key responsibilities of the lessee are typically as follows:

- Maintenance
- Minor Improvements
- Operate Pro Shop
- Operate Food service including banquets
- Marketing
- Taxes

The City as lessor would be responsible for major capital improvements. The primary difference between a lease and a management contract is the level of independence and control of the revenues. With a management agreement, revenues belong to the City while in the case of a lease, revenues belong to the lessee. The City's only rights are to the rent payments.

Based on discussions with HTGG, they would consider a guaranteed lease payment of \$189,000, with a transition to 5% of revenues in the future that would generate approximately \$200,000 or more. Last year the City received approximately \$158,000 in revenue sharing.

The possessory interest costs were originally estimated at \$150,000 based on an amount provided by the County in 2006; however, a lease agreement with set rent payments as the basis should result in possessory interest of under \$50,000. HTGG would require this to be deducted from the annual rent resulting in a net payment of \$139,000.

In addition, it would be necessary to pay-off the outstanding tax-exempt bond either through a cash payment or refinancing with taxable bonds. The bonds were issued to finance various City requirements. The outstanding amount for the Golf fund is \$3 million. These bonds could be restructured to eliminate the current debt obligation of the Golf Course all together.

Finally, the lease agreement may require regulatory approval to insure that all requirements are being met.

2. Convert the existing agreement to a fee basis

The current agreement with HTGG includes net revenue sharing between the operator and the City. This arrangement provided an incentive for HTGG to control costs and maximize revenues. In 2012 HTGG earned \$155,000 with a range of \$139,000 to \$177,000 over the last 3 years. Ventura has a fee based agreement which is about \$157,000. A flat fee caps the amount that the operator can receive, but at the same time, if net revenues are below that amount, the fee must still be paid. The fee would have to be negotiated with HTGG and would have to be consistent with the levels of responsibility. Currently the HTGG agreement has a higher level of responsibility than the Ventura Agreement and would likely be higher. For example, one of the more critical issues for consideration would be the continued regulatory requirements of the landfill. Once the fee basis is established, it would either be fixed for the remainder of the term or adjusted for inflation. The advantage of a fee basis is it adds greater certainty, but removes the added incentive for the operator of generating additional revenue sharing.

3. Issue a Request for Proposal (RFP) for food and beverage with requirement to make improvements

The food and beverage (FB) operation, including banquets and catering, have a potential to generate more revenue; however, a substantial upgrade of the facilities would be required. An example is Los Robles in Thousand Oaks which has made significant investments in their facilities, resulting in substantial revenues. Because the City is not in a position to make this same level of investment, an option is to issue a long term lease of these areas of the club house to provide FB services and to make the necessary improvements. The goal should be to bring in a high quality operator with significant financial resources and a track record of the highest safety and service.

At this time it is difficult to say what the benefit would be, but a goal of doubling the current revenue would be appropriate. This would not result in a doubling of the benefit to the City as the FB operator would need to make a reasonable return on investment. This would require a modification to the existing agreement with consent from the current operator. In addition, having two separate agreements would be more complicated and when used in the past was problematic. None the less, staff believes this option should be explored as a means of making needed upgrades to the facility even if revenues are not increased substantially.

4. Buy out HTGG and issue new RFP

If Council was interested in issuing an RFP prior to 2019, it may be possible to negotiate a buy out of the existing agreement based on the number of years remaining. Using current and potential revenue sharing calculations the cost would likely vary from \$500,000 to \$750,000. At the same time, there is no guarantee that an RFP would result in more favorable terms. Staff does not recommend this option due to likely cost of a buyout.

5. Buy out HTGG with the City to assume operations

This is a variation of option 4 with similar costs estimated to be \$500,000 to \$750,000. The trend for public golf courses is away from public operations; however, in the City's case it would be consistent with prior City actions. The costs, however, are projected to be up to \$1 million higher than the current agreement primarily due to the higher cost of City employees. In addition, decisions regarding the status of current HTGG employees and equipment would need to be addressed. Staff does not recommend this option due to the higher costs.

6. Make no changes and issue an RFP for 2019 that would include a lease option

This option provides the greatest financial certainty through 2019. There are no alternatives that will generate enough benefit to significantly offset the debt service of the Golf fund.

Bond Restructuring

None of the options address the critical issue of increasing revenues to meet both operational requirements and the debt service of \$1.1 million. While the Golf Fund generally meets operational costs from customer revenues, revenues are not adequate to meet debt service payments. Conversion to a lease agreement would require either reissuing the bonds as taxable bonds or the use of General Fund reserves to pay down the combined \$5 million debt. In addition to the outstanding bonds, an additional \$2.8 million would be required from reserves to pay prior and current year imbalances.

FINANCIAL IMPACT

The options presented at Council's direction, have various financial impacts on the City. Two options, 4 and 5, have a negative financial impact for the City, at least in the short term, due to the cost of buying out the agreement and in the case of the City assuming operations, the higher cost of City benefits and employee agreements. The lease option would provide greater certainty for the City and reduce risks of changing demands for Golf; however, the City would not benefit from the more recent trend of increasing revenues. Separating the food and beverage operations does merit further evaluation as it could provide for improvements to the facility, although it may not substantially improve revenues to the City. Finally, after a thorough review of the aforementioned options, even in the best case, the existing financial obligations of the Golf fund are not adequately addressed by any of these options.

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

Prepared By: James Cameron

Agenda Item No. K-3

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: January 21, 2014

TO: City Council

FROM: James Cameron, Chief Financial Officer
Finance Department

James Cameron

SUBJECT: Fiscal Year 2013-14 General Fund Update

RECOMMENDATION

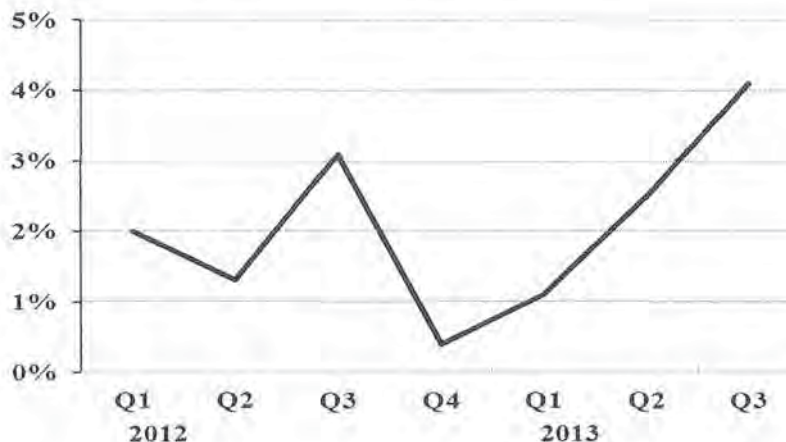
That City Council receive an update of the Fiscal Year 2013-14 General Fund financial status.

DISCUSSION

On July 16, 2013, City Council adopted the Fiscal Year (FY) 2013-14 budget, including a General Fund budget of 108.5 million. Based on the first six months of the fiscal year, the General Fund budget is projected to remain in balance through the end of the fiscal year. While revenues are now projected to be \$432,000 higher than budgeted, expenditures are projected to exceed the budget by \$383,000. At this time, a slight surplus of just under \$50,000 is anticipated.

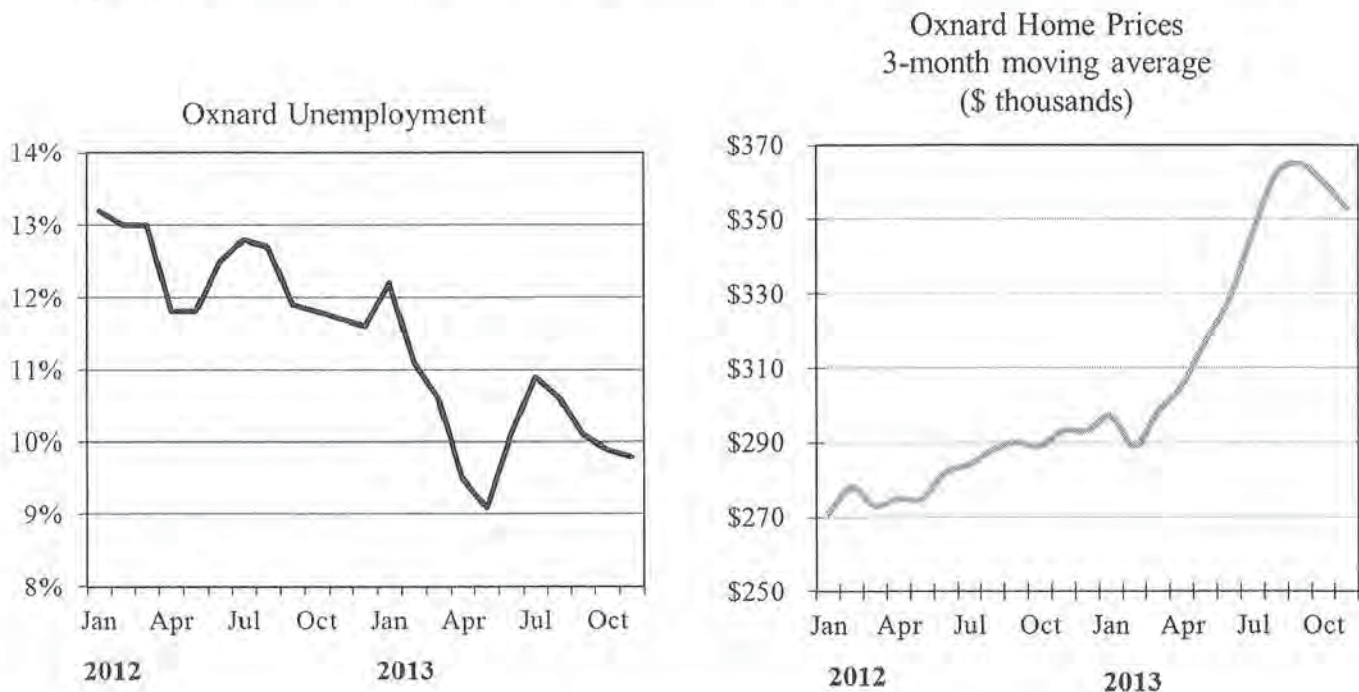
The economic recovery has only recently picked-up, both nationally and at local level. At the national level Gross Domestic Product (GDP) was a surprisingly strong 4.1% for the calendar year third quarter (the first quarter of the fiscal year).

Gross Domestic Product (GDP)



The national unemployment rate has fallen to 6.7% and job growth has been generally positive; however, employment growth has not been strong enough to support an accelerated recovery.

At the local level the economic picture is improving with more jobs and higher property values. In the third quarter, there were close to 2,000 more jobs than a year ago and the unemployment rate is below 10% compared to close to 12% a year ago. In November, single family home prices were 13% higher than a year ago.



As a result of the positive economic picture, General Fund revenues are projected to exceed the budget. Most primary revenues are projected to be in line with budgeted amounts as follows:

(\$ Thousands)				
	<u>Budget</u>	<u>To Date</u>	<u>Projected</u>	<u>Surplus/ (Deficit)</u>
Property Tax	41,616	14,441	41,622	6
Sales Tax	26,751	4,367	26,768	17
Other Taxes and Fees	12,977	5,428	13,027	50
Charges for Services	6,910	3,365	6,860	(50)
Miscellaneous	20,267	11,511	20,676	409
Total Revenues	108,521	39,112	108,953	432

Based on information provided by the County and recent trends in delinquent and supplemental collections, property taxes are projected to exceed budgeted projections by \$6,000. Sales taxes are projected to be \$17,000 over budget despite a redistribution of sales taxes to the City of Fillmore from other cities based on a determination by the Board of Equalization. This is a one-time adjustment that will not impact future revenues. Positive Transient Occupancy Taxes (TOT) and Business License revenues are partially offset by lower franchise and miscellaneous taxes such as deed transfers. Charges for services are projected lower by \$50,000 despite higher Development Service fees. This is also true for permits included under Miscellaneous in the above table. Fines and forfeitures, also a part of Miscellaneous, continue last year's trend of lower collections by the Courts. Finally, a one-time reimbursement by the County for administrative charges added \$600,000.

Expenditures generally continue prior year trends with savings from vacant positions used in part by overtime requirements. In Public Safety, overtime is projected to exceed vacant position savings; however, overtime can vary substantially based on emergency events. Public Works costs in excess of budget due to support of projects will be offset by inter-fund revenues. The shortfall in Community Development is primarily driven by higher costs related to Development Services, also offset by revenues. Finally, the Affordable Care Act (ACA) and the recent agreement with SEIU are anticipated to add \$642,000 to current year General Fund expenditures.

(\$ Thousands)				
	<u>Budget</u>	<u>To Date</u>	<u>Projected</u>	<u>Surplus/ (Deficit)</u>
General Government	10,959	4,459	10,314	645
Public Safety	64,813	31,474	65,376	(563)
Public Works	970	563	1,171	(201)
Community Development*	6,845	3,300	6,950	(105)
Culture & Recreation	18,925	9,150	18,442	483
Total Operating Budget	102,512	48,946	102,253	259
Transfers & Debt Service	6,010	494	6,010	-
ACA/SEIU Estimate	0	0	642	(642)
Total Expenditures	108,522	49,440	108,905	(383)

* Includes CDC, Development Services, and Housing General Fund budgets.

These projections do not include potential costs of addressing shortfalls in the Golf Fund or Performing Arts and Convention Center. Based on Council's indication that these funds be transitioned to the General Fund, staff will return with a report on making that change.

FINANCIAL IMPACT

The recommended action to receive the Fiscal Year 2013-14 General Fund financial update has no direct financial impact. Staff will continue to monitor both revenue and expenditure trends and identify strategies to control costs. Additional revenue and expenditure details are included in the attachments.

Attachment #1 - FY 2013-14 General Fund Revenue Projection
#2 - FY 2013-14 General Fund Expenditure Projection

FY 2013-14 General Fund Revenue Projection
based on Revenues through December 2013
(\$ Thousands)

	<u>Budget</u>	<u>To Date</u>	<u>Projected</u>	<u>Surplus/ (Deficit)</u>
Property Tax				
Base & Other Non-VLF	26,861	14,441	26,888	27
Property Tax In-Lieu of VLF	14,755	-	14,734	(21)
Sub-total	41,616	14,441	41,622	6
Sales Tax				
Allocation less Refunds	20,562	4,863	19,768	(794)
Triple-Flip	6,189	(496)	7,000	811
Sub-total	26,751	4,367	26,768	17
Other Taxes and Fees				
TOT	4,035	1,845	4,182	147
Business License	4,918	2,856	4,977	59
Franchise	3,273	457	3,219	(54)
Other	751	270	649	(102)
Sub-total	12,977	5,428	13,027	50
Charges for Services				
Services to Other Programs	3,171	1,147	2,660	(511)
Development Services	1,702	1,318	2,221	519
Other	2,037	900	1,979	(58)
Sub-total	6,910	3,365	6,860	(50)
Miscellaneous				
Licenses/Permits	1,967	1,254	2,150	183
Fines and Forfeitures	2,170	887	1,837	(333)
Intergovernmental	1,734	495	1,674	(60)
Interfund Transfers	11,205	5,603	11,205	-
Other	3,191	3,272	3,810	619
Sub-total	20,267	11,511	20,676	409
Total GF Revenues	108,521	39,112	108,953	432

FY 2013-14 General Fund Expenditure Projection
based on Expenditures through December 2013
(\$ Thousands)

	<u>Budget</u>	<u>To Date</u>	<u>Projected</u>	<u>Surplus/ (Deficit)</u>
General Government				
Council	344	165	342	2
City Manager	1,989	780	1,789	200
City Attorney	1,383	519	1,206	177
City Clerk	380	176	380	0
City Treasurer	1,188	472	1,167	21
Finance	3,136	1,408	3,005	131
Human Resources	1,009	491	1,055	(46)
Non-Departmental	1,530	448	1,370	160
Sub-total	10,959	4,459	10,314	645
Public Safety				
Police	49,612	23,898	49,871	(259)
Fire	15,201	7,576	15,505	(304)
Sub-total	64,813	31,474	65,376	(563)
Public Works				
Transportation	970	563	1,171	(201)
Sub-total	970	563	1,171	(201)
Community Development				
Community Development Commission	1,243	635	1,251	(8)
Development Services	5,409	2,551	5,493	(84)
Housing	193	114	206	(13)
Sub-total	6,845	3,300	6,950	(105)
Culture & Recreation				
Library	4,275	1,960	4,119	156
Carnegie	405	202	405	0
Recreation	5,208	2,362	4,859	349
General Services (Parks)	9,037	4,626	9,059	(22)
Sub-total	18,925	9,150	18,442	483
Total Operating Budget	102,512	48,946	102,253	259
Transfers & Debt Service	6,010	494	6,010	0
Total General Fund Budget	108,522	49,440	108,263	259

* Excludes ACA and SEIU estimated costs of \$642,000.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
SUPPORTING THE VOLUNTEER INCOME TAX ASSISTANCE
PROGRAM/EARNED INCOME TAX CREDIT

WHEREAS, insufficient income contributes to many of the social and human service needs in our state; and

WHEREAS, the Federal Earned Income Tax Credit (EITC) provides tax relief and income support to low-income working families; and

WHEREAS, the EITC lifts millions of individuals out of poverty each year in the United States by supporting work and self-sufficiency while reducing the need for public assistance; and

WHEREAS, each year, the EITC helps approximately 3.1 million individuals in California and brings more than \$6.96 billion into California's economy; and

WHEREAS, every year 800,000 families who qualify for the EITC fail to apply for the credit representing a loss of \$1.2 billion in increased income for local communities; and

WHEREAS, increasing the use of the EITC by the qualified residents of the City of Oxnard ("City"), would help stimulate our local economy and increase access to millions of dollars in income; and

WHEREAS, every resident earning less than \$51,567 a year may qualify for \$6,044 in EITC, which may be used to lower their taxes or increase their tax refund; and

WHEREAS, for every 1,000 residents who qualify and apply for the EITC, it represents a potential \$6 million in economic stimulus for our community; and

WHEREAS, increasing EITC utilization represents a highly cost effective economic development strategy.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby direct the City Manager to place a public service announcement on the City's local cable show and to have Volunteer Income Tax Assistance related posters and brochures at City facilities including public libraries, City Hall and all public sites throughout the City.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 28th day of January, 2014, by the following vote:

AYES:

NOES:

ABSENT:

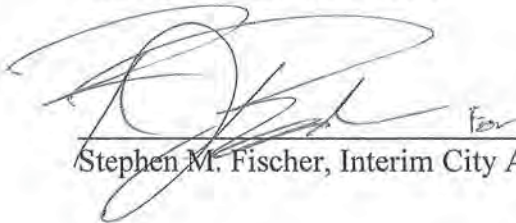
ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney



Meeting Date: 01/28/2014

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-1

Reviewed By: City Manager [Signature]

City Attorney SMF

Finance [Signature]

Other (Specify) _____

DATE: January 16, 2014

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 01/28/2014

Item	Type	Department/Contact	Vendor/Agreement Number	Description/Purpose	Amount
A	Original Agreement	Development Services - Planning Ashley Golden	McKinstry Essention, LLC Agreement No. 6400-13-DS	Southern California Edison Program (PEPMA II) Development of a fully operational Utility Management System that will serve as the City's utility billing software for measurement and verification of energy usage and qualifying carbon emissions. This contract is funded by Southern California Edison Public Goods Charge (PGC) funds. McKinstry Essention, LLC was one of two firms that responded to the City's RFQ, and is considered the most qualified consultant. Total Contract Amount: \$207,200 FundingSource: SCE Grant	\$207,200
B	Original Agreement	Development Services Cynthia Daniels	Overland, Pacific & Cutler, Inc. (OPC) Agreement No. 7633	Consulting Services for On-Call Real Estate Acquisition and Relocation Assistance Consulting services include right of way acquisition, relocation assistance to residents & businesses, appraisals, title insurance, escrow service, disposal of excess and surplus property, property management, utility relocation assistance. Consultant can perform work under State and federal guidelines. Consultant can also provide bilingual services. Staff released a request for proposals in September 2013 and reviewed five proposal. Overland, Pacific & Cutler, Inc. was selected. Total Contract Amount: \$150,000 FundingSource: Project Specific	\$150,000
C	Purchase Order	General Services Michael Henderson	Turf Star Purchase Order No. 4740	Mowers for College Park Soccer Fields This mower will be used on the College Park Sports Fields grooming and will optimize limited staff time with it's 10-ft. mowing width. The mower with accessories qualifies to use National Intergovernmental Purchasing Alliance (IPA) program pricing. This Toro Reelmaster 7000D Mower comes with cool top fan and canopy, rear roller scraper kit, 3 HD LH groomer kits and 2 HD RH groomer kits. Total Contract Amount: \$94,814 FundingSource: Measure "O" Funds	\$94,814

ATTACHMENT #1
PAGE 1 OF 2

City Manager Contract List for 01/28/2014

Item Type	Department/Contact	Vendor/Agreement Number	Description/Purpose	Amount
D Purchase Order	Water Resources/Water Anthony Emmert	Todd Pipe & Supply Purchase Order No. 1451	High-Efficiency Toilets for the Commerical and Multi-family Exchange Program For the purchase of high-efficiency toilets (HET) for the Commerical and Multi-Family Toilet Exchange Program. Calleguas Municipal Water District and Metropolitan Water District of Southern California will reimburse the City aproximately \$40,000 of the total project cost upon successful implementation of the exchange program. Following a bid process, Todd Pipe & Supply was the lowest bidder. Total Contract Amount: \$46,741 FundingSource: Water Operating Funds	\$46,741
E Change Order	Development Services-- Transportation Planning Cynthia Daniels	Security Paving Co., Inc. Agreement No. A-7228 Change Order 69	Project Specification PW03-19 Construction of Rice/101 Interchange City requested several changes to the landscaping that resulted in changes to the types and quantities of plants. The overall reduction in the bid item for highway planting was 41 percent. The area outside the city limits was deleted from the plans because the city could not irrigate the landscaping before the properties were annexed. Public Works contract awarded to lowest bidder in 2009. Total Contract Amount: \$34,464,196 FundingSource: State Gas Tax	-\$108,429
F Change Order	Development Services-- Transportation Planning Cynthia Daniels	Security Paving Co., Inc. Agreement No. A-7228 Change Order 70	Project Specification PW03-19 Construction of Rice/101 Interchange The project specifications require an adjustment to the price paid to the contractor for paving asphalt when the price index for paving asphalt fluctuates more than 10 percent during the project. The index change requires payments for asphalt paving in June, September, and October 2012. Public Works contract awarded to lowest bidder in 2009. Total Contract Amount: \$34,551,666 FundingSource: State Gas Tax and Federal Grant	\$94,991

ATTACHMENT #1
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CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2878

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 13-580-03 (ZONE TEXT AMENDMENT) TO AMEND CITY CODE SECTION 16-177 CONDITIONALLY PERMITTING RESIDENTIAL CARE FACILITIES FOR THE ELDERLY WHEN COMPATIBLE WITH THE SURROUNDING LAND USES, SUBJECT TO APPROVAL OF A SPECIAL USE PERMIT. FILED BY COLBY YOUNG, PACIFICA L32, LLC, 1775 HANCOCK STREET, SUITE 200 SAN DIEGO, CALIFORNIA 92110.

WHEREAS, on December 5, 2013, the Planning Commission of the City of Oxnard considered an application for the Zone Text Amendment to amend Section 16-177 of the Business and Research Park Zone, filed by Colby Young on behalf of Pacifica L32, LLC, and made a recommendation of approval for Planning and Zoning Permit Nos. 13-580-03 (Zone Text Amendment); and

WHEREAS, on December 5, 2013, the Planning Commission of the City of Oxnard considered related permit to the Zone Text Amendment and approved Planning and Zoning Permit No. 13-500-02 (Special Use Permit) to convert, and expand by 14,000 square feet, an existing 57-room (54,073 square foot) extended stay hotel to an 80-unit assisted living and memory care senior living facility on a 2.26-acre site is located at 2211 East Gonzales Road; and

WHEREAS, Section 15061 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act; and

WHEREAS, the City Council carefully reviewed Planning Commission Resolution No. 2013-33 recommending approval of Zone Text Amendment No. 13-580-03; and

WHEREAS, the City Council held a public hearing and received and reviewed written and oral comments related to the proposed Zone Text Amendment No. 13-580-03; and

WHEREAS, the City Council finds that the Zone Text Amendment is consistent with the 2030 General Plan.

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

Part 1. Section 16-177 of the City Code is hereby amended by adding subsection (O), which subsection shall read as follows:

(O) Residential Care Facilities for the elderly when compatible with the surrounding land uses;

Part 2. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. _____ was first read on _____ and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this ____ th day of _____, 2014, by the following vote:

AYES:

NOES:

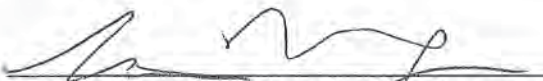
ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

ORDINANCE NO. [2879]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD REPEALING AND RE-ENACTING ARTICLES II THROUGH XI, XV AND XVI OF CHAPTER 14 OF THE OXNARD CITY CODE PERTAINING TO THE CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, CALIFORNIA HISTORICAL BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA EXISTING BUILDINGS CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA REFERENCED STANDARDS CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA FIRE CODE AND FIRE SPRINKLERS.

WHEREAS, Health and Safety Code section 18938 provides that the California Building Standards Commission ("Commission") shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California specific issues. When adopted, these building standards constitute the California Building Standards Code; and

WHEREAS, the Commission typically revises the California Building Standards Code on a triennial basis. The Commission recently adopted the 2013 triennial edition of the California Building Standards Code, Title 24, California Code of Regulations. The new building standards automatically become effective in all cities and counties throughout the state on January 1, 2014 unless the standards are modified by local jurisdictions; and

WHEREAS, pursuant to Health and Safety Code sections 17958.7 and 18941.5, cities and counties may modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City Council finds that each of the amendments to the California Building Standards Code adopted below are reasonably necessary to address local climatic, geological, and topographical conditions. The basis for each of these findings is set forth in Part 3 of this Ordinance and Exhibit A, attached hereto.

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

Part 1. The following acronyms are used in this Ordinance to clarify the sections of the Oxnard City Code being added or amended.

ACI-318	American Concrete Institute – Building Code Requirements for Structural Concrete, 2005 Edition.
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AF&PA SDPWS	American Forest & Paper Association – Special Design Provisions for Wind and Seismic.
ANSI	American National Standards Institute.
ASCE-7	American Society of Civil Engineers – Minimum Design Loads for Buildings and Other Structures, 2005 Edition.
CABO	Council of American Building Officials.
CAC	California Administrative Code [Title 24, Part 1 of the California Code of Regulations (C.C.R.)].
CBC	California Building Code [Title 24, Part 2 of the California Code of Regulations (C.C.R.)].
CBSC	California Building Standards Commission.
CEBC	California Existing Building Code [Title 24, Part 10 of the California Code of Regulations (C.C.R.)].
CEC	California Electrical Code [Title 24, Part 3 of the California Code of Regulations (C.C.R.)].
CALGreen	California Green Building Standards Code [Title 24, Part 11 of the California Code of Regulations (C.C.R.)].
CFC	California Fire Code [Title 24, Part 9 of the California Code of Regulations (C.C.R.)].
CHBC	California Historical Building Code [Title 24, Part 8 of the California Code of Regulations (C.C.R.)].
CMC	California Mechanical Code [Title 24, Part 4 of the California Code of Regulations (C.C.R.)].
CPC	California Plumbing Code [Title 24, Part 5 of the California Code of Regulations (C.C.R.)].
CRC	California Residential Code [Title 24, Part 2.5 of the California Code of Regulations (C.C.R.)].
IAPMO	International Association of Plumbing and Mechanical Officials.
NEC	National Electrical Code.
OCC	Oxnard City Code.

Part 2. Article II – California Building Code, Article III - California Residential Code, Article IV – California Green Building Standards Code, Article V – Property Maintenance and Abatement Codes, Article VI – California Historical Building Code, Article VII - California Electrical Code, Article VIII – California Existing Buildings Code, Article IX - California Mechanical Code, Article X – California Referenced Standards Code, Article XI - California Plumbing Code, Article XV – California Fire Code and Article XVI – Fire Sprinklers of Chapter 14 of the Oxnard City Code are hereby repealed and reenacted to read as follows:

ARTICLE II. CALIFORNIA BUILDING CODE

SEC. 14-2. CALIFORNIA BUILDING CODE ADOPTED.

The second part of twelve parts of the California Code of Regulations, Title 24, known as the California Building Code (“CBC”), 2013 Edition, including Appendices C, H, and J, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference, subject to the amendments, additions, and deletions hereinafter set forth. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

SEC. 14-3. AMENDMENTS TO THE CBC.

(A) Chapter 1 Division II, Section 101.4.4: Amend Section 101.4.4 to read as follows:

101.4.4 Property Maintenance. The provisions of the Oxnard City Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibility of owners, operators and occupants; and occupancy of existing premises and structures.

(B) Chapter 1 Division II, Section 103.1: Amend Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building and Engineering Division of the Development Services Department is hereby created and the official in charge thereof shall be known as the building official.

(C) Chapter 1 Division II, Section 105.2: Amend Section 105.2, items 2 and 4, to read as follows:

Building:

2. Fences not over 6 feet high and concrete or masonry walls not over 3'-6" high as measured from the lowest finished grade to the top of the wall.
4. Retaining walls that are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or II-A liquids.

(D) Chapter 1 Division II, Section 105.3.2: Amend Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(E) Section 903.2: Amend Section 903.2 to read as follows:

Approved automatic sprinkler systems in new buildings and structures shall be provided in the location described in Sections 903.2.1 through 903.2.12 and as required in accordance with Chapter 14 of the Oxnard City Code, Article XVI.

(F) Section 1403.1: Amend Section 1403.1 to read as follows:

1403.1 General. The provisions of this section shall apply to exterior walls, wall coverings and components thereof. Additionally, balconies, landings, exterior stairways, occupied roofs and similar surfaces exposed to the weather and sealed underneath shall be waterproofed and sloped a minimum 1/4 unit vertical in 12 units horizontal (2% slope) for drainage. The weather-exposed areas with ceilings or horizontal projections not required to be sealed for fire resistive construction shall be provided with ventilation devices so as to provide adequate air movement to dry out any moisture infiltrating within the horizontal areas. Details and notes on ventilation devices shall be provided in the submittal drawings.

(G) Section 1505.1: Amend the first paragraph of Section 1505.1 to read as follows:

1505.1 General. The roof covering on any structure regulated by this code shall be a Class A or B roof covering. The roof covering assembly includes the roof deck, underlayment, interlayment, insulation and covering, which is assigned a roof covering classification. Roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2928.

(H) Section 1510.1: Amend the first paragraph of Section 1510.1 to read as follows:

1510.1 General. All reroofing shall be constructed with Class A or B roofing and shall conform to the applicable provisions of Chapter 15 of this code, or as approved by the building official.

(I) Section 1613.6: Add Section 1613.6 to read as follows:

1613.6 Modification to ASCE 7 Section 12.12.3. ASCE 7 Section 12.12.3, Equation 12.12-1 is modified to read as follows:

$$\delta_M = C_d \delta_{\max} \quad (\text{Eq. 12-12.1})$$

(J) Section 1613.7: Add Section 1613.7 to read as follows:

1613.7 Modification to ASCE 7 Section 12.11.2.2.3. ASCE 7 Section 12.11.2.2.3 is modified to read as follows:

12.11.2.2.3 Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For wood diaphragms supporting concrete or masonry walls, wood diaphragms shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form sub-diaphragms to transmit the anchorage forces to the main continuous cross-ties.

2. The maximum diaphragm shear used to determine the depth of the sub-diaphragm shall not exceed 75% of the maximum diaphragm shear.

(K) Section 1704.5: Amend Section 1704.5 to read as follows:

1704.5 General. Where required by the provisions of Section 1704.5.1 or 1704.5.2, the owner shall employ a structural observer to perform structural observations as defined in Section 1702. The structural observer shall be one of the following individuals:

1. The registered design professional responsible for the structural design, or
2. A registered design professional designated by the registered design professional responsible for the structural design.

Prior to the commencement of observations, the structural observer shall submit to the building official a written statement identifying the frequency and extent of structural observations.

At the conclusion of the work included in the permit, the structural observer shall submit a final report which states that all observed deficiencies have been resolved, prior to acceptance of the work by the building official.

(L) Section 1705.3: Amend Section 1705.3 to read as follows:

1705.3 Concrete Construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

EXCEPTIONS: Special inspection shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less in height that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) (17.2 Mpa).
2. Continuous concrete footings supporting walls of buildings three stories or less in height that are fully supported on earth or rock where:

- 2.1. The footings support walls of light-frame construction; or
 - 2.2. The footings are designed in accordance with Table 1805.4.2; or
 - 2.3. The structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) (17.2 Mpa), regardless of the compressive strength specified in the construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including concrete patios, driveways and sidewalks.

(M) Section 1705.11.2: Amend Section 1705.11.2, Exception, to read as follows:

Exception: Special inspection is not required for wood shear walls, shear panels and diaphragms, including nailing, bolting, anchoring and other fastening to other components of the seismic-force-resisting system, where either (1) the fastener spacing of the sheathing is more than 4 inches (102mm) on center (o.c.), or (2) the tabular values for allowable shear design values are reduced to seventy-five percent (75%).

(N) Section 1803.2: Amend the first paragraph of Section 1803.2 to read as follows:

1803.2 Investigation required. Geotechnical investigations shall be conducted in accordance with Sections 1803.3 through 1803.5. Whenever unusual soil conditions are found which justify a special site investigation to determine soil stability or questionable adequacy of the overall building site, the building official may require that the owner obtain a special geological, hydrological, soil gas profile, soil chemical analysis, soils contamination, or other report as may be deemed appropriate. The investigation shall be conducted by trained and experienced professionals licensed by the State of California to prepare such evaluations, recommendations, and reports.

(O) Section 1804.3: Amend Section 1804.3 to read as follows:

1804.3 General Site Grading and Drainage. Provisions shall be made for the control and drainage of surface water around

buildings. Concentrated drainage such as rainwater from gutters and downspouts, scuppers, and roof valleys shall be diverted away from building foundations by means of concrete splash blocks or other approved non-erosive devices. Unless an alternate design is approved by the building official, under floor access crawl holes shall be provided with curbs extending not less than six (6) inches above adjacent grade to prevent surface water from entering the under floor area.

Gutters and Downspouts - when buildings are located on expansive soil having an expansion index greater than 50, gutters, downspouts, piping, and/or other non-erosive devices shall be provided to collect and conduct rainwater to a street, storm drain, or other approved watercourse or disposal area.

Lot Drainage - All lots shall be graded so that they drain to the street or public way on which they abut or shall be provided with approved drainage devices. Minimum gradient of all lots shall comply with the following:

1. Pervious surfaces -- 1/8 inch per foot (1 percent slope).
2. Asphalt surfaces -- 1/16 inch per foot (1/2 percent slope).
3. Concrete surfaces -- 1/32 inch per foot (1/4 percent slope).

In rural areas where curbs or gutters have not been installed, drainage design plans shall be submitted for approval by the building official.

(P) Section 1808.7.4: Amend Section 1808.7.4 to read as follows:

1808.7.4 Foundation and Slab Elevation. The top of any exterior foundation or finished floor slab, shall extend 25 inches above the elevation of the lowest adjacent street gutter. Beginning at an elevation eight (8) inches below the top of foundation or floor slab, a minimum 2 percent (2%) slope away from the foundation or floor slab shall be maintained around its perimeter for a minimum distance of four (4) feet for side yards and ten (10) feet for front and rear yards. The building official may approve alternate elevations, provided it can be demonstrated that required drainage to a safe point of discharge and away from the foundation is provided at all locations on the site.

(Q) Section 1905.1: Amend Section 1905.1 to read as follows:

1905.1 General. The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.12.

(R) Section 1905.1.8: Amend Section 1905.1.8 to read as follows:

1905.1.8 ACI 318, Section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10 – Plain concrete in structures assigned to Seismic Design Category C, D, E, or F.

22.10.1 - Structures assigned to Seismic Design Category C, D, E, or F shall not have elements of structural plan concrete, except as follows:

- (a) Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement per cubic yard.
- (b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.
- (c) In detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, plain concrete footings having a total area of longitudinal reinforcing steel of not less than 0.002 times the gross cross-sectional area of the footing, with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted. In addition, where the foundation system consists of a plain concrete footing and a plain concrete stemwall, an additional longitudinal reinforcing bar not smaller than No. 4 shall be provided at the top of the stemwall, and vertical bars not less than No.4 shall be placed in the stemwall at 24" on center, with a standard 90 degree hook into the footing.

(S) Section 1905.1.10: Add Section 1905.1.10 to read as follows:

1905.1.10 ACI 318, Section 21.6.4. Modify ACI 318, Section 21.6.4, by adding Section 21.6.4.8 and 21.6.4.9 to read as follows:

21.6.4.8 - Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 21.6.4.1, items (a) through (c), over the full height of the member.

21.6.4.9 – At any section where the design strength, ϕP_n , of the column is less than the sum of the shears V_e computed in accordance with ACI 318 Sections 21.5.4.1 and 21.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 21.6.4.1 through 21.6.4.3 shall be provided. For beams framing into opposite sides of the column, the moment components may be assumed to be of opposite sign. For the determination of the design strength, ϕP_n , of the column, these moments are permitted to be assumed to result from the deformation of the frame in any one principal axis.

(T) Section 1905.1.11: Add Section 1905.1.11 to read as follows:

1905.1.10 ACI 318, Section 21.9.4. Modify ACI 318, Section 21.9.4, by adding Section 21.9.4.6 to read as follows:

21.9.4.6 – Walls and portions of walls with $P_u > 0.35P_o$ shall not be considered to contribute to the calculated shear strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 21.13.

(U) Section 1905.1.12: Add Section 1905.1.12 to read as follows:

1905.1.12 ACI 318, Section 21.11.6. Modify ACI 318, Section 21.11.6, by adding Section 21.11.6.1 as follows:

21.11.6.1 - Collector and boundary elements in topping slabs placed over precast floor and roof elements shall not be less than 3 inches (76mm) or $6 d_b$ thick, where d_b is the diameter of the largest reinforcement in the topping slab.

(V) Section 2304.9.1: Amend Section 2304.9.1 to read as follows:

2304.9.1 Fastener requirements. Connections for wood members shall be designed in accordance with the appropriate methodology in Section 2301.2. The number and size of fasteners connecting wood members shall not be less than that set forth in Table 2304.9.1. Staple fasteners in Table 2304.9.1 shall not be

used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E, or F.

(W) Section 2305.4: Add Section 2305.4 to read as follows:

2305.4 Hold-down connectors. In Seismic Design Category D, E, or F, hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing shall require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76mm) in size. Hold-down connectors shall be tightened to finger tight plus one half (1/2) wrench turn just prior to covering the wall framing.

(X) Section 2306.2: Amend Section 2306.2 to read as follows:

2306.2 Wood-frame diaphragms. Wood-frame diaphragms shall be designed and constructed in accordance with AF&PA SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AF&PA SDPWS shall be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

Exception: [DSA-SS, DSA-SS/CC and OSHPD 1,2, & 4] Wood structural panel diaphragms using staples as fasteners are not permitted by DSA and OSHPD.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E, or F shall be applied directly to the framing members.

Exception: Wood structural panel diaphragms are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

(Y) Section 2306.3: Amend Section 2306.3 to read as follows:

2306.3 Wood-frame shear walls. Wood-frame shearwalls shall be designed and constructed in accordance with AF&PA SDPWS. For structures assigned to Seismic Design Category D, E, or F, application of Tables 4.3A and 4.3B of AF&PA SDPWS shall include the following:

1. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.
2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E, or F is 400 pounds per linear foot (plf), and shall not exceed 200 pounds per linear foot (plf) for plywood structural panels containing three or fewer laminated layers.

Exception: Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the building official.

3. Where shear design values using allowable stress design (ASD) exceed 350 plf or load and resistance factor design (LRFD) exceed 500 plf, all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered at all panel edges. See Section 4.3.6.1 and 4.3.6.4.3 of AF&PA SDPWS for sill plate size and anchorage requirements.
4. Nails shall be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails shall be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting member for shears of 350 plf or less using ASD or 500 plf or less using LRFD.
5. Table 4.3B application is not allowed for structures assigned to Seismic Design Category D, E, or F.

For structures assigned to Seismic Design Category D, application of Table 4.3C of AF&PA SDPWS shall not be used below the top level in a multi-level building, and the allowable seismic shear values shall not exceed 90 plf for

Portland cement plaster and 30 plf for gypsum. Table 4.3C shall not be allowed for structures assigned to Seismic Design Category E, or F.

Where panels are fastened to framing members with staples, requirements and limitations of AF&PA SDPWS shall be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

The allowable shear values in Table 2306.3(1), 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 shall be permitted to use design values for Plywood Siding in the AF&PA SDPWS.

Exception: [DSA-SS DSA-SS/CC and OSHPD 1,2,&4] Wood structural panel shear walls using staples as fasteners are not permitted by DSA and OSHPD.

(Z) Section 2307.2: Add Section 2307.2 to read as follows:

2307.2 Wood-frame shear walls. Wood-frame shear walls shall be designed and constructed in accordance with Section 2306.3 as applicable.

(AA) Section 2308.3.4: Amend Section 2308.3.4 to read as follows:

2308.3.4 Braced wall line support. Braced wall lines shall be supported by continuous foundations.

(BB) Section 2308.12.5: Amend Section 2308.12.5 to read as follows:

2308.12.5 Attachment of Sheathing. Fastening of braced wall panel sheathing shall not be less than that prescribed in Table 2308.12.4 or Table 2304.9.1. Wall sheathing shall not be attached to framing members by adhesives. Staple fasteners in table 2304.9.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E, or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.

(CC) Appendix Chapter J, Section J103.2, Exception 1: Amend Appendix Chapter J, Section J103.2, Exception 1, to read as follows:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, the total quantity of graded soil does not exceed 150 cubic yards, and that such grading will not adversely affect adjoining properties.

(DD) Appendix Chapter J, Section J103.2, Exception 8: Amend Appendix Chapter J, Section J103.2, by adding Exception 8 to read as follows:

8. An excavation which (1) is less than 2 feet (610mm) in depth, or (2) which does not create a cut slope greater than 5 feet (1524mm) in height and steeper than 1 unit vertical in 1-1/2 units horizontal (66.7% slope) and does not interfere with a drainage course.

(EE) Appendix Chapter J, Section J104.1: Amend Appendix Chapter J, Section J104.1 to read as follows:

J104.1 Submittal Requirements. Application for a grading permit shall be accompanied by four sets of plans and specifications, and supporting data consisting of a soils engineering report and an engineering geology report where required by the Building Official. The sets of plans submitted for final approval shall be submitted on mylar. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications when required by the building official. The dates of the soils engineering and any engineering geology reports, along with the names, addresses, and phone numbers of the firms or individuals who prepared the reports, shall appear on the grading plans. In addition to the provisions of Section 105.3, Appendix Chapter 1, the applicant shall state the estimated quantities of excavation and fill.

(FF) Appendix Chapter J, Section J104.3: Amend Appendix Chapter J, Section J104.3 to read as follows:

J104.3 Soils Report. A soils report prepared by registered design professionals shall be provided which shall identify the nature and distribution of existing soils; conclusions and recommendations for

grading procedures that are incorporated into the grading plans or specifications, or when approved by the building official, included by reference; soil design criteria for any structures or embankments required to accomplish the proposed grading; and, where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

ARTICLE III. CALIFORNIA RESIDENTIAL CODE

SEC. 14-4. CALIFORNIA RESIDENTIAL CODE ADOPTED.

The part 2.5 of twelve parts of the California Code of Regulations, Title 24, known as the California Residential Code ("CRC"), 2013 Edition, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference, is hereby adopted by reference, subject to the amendments, additions, and deletions hereinafter set forth. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

SEC. 14-5. AMENDMENTS TO THE CRC.

(A) Chapter 1 Division II, Section R102.7: Amend Section R102.7 to read as follows:

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the provisions of the Oxnard City Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

(B) Chapter 1 Division II, Section R103.1: Amend Section R103.1 to read as follows:

R103.1 Creation of enforcement agency. The Building and Engineering Division of the Development Services Department is hereby created and the official in charge thereof shall be known as the building official.

(C) Chapter 1 Division II, Section R105.2: Amend Section R105.2, items 2 and 3, to read as follows:

Building:

2. Fences not over 6 feet high and masonry walls not over 3'-6" high as measured from the lowest finished grade to the top of the wall.
3. Retaining walls that are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or II-A liquids.

(D) Section R313: Amend Section R313 to read as follows:

R313 General. Approved automatic fire extinguishing systems shall be installed and maintained in accordance with Chapter 14 of the Oxnard City Code, Article XVI.

(E) Section R401.1: Amend the Exception to Section R401.1 to read as follows:

Exception: Wood foundations in Seismic Design Categories D₀, D₁, and D₂ shall not be permitted. The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

(F) Section R403.1.2: Amend Section R403.1.2 to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D₀, D₁, and D₂. The braced wall panels at exterior walls of buildings located in Seismic Design Categories D₀, D₁, and D₂ shall be supported by continuous footings. All required interior braced wall panels in buildings shall be supported by continuous footings.

(G) Section R403.1.3: Delete Exception to Section R403.1.3.

(H) Section R404.2: Amend Section R404.2 to read as follows:

R404.2 Wood foundation walls. Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with details shown in Figures R403.1(2) and R403.1(3). Wood foundation walls shall not be used for structures located in Seismic Design Category D₀, D₁, and D₂.

(I) Table R602.3(1): Amend Table R602.3(1) by adding footnote “k” to be applicable to the entire table and to read as follows:

k. Use of staples in braced wall panels shall be prohibited in Seismic Design Category D₀, D₁, and D₂.

(J) Table R602.3(2): Amend Table R602.3(2) by revising footnote “b” to read as follows:

b. Staples shall have a minimum crown width of 7/16-inch diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels shall be prohibited in Seismic Design Category D₀, D₁, and D₂.

[SPACE INTENTIONALLY LEFT BLANK]

(K) Table R602.10.3(3): Amend Table R602.10.3(3) to read as follows:

TABLE R602.10.3(3)
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

SOIL CLASS D ^a WALL HEIGHT = 10 FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED W			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE ^b			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB, DWB, SFB, PBS, and HPS	Methods ^c GB and PCP	Method WSP ^d	Continuous Sheathing ^d
SCD D ₂		10	NP	8.0	2.5	2.1
		20	NP	16.0	5.0	4.3
		30	NP	24.0	7.5	6.4
		40	NP	32.0	10.0	8.5
		50	NP	40.0	12.5	10.6
		10	NP	NP	5.5	4.7
		20	NP	NP	11.0	9.4
		30	NP	NP	16.5	14.0
		40	NP	NP	22.0	18.7
		50	NP	NP	27.5	23.5

a. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_d values associated with the seismic design categories shall be permitted when a site-specific S_d value is determined in accordance with Section 16

b. Foundation cripple wall panels shall be braced in accordance with Section R602.10.9

c. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1.

d. Wood Structural Panel shall have a minimum thickness in SDC D₂ of 15/32", and shall not be attached using staples.

(L) Table R602.10.4: Amend Table R602.10.4 by adding footnote "f" to be applicable to the entire table and to read as follows:

f. Use of staples in braced wall panels shall be prohibited in Seismic Design Category D₀, D₁, and D₂.

(M) Section R602.10.9.1: Section R602.10.9.1 is deleted in its entirety.

(N) Section R703.1: Amend Section R703.1 to read as follows:

R703.1 General. Exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior wall

envelope shall include flashing as describe in Section R703.8. Additionally, balconies, landings, exterior stairways, occupied roofs and similar surfaces exposed to the weather and sealed underneath shall be waterproofed and sloped a minimum 1/4 unit vertical in 12 units horizontal (2% slope) for drainage. The weather-exposed areas with ceilings or horizontal projections not required to be sealed for fire resistive construction shall be provided with ventilation devices so as to provide adequate air movement to dry out any moisture infiltrating within the horizontal areas. Details and notes on ventilation devices shall be provided in the submittal drawings.

(O) Section R902.1: Amend the first paragraph of Section R902.1 to read as follows:

R902.1 Roofing covering materials. The roof covering on any structure regulated by this code shall be a Class A or B roof covering. The roof covering assembly includes the roof deck, underlayment, interlayment, insulation, and covering which is assigned a roof covering classification. Roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2928.

(P) Section R902.1.3: Amend Section R902.1.3 to read as follows:

R902.1.3 Roof coverings in all other areas. All reroofing shall be constructed with Class A or B roofing and shall conform to the applicable provisions of this Chapter, or as approved by the building official.

(Q) Section R902.2: Amend the first paragraph of Section R902.2 to read as follows:

R902.2 Fire-retardant treated shingles and shakes. Fire-retardant treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

ARTICLE IV. CALIFORNIA GREEN BUILDING STANDARDS CODE

SEC. 14-6. CALIFORNIA GREEN BUILDING STANDARDS CODE ADOPTED.

The part 2.5 of twelve parts of the California Code of Regulations, Title 24, known as the California Green Building Standards Code ("CALGreen"), 2013 Edition, including Appendices 1, C, H, I, and J, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

ARTICLE V. PROPERTY MAINTENANCE AND ABATEMENT CODES

SEC. 14-8. INTERNATIONAL PROPERTY MAINTENANCE CODE AND UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS ADOPTED.

The International Property Maintenance Code, 2006 Edition, and the Uniform Code for Abatement of Dangerous Buildings, 1997 Edition, as published respectively by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001, and the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, are hereby adopted by reference. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

ARTICLE VI. CALIFORNIA HISTORICAL BUILDING CODE

SEC. 14-9. CALIFORNIA HISTORICAL BUILDING CODE ADOPTED.

The eighth part of twelve parts of the California Code of Regulations, Title 24, known as the California Historical Building Code ("CHBC"), 2013 Edition, including Appendix A, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

ARTICLE VII. CALIFORNIA ELECTRICAL CODE

SEC. 14-10. CALIFORNIA ELECTRICAL CODE ADOPTED.

The third part of twelve parts of the California Code of Regulations, Title 24, known as the California Electrical Code ("CEC"), 2013 Edition, which incorporates by reference the National Electrical Code ("NEC"), 2005 Edition, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference, subject to the amendment hereinafter set forth. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

SEC. 14-11. AMENDMENT TO CEC.

(A) Article 90-10: Add Article 90-10 to read as follows:

Article 90-10 Administration. The legal jurisdiction and administration of this electrical code is regulated by the administrative sections as adopted in Chapter 14, Article II of the Oxnard City Code.

ARTICLE VIII. CALIFORNIA EXISTING BUILDING CODE

SEC. 14-12. CALIFORNIA EXISTING BUILDING CODE ADOPTED.

The tenth part of eleven parts of the California Code of Regulations, Title 24, known as the California Existing Building Code ("CEBC"), 2013 Edition, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law

ARTICLE IX. CALIFORNIA MECHANICAL CODE

SEC. 14-13. CALIFORNIA MECHANICAL CODE ADOPTED.

The fourth part of eleven parts of the California Code of Regulations, Title 24, known as the California Mechanical Code ("CMC"), 2013 Edition, and Appendices A through D thereof, and

Standards contained therein, published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference, subject to the amendment hereinafter set forth. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

SEC. 14-14. AMENDMENT TO CMC.

(A) Chapter One – California General Code Provisions. Except for Sections 101.1, 101.2, and 101.3, entitled “Title,” “Purpose,” and “Scope,” Chapter One, entitled “California General Code Provisions” is hereby deleted from the CMC. The Administrative Code as adopted in the Oxnard City Code, Chapter 14, Article II, shall apply to this Article.

ARTICLE X. CALIFORNIA REFERENCED STANDARDS CODE

SEC. 14-15. CALIFORNIA REFERENCED STANDARDS CODE ADOPTED.

The twelfth part of twelve parts of the California Code of Regulations, Title 24, known as the California Referenced Standards Code (“CRSC”), 2013 Edition, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law

ARTICLE XI. CALIFORNIA PLUMBING CODE

SEC. 14-16. CALIFORNIA PLUMBING CODE ADOPTED.

The fifth part of eleven parts of the California Code of Regulations, Title 24, known as the California Plumbing Code (“CPC”), 2013 Edition, including Appendices A, B, D, I, and K thereof, and standards contained therein, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, is hereby adopted by reference, subject to the amendment hereinafter set forth. One true copy of this code is on file in the office of the city clerk and is available for public inspection as required by law.

SEC. 14-17. AMENDMENT TO CPC.

(A) Chapter One – California General Code Provisions. Except for Sections 101.1, 101.2, and 101.3, entitled “Title,” “Purpose,” and “Scope,” Chapter One, entitled “California General Code Provisions” is hereby deleted from the CPC. The Administrative Code as adopted in the Oxnard City Code, Chapter 14, Article II, shall apply to this Article.

ARTICLE XII. (RESERVED)

ARTICLE XIII. (RESERVED)

ARTICLE XIV. (RESERVED)

ARTICLE XV. FIRE CODES

SEC. 14-24. CALIFORNIA FIRE CODE ADOPTED.

The California Fire Code (“CFC”) 2013 Edition, including Appendix Chapter 4, Appendix B, Appendix D, and Appendix F, published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, is hereby adopted by reference, subject to the amendments, additions, and deletions hereinafter set forth. One copy of such code is on file in the office of the city clerk and is available for public inspection as required by law.

SEC. 14-25. AMENDMENTS TO CFC.

(A) Chapter 1, Section 101.1: Amend Section 101.1 to read:

101.1 Title. These regulations shall be known as the Fire Code of the City of Oxnard, hereinafter referred to as “this code”.

(B) Chapter 1, Section 104.12: Add Section 104.12 to read:

104.12 General. When the chief finds in any building, on any premises, or on any lot or parcel combustible, hazardous or explosive materials or dangerous accumulations of rubbish; or finds unnecessary accumulations of wastepaper, boxes, shavings, or any highly flammable materials which are so situated as to endanger life or property; or finds obstructions to or on fire escapes, stairs, passageways, doors, or windows that reasonably tend to interfere with the operations of the Fire Department or the egress of the occupants of such building or premises; or finds that this code is being violated, the chief is authorized to issue orders as

necessary for the enforcement of the fire prevention laws and ordinances governing the same and for the safeguarding of life and property from fire.

(C) Chapter 1, Section 104.13: Add Section 104.13 to read:

104.13 Stopping uses, evacuation. The chief is authorized to order an operation or use stopped, or the evacuation of any premises building or vehicle or portion thereof which has or is a fire hazard, hazardous condition or situation which presents a hazard to life or property.

(D) Section 503.2.1: Amend Section 503.2.1 to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 26 feet (7925 mm) and an unobstructed height of not less than 13 feet 6 inches (4115 mm).

Exceptions:

1. Alleys without fire hydrants must have an unobstructed width of not less than 20 feet (6096 mm).
2. Approved security gates in accordance with Section 503.6.

(E) Section 503.7: Add Section 503.7 to read:

503.7 Electronic and Electric Access Gates. When access to or within a structure or area is impeded by an electronically or electrically secured opening or gate, such electronically or electrically secured opening or gate shall be constructed and maintained in accordance with plans approved by the Fire Code Official or Oxnard Police Department. The Fire Code Official or Oxnard Police Department shall not approve such plans unless the plans allow emergency vehicles and emergency personnel to open such electronically or electrically secured openings or gates by City approved radio equipment used by such emergency vehicles or personnel.

On or before August 1, 2006, all existing electronically or electrically secured openings or gates that impede access to a structure or area shall either be (a) removed, or (b) constructed and maintained in accordance with plans approved by the Fire Code Official or Oxnard Police Department.

For the purposes of this section 503.7, "opening" shall be limited to an exterior door for a commercial or industrial building or a

door on a commercial, industrial, or residential property that limits access to a common area that is an accessway to more than one commercial, industrial, or residential occupancy.

(F) Section 507.5: Amend Section 507.5 to read:

507.5 Fire Hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Oxnard Fire Department published Standards or an approved method.

(G) Section 507.5.1.1: Amend Section 507.5.1.1 to read:

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 50 feet (15 m) of the fire department connections.

Exception: The distance shall be permitted to exceed 50 feet (15 m) where approved by the fire code official.

(H) Section 903.4.2.1: Add Section 903.4.2.1 to read:

903.4.2.1 Exterior Strobe. One approved exterior strobe shall be located in an approved location.

(I) Section 904.3.5: Amend Section 904.3.5 to read:

904.3.5 Monitoring. Where a building fire alarm system, or a monitoring and alarm system complying with section 903.4, is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system or the monitoring and alarm system in accordance with NFPA 72.

(J) Section 906.1: Add Section 906.1, item 9, to read:

9. As required by the Fire Code Official.

(K) Section 907.3.5: Add Section 907.3.5 to read:

907.3.5 Fog or Smoke Emitting Systems. No system shall be installed in any building/structure or portion thereof, which discharges any gas, vapor, liquid or other product when the primary intent of system discharge is to obscure the vision, cause disorientation, or otherwise incapacitate any occupant of said building/structure or portion thereof. Nothing in this section is intended to preclude the installation of an approved fire suppression system.

(L) Section 907.5.2.3.1: Add Section 907.5.2.3.1, item 12, to read:

12. Approved exterior strobe, in an approved location.

(M) Section B105.1: Amend Section B105.1 to read:

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings shall be not less than that specified in Table B105.1.

Exception: A reduction in required fire flow of 50 percent, as approved, is allowed when the building is provided with an approved automatic fire sprinkler system.

ARTICLE XVI. FIRE SPRINKLERS

SEC. 14-26. AUTOMATIC FIRE SPRINKLER SYSTEM.

The California Fire Code (“CFC”) 2013 Edition, Section 903, Automatic Sprinkler Systems, is hereby amended.

(A) Section 903.2 through Section 903.2.4: Amend Section 903.2 through Section 903.2.4 to read:

903.2 Where required. Approved automatic fire sprinkler systems shall be installed in all structures, occupancies, and locations as set forth in this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings.

903.2.1 Definitions.

The following words and terms shall, for the purposes of section 903, have the following meanings.

Bathroom. A room or compartment containing one or more of the following: a toilet, a tub, or a shower.

903.2.2 New Construction.

Automatic fire sprinkler systems shall be installed, maintained, and accessible for service in all new buildings, regardless of location, floor area, construction type, or occupancy.

Exceptions:

1. Spaces and areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.
2. Automatic fire sprinkler protection for fixed guideway transit systems shall be as per Section 903.2.17
3. Trash enclosures that are of non-combustible construction including the roof or cover, and at least ten (10) feet from any adjacent structure, and at least five (5) feet from the nearest property line.
4. The Fire Code Official is authorized to make exception for carports, storage sheds, and similar structures having less than 500 square feet of roof area including overhangs, if the structure is least ten (10) feet from any adjacent structure, and at least five (5) feet from the nearest property line.
5. The Fire Code Official is authorized to make exception for structures of non-combustible construction that do not have occupiable space, and that have no storage, insignificant fire load, and no exposures.

903.2.3 Existing Construction.

Automatic fire sprinkler systems shall be installed, maintained, and accessible for service throughout existing structures and additions in the following situations.

1. Whenever there is a change in occupancy in the structure or change in use classification to a higher or more hazardous occupancy or use classification based on the Building Code classifications or as determined by the Fire Code Official.
2. Whenever permits for additions or alterations result in an increase of cumulative area of more than 1,000 square feet of total structure area, including mezzanines and additional stories. Additional area determination shall be cumulative, from the effective date of this ordinance: December 27, 2007. Sprinkler coverage shall include the entire existing structure, garage(s), and adjacent accessory structures.

3. In rooms where nitrate film is stored or handled.
4. In protected combustible fiber storage vaults as defined in this code.

903.2.4 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire structure containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

(B) Section 903.2.6 through Section 903.2.10: Amend Section 903.2.6 through Section 903.2.10 to read:

903.2.6 Reserved.

903.2.7 Reserved.

903.2.8 Reserved.

903.2.9 Reserved.

903.2.10 Reserved.

(C) Section 903.2.18: Amend Section 903.2.18 to read:

903.2.18 Reserved.

(D) Section 903.3.1.2: Add the following sections.

903.3.1.2.2 Overhangs. Sprinkler protection is required under exterior roofs, canopies, and overhangs over four (4) feet in width.

Exceptions:

1. The Fire Code Official is authorized to make exception where the construction is non-combustible or limited

combustible, and, where no combustibles are stored or handled, and, the area is at least 50 percent open.

903.3.1.2.3 Under stairs. Sprinkler protection is required for usable spaces and compartments under stairs, including bathrooms and closets.

903.3.1.2.4 Attics, crawl spaces, concealed spaces. Attics, crawl spaces, and normally unoccupied concealed spaces that do not contain fuel-fired appliances do not require sprinkler coverage. In attics, crawl spaces, and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler shall be installed above the equipment; however, sprinklers shall not be required in the remainder of the space.

903.3.1.2.5 Ceiling obstructions. Pendant sprinklers within 3 feet of the center of a ceiling fan, surface-mounted ceiling luminaire or similar object shall be considered to be obstructed, and additional sprinklers shall be installed. Sidewall sprinklers within 5 feet of the center of a ceiling fan, surface-mounted ceiling luminaire or similar object shall be considered to be obstructed, and additional sprinklers shall be installed.

(E) Section 903.3.1.3: Add the following sections.

903.3.1.3.1 Overhangs. Sprinkler protection is required under exterior roofs, canopies, and overhangs over four (4) feet in width.

Exceptions:

1. The Fire Code Official is authorized to make exception where the construction is non-combustible or limited combustible, and, where no combustibles are stored or handled, and, the area is at least 50 percent open.

903.3.1.3.2 Under stairs. Sprinkler protection is required for usable spaces and compartments under stairs, including bathrooms and closets.

903.3.1.3.3 Attics, crawl spaces, concealed spaces. Attics, crawl spaces, and normally unoccupied concealed spaces that do not contain fuel-fired appliances do not require sprinkler coverage. In attics, crawl spaces, and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler shall be installed above the equipment; however, sprinklers shall not be required in the remainder of the space.

903.3.1.3.4. Ceiling obstructions. Pendant sprinklers within 3 feet of the center of a ceiling fan, surface-mounted ceiling luminaire or similar object shall be considered to be obstructed, and additional sprinklers shall be installed. Sidewall sprinklers within 5 feet of the center of a ceiling fan, surface-mounted ceiling luminaire or similar object shall be considered to be obstructed, and additional sprinklers shall be installed.

ARTICLE XVII. (RESERVED)

ARTICLE XVIII. (RESERVED)

ARTICLE XIX. (RESERVED)

Part 3. The City Council, following due consideration, hereby finds and determines that all the amendments, deletions, and additions to the forgoing California Building Standards Code and other codes are due to the following local conditions:

(A) Climatic

1. The City experiences periods of high temperatures accompanied by low humidity and high winds each year. The City also experiences periods of intense rainfall, which creates the need for special drainage precautions. Close proximity to the ocean may accelerate some building components to erode, corrode, decay, and expose beach homes to ocean wave force and damp corrosive microclimates.
2. During the months October through March, the City experiences wind conditions known as the "Santa Ana" winds. These very strong, hot, dry northeasterly winds considerably aid the spread of fire and create a strong possibility of a conflagration in all structures during this period. During these wind conditions, much of the Fire Department's resources are used to combat life safety problems such as downed power lines. The Fire Department is forced to provide standby protection for extended periods because the electric utility is overloaded with high priority calls. The Fire Department equipment used on these non-firefighting calls is, therefore, not available for response to structure fires. Thus, even a fire in one structure not immediately extinguished such as by a fire sprinkler system could spread and cause significant property damage and/or loss of life.
3. Although there are few brush or forest areas within the City, the Fire Department receives requests for aid from jurisdictions involved in firefighting these types of fires outside the City. This response leaves the City's firefighting resources at a lower than normal level and impacts the Fire Department's ability to promptly respond to structure fires when they occur at the same time.

4. During the hot, dry wind period, the number of outside fires, such as trash and grass fires, increases dramatically. These fires do not pose a serious threat to life or property, but do occupy firefighting resources and seriously impact the Fire Department's ability to respond to structure fires when they occur at the same time.

(B) Geological

1. The City is located in close proximity to 3 major fault systems capable of producing earthquakes ranging from 6.7 to 7.3 in magnitude, and has been determined by the State of California Seismic Hazards Mapping program to be underlain by soil layers that are prone to liquefaction failure. Special seismic design, construction, and inspection considerations must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas. Additionally, the potential for multiple fires occurring simultaneously after a large seismic event will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires.
2. The City is located in an area with expansive soils, high groundwater table, and ocean frontage. Special foundation considerations and soils analysis requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas.

(C) Topographical

1. The City has flat land and waterfront developments that require special drainage and coastal precautions, as well as a system of roadways and highways that generate traffic noise. Structures would be subject to water damage without special requirements addressing site drainage and coastal wave and wind forces.
2. During the rainy season, from December through April, the City is subject to flooding, making various parts of the City inaccessible to firefighting equipment on short notice. This prolongs the Fire Department's response time to structure fires.
3. The City is on a flat, coastal plain, and is in a tsunami inundation zone. Additionally, many of the evacuation routes from this zone pass through the City. The arrival time of a tsunami may be predicted, but not its magnitude. Therefore, evacuation measures may be taken, but the entire area is defenseless when it strikes. During and after a tsunami, these coastal areas will not be easily accessible to firefighting and other emergency equipment.

The City Council further finds that such amendments, deletions, and additions are necessary to best serve the public health and welfare. The City Council further finds and determines that all the amendments, deletions, and additions are also required for the reasons set

forth in the Index and Summary to the California Building Standards Code and Amendments, which is attached hereto and incorporated herein as Exhibit A.

Part 4. The City Attorney, who was designated to prepare a summary of this Ordinance, has determined that it is not feasible to prepare a fair and adequate summary thereof. The City Council thus orders that a display advertisement of at least one quarter page containing the information required by Government Code section 36933(c)(2) be published in a newspaper of general circulation in the City at least five days prior to adoption of this Ordinance, and another such display advertisement be similarly published within 15 days after its adoption, including the names of the Councilmembers voting for and against the Ordinance.

Part 5. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this Ordinance are declared to be severable. The City Council hereby declares that they would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

Part 6. Within 15 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 ____, 2014 and finally adopted on ____, 2014 to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, Interim City Attorney

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ARTICLE II. CALIFORNIA AND BUILDING CODE

Section 14-2. References the adoption of the California Building Code, 2013 Edition.

Section 14-3. Amendments to the CBC.

A. **Chapter 1 Division II, Section 101.4.4.** Corrects an inaccurate administrative reference.

Finding of Need: Administrative.

B. **Chapter 1 Division II, Section 103.1.** Administrative clarification of terminology.

Finding of Need: Administrative.

C. **Chapter 1 Division II, Section 105.2** Clarifies restrictions on items exempt from permits.

Finding of Need: Local Climactic Condition #1, Local Geological Conditions #1 and #2.

D. **Chapter 1 Division II, Section 105.3.2.** Modifies the time limit of permit extensions granted by the Building Official.

Finding of Need: Administrative.

E. **Section 903.2 Where Fire Sprinklers are Required.** This amendment provides cross-reference to the Oxnard Fire Code relating to more restrictive requirements for automatic fire sprinkler systems.

Finding of Need: Editorial reference.

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- F. **Section 1403.1 Waterproofing Weather-Exposed Areas.** Due to climatic conditions caused by the close proximity to the ocean, there is a specific need to ventilate certain areas of a building which are more clearly addressed in this amendment.

Finding of Need: Local Climatic Condition #1

- G. **Section 1505.1 Roof Covering Requirements.** Amends the CBC to be consistent with Fire Prevention Program regulations for roof covering requirements of Class A or B roofing.

Finding of Need: Local Topographic Condition #2 and Local Climatic Conditions #'s 1,2,3, and 4 to assure public health and welfare.

- H. **Section 1510.1 Re-roofing Requirements.** Amends the CBC to be consistent with Fire Prevention Program regulations for roof covering requirements of Class A or B roofing.

Finding of Need: Local Topographic Condition #2 and Local Climatic Conditions #'s 1,2,3, and 4 to assure public health and welfare.

- I. **Section 1613.6 Equation 16-44.** The inclusion of the importance factor in this equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospitals, schools, assembly occupancies, and other important structures.

Finding of Need: Local Geological Condition #1.

- J. **Section 1613.7, ASCE 7 Section 12.11.2.2.3.** The revision to section 12.11.2.2.3 of ASCE 7-05 strengthens and clarifies the requirements for anchorage of concrete and masonry bearing walls to wood roofs, and is intended to increase life safety by preventing failures observed in recent past earthquakes.

Finding of Need: Local Geological Condition #1.

- K. **Section 1704.5 General.** It is important to recognize that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design or their designee who were involved with the design to observe the construction, the quality of the observation for major

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structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. Additional requirements are provided to help clarify the role and duties of the structural observer and the method of reporting and correcting observed deficiencies to the building official.

Finding of Need: Local Climactic Condition #1, and Local Geological Condition #1 and #2.

- L. **Section 1705.3 Special Inspection for Concrete Construction.** This provision limits the types of concrete construction elements that can be installed without deputy inspection and is intended to increase quality control of critical structural elements.

Finding of Need: Local Geological Conditions #1 and #2.

- M. **Section 1705.11.2 Special Inspection of Wood Shearwalls.** Allows for an exemption to special inspection of wood shearwalls if compensating design and construction limitations are observed.

Finding of Need: Local Geological Conditions #1.

- N. **Section 1803.2 Investigations required.** Due soil conditions observed, special soils investigations are required.

Finding of Need: Local Geological Condition #1 and #2.

- O. **Section 1804.3 Drainage and Moisture Protection.** Due to the relatively flat topography of the City, additional drainage and moisture protection requirements required.

Finding of Need: Local Climactic Condition #1, Local Topographical Condition #1.

- P. **Section 1808.7.4 Drainage and Moisture Protection.** Due to the relatively flat topography of the City, additional drainage and moisture protection requirements required.

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Finding of Need: Local Climactic Condition #1, Local Topographical Condition #1.

- Q. **Section 1905.1 Scoping.** Modifies the references to subsequent code sections so as to be consistent with other local code modifications contained herein.

Finding of Need: Administrative clarification relating to the scoping of this section.

- R. **Section 1905.1.8. ACI 318 Section 22.10.** Amends this section to limit the use of unreinforced or under-reinforced concrete in areas of high seismic activity so as to protect building structures and occupants from unnecessary damage.

Finding of Need: Local Geological Conditions #1 and #2.

- S. **Section 1905.1.10. ACI 318 Section 21.6.4.** Carries over important provisions relating to the design of concrete columns and beams that resist seismic loads from previous codes.

Finding of Need: Local Geological Condition #1.

- T. **Section 1905.1.11. ACI 318 Section 21.9.4.** Carries over important provisions relating to the design of concrete columns and beams that resist seismic loads from previous codes.

Finding of Need: Local Geological Condition #1.

- U. **Section 1905.1.12. ACI 318 Section 21.11.6.** Carries over important provisions relating to the design of heavily loaded concrete walls that resist seismic loads from previous codes.

Finding of Need: Local Geological Condition #1.

- V. **Section 2304.9.1 Fastener requirements.** Due to the high geologic activities in the Southern California area and the expected higher level of performance on

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buildings and structures, this proposed local amendment limit the use of staple fasteners in resisting or transferring seismic forces. Limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This proposed amendment is a continuation of a similar amendment adopted during previous code adoption cycles

Finding of Need: Local Geological Condition #1.

- W. **Section 2305.4 Hold-down connectors.** ICC-ES AC 155 Acceptance Criteria for Hold-downs (Tie-Downs) Attached to Wood Members is widely used to establish allowable values for hold-down connectors in evaluation reports. AC 155 uses monotonic loading to establish allowable values. Yet, cyclic and dynamic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces that are applied in a monotonic manner. However, the engineering, regulatory and manufacturing industries have not reached consensus on the appropriate cyclic or dynamic testing protocols. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles with additional editorial revisions for clarification.

Finding of Need: Local Geological Condition #1.

- X. **Section 2306.2 Wood Structural Panel Diaphragms.** Provides additional restrictions for wood structural diaphragms in areas of high seismic activity.

Finding of Need: Local Geological Condition #1.

- Y. **Section 2306.3 Wood-Frame Panel Shear Walls.** Provides additional restrictions for wood structural shear walls in areas of high seismic activity. The Structural Engineers Association of Southern California (SEAOSC) recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that

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were not substantiated by cyclic testing, due to finding from the 1994 Northridge earthquake.

Finding of Need: Local Geological Condition #1.

- Z. **Section 2307.2 Wood-frame Shear Walls.** Correct reference created by amendment.

Finding of Need: Local Geological Condition #1.

- AA. **Section 2308.3.4 Braced Wall Line Support.** With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.

Finding of Need: Local Geological Condition #1.

- BB. **Section 2308.12.5 Attachment of Sheathing.** This proposed amendment is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region.

Finding of Need: Local Geological Condition #1.

- CC. **Appendix Chapter J, Section J103.2, Exception 1.** The City is very flat and there is a concern for safe drainage design; therefore, the exemptions for a grading permit were limited 150 cubic yards of earth.

Finding of Need: Local Topographical Condition #1.

- DD. **Appendix Chapter J, Section J103.2, Exception 8.** The City is very flat and there is a concern for safe drainage design; therefore, the exemptions for a grading permit

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were further clarified by limitations on cut depth, slope, and drainage course proximity.

Finding of Need: Local Topographical Condition #1.

- EE. **Appendix Chapter J, Section J104.1.** Clarifies grading plan submittal requirements including final submittal media, supporting reports, number of sets, and earthwork estimate requirements.

Finding of Need: Administrative.

- FF. **Appendix Chapter J, Section J104.3** Clarifies that the soils report recommendations for grading procedures either be incorporated into the grading plans, or by reference when approved by the Building Official.

Finding of Need: Administrative.

ARTICLE III. CALIFORNIA RESIDENTIAL CODE

Section 14-4. References adoption of the California Residential Code, 2013 Edition. Section 14-5. Amendments to CRC.

- A. **Chapter 1 Division II, Section R102.7.** Corrects an inaccurate administrative reference.

Finding of Need: Administrative.

- B. **Chapter 1 Division II, Section R103.1.** Administrative clarification of terminology.

Finding of Need: Administrative.

- C. **Chapter 1 Division II, Section R105.2.** Clarifies restrictions on items exempt from permits.

Finding of Need: Local Climactic Condition #1, Local Geological Conditions #1 and #2.

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- D. **Section R313 Where Fire Sprinklers are Required.** This amendment provides cross-reference to the Oxnard Fire Code relating to more restrictive requirements for automatic fire sprinkler systems.

Finding of Need: Editorial reference.

- E. **Section R401.1 Wood Foundations.** The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. However, an exception is made for non-occupied, single-story storage structures that pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter.

Finding of Need: Local Geological Conditions #1 and #2, Local Topographical #1.

- F. **Section R403.1.2 Continuous footing in Seismic Design Category D₂.** Interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.

Finding of Need: Local Geological Conditions #1 and #2.

- G. **Section R403.1.3 Seismic reinforcing.** This amendment provides a continuous footing under all braced wall lines. Due to observed performance issue during the Northridge earthquake this sections address the drift and deflection cause by lack of a continuous footing.

Finding of Need: Local Geological Conditions #1 and #2.

- H. **Section R404.2 Wood foundation walls.** The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation walls that experience relatively rapid decay due to the

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fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms.

Finding of Need: Local Geological Conditions #1 and #2, Local Topographical #1.

- I. **Table R602.3(1).** Cyclic tests conducted indicate that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D0, D1 and D2 unless it can be substantiated by cyclic testing.

Finding of Need: Local Geological Conditions #1 and #2.

- J. **Table R602.3(2).** Cyclic tests conducted indicate that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D0, D1 and D2 unless it can be substantiated by cyclic testing.

Finding of Need: Local Geological Conditions #1 and #2.

- K. **Table R602.10.3(3) Bracing Requirements Based on Seismic Design Category.** Cleans up the table being California does not allow three stories conventional framing and Oxnard is composed of entirely Seismic Design Category D₂ per the Residential Code. Poor performance of the diagonal wood boards, structural fiberboard sheathing, gypsum board, particle board sheathing, portland cement plaster, and hardboard panel siding, during the Northridge earthquake justifies reduction or removal of these values. Limited cyclic testing provided to the ICC Los Angeles Chapter Structural Code Committee shows that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels.

Finding of Need: Local Geological Conditions #1 and #2.

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- L. **Table R602.10.4 Braced Wall Line Support for Seismic Design Category D₂.** Removes an exception that allowed shear walls to be constructed without continuous foundations. This also is constant with modifications in the Building Code.

Finding of Need: Local Geological Conditions #1 and #2.

- M. **Section R602.10.9.1.** With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.

Finding of Need: Local Geological Conditions #1 and #2.

- N. **Section R703.1. Waterproofing Weather-Exposed Areas.** Due to climatic conditions caused by the close proximity to the ocean, there is a specific need to ventilate certain areas of a building which are more clearly addressed in this amendment.

Finding of Need: Local Climatic Condition #1

- O. **Section R902.1. Roofing covering materials.** Amends the CRC to be consistent with Fire Prevention Program regulations for roof covering requirements of Class A or B roofing.

Finding of Need: Local Topographic Condition #2 and Local Climatic Conditions #'s 1,2,3, and 4 to assure public health and welfare.

- P. **Section R902.1.3. Roof coverings in all other areas.** Amends the CRC to be consistent with Fire Prevention Program regulations for roof covering requirements of Class A or B roofing.

Finding of Need: Local Topographic Condition #2 and Local Climatic Conditions #'s 1,2,3, and 4 to assure public health and welfare.

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- Q. **Section R902.2. : Fire-retardant treated shingles and shakes..** Amends the CRC to be consistent with Fire Prevention Program regulations for roof covering requirements of Class A or B roofing.

Finding of Need: Local Topographic Condition #2 and Local Climatic Conditions #'s 1,2,3, and 4 to assure public health and welfare.

ARTICLE VII. CALIFORNIA ELECTRICAL CODE

Section 14-10. References adoption of the California Electrical Code, 2013 Edition.
Section 14-11. Amendment to the CEC.

- A. **Article 90-10.** The administrative provisions for the CEC shall be those in Articles I and II of this chapter.

Finding of Need: Administrative.

ARTICLE IX. CALIFORNIA MECHANICAL CODE

Section 14-13. References adoption of the California Mechanical Code, 2013 Edition.
Section 14-14. Amendment to CMC.

- A. **Chapter One – General Code Provisions.** The administrative provisions for the CMC shall be those in Articles I and II of this chapter.

Finding of Need: Administrative.

ARTICLE XI. CALIFORNIA PLUMBING CODE

Section 14-16. References adoption of the California Plumbing Code, 2013 Edition.
Section 14-17. Amendment to the CPC.

- A. **Chapter One – General Code Provisions.** The administrative provisions for the CPC shall be those in Articles I and II of this chapter.

Finding of Need: Administrative.

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ARTICLE XV. CALIFORNIA FIRE CODE

Section 14-24. References Adoption of the California Fire Code, 2013 Edition.
Section 14-25. Amendments to CFC.

A. **Chapter 1, Section 101.1.** Administrative reference to City of Oxnard Code.

Finding of Need: Administrative.

B. **Chapter 1, Section 104.12.** This amendment allows the Fire Code Official to issue orders with regard to a lot or parcel if there exists a fire hazard thereon.

Finding of Need: Administrative.

C. **Chapter 1, Section 104.13.** Stopping uses, evacuation. This addition allows the Fire Code Official to stop a use or order an evacuation if there is a hazardous condition or situation representing a hazard to life or property.

Finding of Need: Administrative.

D. **Section 503.2.1 Dimensions.** This amendment allows the Fire Code Official to set requirements consistent with the current operational requirements of the Fire Department's apparatus, and facilitates timely response of available apparatus.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3.

E. **Section 503.7 Electronic and Electric Access Gates.** This section updates exist City Code requirements regarding electronic and electric gates controls so that they reference current Fire Code sections. This section facilitates timely response of available apparatus.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3

F. **Section 507.5 Fire Hydrant systems.** This amendment allows the Fire Code Official to set requirements consistent with the current operational requirements of the Fire Department's apparatus.

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Finding of Need: Administrative.

- G. **Section 507.5.1 Hydrant for Standpipe systems.** This amendment allows the Fire Code Official to set requirements consistent with the current operational requirements of the Fire Department's apparatus.

Finding of Need: Administrative.

- H. **Section 903.4.2.1 Exterior Strobe.** This requirement facilitates fire fighting personnel in locating the correct building in alarm more quickly, especially in inclement conditions.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3

- I. **Section 904.3.5 Monitoring.** This requirement facilitates fire fighting and Locating fire extinguishing system activation more quickly.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3

- J. **Section 906.1, item 9.** This amendment allows the Fire Code Official discretion in dealing with the placement of fire extinguishers in high theft areas.

Finding of Need: Administrative.

- K. **Section 907.3.5 Fog or Smoke Emitting Systems.** The requirement provides for fire fighting personnel protection and facilitates more rapid response to building interiors for fire fighting.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3

- L. **Section 907.5.2.3.1, item 12.** The requirement for an exterior strobe facilitates fire fighting personnel in locating the correct building in alarm more quickly, especially in inclement conditions.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3

EXHIBIT A

INDEX AND SUMMARY TO THE CALIFORNIA BUILDING STANDARDS CODE AND AMENDMENTS

- M. **Section B105.1 One- and two-family dwellings.** This ensures that sufficient water is available for fire fighting, in concordance with fire department operational guidelines and water department operational guidelines.

Finding of Need: Administrative, Climatic #2, #3, Topographical #2, #3

ARTICLE XVI.

FIRE SPRINKLERS

Section 14-26. Fire Sprinklers. This section adopts modifications to the California Fire Code relating to Fire Sprinkler Requirements.

- A. **Sections 903.2 through 903.2.4.** This amendment updates existing City Code requirements regarding fire sprinkler systems so that they reference the correct current Fire Code sections, clarifies language, and changes the threshold requirements for residential addition areas requiring fire sprinkler systems.

Finding of Need: Administrative; Climatic #2, #3, #4; Geological #2; Topographical #2, #3.

- B. **Sections 903.2.6 through 903.2.10.** This amendment updates existing City Code requirements regarding fire sprinkler systems so that they reference the correct current Fire Code sections, clarifies language, and changes the threshold requirements for residential addition areas requiring fire sprinkler systems.

Finding of Need: Administrative; Climatic #2, #3, #4; Geological #2; Topographical #2, #3.

- C. **Section 903.2.18.** This amendment updates existing City Code requirements regarding fire sprinkler systems so that they reference the correct current Fire Code sections, clarifies language, and changes the threshold requirements for residential addition areas requiring fire sprinkler systems.

Finding of Need: Administrative; Climatic #2, #3, #4; Topographical #2, #3.

- D. **Section 903.3.1.2.** This amendment updates existing City Code requirements regarding fire sprinkler systems so that they reference the correct current Fire Code sections, and clarifies the threshold requirements for residential fire sprinkler system coverage.

EXHIBIT A

INDEX AND SUMMARY TO THE CALIFORNIA BUILDING STANDARDS CODE AND AMENDMENTS

Finding of Need: Administrative; Climatic #2, #3, #4; Topographical #2, #3.

- E. **Section 903.3.1.3.** This amendment updates existing City Code requirements regarding fire sprinkler systems so that they reference the correct current Fire Code sections, and clarifies the threshold requirements for residential fire sprinkler system coverage.

Finding of Need: Administrative; Climatic #2, #3, #4; Geological #2; Topographical #2, #3.



Meeting Date: 01/28/14

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

Prepared By: Lou Balderrama, City EngineerAgenda Item No. 5-4Reviewed By: City Manager [Signature] City Attorney SYMF Finance [Signature] Public Works**DATE:** January 13, 2014**TO:** City Council**FROM:** Rob Roshanian, Interim Public Works Director
Public Works**SUBJECT:** Fourth Amendment to the Consulting Agreement with Carollo Engineers, Inc. for the Recycled Water Retrofit Project (Agreement No. A-7338)**RECOMMENDATION**

That City Council approve and authorize the Mayor to execute a Fourth Amendment to the Consulting Services Agreement with Carollo Engineers, Inc. (Agreement No. A-7338), to increase the total by \$240,000 for a total contract value of \$4,938,524.

DISCUSSION

On July 27, 2010, the City Council approved the Agreement with Carollo Engineers, Inc. (Carollo) for the design of the recycled water pipeline and retrofit projects, primarily within the existing city limits. The recent increase in demand for recycled water for agricultural customers in the area southeast of the city limits has shifted the focus of needed projects from the west and north areas to the southeast Hueneme Road Recycled Water Pipeline Project. The increased demand from the agricultural customers will allow the City to operate the newly constructed Advanced Water Purification Facility (AWPF) more efficiently. This shift necessitated a change to the engineering services being provided by Carollo.

On September 11, 2012, the City Council approved a First Amendment with Carollo that deleted certain design services and added construction management services, reducing the total value of the agreement by \$886,444. City staff designed a portion of the Hueneme Road pipeline, reducing the need for Carollo's design services. Additional construction services were needed due to the changes in the Recycled Water Backbone alignment. At the time of the First Amendment, staff was not yet able to project the total future need for construction services from Carollo.

Fourth Amendment to the Consulting Agreement with Carollo Engineers, Inc. for the Recycled Water Retrofit Project (Agreement No. A-7338)

January 13, 2014

Page 2

On March 19, 2013 the City Council approved a Second Amendment with Carollo that added construction management services, increasing the total value of the agreement by \$582,155. The Second Amendment provided the technical resources needed to properly manage the Hueneme Road Recycled Water Pipeline Phase I Project, currently under construction. Services included construction management, field engineering, inspection, survey, contract administration, testing, post construction services, and quality control/management.

On July 30, 2013, the City Council approved a Third Amendment to extend the construction management and survey services needed for the Hueneme Road Recycled Water Pipeline Phase I Project.

In February 2014, the City Council will consider adoption of the multi-party recycled water agreement and groundwater management plan, which together establish the framework for recycled water deliveries to large agricultural customers to the south and east of the City, including two public agencies systems, the United Water Conservation District's Pumping Trough Pipeline System, and the Pleasant Valley County Water District System. Implementation of these agreements will require significant engineering analyses and the updating and coordination of several of the City's master planning and regulatory documents.

The Fourth Amendment, in the amount of \$240,000, provides for the consultant to continue preliminary investigations and develop proper documentation for the recycled water customers, pipelines, and facilities. It also includes design development services for increasing storage for potable indirect/direct use study, testing at the Advanced Water Purification Facility (AWPF), and providing graphic displays/support for development of the physical displays at the AWPF, as well as developing sustainability activity worksheets.

FINANCIAL IMPACT

The AWPF and the Recycled Water Pipeline projects/ Retrofit Projects are planned components of the City's Groundwater Recovery Enhancement and Treatment (GREAT) Program. The Fourth Amendment services to be provided by Carollo Engineers are required to complete important components of the GREAT Program. The costs for this amendment will be funded by the 2010 Series Water Revenue Bonds

Attachment #1 - Fourth Amendment to Agreement No. A-7338

FOURTH AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES

This Fourth Amendment ("Fourth Amendment") to the Agreement for Consulting Services ("Agreement") is made and entered into in the County of Ventura, State of California, this ____ day of _____, 2014, by and between the City of Oxnard, a municipal corporation ("City"), and Carollo Engineers, Inc. ("Consultant"). This Fourth Amendment amends the Agreement entered into on July 27, 2010, by City and Consultant. The Agreement previously has been amended on September 11, 2012, by a First Amendment, on March 19, 2013, by a Second Amendment and on July 31, 2013, by a Third Amendment.

City and Consultant agree as follows:

1. In Section 14a of the Agreement, the figure "\$4,698,524" is deleted and replaced with the figure "\$4,938,524."
2. Exhibits A1, A2, and A3 are supplemented by Exhibit A4, attached hereto, and incorporated herein by reference.
3. Consultant agrees that the execution of this Fourth Amendment by the City and the performance of the obligations hereunder by either party shall not be construed as and are not a waiver of any claims City may now have or which may have against Consultant related to the Agreement or the project described in the Agreement. All such claims and potential claims are expressly reserved by the City.
4. As so amended, the Agreement remains in full force and effect.

CITY OF OXNARD

CONSULTANT

Tim Flynn, Mayor

Gary Meyerhofer, Senior Vice President,
Carollo Engineers, Inc.

ATTEST:

APPROVED AS TO INSURANCE:

Daniel Martinez, City Clerk

James Cameron, Risk Manager

APPROVED AS TO FORM:

APPROVED AS TO AMOUNT:

Stephen M. Fischer, Interim City Attorney

Karen R. Burnham, Interim City Manager

APPROVED AS TO CONTENT:

Rob Roshanian, Interim Public Works Director

Lou Balderama, City Engineer

EXHIBIT A4
City of Oxnard
Recycled Water Retrofit Program
Design Contract Amendment
SCOPE OF WORK

TASK 0 PROJECT MANAGEMENT/MEETINGS (INCREASE BY \$25,000)
The increased effort is to account for the added scope efforts and timeline extension.

TASK 1 PRELIMINARY INVESTIGATIONS (INCREASE BY \$75,000)

Sub Task 1.1 – Includes additional needed investigations/documentation for the recycled water customers, pipelines, and facilities.

TASK 2 DESIGN DEVELOPMENT (INCREASE BY \$140,000)

Sub Task 2.1 – Includes increasing storage for indirect/direct potable reuse study, testing at the AWPF, and graphics displays/designs/support for development of physical displays, and developing sustainability activity worksheets.



Meeting Date: 01/28/14

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 ManagerAgenda Item No. S-5Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Police _____ Public Works _____**DATE:** January 13, 2014**TO:** City Council**FROM:** Rob Roshanian, Interim Public Works Director
Public Works [Signature]**SUBJECT:** First Amendment to Agreement A-7571 with G4S Secure Solutions (USA) Inc. to Provide Security Services at Water Resources Division and Environmental Resources Division Facilities

RECOMMENDATION

That City Council approve and authorize the Mayor to execute a First Amendment to the agreement with G4S Secure Solutions (USA) Inc. (Agreement No. A-7571) to increase the total by \$315,000 for a total contract value of \$1,065,000, to provide security services at the Del Norte Regional Recycling and Transfer Station.

DISCUSSION

On December 17, 2012, the City's Purchasing Division and Water Resources Division sent out a competitive Request for Proposal (RFP) for security services at the Water Campus, Water Blending Stations and Advanced Water Purification Facility (AWPF). The RFP was published in the Ventura County Star, posted on the City's website, and mailed to forty-four (44) security firms with a closing bid date of January 30, 2013. The City provided a mandatory pre-proposal meeting on January 7, 2013 and had sixteen (16) firms participate. Nine (9) of the sixteen (16) firms responded with proposals.

The selection panel, which consisted of four (4) Water Resources Division staff and one (1) Police Department staff, reviewed and ranked the proposals according to the statements of qualifications. Selection criteria included the profile and experience of the firm, location of the corporate office or local facilities and qualification of the staff. Based on these criteria, the panel evaluated the compensation schedules of four (4) firms that ranked the highest. Of the four (4), G4S Secure Solutions (USA) Inc. (G4S) was the lowest bidder. On March 19, 2013 City Council approved the agreement, the term of which expires on February 28, 2016.

As part of the process of taking over the operations of the Del Norte Regional Recycling and Transfer Station (MRF), the Environmental Resources Division has initiated many security updates at the facility, including training staff, background checks of employees and contractors, improving perimeter fencing, installing area lighting, incorporating security cameras into all facilities, establishing a

First Amendment to Agreement A-7571 with G4S Secure Solutions (USA) Inc. to Provide Security Services at Water Resources Division and Environmental Resources Division Facilities
January 13, 2014
Page 2

computerized access control system and initiating a visitor identification system. Beyond that, it is equally important to initiate security improvements similar to the Water Resources Division at the MRF with a professional security firm.

Over the past several years, the Police and Public Works Departments have worked to develop a security program for City facilities, including Water Resources Division facilities and the MRF. The two departments have worked to enhance the existing Police Department Security Operations Center, in order to facilitate future monitoring of security cameras at Water Resources Division facilities and the MRF by Police staff. These facilities are not yet capable of fulfilling this need on a twenty-four hours per day, seven days per week basis.

Additionally, the Development Services Department Traffic Engineering Division, Public Works Department Water Resources Division, and Environmental Resources Division are exploring the potential of utilizing the future Traffic Management Center for monitoring the security cameras, as an alternative to the Security Operations Center. The departments will continue to work together toward a fully capable and fully staffed Security Operations Center.

This Amendment provides for after-hours security monitoring of the MRF. The security firm will control access after-hours access to the site, patrol parking lot and recyclables storage areas, and inspect material piles for signs of spontaneous combustion. The firm will alert Police and Fire Departments should additional assistance be required.

The City may choose to terminate the Agreement at any time if the new Security Operations Center becomes fully operational and staffed, or should another option become available.

FINANCIAL IMPACT

The cost of the Amendment is approximately \$154,985 for the first year and \$160,015 for the second year, for a not to exceed total cost of \$315,000. This brings the total cost of the agreement to \$1,065,000. Sufficient funds exist in the Solid Waste Operating Fund Account Nos. 631-6312-842-8209 (82%), 631-6313842-8209 (13%) and 631-6316-842-8209 (5%) to cover the cost of the Amendment.

Attachment #1 - First Amendment to Agreement No. A-7571

FIRST AMENDMENT TO AGREEMENT FOR TRADE SERVICES

This First Amendment ("First Amendment") to the Agreement for Trade Services ("Agreement") is made and entered into in the County of Ventura, State of California, this 1st day of February, 2014, by and between the City of Oxnard, a municipal corporation ("City"), and G4S Secure Solutions (USA) Inc. ("Vendor"). This First Amendment amends the Agreement entered into on March 1, 2013, by City and Vendor.

City and Vendor agree as follows:

1. Section 1 is deleted and replaced with the following: "Vendor shall provide to City the following services: Vendor shall provide security services for the following Water Resources Division facilities: Water Campus, 251 South Hayes Avenue; Blending Station No. 2, 1061 Richmond Avenue; Blending Station No. 3, 1700 Solar Drive; Blending Station No. 4, 3637 North Rose Avenue; Blending Station No. 5, 980 East Pleasant Valley Road; Advanced Water Purification Facility, 5700 South Perkins Road; and Del Norte Regional Recycling and Transfer Station, 111 Del Norte Boulevard, as set forth in Exhibit A, attached hereto and included herein by reference.
2. In Section 1 of the agreement, Exhibit A is supplemented by Exhibit A1, attached hereto and incorporated by reference.
3. In Section 4 of the agreement, the figure "\$750,000" is deleted and replaced with figure "\$1,065,000."
4. As so amended, the Agreement remains in full force and effect.

CITY OF OXNARD

Tim Flynn, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Steven M. Fischer, Interim City Attorney

APPROVED AS TO CONTENT:

Rob Roshanian, Interim Public Works Director

VENDOR

Keith Boles, General Manager

APPROVED AS TO INSURANCE:

James Cameron, Risk Manager

APPROVED AS TO AMOUNT:

Karen R. Burnham, Interim City Manager

APPROVED AS TO CONTENT:

Anthony Emmert, Water Resources Manager

EXHIBIT A1 SCOPE OF SERVICES

Vendor shall provide to City the following security services for the Del Norte Regional Recycling and Transfer Station located at 111 Del Norte Boulevard:

Security Patrols

Vendor security patrols will include visual inspections of each facility and on-site vehicles, and physical inspections of all gates and doors of each facility and on-site vehicles to verify secure status. Make contact with individuals on property after hours to determine reason for access to facility. Regular visual inspection of the Del Norte Regional Recycling and Transfer Station, including parking lots, recyclables storage areas, supply storage areas, container storage and staging areas. Vendor shall notify designated City staff of any unauthorized activities and police in the event of an emergency.

Regularly enter facility to inspect piles of solid waste, recyclables and green waste for signs of spontaneous combustion. Contact emergency services as needed.

After-Hours Security

Security hours are as follows:

Monday through Friday (11 hours)

12:00 a.m. – 5:00 a.m.

6:00 p.m. – 11:59 p.m.

Saturday (17 hours)

12:00 a.m. – 5:00 a.m.

12:00 p.m. – 11:59 p.m.

Sunday and Holidays (24 hours)

12:00 a.m. – 11:59 p.m.

Vendor shall provide security service to the entire Del Norte Regional Recycling and Transfer Station, to include physical monitoring of the facility and monitoring of security cameras, vehicles, and equipment. Vendor shall notify designated City staff of any unauthorized activities and police in the event of an emergency.



Meeting Date: 01/28/13

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. 5-6Reviewed By: City Manager *gpb* City Attorney *smf* Finance *nc* Public Works**DATE:** January 15, 2014**TO:** City Council**FROM:** Rob Roshanian, Interim Public Works Director
Public Works *J.R.***SUBJECT:** Application to the California Department of Water Resources Proposition 50
Desalination Research Grant Program**RECOMMENDATION**

That City Council:

1. Adopt a resolution authorizing the City Manager to submit an application for \$220,000 in California Department of Water Resources (DWR) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) grant funds, to be used for the purposes of conducting research in the treatment wetlands at the Advanced Water Purification Facility.
2. Authorize the City Manager or her designee to execute all grant documents; the Finance Director or his designee to submit financial reports and grant claims and approve special budget appropriations for the use of grant funds; and the Interim Public Works Director or his designee to submit non-financial reports upon award of the grant.
3. Commit \$60,000 in cash and in-kind services as matching funds to the grant, if awarded.

DISCUSSION

The California Department of Water Resources (DWR) is seeking proposals for grants to support brackish water and seawater desalination as a water supply or quality option. Within this grant program, approximately \$3 million is available for research projects that support permitting agencies in establishing policies and regulatory criteria for water desalination projects. The source of the grant funding is Proposition 50, the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (California Water Code Section 79500 et seq.). Applications are due January 31, 2014.

For the past year, Public Works Department staff has worked closely with wetland scientists from the U.S. Bureau of Reclamation (Reclamation) to facilitate research on the efficacy of the constructed treatment wetlands at the Advanced Water Purification Facility (AWPF). Scientists from Reclamation have received research grants to support some of this work, but additional funding is needed to expand

Application to the California Department of Water Resources Proposition 50 Desalination Research Grant Program

January 15, 2014

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the scope of the studies and conduct research over a longer period of time. A grant proposal to the DWR Desalination Research Grant program presents a potential source of funds to continue this work.

Reducing contaminants from desalination concentrate is of interest to water managers across the state and the nation. This research project will provide data and a relevant case study to help the State of California develop policies and criteria for the use of engineered saline wetlands as a treatment option for brine concentrate produced as a result of desalination. The project will also investigate the feasibility of integrating brine discharge with wetland restoration in coastal settings to contribute to mitigation measures. The State Water Resources Control Board has proposed to require coastal wetland restoration as mitigation for ocean desalination intakes. In this way, the project aims to address regulatory parameters associated with both discharges and intakes.

The AWPf treatment wetlands are a contained unit and an ideal research laboratory, unique in the western U.S. While they are established now to treat concentrate from recycled water, they are built on a foundation of desalination studies. From 2005-2008, the City of Oxnard engaged in a pilot concentrate treatment wetland study with concentrate from the Desalination Research Facility in Port Hueneme. This pilot study treated local brackish groundwater containing between 1,000 and 5,000 mg/L of total dissolved solids. The study evaluated a variety of wetland types known to exist within local coastal salt marsh wetlands. Wetland designers and experts from CH2M Hill expanded on these studies in designing the demonstration wetland now located at the AWPf. The treatment wetland utilizes the same technology explored in previous studies to treat concentrate at a larger scale.

The primary partners in this research project are the Bureau of Reclamation and the City of Oxnard. Two offices of the Bureau of Reclamation will participate in the project. The Southern California Area Office is the grant applicant and will be the administrator for the proposed project. Mr. Doug McPherson, Environmental Protection Specialist, is the point of contact and lead on partner communications and outreach. Mr. McPherson has extensive experience with California's environmental regulations and permitting processes, and will work closely with local agencies. Reclamation's Technical Service Center is providing scientific and technical leadership for the project. Dr. Katharine Dahm, a Research Engineer with Reclamation's Advanced Water Treatment Group, is the principal investigator and lead on implementing the research protocol. Dr. Dahm is the lead author of the research plan, and implemented the trial runs of the treatment wetlands. She will oversee data collection and analysis tasks for the project, and will be on-site at the AWPf at least 2 times per year. Reclamation staff time and expenses are provided as part of the matching funds for the proposal.

Two departments within the City of Oxnard will participate in the project. Oxnard City Corps will assist with data collection over the two year project. City Corps staff members have already received some training from Reclamation and will have additional training through the US Environmental Protection Agency (USEPA) Environmental Workforce Development Grant received in 2013. Public Works Department staff will be involved in operating the AWPf wetland, project coordination and outreach to regulatory agencies.

**Application to the California Department of Water Resources Proposition 50 Desalination
Research Grant Program**

January 15, 2014

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The grant application requires a letter commitment from the City as a partner in this project. A resolution authorizing participation is also desirable. It is expected that the award recipients will be announced in late April 2014.

FINANCIAL IMPACT

The total project cost is estimated at \$440,000, of which approximately \$220,000 would come from the grant and \$220,000 would be contributed in match. The 50% match is required. The Bureau of Reclamation will contribute \$150,000 toward the match. The USEPA grant will contribute \$10,000, and the City will contribute an estimated \$60,000 in cash and in-kind services. The City's contribution will include purchasing equipment for use in the AWPf Laboratory, staff time for outreach, and funding for City Corps staff time for sampling. Upon award, the grant amount along with matching contribution will be appropriated to the Prop. 50 Desalination Grant Project. The City match contribution will be funded from available Water Operating Fund Balance.

Attachment #1 - Resolution #_____ A Resolution of the City Council of the City of Oxnard
Approving Submittal of Grant Application

RESOLUTION NO.

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

WHEREAS, pursuant and subject to all of the terms and provisions of the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50, California Water Code Section 79500 et seq.) (the "Act"), the California Department of Water Resources is sponsoring the 2014 Grant Funding Cycle of the Water Desalination Grant Program; and

WHEREAS, the procedures established by the California Department of Water Resources require a resolution from entities participating in proposed projects establishing their commitment to an eligible project; and

WHEREAS, the City of Oxnard desires to continue and expand upon its research and monitoring projects at the Advanced Water Purification Facility in partnership with the U.S. Bureau of Reclamation and can accomplish this goal through applying for and receiving grant funding from the Water Desalination Grant Program; and

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

WHEREAS, the Public Works Department has requested that the City Council approve the submittal of an application to the California Department of Water Resources for \$220,000 in Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) grant funds, to be used for the purposes of conducting research in the treatment of wetlands at the Advanced Water Purification Facility.

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

1. That the City of Oxnard is committed to its continued efforts to research and monitor the efficacy of the constructed treatment wetlands at the Advanced Water Purification Facility (AWPF) in partnership with the U.S. Bureau of Reclamation and instructs the City Manager or her designee to execute a letter of commitment on behalf of the City if necessary.
2. To approve the submittal of a grant application by the City Manager for the *Desalination Concentrate Management through Saline Treatment Wetlands* project to the California Department of Water Resources.
3. To authorize the City Manager or her designee to execute all grant documents; the Finance Director or his designee to submit financial reports and grant claims and approve special budget appropriations; and the Interim Public Works Director or his designee to submit non-financial reports upon award of the grant.
4. To commit \$60,000 in cash and in-kind services as matching funds to the grant, if awarded.

Resolution No. _____

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PASSED AND ADOPTED THIS _____ day of _____, 2014 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