Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.

CITY OF OXNARD CALIFORNIA

AGENDA
OXNARD CITY COUNCIL
FINANCE AND GOVERNANCE COMMITTEE

Council Chambers, 305 West Third Street

December 14, 2021

Regular Meeting - 5:00 to 6:30 PM

(Temporary Meeting Time Change)

Zoom details to call-in for public comment during a meeting:

1. **Dial Phone Number: (888) 475-4499**
2. **Enter Meeting ID: 830 5263 8114**
3. **Passcode: 623062**

If you wish to speak during public comments or a particular item on the agenda, please sign-on by following the zoom calling in steps listed above. Once the Mayor calls for public speakers, press *9 to raise your hand to inform the clerk you would like to speak during the public speaking section for that particular item on the agenda, while in the zoom waiting room.

This meeting is being held in accordance with Assembly Bill 361, allowing members of the City Council, members of the public and staff to participate via teleconference.

Consistent with City policies imposed to promote social distancing, the facility where the City Council regularly meets is temporarily closed to the public. The public is encouraged to view the meeting from home on Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings of the meeting are typically available online following the meeting at the City's website at www.oxnard.org/city-meetings.

*Please see the link for the Measure M pre-recorded presentation video for each item listed on this agenda.

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. EMAILING COMMENTS OR REQUESTING TO SIGN UP TO SPEAK BEFORE THE MEETING

    a. Submit an email to cityclerk@oxnard.org no later than 3 p.m. on the day of the meeting (Please indicate the agenda item number in the subject line). All email correspondence will be forwarded to the City Council prior to the start of the meeting and made part of the legislative record.
    b. Submit a request to speak by no later than 3 p.m. on the day of the meeting by using the form available at www.oxnard.org/city-meetings, emailing the City Clerk at cityclerk@oxnard.org, or calling the City Clerk at (805) 385-7803.

2. PROVIDING PUBLIC COMMENTS DURING THE MEETING

    a. To provide public comment without requesting to speak prior to the meeting, during the meeting dial (888) 475-4499 and enter the Meeting ID and Passcode listed above as the Zoom details for this meeting.
    b. Public comments on agenda items shall be taken following the announcement of the item. After all public speakers have been given an opportunity to speak on an agenda item, the public comment period shall be held open for three minutes to allow additional speakers to register or otherwise be recognized for the purpose of providing public comment. During this three minute time period, the City Council or staff may discuss the item being considered or briefly respond to previous comments.

Detailed participation instructions can be found at www.oxnard.org/city-meetings.

In the event of a disruption which prevents a legislative body of the City of Oxnard from broadcasting a meeting using a call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comment using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing

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

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

on a meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. However, if any of the broadcast options are disrupted, but any of the other broadcast options is still available to the public, the legislative body may take further action on items appearing on a meeting agenda without waiting for the disrupted broadcast option(s) to be restored.

* The City has filed pre-election and post-election lawsuits regarding the validity of Measure M.

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker requests shall be submitted as set forth on the first page of this agenda. Speakers are limited to three minutes. After 30 minutes, if all speakers have not had the opportunity to speak, the remaining speakers will be given an opportunity to speak prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

C. CONSENT AGENDA

1. City Clerk Department
SUBJECT: Approval of Minutes.
RECOMMENDATION: That the Finance & Governance Committee approve the minutes of the November 23, 2021 regular meeting as presented.
Contact: Rose Chaparro, (805) 385-7805

D. REPORTS

1. Fire Department
SUBJECT: Appropriation of Wildland Fire Reimbursement Revenue. (0/10/10)
RECOMMENDATION: That the Finance and Governance Committee recommend that the City Council amend the FY 2021-22 Budget to recognize an additional $695,615 of General Fund revenue from wildland fire reimbursement and appropriate $370,128 to the Fire Department to restore the Department's original training budget; to improve and expand training related to mutual aid response; and to acquire equipment and supplies.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/-TfIKeCDvzI
Contact: Alexander Hamilton, (805) 385-7700

2. City Manager Department
SUBJECT: Whistleblower Summary Update. (0/5/5)
RECOMMENDATION: That the Finance and Governance Committee receive the update on Whistleblower Matters.
(Presentation will be live upon consultant's request).
Contact: Shiri Klima, (805) 385-7487

3. City Attorney Department
SUBJECT: Council Procedures Manual Update. (0/10/10)
RECOMMENDATION: That the Finance and Governance Committee review the proposed update to the Council Procedures Manual and provide direction.
Contact: Stephen Fischer, (805) 385-7483

4. Finance Department

SUBJECT: Fiscal Year 2020-21 Annual Report on Development Impact Fees (AB1600). (0/10/10)

RECOMMENDATION: That the Finance and Governance Committee recommend that the City Council receive and file the annual development impact fee report (AB1600) for the fiscal year ended June 30, 2021.
(Presentation will be live upon consultant's request).

Contact: Betsy George, 805-200-5400

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

CONSENT AGENDA
AGENDA ITEM NO. C.1

DATE: December 14, 2021

TO: Finance & Governance Committee

FROM: Rose Chaparro, City Clerk, (805) 385-7805, rose.chaparro@oxnard.org

SUBJECT: Approval of Minutes.

RECOMMENDATION

That the Finance & Governance Committee approve the minutes of the November 23, 2021 regular meeting as presented.

BACKGROUND

Approval of Minutes.

STRATEGIC PRIORITIES

This agenda item is a routine operational item.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Rose Chaparro, City Clerk

ATTACHMENTS

1. MINUTES 11 23 2021 Finance & Governance Committee

M I N U T E S

OXNARD CITY COUNCIL
FINANCE AND GOVERNANCE COMMITTEE
Regular Meeting
NOVEMBER 23, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 5:02 p.m., Chair John C. Zaragoza called to order the regular meeting of the Oxnard City Council Finance and Governance Committee in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Chair Zaragoza was present in person. Member Gabriela Basua participated via videoconference. There is a vacancy in this Council Committee.

Staff members present in person were Ken Rozell, Chief Assistant City Attorney and Rose Chaparro, City Clerk.

Staff members that participated via videoconference were Alexander Nguyen, City Manager; Shiri Klima, Deputy City Manager; Betsy George, Chief Financial Officer; Jennifer Hiraoka, Senior Manager of Internal Controls & Acting Controller; and Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer.

Roger Martinez, CPA with Vasquez & Company LLP and Craig Hill, Managing Principal at NHA Advisors also participated via videoconference.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (None received.)

C. CONSENT AGENDA

1. City Clerk Department
   SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the Finance & Governance Committee approve the minutes of the November 9, 2021 regular meeting as presented.

It was moved by Member Basua, seconded by Chair Zaragoza, to approve the Information/Consent item as presented. VOTE: Zaragoza and Basua voted in favor; the motion carried 2-0.

D. REPORTS

1. Finance Department

SUBJECT: Proposed City Council Policy for Internal Control Integrated Framework - Monitoring Activities.

RECOMMENDATION: That the Finance and Governance Committee provide feedback on a proposed City Council Policy for Internal Control Integrated Framework - Monitoring Activities and recommend City Council adopt a resolution to approve the proposed policy.

Betsy George, Chief Financial Officer introduced Jennifer Hiraoka, Senior Manager of Internal Controls & Acting Controller, who presented and answered the Committee's questions. No public comments were received.

It was moved by Member Basua, seconded by Chair Zaragoza, to approve the recommended action as presented. VOTE: Zaragoza and Basua voted in favor; the motion carried 2-0.

2. City Manager Department

SUBJECT: First Amendment with Vasquez & Company LLP for On-Call Internal Auditing Services.

RECOMMENDATION: That the Finance and Governance Committee recommends the City Council approve and authorize the Mayor to execute a First Amendment to the Professional Services Agreement with Vasquez & Company, LLP (9051-20-CM) in the amount of $75,000 for a not to exceed contract amount of $100,000 and to extend the term 3 more years until December 31, 2024, for On-Call Internal Auditing Services.

Shiri Klima, Deputy City Manager introduced Roger Martinez, CPA with Vasquez & Company LLP, who answered the Committee's questions. No public comments were received. Discussion ensued among the Committee and staff.

Chair Zaragoza made a motion to approve to extend the term 3 more years until December, 31, 2021. Staff will submit a more comprehensive internal auditing proposal in Spring 2022.

It was moved by Chair Zaragoza, seconded by Member Basua, to approve the recommended action as presented. VOTE: Basua and Zaragoza voted in favor; the motion carried 2-0.

3. Billing and Licensing Department

SUBJECT: Ratification of the First Amendment to Agreement with Paymentus, Inc. for Credit Card Services.

RECOMMENDATION: That the Finance and Governance Committee recommend the City Council ratify the first amendment to Agreement 9046-20-CT between Paymentus, Inc. and the City of Oxnard to add the function of credit card merchant processor in the scope of services to be performed by Paymentus, Inc.

Eden Alomeri, Revenue & Licensing Director & Assistant City Treasurer, was available to answer the Committee's questions. No public comments were received. Discussion ensued among the Committee and staff.

It was moved by Member Basua, seconded by Chair Zaragoza, to approve the recommended action as presented. VOTE: Basua and Zaragoza voted in favor; the motion carried 2-0.

4. Finance Department

SUBJECT: Second Amendment to Agreement A-8012 with NHA Advisors for financial advisory services, disclosure compliance, and CDIAC reporting services.

RECOMMENDATION: That the Finance and Governance Committee recommends the City Council approve and authorize the Mayor to execute a Second Amendment to Professional Services Agreement No. A-8012 with NHA Advisors for a five-year extension in the amount of $100,000 per year ($500,000 total for the amendment or, including the prior amount, $800,000 total contract).

Betsy George, Chief Financial Officer introduced Craig Hill, Managing Principal at NHA Advisors, who answered the Committee's questions. No public comments were received. Discussion ensued among the Committee and staff.

It was moved by Chair Zaragoza, seconded by Member Basua, to approve the recommended action as presented. VOTE: Zaragoza and Basua voted in favor; the motion carried 2-0.

E. ITEMS FOR FUTURE AGENDAS

Chair Zaragoza requested that training on the Brown Act be provided to Council members and staff next year.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Zaragoza adjourned the meeting at 5:40 p.m.

ROSE CHAPARRO City Clerk	JOHN C. ZARAGOZA Chair

CITY OF OXNARD CALIFORNIA

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.1

DATE: December 14, 2021

TO: Finance & Governance Committee

FROM: Alexander Hamilton, Fire Chief, (805) 385-7700, alexander.hamilton@oxnard.org

SUBJECT: Appropriation of Wildland Fire Reimbursement Revenue. (0/10/10)

RECOMMENDATION

That the Finance and Governance Committee recommend that the City Council amend the FY 2021-22 Budget to recognize an additional $695,615 of General Fund revenue from wildland fire reimbursement and appropriate $370,128 to the Fire Department to restore the Department's original training budget; to improve and expand training related to mutual aid response; and to acquire equipment and supplies.

Please click the following link to view the required Measure M pre-recorded presentation video:
https://youtu.be/-TfIKeCDvzI

BACKGROUND

The Oxnard Fire Department has played an increasingly important role in responding to large-scale wildland incidents around the state in the last five years. This has been due, in part, to the size of the wildland incidents within California. The Thomas Fire that started in 2017, was the largest fire in the state's history, and now ranks ninth in largest fires. Eleven of the twenty largest fires in California history have started since the Thomas Fire.

The Fire Department responds to these mutual aid requests through an agreement known as the California Fire Assistance Agreement (CFAA). The CFAA agreement has signatories from all Federal, State, County, and Local fire agencies. As a part of this agreement, the Fire Department provides an updated salary survey to the California Office of Emergency Services (CalOES) that processes all reimbursement claims. Ultimately the reimbursement funds generally come from the State or Federal government depending on the jurisdiction of the wildland incident.

The CFAA provides reimbursement for the Fire Department that includes all personnel costs, vehicle costs, travel costs (food and accommodation) as well as an administrative fee. The administrative fee is adjusted every year and this year it is set at 17.1% of total reimbursed expenses.

DISCUSSION

Since the Department started participating in mutual aid deployments, all mutual-aid expenses have been charged to the Fire Department's General Fund Operating Budget. This has resulted in funds originally appropriated to the Department by City Council for regular Department operations being diverted to wildland fire response outside the City.

The State or Federal reimbursement arrives months after the incident has been resolved, with the revenue credited to the General Fund, but without a corresponding increase in appropriations, leaving the Fire Department operating budget depleted. As of the posting of this staff report, one-third ($47,477) of the Fire Department training budget has been consumed by reimbursable costs for mutual aid assignments for FY21/22.

Furthermore, the Fire Department has yet to address the minimum training requirements of responding to mutual aid incidents based on State Fire Marshal certifications. The Department needs to invest in the professional development of personnel to ensure they can operate as safely as possible, while also meeting the minimum training requirements.

There are two high-priority training requirements the Department needs to address; ensuring all Captains are certified as Engine Boss and ensuring all Battalion Chiefs are certified as Strike Team Leaders. Currently, only eight of the 32 Captains meet the Engine Boss Certification. Engine Boss Certification involves a series of three classes that take a total of 11 days to complete. Currently, only three of the five Battalion Chiefs are certified as Strike Team Leaders. Qualification for Strike Team Leader starts with three classes also taking 11 days to complete.

STRATEGIC PRIORITIES

This agenda item supports Public Safety strategy. The purpose of the Public Safety strategy is to restore and modernize the delivery of public safety services to provide for the safety of our neighborhoods and health of our community.

FINANCIAL IMPACT

On March 30, 2021, City Council unanimously approved a Budget Appropriation reimbursing the Fire Department for all direct travel and personnel costs incurred for mutual aid while allowing the Department to reinvest the reimbursement for indirect costs (vehicle costs and the administrative surcharge) back in to the mutual aid program through training and the purchase of equipment designed for wildland fire response. With the budget appropriation approval occurring late in the fiscal year, the ability of the Department to fully utilize the funds was limited. This fiscal year (FY 21/22) the Department is requesting a budget appropriation for mutual aid responses to date. A second appropriation will be requested later in the fiscal year should additional responses take place.

The proposed allocation of CFAA reimbursements will allow the Fire Department to reimburse the General Fund for overtime and benefits incurred during mutual aid; to restore the training budget; and to supplies, equipment and certifications related to mutual aid response.

CFAA Reimbursement	Amount	Fund	Purpose
Personnel costs	$1,393,625	101-2201-802.80-03, 08 & 41 – OT & Employee Benefits	Reimburse budgeted General Fund costs for overtime and benefits incurred during mutual aid
Travel costs	$47,477	101-2201-802.83-43 – Training	Restore Fire Department training budget for travel costs charged to it during mutual aid

Engine hours/Vehicle reimbursement	$65,124	101-2201-802.86-06 – Machinery and Equip New	To purchase equipment to be used on mutual aid assignments
Administrative surcharge (17.1%)	$257,527	101-2201-802.81-34 – Minor Eqp - Shop/Field	To reinvest in mutual aid program through training and supplies
Total	$1,763,753	101-2201-581.75-19 - Other Reimbursements	

Approval of the accompanying budget appropriation request will increase the budgeted wildland reimbursement revenue by $695,615 to reflect the current anticipated total for Fiscal Year 2021-22 of $1,763,753 and appropriate $370,128, which is the unappropriated amount related to the administrative surcharge, travel and vehicle cost reimbursment. For the Fiscal Year 2022-23, the City Manager will recommend a similar approach going forward, with estimated wildland fire reimbursement costs and revenues, which are literally subject to the vagaries of nature.

Prepared by: Alexander Hamilton, Fire Chief, Amy Van Atta, Management Analyst II

ATTACHMENTS

1. Wildland Reimbursement Presentation
2. BA Wildland Fire Reimbursement

APPROPRIATION OF WILDLAND FIRE REIMBURSEMENT REVENUE

Alexander Hamilton, Fire Chief

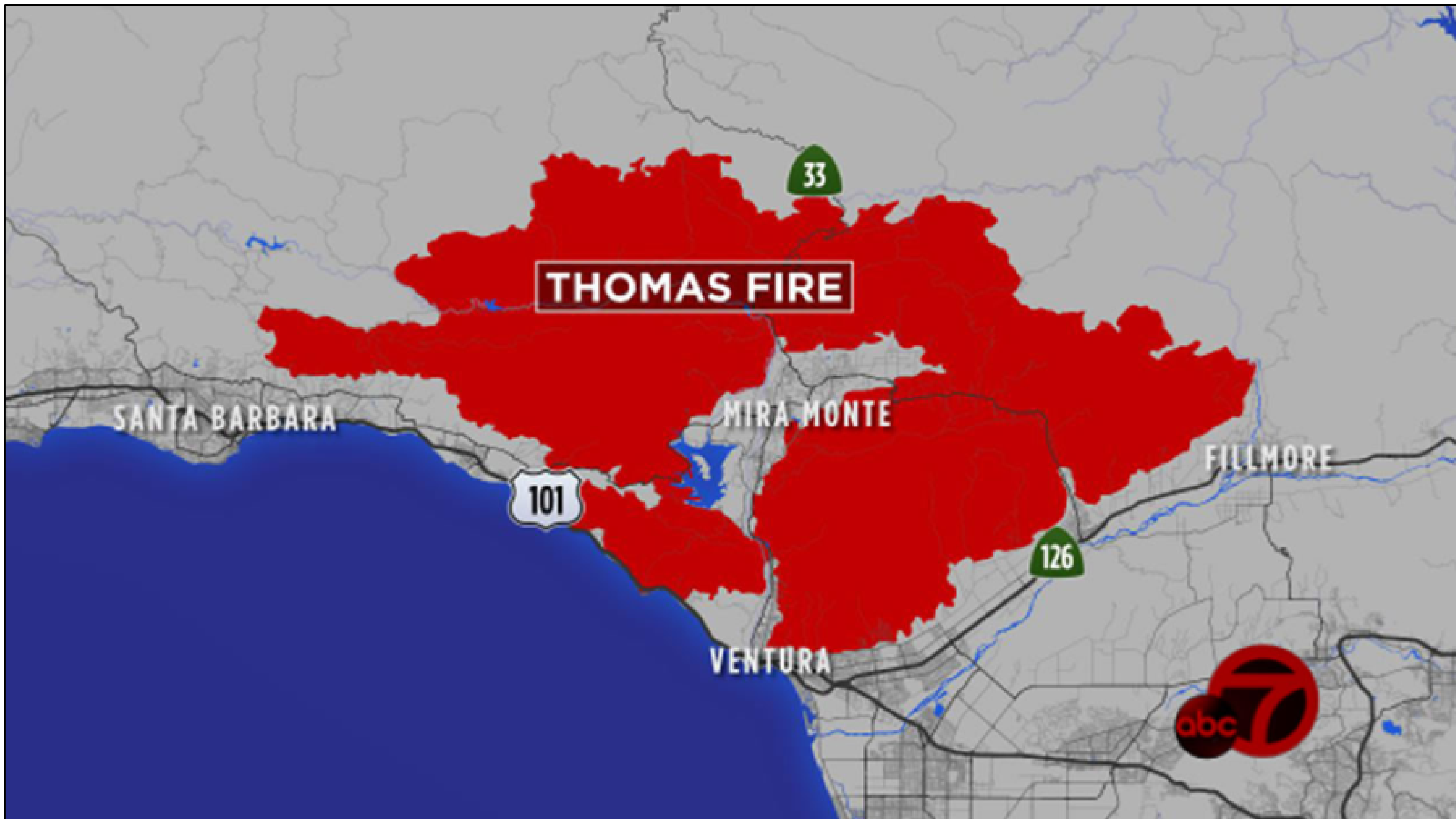
CITY OF OXNARD CALIFORNIA

RECOMMENDATION

That the Finance and Governance Committee recommend that the City Council amend the FY 2021-22 Budget to recognize $695,615 of General Fund revenue from wildland fire reimbursement, and appropriate $370,128 to the Fire Department to restore the Department’s original training budget; to improve and expand training related to mutual aid response; and to acquire equipment and supplies needed for mutual aid response to wildland fire events.

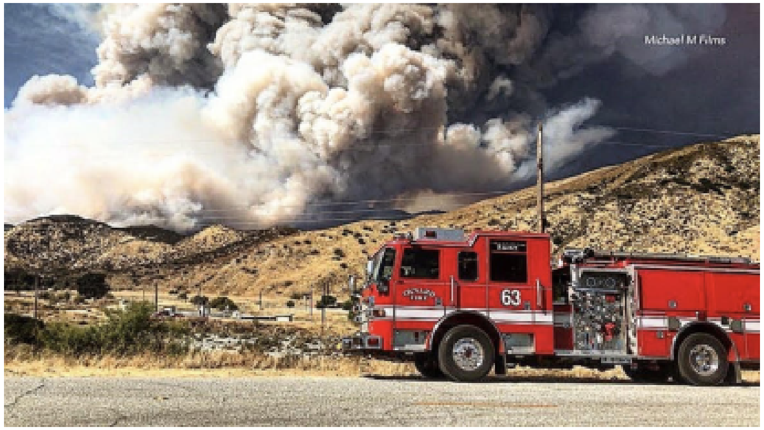
BACKGROUND

In 2017 the Thomas Fire was the largest fire in California history. Today it ranks number eleven.



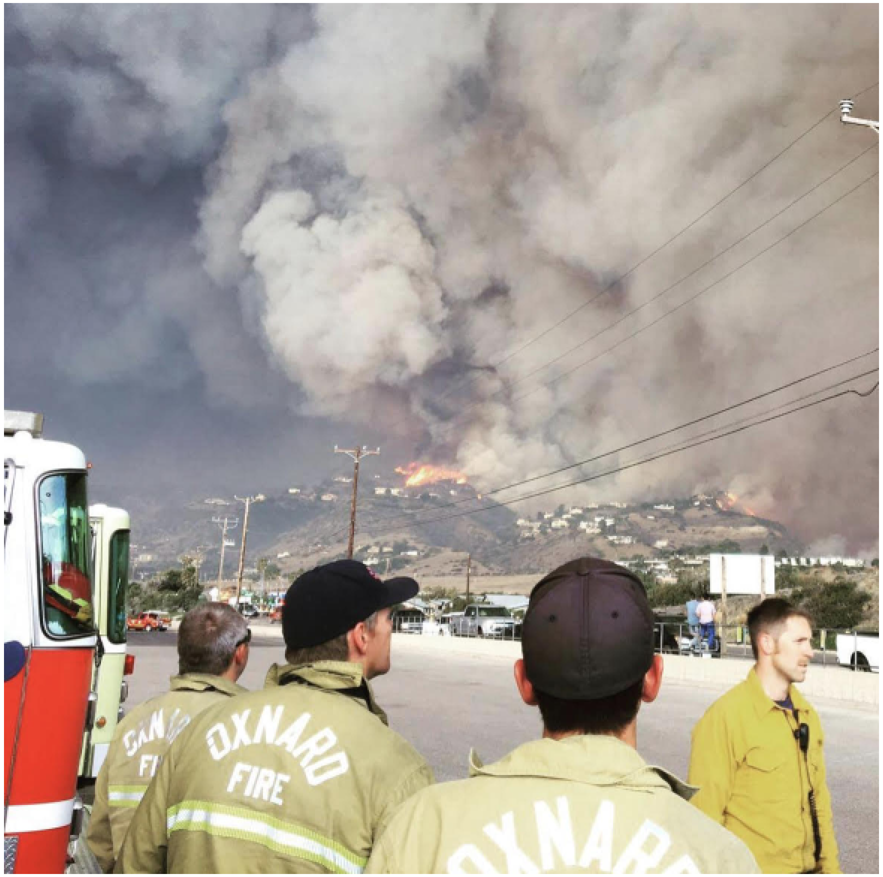
California Fire Assistance Agreement (CFAA)

- Agreement between Federal, State, County and Local fire agencies
- Updated annually
  - Fire Department works with Finance Department to provide current staff and overhead costs to CalOES
- Reimbursement for personnel, engine hours, travel expenses
- Administrative Fee of 17.1%



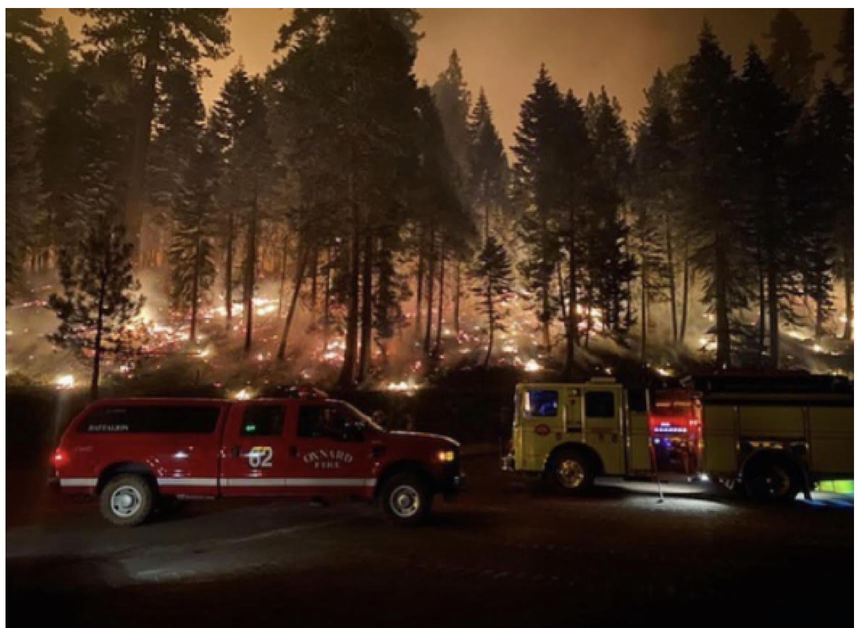
MINIMUM TRAINING REQUIREMENTS

- State Fire Marshal certifications
- Engine Boss
- Strike Team Leader

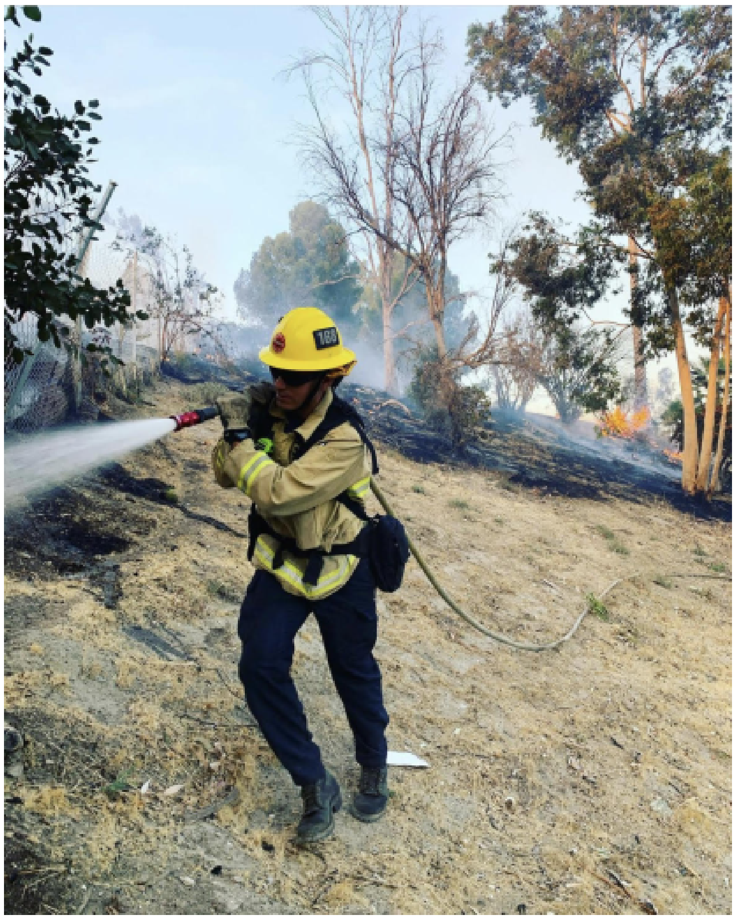


REIMBURSEMENT FOR MUTUAL AID FY 21/22

The proposed allocation of CFAA reimbursements will allow reimbursement of the General Fund for overtime and benefits incurred during mutual aid; to restore the training budget; and to purchase supplies, equipment and certifications related to mutual aid response.



ALLOCATION OF CFAA REIMBURSEMENT



Projected Reimbursement for FY 21/22 is $1,763,753:

- $1.39M personnel costs
- $47,477 travel costs
- $65,124 engine hours/vehicle costs
- $257,527 administrative fee

QUESTIONS?

REQUEST FOR BUDGET APPROPRIATION

Department: Fire **Date:** December 14, 2021

Project/Program Manager: Hamilton **Phone:** x7700

Reason for Appropriation:

Recognize an additional $695,615 of Wildland Fire Reimbursement and appropriate $370,128 to the Fire Department for training, supplies, equipment purchases, and certifications.

Accounts and Descriptions		AMOUNT
Fund: 101 - GENERAL FUND		
Revenues/Transfers In		
FIRE SUPPRESSION (2201)		
101-2201-581.75-19	MISCELLANEOUS REVENUES/OTHER REIMBURSEMENTS	695,615
	Sub-total Revenues	695,615
Expenditures/Transfers Out		
FIRE SUPPRESSION (2201)		
101-2201-802.81-34	MINOR EQP - SHOP/FIELD	257,527
101-2201-802.83-43	TRAINING/WORKSHOP/MTNGS	47,477
101-2201-802.86-06	MACHINERY AND EQUIP NEW	65,124
	Sub-total Expenditures	370,128
	Net Change to Fund Balance	**325,487**
	Net Appropriation Change	**370,128**

Approvals

Department Director ______________________________

Chief Financial Officer ______________________________

City Manager ______________________________

BA# (Finance Use Only)______________

BA Doc# (Finance Use Only)___________

REQUIRES CITY COUNCIL AUTHORIZATION

Revised : 2/23/2012

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.2

DATE: December 14, 2021

TO: Finance & Governance Committee

FROM: Shiri Klima, Deputy City Manager, (805) 385-7487, shiri.klima@oxnard.org

SUBJECT: Whistleblower Summary Update. (0/5/5)

RECOMMENDATION

That the Finance and Governance Committee receive the update on Whistleblower Matters.
(Presentation will be live upon consultant's request).

BACKGROUND

The City of Oxnard established various mechanisms for employees and residents of the City to report potential fraud, waste or abuse. Those mechanisms include a whistleblower hotline and a web page on the City's website for online submissions as well as email complaints to the independent accounting firm that monitors the whistleblower hotline, Price Paige & Company. Price Paige & Company will conduct investigations on allegations and complaints received in accordance with the program guidelines. Per their agreement, Price Paige & Company will provide a status report to the City Council's Finance and Governance Committee on a periodic basis, at least every six months.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the five strategic priorities adopted by City Council on March 16, 2021.

FINANCIAL IMPACT

There is no financial impact. The whistleblower program is designed to help reduce potential fraud, waste or abuse of resources of the City, which can be substantial.

Prepared by: Shiri Klima, Deputy City Manager

ATTACHMENTS

1. City of Oxnard Whistleblower Program Summary through 11.29.2021
2. City of Oxnard Whistleblower Presentation through 11.29.2021

PRICE PAIGE & COMPANY
Accountancy Corporation

The Place to Be

November 30, 2021

From: Price Paige & Company
To: Finance and Governance Committee of the City of Oxnard

City of Oxnard Whistleblower Activity Report

Whistleblower Information

The City of Oxnard Whistleblower Policy authorizes Price Paige & Company ("PPC"), a contracted independent accounting firm, to receive complaints from city employees and members of the public who wish to report an improper governmental action. An "improper governmental action" is defined as "any activity by a local agency or employee that is undertaken in the performance of the employee's official duties, including activities deemed to be outside the scope of his or her employment, that is in violation of any local, state, or federal law or regulation relating to corruption, malfeasance, bribery, theft of government property, or willful omission to perform duty, is economically wasteful, or involves gross misconduct". The complaints received by PPC shall remain confidential, and the identity of the complainant will not be revealed without the permission of the complainant, except to an appropriate law enforcement agency conducting a criminal investigation.

Upon receiving a complaint, PPC may conduct an investigation into the facts alleged in the complaint to determine whether an improper governmental action has occurred. Before launching an investigation, PPC's staff will conduct a careful evaluation of the complaint to determine whether it has enough potential merit to warrant the expenditure of city resources to conduct an investigation. After PPC receives a complaint, any investigation resulting from the complaint is confidential, so PPC's staff cannot provide any updates about what is being done to investigate the complaint or what information has been uncovered. Information about the investigation will not be released unless PPC substantiates that an improper action has occurred and issues a report on it.

Whistleblower Priority Assessment

Due to the limited resources of the City, conducting full investigations of all allegations and complaints received is not feasible. PPC will first screen the allegation to determine "predication". Predication is defined by the Association of Certified Fraud Examiner as *"the totality of circumstances that would lead a reasonable, professionally trained, and prudent individual to believe a fraud has occurred, is occurring, and/or will occur."* Predication is the basis upon which an investigation is commenced. Investigations should not be conducted without proper predication. Once predication is established, PPC will commence an investigation into the allegation or complaint.

570 N. Magnolia Avenue, Suite 100
Clovis, CA 93611

tel 559.299.9540
fax 559.299.2344

www.ppcpas.com

Allegations and complaints received are ranked by risk, and investigative efforts are focused on those that represent the greatest risk to the City. The following shows how we generally classify types of tips based on risk:

High Priority – Matters that are considered high priority could include: potential loss to the City of more than $75,000, high level management involvement, collusion of multiple wrongdoers, major department-wide issues, or the need for immediate action to stop a potential major issue. These matters could take priority over other investigations and audits subject to the Internal Auditor's professional judgment.

Medium Priority – Matters that are considered medium priority could include: potential loss to the City of more than $25,000, include abuse of authority, medium-to-low-level employee involvement, minor department-wide issues, or patterns of small issues that could be significant cumulatively. Some medium-priority items could be referred to a department for further review.

Low Priority – Matters that are considered low priority could include: potential loss to the City of up to $25,000, comprised of isolated instances of time abuse, wasteful practices that could lead to efficiencies if corrected, or allegations that lack creditability and evidence. The Internal Audit Department would aim to investigate items in this list, but may not do so due to limited resources. Some low priority allegations could be referred to a department for their review.

Whistleblower Activity Report

The following allegations and complaints were received during the period of May 19, 2021 through November 29, 2021:

Incident #	Primary Type of Allegation	Source of Submission	Priority	Current Status
2021-2-9	Unrelated to the City	Email	N/A	Non-fiscal related; forwarded to appropriate department
2021-2-10	Ordinance violation	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-2-11	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-2-12	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-3-1	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-3-2	Policy violation	Website	Low	IA determining if predication exists
2021-3-3	Non-compliance with laws and regulations	Email	High	Matter is being handled by external parties
2021-3-4	Non-compliance with laws and regulations	Email	High	Matter is being handled by external parties
2021-3-5	Safety concerns	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-3-6	Unrelated to the City	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-3-7	Unrelated to the City	Email	N/A	Non-fiscal related; forwarded to appropriate department
2021-3-8	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-4-1	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-4-2	Unrelated to the City	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-3	Ordinance violation	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-4	Code violation	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-5	Unrelated to the City	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-6	Safety concerns	Website	N/A	Non-fiscal related; forwarded to appropriate department

There were a total of 18 complaints/allegations received from May 19, 2021 through November 29, 2021.

Whistleblower Activity Summary

There are no current investigations related to the whistleblower monitoring. There is one matter in which we are determining whether predication exists. Many of the allegations received thus far are non-fiscal related and as appropriate, have been forwarded to the appropriate department.

City of Oxnard Whistleblower Program

PRICE PAIGE & COMPANY
Accountancy Corporation

Whistleblower Program

- In 2017, the City established a Whistleblower Program, contracted through Price Paige & Company, an independent accounting firm, to receive complaints from city employees and members of the public who wish to report an improper governmental action.
- Complaints received by Price Paige & Company (the “Firm”) shall remain confidential, and the identity of the complainant will not be revealed without the permission of the complainant, except to an appropriate law enforcement agency conducting a criminal investigation.

Whistleblower Program

- The Firm will only focus on fiscal related matters. Other matters received through the program will be forwarded to the appropriate department.
- After receiving a complaint, the Firm will evaluate the complaint for merit prior to launching an investigation. The Firm will not provide updates to the complainant or other parties until the matter has been fully investigated and reported.

Whistleblower Priority Assessment

- The Firm will screen the complaint for "*predication*".
- Predication is defined by the Association of Certified Fraud Examiner as *"the totality of circumstances that would lead a reasonable, professionally trained, and prudent individual to believe a fraud has occurred, is occurring, and/or will occur."*

Whistleblower Priority Assessment

Quantitative Assessment Categories:

High Priority:	Above $75,000
Medium Priority:	Between $25,000 to $75,000
Low Priority:	Less than $25,000

Whistleblower Priority Assessment

Qualitative Assessment Categories:

High Priority:	Involves high level management, collusion of multiple wrongdoers, etc.
Medium Priority:	Abuse of authority, medium to low employee involvement, etc.
Low Priority:	Isolated incidents of time abuse, wasteful practices, etc.

Whistleblower Activity Report

Complaints from May 19, 2021 through November 29, 2021:

Incident #	Primary Type of Allegation	Source of Submission	Priority	Current Status
2021-2-9	Unrelated to the City	Email	N/A	Non-fiscal related; forwarded to appropriate department
2021-2-10	Ordinance violation	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-2-11	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-2-12	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-3-1	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-3-2	Policy violation	Website	Low	IA determining if predication exists
2021-3-3	Non-compliance with laws and regulations	Email	High	Matter is being handled by external parties
2021-3-4	Non-compliance with laws and regulations	Email	High	Matter is being handled by external parties
2021-3-5	Safety concerns	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-3-6	Unrelated to the City	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-3-7	Unrelated to the City	Email	N/A	Non-fiscal related; forwarded to appropriate department
2021-3-8	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-4-1	Unrelated to the City	Website	N/A	Insufficient information to forward to appropriate department
2021-4-2	Unrelated to the City	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-3	Ordinance violation	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-4	Code violation	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-5	Unrelated to the City	Website	N/A	Non-fiscal related; forwarded to appropriate department
2021-4-6	Safety concerns	Website	N/A	Non-fiscal related; forwarded to appropriate department

Whistleblower Activity Report

Complaints from May 19, 2021 through November 29, 2021:

Primary Type of Allegation	Number of Complaints
Code violation	1
Non-compliance with laws and regulations	2
Ordinance violation	2
Policy violation	1
Safety concerns	2
Unrelated to the City	10
Total Complaints Received	**18**

- A total of 18 complaints have been received for the period above. One meets the criteria to determine whether predication exists. Two matters related to potential non-compliance with laws and regulations are handled by external parties.

Whistleblower Activity Report

Complaints from FY2018 through FY2022:

Primary Type of Allegation	FY2018	FY2019	FY2020	FY2021	FY2022	Total
Abuse of authority	0	0	1	0	0	1
Abuse of position or authority	1	0	0	0	0	1
Building safety concerns	0	1	0	0	0	1
Code violation	3	0	0	2	1	6
Compliance and regulations violation	3	0	1	1	0	5
Conflict of Interest	1	0	0	0	0	1
COVID-19 safety concerns	0	0	9	4	0	13
Customer service complaint	0	0	1	0	0	1
Employee relations	3	0	0	1	0	4
Employment practices	0	0	1	0	0	1
Heatlh Hazard	0	0	0	3	0	3
Hostile work environment	0	0	1	3	0	4
Inappropriate conduct	0	1	0	0	0	1
Inappropriate neighborhood activity	0	1	1	0	0	2
Inappropriate use of city resources	0	0	0	1	0	1
Inefficient use of city resources	0	3	1	0	0	4
Internal controls over billings	1	0	0	0	0	1
Internal controls over cash receipts	1	0	0	0	0	1
Noise complaint	2	0	1	0	0	3
Non-compliance with laws and regulations	0	0	0	0	2	2
None specific	0	0	2	2	0	4
Ordinance violation	2	0	0	2	1	5
Personnel complaint	1	1	0	4	0	6
Policy violation	0	0	0	0	1	1
Potential abuse of authority	0	0	1	0	0	1
Potential conflict of interest	0	1	0	0	0	1
Potential favoritism	0	2	0	1	0	3
Potential misappropriation of assets	0	2	0	0	0	2
Potential waste of overtime	0	1	0	0	0	1
Procurement	0	0	0	1	0	1
Procurement and budgeting controls	0	0	3	0	0	3
Public service complaint	0	0	1	0	0	1
Safety concerns	0	0	0	1	2	3
Sidewalk hazard	0	0	1	0	0	1
Unauthorized access to information	0	0	0	2	0	2
Unrelated to the City	7	0	0	6	7	20
Unsolicited City email	0	0	1	0	0	1
Unsolicited communication	0	1	0	0	0	1
Utility hazard	0	0	2	0	0	2
Waste/abuse of resources	0	0	1	1	0	2
Total Complaints Received	**25**	**14**	**29**	**35**	**14**	**117**

Whistleblower Activity Report

Complaints from FY2018 through FY2022:

- A total of 117 complaints have been received for the period above
- The top 3 categories of complaints include:
  - COVID19 safety concerns
  - Matters unrelated to the City
  - Personnel complaints/code violations
- To date, we have substantiated and investigated a total of 2 of the 117 complaints/allegations received as part of the Whistleblower Program.

City of Oxnard Whistleblower Program

Questions and comments?

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.3

DATE: December 14, 2021

TO: Finance & Governance Committee

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

SUBJECT: Council Procedures Manual Update. (0/10/10)

RECOMMENDATION

That the Finance and Governance Committee review the proposed update to the Council Procedures Manual and provide direction.

BACKGROUND

The City Council adopted the current version of the Council Procedures Manual on November 19, 2019. As stated in Chapter 1 of the Procedures Manual, it was anticipated that the document would be reviewed every two years and revised from time to time. Proposed revisions to the Procedures Manual at this time include stylistic changes and use of consistent terms, updates to links and numerical data, and conforming certain policies to the Council's current practices and recent changes to applicable laws. As also noted in Chapter 1, the Procedures Manual provides a summary of certain aspects of Council activities and is not intended to incorporate all material and information relating to Council business. The primary purpose of the initial Committee meeting for this item is to receive the Committee's comments and direction on the draft update. Once those comments and directions have been incorporated into the redlined document, the revised Procedures Manual will be brought back at a subsequent Committee meeting for consideration of advancing it to Council.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the five strategic priorities adopted by City Council on March 16, 2021.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Stephen Fischer, City Attorney

ATTACHMENTS

1. City Council Procedures Manual.2021 Update.v2

Procedures Manual
City of Oxnard City Council

Adopted May 10, 2016
(City Council Resolution No. 14,915; *see also*, Housing Authority Resolution No. 1,291)

Revised November 19, 2019
(City Council Resolution No. 15,279)

Revised __________, 2022
(City Council Resolution No. _____)

CITY OF OXNARD

Mission Statement

It is the mission of the City government to ensure that Oxnard will have clean, safe, prosperous and attractive neighborhoods with open, transparent government.

Specifically, the City fulfills its function by:

- Addressing the needs of the residents through the City Council, the appointed commissions, and the City staff.
- Providing easy and open access to information and encouraging dialogue, enabling residents to actively engage in civic life.
- Providing for the safety of its residents, businesses, and visitors.
- Providing timely and responsive service.
- Providing special assistance to those in need.
- Functioning effectively, efficiently and with accountability.
- Creating a positive and desirable workplace environment for City employees.
- Managing change for the betterment of the City.
- Creating and maintaining a viable revenue stream, and providing for the unpredictable nature of our economy.
- Implementing and maintaining City infrastructure, facilities, and programs.
- Formulating sound environmental policies.
- Recognizing and supporting the City's diverse neighborhoods and population.
- Acting as a responsible member of the greater region.

The City Council formed the Oxnard City Council Procedures Committee in January 2011, and appointed Mayor Pro Tempore Irene Pinkard and Councilman Tim Flynn to serve on the Committee. The Committee adopted the following mission statement on March 3, 2011.

OXNARD CITY COUNCIL PROCEDURES COMMITTEE

Mission Statement

It is the mission of the City government to ensure Oxnard is a desirable, safe, and vibrant community in which to live and conduct business and to respond to the values and priorities of the residents in an open and transparent manner. In order to accomplish this mission, the Oxnard Council Procedures Committee has been created to develop guidelines and rules under which Councilmembers will operate and perform their role as legislators of the City of Oxnard.

C O N T E N T S

Chapter 5

Interaction with City Staff

Chapter 6

Support Provided to City Council

Chapter 7

Financial Matters

Chapter 8

Conflicts & Liability

Chapter 9

Additional Training & Resource Materials

CHAPTER 1

Introduction

The Oxnard City Council establishes policies and priorities for the community and is responsible for the fiscal health of a public corporation with an annual budget, including as of the date of last approved revision of this Procedures Manual an operating and capital improvement budget of nearly $~~500~~633 million per year. Oxnard is a "full service" city, with its own police, fire, water, wastewater and environmental resources (solid waste) departments, and is an organization with more than 1,300 full-time equivalent employees that has Citywide assets totaling nearly $3 billion in value (roads, buildings, parks, etc).

Purpose of the Procedures Manual

By developing and agreeing to adhere to the following guidelines and procedures, the effective administration of City Council affairs will be greatly enhanced. This Procedures Manual shall also apply when the Council acts as the Successor Agency to the Oxnard Community Development Commission, as well as to the proceedings of the Oxnard Housing Authority and the other public entities for which the City Council acts as the governing body. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide the Mayor and Councilmembers in their actions. It is anticipated that this Procedures Manual will be reviewed every two years by the City Council and may be revised from time to time.

Overview of City Documents

This ~~p~~Procedures ~~m~~Manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of a city council. Many other laws, policies, plans and documents exist which bind the City Council to certain courses of action and practices. A summary of some of the most notable documents that establish City Council direction is provided below.

City Code: The City Code contains local laws and regulations adopted by ordinances. The Administrative Chapter of the Code shall incorporate by reference the rules and procedures established herein including the roles of the Mayor, Mayor Pro Tempore and City Council. Included in the Administrative Chapter of the Code is appointment of certain city staff positions and the establishment, qualifications, appointment and terms applicable to certain advisory commissions. In addition to these administrative matters, the City Code contains a variety of laws. The City Code is available either on the City's website or from the City Clerk.

California Government Code: The California Government Code contains many statutes that set forth requirements for the operation of city government. Many of these requirements are also replicated within the City Code to ensure there is broad awareness of such requirements. Oxnard is a "general law" city, which means it is organized in accordance with provisions of the Government Code. The Government Code provides for Oxnard's City Council-City Manager form of government, which was adopted as the City's form of government by ordinance approved by the City's voters. Basically, this form of government prescribes that a city council's role is to establish polices and priorities, while the role of the City Manager is to oversee the operations of the city government.

Annual Budget*:* The City's annual budget provides a description of City services and the resources used to provide services. The document contains both a broad overview of the budget, and detailed descriptions of programs and services, organized for convenience by lead departments. The City operates on a July 1st through June 30th fiscal year with a budget that includes governmental funds like the General Fund; special revenue funds; enterprise funds like Water, Wastewater and Environmental Resources; and internal service funds.

General Plan*:* The General Plan is comprised of a number of elements, such as land use, circulation, open-space, and housing, all in accordance with State requirements, and provides a policy framework for various matters that fall within these areas. A separate planning document, the Coastal Land Use Plan, applies in selected regulatory areas in the City's Coastal Zone.

Orientation of New Councilmembers

It is important that members of the Council have an understanding of the full range of services and programs provided by the organization. As new members join the City Council the City Manager arranges for new member training, conferences and familiarization with all facets of City government.

League of California Cities *Guide*

A publication that provides additional useful information is the *New Mayors and Council Members Resource Guide* updated annually and available through the League of California Cities website: http://www.calcities.org/. The *Guide* contains general information on the role and responsibilities of city councilmembers and on the specific requirements and laws that govern Council actions.

C H A P T E R 2

Oxnard City Council: Powers and Responsibilities

City Council Generally

The powers of a city council in California to establish policy are quite broad. Essentially, councils may undertake any action related to the establishment of city policies that affect city affairs other than those that are denied by the California Constitution and general laws or are preempted by state or federal law. Specifically, *the Council shall have the power, in the name of the City, to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants, subject to statutory limitations and which are not specifically forbidden by the Constitution and laws of the State of California.*

It is important to note that the City Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor and Mayor Pro Tempore have some additional ceremonial and administrative responsibilities as described below, in the establishment of policies, voting and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. In turn, it is staff's responsibility to ensure the policy of the Council is upheld. Actions of staff to pursue the policy direction established by a majority of Council does not reflect any bias against Councilmembers who held a minority opinion on an issue.

The City Council has occasionally debated whether it should take positions of a broader nature or limit itself to purely municipal functions. Historically, Oxnard City Councils have chosen to not take positions on issues outside of their immediate authority to effect. The propensity of the City Council to involve itself in such issues reflects the personalities and outlooks of the members who are elected to four-year ~~Councilmember~~ terms~~ and a two-year Mayoral term~~.

Limitations are imposed on a Councilmember's ability to serve on appointed boards of the City. State law expresses that no member of the Council shall serve as a voting member of any city board, committee, or commission, whether composed of citizen volunteers, city employees, or a combination of both. This is not construed as prohibiting members of the Council from serving on committees or subcommittees of the Council itself, or of agencies representing other levels of government. In fact, Councilmembers often participate and provide leadership in regional and state programs and meetings. Councilmembers are strongly encouraged to provide ~~a written~~ reports ~~to the~~during Council meetings on matters discussed at subcommittees and other regional or state board/agency/group activities in which they have been involved.

Role of Mayor & Mayor Pro Tempore

Mayor*:* The Mayor is to preside at all meetings of the City Council. The Mayor does not possess any power of veto. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for ceremonial purposes only.

The Mayor, unless unavailable, shall sign all ordinances, and other documents that have been adopted by the City Council and require an official signature; except in those instances when the City Manager, or other staff, have been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor Pro Tempore's signature will be used.

Mayor Pro Tempore: The City Council has specified that the Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability. The Mayor Pro Tempore shall serve in this capacity at the pleasure of the City Council.

Appointment of City Manager and City Attorney

The City Council ~~only~~ has the authority to appoint only two positions within the City organization: the City Manager and the City Attorney. Both positions serve at the will of the City Council. The City Manager and City Attorney ~~is an~~are employees of the City and ~~has~~ have ~~an~~ employment agreements that specif~~ies~~y certain terms of employment including ~~an~~ annual evaluations by the City Council. The City Manager is responsible for all other personnel appointments within the City. ~~The current City Attorney is an employee of the City and has an employment agreement that specifies certain terms of employment including regular evaluation by the City Council.~~

Role in Disaster

In consultation with the City Manager, the City Council may be asked to participate at the City's Emergency Operations Center (EOC), located within the Fire Department, to provide policy guidance and to receive information in an emergency. The California Emergency Services Act (California Government Code Sections 8550 et seq.) provides for the preservation of local government during an emergency and specifies the duties and powers of local government to appoint contingency successors in office for various public officials, including the City Council and the City Manager, to serve when the elected or appointed incumbent is unavailable during an emergency.

Appointment of Advisory Bodies

The City has a number of standing advisory bodies, the rules, regulation and requirements of which can be found in the Administrative Chapter (Chapter 2) of the City Code. The Mayor, "with the approval of the city council, shall make all appointments to boards, commissions, and committees unless otherwise specifically provided by statute." California Government Code Section 40605. For appointments to Citizen Advisory Groups (CAGs) each Councilmember shall strive to nominate a commissioner from the Councilmember's district to serve on each CAG. The Mayor shall nominate one commissioner at-large for each CAG.

City Council Meetings

General Procedures

Rules of Order: Except as otherwise provided by applicable law or as specifically provided in this Procedures Manual, the ~~latest revised~~ current edition of "Ro~~sen~~bergt's Rules of Order Newly Revised" shall govern the conduct of City Council ~~the~~ meetings ~~of City Council~~.

Presiding Officer:

a. The Mayor or in the Mayor's absence, the Mayor Pro Tempore, or a temporary presiding officer in appropriate circumstances, shall be the presiding officer of the City Council.

b. In the absence of the Mayor and Mayor Pro Tempore, the City Clerk shall call the City Council to order. The temporary presiding officer shall be the Councilmember present with the greatest length of service on the City Council. Upon the arrival of the Mayor or the Mayor Pro Tempore, the temporary presiding officer shall relinquish the chair at the conclusion of the business then before the City Council.

c. The presiding officer shall assume the chair at the hour appointed for the meeting and shall call the City Council to order.

d. The presiding officer shall preserve strict order and decorum at all City Council meetings, state questions before the City Council, and announce the City Council's decision on all matters.

e. The presiding officer shall decide all questions of order, subject however, to an appeal by any Councilmember to the City Council as a whole, in which event a majority vote of the City Council shall govern and conclusively determine questions of order.

f. Unless prohibited by State law, the presiding officer shall vote on all questions before the City Council.

g. The presiding officer may move, second and debate from the chair, subject only to such limitations of debate as are imposed on all Councilmembers by this ~~resolution~~Procedures Manual.

h. The presiding officer shall not be deprived of any of the rights or privileges of a Councilmember by reason of acting as presiding officer.

Seating arrangement of the Council: The Mayor Pro Tempore is seated immediately next to the Mayor. The Mayor, with the approval of individual Councilmembers, shall establish the seating arrangement for regular Council meetings.

Quorum: Four-sevenths of the Councilmembers constitute a quorum for the transaction of business. When there is no quorum, any Councilmember shall adjourn such meeting or, if no Councilmember is present, the City Clerk shall adjourn the meeting.

Minutes: The minutes of City Council meetings shall be prepared by the City Clerk and shall be maintained in a book as a record of each particular type of business transacted. The City Clerk shall be required to make a record only of such business as was actually passed upon by a vote of the City Council and shall not be required to record any remarks of Councilmembers or of any other person except at the special request of a Councilmember. If provided, the City Clerk shall record the name of any person addressing the City Council or submitting a written speaker card. As soon as possible after each City Council meeting, the City Clerk shall cause a copy of the minutes thereof to be forwarded to each Councilmember and the City Manager. Unless the reading of the minutes of a City Council meeting is requested by a Councilmember, such minutes may be approved without reading, if the City Clerk has previously furnished each Councilmember with a copy thereof. Any Councilmember, upon request, shall have entered in the minutes the right to have personal reasons for support for, dissent from, or protest against, any action of the City Council.

Meeting Schedule

By Ordinance No. 2,949 the City Council has established their regular meeting calendar, which provides that unless otherwise approved by City Council action, the Council shall conduct regular meetings in the Council Chambers, at 305 West Third Street on the first and third Tuesdays of every month. Regular meetings begin no earlier than 4:30 p.m. Closed sessions are generally held, as needed, at the beginning of the regular meeting.

Regular meetings throughout the year may be cancelled. The Mayor and Councilmembers should inform the City Manager's secretary as soon as possible if they intend to be out of town on a set meeting date.

Special Meetings

Special meetings may be called by the Mayor or a majority of the City Council in compliance with the Brown Act, which is discussed in more detail later in this Chapter. Written notice typically must be given to the public, and to the media requesting such notice, at least seven (7) days prior to a special meeting. No business other than that officially noticed may be discussed. The Mayor or City Council may call a special meeting to discuss goals and priorities for the upcoming year.

Development of Agenda

Subject to certain exceptions set forth in the City Code, a copy of the agenda for Council meetings is transmitted to the Council and posted to the City's website twelve days prior to a regular meeting and seven days prior to a special meeting. All agenda materials are posted with the agenda on the City's website and are also available after posting during normal business hours at the Main Branch of the Public Library and in the Office of the City Clerk.

Placing Items on Agenda

Inclusion of Item on Future Agenda by City Council:

While most agenda items are scheduled through the City Manager's Office based on the administrative needs of the City, the intent of this policy is to provide an orderly means through which an individual Councilmember can raise an issue for discussion and possible City Council direction or action. A Councilmember requesting an item to be placed on a future Council meeting agenda may (1) briefly announce their request during the City Council

Business/Committee Reports portion of a Council meeting agenda, (2) submit a detailed request in writing to the City Clerk, or (3) both. Each request shall be referred to the City Council Committee most related to the subject of the request, unless the need for action requires the item to be considered sooner in which case the item may be placed on the agenda for the next Council meeting at the discretion of the Mayor and Mayor Pro Tempore.

If a majority of such committee agrees the City Council should consider the item, the City Manager will determine when to place the item on a future agenda based on time necessary to complete the research and staff workload considerations and the effect on City Council established priorities.

Emergency and Non-Agendized items: Emergency and non-agendized items may be added to an agenda only in accordance with state law. *Emergency items* are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare. More likely, after the agenda has been posted an item arises that the Council would like to act on. *Non-agendized items* may be added to the agenda only if the Council makes findings that (1) the need to consider the item arose after the posting of the agenda, and; (2) there is a need to take immediate action at this meeting of the City Council. These findings must be approved by a two-thirds vote of members present; if less than five members of Council are present, the findings require a unanimous vote of those present.

Notification and Advertising

The City will continue to publicize matters of significant neighborhood or community public interest that appear on a City Council agenda, as well as all matters where advertising is required by law.

Order of Business

At every meeting, the order of business shall be discussed and acted upon in substantially the following manner, provided that the presiding officer may alter the order of business with City Council concurrence.

Roll call/posting of agenda
Public comments on closed session items
Closed session
Appointment items
Opening ceremonies / Pledge of Allegiance
Ceremonial calendar
Public comments on matters not on the agenda and within the subject matter jurisdiction of City Council
City Manager's report
City Council business/committee reports
Review of information/consent agenda
Public comments on information/consent agenda
Information/consent agenda
Public hearings to commence at 6:15 p.m.
Reports
Study session

Adjournment

Roll Call: Before proceeding with ~~the business of~~ City Council business, the City Clerk shall enter in the minutes the names of all Councilmembers present.

Ceremonial Calendar: Ceremonial items shall normally be limited to two items per meeting, not to exceed five minutes per item.

Public Comment: Public comments shall be received at several times during each meeting for particular portions of the agenda as specified above. Comments on agendized items are not heard until the particular item is called. Unless otherwise approved by City Council action, public comments relating to the subject matter of discretionary public hearings or public hearings required by law, shall be presented only at the time of the conduct of the hearing. Individuals desiring to speak are to address the Council from the speaker podium. Speaker cards should be filled out and given to the City Clerk prior to public comment, although persons who wish to speak are not required to provide their names or addresses.

General public comments about issues not on the agenda are received near ~~A block of thirty (30) minutes time is set aside at~~ the beginning of a regular meeting ~~to receive general public comment about issues not on the agenda~~. ~~Public comments not heard during this thirty-minute period will be heard just prior to adjournment.~~ Speaker cards will not be accepted after the beginning of the general public comment period in order to allow for fair allocation of time amongst the known speakers. If the time required to complete general public comments exceeds 30 minutes, any public comments thereafter shall occur immediately prior to the adjournment of the meeting. If during public comment, a person expresses a concern regarding City Council staff or service, City Council may refer the nature of the concern to staff for investigation, resolution or a report.

Comments should focus on a specific matter within the Council's jurisdiction. Members of the public are encouraged to present written comments, preferably in advance of the meeting, as a way to fully communicate their thoughts on agendized or non-agendized items. When written materials are presented, they should be submitted to the City Clerk for distribution and record keeping ahead of time.

Videos, PowerPoint or similar presentations during public comment ordinarily are not permitted. Prior notice and coordination with the City Clerk is strongly encouraged and the Mayor reserves the privilege to limit such requests as necessary for the effective conduct of the meeting.

Public comment on regular business items normally follows staff's presentation of the staff report, clarifying questions from Councilmembers and applicant comments as necessary and appropriate. Speaker cards should be filled out and given to the City Clerk prior to public comment.

Unless ~~additional time is granted~~otherwise extended or limited by the presiding officer, each person shall limit public comments to three minutes on any agenda item at a meeting with a cumulative total of ten minutes for all agenda items at such meeting, provided that such ten minute limit shall be voluntary. The presiding officer may grant a representative of a large speaker group additional time (up to ten minutes) to speak for the group on any agenda item.

A person wishing to address City Council shall first be recognized by the presiding officer and, once recognized, shall directly address the City Council.~~ Each person shall address all remarks to City Council as a body, not to any member thereof and not to staff~~. No person, other than a Councilmember and the person having the floor, shall be permitted to enter into any discussion without recognition by the presiding officer.

Information/Consent Agenda: The information/consent agenda shall consist of routine items for which staff contemplates no discussion by the City Council. Information/consent agenda items shall be supported by such written reports and information as the City Manager deems necessary to apprise the City Council of the action required and to enable the City Council to make a decision in the best interests of the City. An information/consent agenda item may be removed for discussion at the request of a Councilmember or the City Manager. A removed information/consent agenda item may be considered after the City Council acts upon the remainder of the information/consent agenda.

Appointment Items: Items ~~The City Council~~ may be scheduled ~~items~~ for a specific time to accommodate presentations and consideration of~~on~~ selected matters.

~~**Special Presentations:** Special presentations may be conducted at any City Council meeting at City Council's discretion.~~

Public Hearings: Public hearings are scheduled to comply with State law or at the discretion of the City Council to discuss a matter of special community interest. Unless otherwise approved by the City Council, public hearings shall be scheduled to commence at 6:15 p.m. Any person directly involved in the subject matter of a public hearing, such as an applicant, developer, representative of affected homeowners association, property owner or neighborhood council may speak for any length of time at the discretion of the presiding officer.

Reports: A report shall consist of an item contemplated by staff to require a written or oral report and on which the City Council will discuss and deliberate on a course of action, including an item appearing on the agenda under City Manager's Report. Unless additional time is granted by the presiding officer or has been previously approved by the City Manager, staff reports shall be limited to ten minutes.

Study Session: The City Council may conduct a study session on subjects and issues as appropriate at any meeting. Such a study session shall be open to the public and shall be devoted to the gathering of information preliminary to consideration of the subject matter at a future regular or special meeting, or for the City Council to discuss various issues and programs with the City Manager and staff. The City Council shall not formally act upon any matter during a study session.

City Council Business/Committee Reports: Each Councilmember may make a brief announcement, or make a brief report on their activities, including reports on meetings attended at City expense; and may request to schedule consideration of placing an item on a future agenda. The Council cannot enter into detailed discussion or take action on any item presented during this report. A Councilmember's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

Adjournment: City Council meetings shall adjourn no later than 10:00 p.m., unless the meeting is extended by a majority vote. ~~No new items will begin after 10:00 p.m. unless 80% of the members present votes to allow the items to be heard.~~

Discussion Rules

To assist the City Council in the orderly discussion of items, rules are followed which represent accepted practices for the management of Council meetings.

1. **Obtaining the Floor***:* A member of the City Council or staff shall first address the presiding officer to gain recognition. Comments and questions should be directed through the presiding officer and limited to the issue before the Council. Cross-exchange between Councilmembers and public should be avoided.

2. **Questions to Staff***:* A Councilmember shall, after recognition by the presiding officer, address questions to the City Manager, City Attorney, department head or designated staff member. If a Councilmember has questions on an agenda item, that member should preferably contact the City Manager prior to the meeting in order to allow the City Manager to direct staff with enough time to research a response for the meeting.

3. **Interruptions**:
   a. Once recognized, a Councilmember is considered to have the floor, and another Councilmember may not interrupt the speaker except to make a point of order or point of personal privilege, or as otherwise permitted in the Rules of Order. In such a circumstance, the Councilmember holding the floor shall cease speaking until the issue raised is resolved.

   b. Upon being recognized by the Chair, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Chair.

4. **Discussion:** A Councilmember should not speak more than once on a particular subject until every other Councilmember has had the opportunity to speak, and shall be limited to speaking twice during discussion on an agenda item unless additional time is granted by the presiding officer. Councilmembers are encouraged to discuss items during the decision-making process and may ask staff to respond when appropriate. The Mayor normally allows other members to speak first, then will give his/her views and summarize. If a Councilmember desires to use a PowerPoint presentation or similar visual aid during a meeting, the Councilmember shall provide the City Clerk with a copy of the material to be used prior to the commencement of the meeting at which it will be used.

5. **Tabling Procedure**: Tabling an item immediately stops discussion and causes a vote to postpone a matter indefinitely or to a time and date certain. A motion to "continue" an agenda item has the same effect, but is generally used when a scheduling problem arises or when insufficient time is available to address the matter thoroughly.

6. **Right of Protest***:* A Councilmember is not required to state reasons for a dissenting vote.

7. **Calling for the Question**: The purpose of calling for the question is to disallow further debate and put an issue to an immediate vote. Once recognized by the presiding officer, a Councilmember may move to "call for the question" on an item which is being considered. The motion requires a second, is not debatable, and must pass by a two-

thirds vote. If the motion carries, the item is no longer debatable and the City Council must vote on it.

Voting Procedures

When present, all Councilmembers are to vote unless prohibited by law or conflict of interest. Unless a Councilmember states an intention not to vote, the City Clerk shall record silence as an affirmative vote.

A conflict of interest shall be declared whenever appropriate and in compliance with State law. The affected Councilmember will step down from the dais and leave the Chambers as required by State law.

As required by the Brown Act, the vote or abstention of each Councilmember present shall be publicly reported and such vote shall be entered in the minutes of the City Council showing those Councilmembers voting aye, those voting no and those not voting or absent. When taking a roll call vote, the City Clerk shall call the names of the Councilmembers, alternating the order.

Tie Vote: A motion fails on a tie vote. The presiding officer may publicly explain the effect of the tie vote for the audience or may direct the City Attorney to do so.

Motions: There are a number of types of motions, each of which must meet certain requirements before a vote can be taken. Enactment of an ordinance, adoption of a resolution, as well as approval of a motion or order involving a payment of money requires the affirmative vote of four Councilmembers. Other motions or actions require a vote in favor of the action or motion by a majority of a quorum of Councilmembers present, unless otherwise specified by State law.

Reconsideration*:* Reconsideration of an item shall be allowed in accordance with the following Council guidelines. A member of the prevailing majority when the previous vote was taken must make a motion for reconsideration. The City Council has determined that any motion for reconsideration should be made at the meeting at which the action was taken. No motion for reconsideration will be entertained after this time unless the City Council determines significant new information has arisen which warrants such action and the reconsideration can be properly agendized.

Other Guidelines

Other guidelines have been developed to ensure that meetings of the Council are conducted in a civil and professional manner. Councilmembers and staff shall:

1. Work to preserve appropriate order and decorum during all meetings.

2. Discourage side conversations, disruptions, interruptions or delaying efforts.

3. Inform the presiding officer before departing from a meeting.

4. Limit disruptive behavior. The presiding officer will call persons demonstrating rude, boisterous, or profane behavior to order. If such conduct continues, the presiding officer may call a recess, request the removal of such person(s) from the Council Chambers, adjourn the meeting, or take other appropriate action. The Council has a policy to discourage applause, booing or other similar behaviors from the public during meetings.

5. Recognize that only the City Council, staff, advisory body chairs or designated representatives, and those authorized by the presiding officer shall be permitted to sit at the Council dais or staff tables. No persons except City officials, their representatives and representatives of news-gathering agencies shall be permitted to approach the City Council without the consent of a majority of the City Council.

6. Limit breaks of the City Council to 5-10 minutes. The Mayor will resume the meeting if a quorum exists and other members have not returned from the break within the announced time period.

7. Impose time limits on speakers. While the City Council encourages and embraces the need for and right of public participation, it acknowledges that public comments must, at times, be limited. The Mayor, as presiding officer, may poll the audience for an indication of the number of people wishing to speak on a particular item, and to impose time limits per speaker. Typically, speakers are limited to three minutes but a shorter time limit may be established as deemed necessary; however, project applicants, developers of a project under consideration, representatives of affected homeowners associations, neighborhood councils or similar groups may, at the discretion of the presiding officer be granted a longer time period for comment. After the time limit, Council may ask questions of the speaker for clarification, if needed. Each speaker will be thanked for his or her participation.

8. Meetings outside the City of a majority of the City Council, even if permissible under the Brown Act, are discouraged, so as to maximize public participation.

Values of Respect*:* The City Council has also recognized the importance of approaching the public's business in an environment of personal respect and courtesy, which emphasizes the consideration of policy and avoids personalization of comments. Some guidelines utilized by the City Council include:

1. Discussion should focus on policy matters.

2. Personal criticism of members is inappropriate.

3. Proper decorum should be displayed as other members express their views.

4. Treat members of the public equally, applying rules in a fair and consistent manner.

Enforcement of Order*:* The Police Chief or designee acts as the Sergeant-At-Arms. Any Councilmember may request the presiding officer to enforce the rules of protocol. Upon motion and majority vote, the presiding officer shall be required to do so.

Open Meeting Laws (the "Brown Act")

Operations and procedures of the City and City Council incorporate requirements of the Ralph M. Brown Act, which is the State's open meeting law (California Government Code Sections 54950 et seq., commonly referred to as the Brown Act). Because this law is such an important part of local government operations, some specific requirements of the law are highlighted below.

Applicability and Penalties*:* The entire City organization conducts its business in compliance with the Brown Act. The intent of the Brown Act is to ensure that deliberation and actions of local public agencies are conducted in open and public meetings.

A. Applicability: The Brown Act applies to Council and all commissions, boards and Council appointed subcommittees (except if comprised entirely of less than a quorum of Councilmembers for a limited purpose and duration) that advise Council. Staff cannot promote actions that would violate the Brown Act.

B. Meetings: All meetings shall be open and public. A City Council meeting takes place whenever a quorum (four or more members) is present and information about City business is received; discussions qualify as a meeting. Social functions (e.g., receptions, dinners) do not fall under the Brown Act unless City business is discussed.

   Serial meetings, which take place when any member of Council or City staff contact more than three Councilmembers for the purpose of deliberating or acting upon an item pending before the City Council, are prohibited. This restriction does not apply to individual contacts where the comments or position of Councilmembers are not communicated to a majority of Councilmembers. Note that the Brown Act applies to City Councilmembers immediately after their election and prior to their swearing-in ceremony.

C. Agendas: Agendas must be posted in a location freely accessible to the public as well as the City's website, and must meet various requirements, such as including a brief general description of each item to be discussed or acted upon by City Council. The time periods set forth in the City's Sunshine Ordinance and described previously for posting agendas exceed the minimum requirements of the Brown Act. The City Council shall adhere to the broader requirements of the Sunshine Ordinance.

D. Actions: No action can be taken on any item not appearing on the posted agenda.

   Exceptions: 1) An emergency situation exists (determined by a majority of the Council). 2) The need to take action arose subsequent to the agenda being posted and there is a need for immediate action (determined by two-thirds vote of the Council; or if less than two-thirds are present, by unanimous vote). 3) The item was continued to another meeting that was scheduled and posted within 5 days of the original agenda.

E. Public Input: The Brown Act contains provisions concerning Public Comment on matters within the City Council's jurisdiction and particular matters on the agenda, summarized elsewhere in this manual. These provisions will be followed by the City Council.

F. Public Disruptions: A portion or all of the public may be removed if willful disruption makes conducting the meeting "unfeasible"; the press may remain unless they participate in the disruption.

G. Correspondence: All writings distributed for discussion or consideration at a public meeting are public records.

H. Emergency Meetings: Emergency meetings may be called without notification due to the disruption or threatened disruption of public facilities. Only work stoppages or crippling disasters that impair the public health and/or safety qualify for emergency meetings.

I. Other Provisions: The Brown Act provides many other restrictions and requirements; this Chapter is intended merely as a Council summary and overview of the Brown Act, and nothing in this Chapter supersedes the provisions of the Brown Act. Please check with the City Attorney and/or the City Clerk for more information.

C H A P T E R 4

Council Communications

Overview

Perhaps the most fundamental role of a Councilmember is communication: communication with the public to assess community opinions and needs, and communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives. Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking as a Councilmember. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

Correspondence from Councilmembers

Members of the City Council may occasionally be called upon to write letters to citizens, businesses or other public agencies. Typically, the City Manager will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Correspondence sent on behalf of the Council is placed on official City letterhead and is signed by the Mayor or City Manager. Individual members of Council may prepare letters to constituents in response to inquiries or to provide requested information. Individualized City Councilmember letterhead is available for this purpose, and staff can assist in the preparation of such correspondence. Councilmembers are encouraged to provide copies of any correspondence on City letterhead to the City Manager.

On occasion, Councilmembers may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, Councilmembers should use their personalized letterhead and clearly indicate within letters that they are not speaking for the City Council as a whole, but for themselves as one member of the Council.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While Councilmembers who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized in order to avoid confusion. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

Councilmembers may be asked to prepare letters of recommendation for students and others seeking appointment. Councilmembers may utilize City letterhead and their Council titles, but should indicate that the views expressed are those of the Councilmember (as opposed to the City Council). No review by the full Council is required; however, copies will be kept on file.

Speaking for "the City"

Similar to written correspondence, when Councilmembers are requested to speak to groups or are asked the Council's position on an issue, the response should reflect the position of the Council as a whole. Of course, a Councilmember may clarify their vote on a matter by stating, for example, "While I voted against X, the City Council voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

Local Ballot Measures

At times measures that affect City Council policy may be placed on the ballot. There are restrictions regarding what actions a City Council or individual Councilmembers may take on ballot measures. Guidelines as to what is permissible are available from the City Clerk or City Attorney upon request.

State Legislation, Propositions

The City Council periodically adopts a Legislative Program to enable the City to respond to pending state and federal legislation in a proactive manner (the current Legislative Program is posted on the City's website). The Mayor (or Mayor Pro Tempore in the Mayor's absence) would be authorized to sign correspondence expressing the City Council's position on legislation consistent with the Legislative Program and/or other positions approved by the City Council.

Staff maintains direct and consistent contact with contracted state and federal lobbyists and monitors the League of California Cities, Association of California Water Agencies and other sources to identify pending legislation that may impact the City. Letters expressing the City's position will be drafted for the Mayor's signature, with copies distributed to each Councilmember. Pending legislation not addressed by the Legislative Program, or staff recommendations that deviate from the Legislative Program, would be agendized for City Council consideration.

C H A P T E R 5

Interaction with City Staff

Overview

City Council policy is implemented on a daily basis through staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so that policies and programs may be implemented successfully. The City of Oxnard has a long tradition of positive relationships between members of the City Council and staff. To maintain these effective relationships it is important that roles are clearly recognized.

Council-Manager Form of Government

Like most California cities, Oxnard has adopted a City Council-City Manager form of government. The Council appoints a City Manager to implement policy, enforce its laws, to direct the daily operations of city government, and to prepare and monitor the municipal budget. The City Code specifies roles and responsibilities and requires that Councilmembers work through the City Manager in dealing with City staff unless simply requesting information from department heads or other staff members. The City Manager is responsible to the City Council as a body rather than to individual Councilmembers.

Council-Manager Relationship

The employment relationship between the City Council and City Manager reflects the fact that the City Manager is the chief executive officer of the City**.** The City Manager has an employment agreement with the City Council. Regular communication between the City Council and City Manager is important in maintaining effective interpersonal relations. All dealings with the City Manager, whether in public or private, should be consistent with the authority of the City Manager in administrative and personnel matters. Councilmembers should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the City Council. Further, Councilmembers should avoid involving themselves in matters regarding individual City employees or related affairs.

The City Council evaluates the City Manager's performance annually to ensure that both the City Council and City Manager are in agreement about organizational performance and priority goals that are based on mutual trust and common objectives which are put forth in a strategic summit, which should be conducted every three to five years.

As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects that the final responsibility for establishing the policy direction of the City is held by the City Council. The City Manager communicates with City Council in various ways. In addition to the formal Council meetings, there are periodic briefing meetings with individual Councilmembers and written memoranda and email. Communication must be undertaken in such a way that all Councilmembers are treated similarly and kept equally informed and provided with updates on significant fiscal matters, major projects, or other critical issues. It is also important that the Council provide ongoing feedback, information and perceptions to the City Manager including responses to written communications and surveys requesting feedback.

City Manager Code of Ethics

The City Manager is subject to a professional code of ethics developed by the International City/County Management Association (ICMA) that binds the City Manager to certain practices that are designed to ensure his or her actions are in support of the City's best interests. Violations of such standards can result in censure. A copy of the ICMA Code of Ethics can be found at https://icma.org/icma-code-ethics.

City Council-City Attorney Relationship

The City Attorney is the legal advisor for the Council, City Manager and departments. The general legal responsibilities of the City Attorney are to: 1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; 2) represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings; 3) prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and 4) keep City Council and staff apprised of court rulings and legislation affecting the City's legal interests. It is important to note that the City Attorney does not represent individual members of the Council, but the City Council as a whole.

Roles and Information Flow

Objectives*:* It is the intent of staff to ensure Councilmembers have free and easy access to information from the City and to ensure that such information is communicated completely, with candor and without bias. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, or executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute the priorities given by management and the Council as a whole without fear of reprisal. Undue influence exercised by Councilmembers may result in censure.

Council roles*:* The full City Council retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, service levels, workloads and schedules, departmental priorities, and the performance of City business. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon the Council in accordance with the Brown Act, preferably in open session, to do so as a matter of Council business.

Should a Councilmember become dissatisfied about a department, he/she should always talk it over with the City Manager and/or the Assistant City Manager, not the department head. Concerns about a department head must be taken to the City Manager only.

To assist the City Manager in his/her ability to monitor the flow of information, requests for information are best tracked if submitted in writing, either in memorandum form or through email. And to ensure proper responsiveness, Councilmembers are asked to "cc" both the department head and the City Manager on all correspondence with staff.

Staff roles*:* The Council recognizes the primary functions of staff as serving the community, executing Council policy and actions and keeping the Council informed. Staff is obligated to take guidance and direction only from the Council as a whole or from the appropriate management supervisors. Staff is directed to report to the City Manager any attempts by individual members of the Council to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests made by individual Councilmembers for information or assistance; provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council. If a request by an individual Councilmember is determined by the City Manager to take one hour or more of staff time to complete, that request may be included on the formal Council agenda for full Council discussion.

Dissemination of Information

In cases where a staff response to an individual Councilmember request involves written materials that may be of interest to other Councilmembers, the City Manager will provide copies of the material to all other Councilmembers. In making this judgment, the City Manager will consider whether the information is significant, new, otherwise not available to the Council or of interest to the Council.

Staff Relationship with Advisory Bodies

Staff support and assistance is typically provided to commissions and task forces. However, advisory bodies do not have authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately the City Manager and City Council. The members of the commission/ board/ committee are responsible for the functions of the advisory body, and the chairperson is responsible for committee compliance with City policies and practices.

Staff support often includes preparation of an agenda and its posting in compliance with the Brown Act. Staff may also prepare reports providing background on the issue, alternatives, a recommendation, and appropriate backup materials, if necessary. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues. The assigned staff person may serve as secretary, taking minutes as needed. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

It is important that advisory bodies wishing to communicate recommendations to the City Council do so through approved Council agenda procedures. In addition, if a commission wishes to correspond with an outside agency, that correspondence will be prepared by staff for review by the City Manager and possible approval by the City Council. Individuals who would like staff to perform research or for the commission to review a particular issue must gain the approval for such a request from the full City Council before any work is planned or done.

CHAPTER 6

Support Provided to City Council

Staff Support

General administrative support to members of the City Council is provided through the City Manager's Office. Secretarial services including scheduling of appointments, receipt of telephone messages, and word processing are available as needed. Sensitivity to the workload of support staff members in the City Manager's Office is appreciated. Should requested tasks require significant time commitments, prior consultation with the City Manager is requested.

Office Equipment

To enhance Councilmembers' ability to communicate with staff and the public, the City Council offices ~~is~~are equipped with ~~a~~ computers and telephones with voicemail. ~~The Council can also receive and send faxes.~~

Councilmembers may be connected from their home to the City's computer network. Information Technology staff will provide initial assistance in setting up necessary software and hardware. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. When individual Councilmembers have completed their term of office, any installed software and City equipment must be returned to the City.

These technologies facilitate efficient communication by Councilmembers. However, their use also raises important legal issues to which Councilmembers must pay special attention. First, the Brown Act prohibits members from using "technological devices" to develop a concurrence by a majority regarding an action to be taken by the Council. "Technological devices" under the Brown Act include phones, faxes, computer email, public access cable TV and video. Councilmembers should not use email, faxes or phones for communicating with other Councilmembers in order to develop a majority position on any particular issue that may come before the full Council. The Brown Act was recently amended to prohibit Councilmembers' use of internet-based social media platforms to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the City Council. Councilmembers are specifically prohibited from responding directly to any communication on an internet-based social media platform regarding posts relating to such business that is made, posted, or shared by any other Councilmember.

Second, be aware that ~~most~~ emails sent by Councilmembers ~~probably~~ regarding City business are public records under the Public Records Act. Even though it does not create paper, sending email is more similar to mailing a letter than placing a telephone call. The information in the email is stored on the computer network until deleted, and may continue to exist on the network's back-up systems even after being deleted. As a result, emails can become records of the City maintained in the course of business, and thus available for public disclosure under the Public Records Act.

Finally, the City's email system is intended for the conduct of official business, and not for personal or political reasons. See Chapter 7 for a detailed discussion on the prohibition against using City property and funds for personal or political purposes.

Meeting Rooms

Conference rooms are available in the City Manager's Office for shared use by members of the City Council. Councilmembers can also reserve larger meeting space for use by contacting the City Manager's Office staff.

Mail, Deliveries

Members of the City Council receive a large volume of mail and other materials from the public, private interests and staff. The City Manager's Office staff maintains a mailbox for each member. Members are encouraged to return unwanted reports and documents to staff for distribution to the public or for recycling.

C H A P T E R 7

Financial Matters

Council Compensation

State law and the City Code provide for modest compensation to members of the City Council. State law limits an increase in City Council salaries to 5 percent per year, effective only following the next election after adoption. Currently, Councilmembers receive a monthly stipend. Councilmembers are also eligible for participation in group insurance benefits including retirement, medical, dental, vision, and life insurance plans available at the level provided to management employees.

Expenditure Allowance

The annual City budget includes limited funding for members to undertake official City business. Eligible expenses include travel for attendance at conferences or educational seminars, and the purchase of publications and annual subscriptions. Donations to organizations are not eligible nor are meals for individuals other than Councilmembers.

Expenditure Guidelines

It is important to note that any expense must be related to City affairs. Public property and funds may not be used for any private or personal purpose. Courts have ruled that this prohibition includes personal political purposes. For example, reimbursement could not be allowed to pay for meals at a meeting designed to discuss political or campaign strategies. It is also inappropriate for City funds to pay for a meal or other expenses of a private citizen.

City budgetary practices and accounting controls apply to expenditures within the City Council budget. Reimbursement requests should be made through the City Manager's Office monthly with receipts. Expenditure records are public information.

C H A P T E R 8

Conflicts & Liability

Conflict of Interest

State laws are in place to prevent an action by a Councilmember that would or may constitute a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. At any time a Councilmember believes a potential for conflict of interest exists, he/she is encouraged to consult with the City Attorney or private legal counsel for advice. Staff may also request an opinion from the City Attorney regarding a member's potential conflict. Laws that regulate conflicts are very complicated. Violations may result in significant penalties including criminal prosecution.

There are two primary laws that govern conflicts of interest for public officials in California: the Political Reform Act and Government Code section 1090. In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official; section 1090 prohibits a public official from having a financial interest in government contracts.

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a financial interest. Therefore, if a public official has a conflict of interest, the official must disqualify himself or herself from acting on or participating in the decision before the City.

Government Code section 1090 is similar to the Political Reform Act, but applies only to City contracts in which a public official has a financial interest. The financial interests covered by section 1090 are different from those in the Political Reform Act. A Councilmember having an interest in a contract may preclude the City from entering into the contract at all. In addition, the penalties for violating section 1090 are severe. If a Councilmember believes that he or she may have any financial interest in a contract that will be before the Council, the Councilmember should immediately seek advice from the City Attorney or the Councilmember's personal attorney.

There are a number of other restrictions placed on Council actions that are highlighted in the League of California Cities' *Guide*. Such restrictions include prohibitions on secrecy and discrimination as well as assurance that all ~~c~~City funds are spent for public purposes. Violations of these restrictions may result in personal liability for individual Councilmembers.

City Attorney Advice

The City Attorney has an affirmative duty to protect the City and City Council from conflicts of interest wherever possible. It is critical to note that while the City Attorney can render advice on the interpretation of State laws and regulations on conflict matters, such advice is solely an interpretation of the law. The only authority that can provide binding interpretations on such matters is the State Fair Political Practices Commission (FPPC). Councilmembers or the full Council may also solicit opinions on such matters directly from the FPPC; however, such opinions often take time to develop and may not readily respond to urgent matters. It is important to note that the City Attorney does not represent individual members of the Council, but the City Council as a whole.

Conflict of Interest Forms

An annual disclosure statement (known as a "Statement of Economic Interest" or FPPC Form 700) must be filed by all Councilmembers, designated commissioners and senior staff which lists potential conflicts of interest including sources of income, ownership of property and receipt of loans and gifts. Councilmembers and the City Manager often serve on the governing board of other agencies as a result of their positions. These agencies also require submittal of disclosure forms.

Liability

The City is a large institution offering a variety of services and may occasionally find itself subject to legal actions through lawsuits. For example, those involved in automobile accidents sometimes choose to take actions against the City since the accident occurred on a City roadway. The City must always approach its responsibilities in a manner that reduces risk to all involved; however, with such a wide variety of high-profile services all risk cannot be eliminated. The City belongs to a joint powers authority with other governments to manage insurance and risk activities.

It is important to note that violations of certain laws and regulations by an individual member~~s~~ of the City Council may result in that member~~'s~~ being held personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment or fraud. Depending on the nature of alleged misconduct, the City may or may not have a duty to defend or indemnify a Councilmember named as a defendant in a lawsuit relating to official duties.

C H A P T E R 9

Additional Training & Resource Materials

League of California Cities

The League is an association of virtually all cities in California. It provides many services including the production of educational conferences for local officials, publication of various newsletters and the monthly magazine *Western City*. The League has lobbyists on staff to represent the interest of cities before the state legislature and federal government and supports committees having local officials as members that are organized to address issues as they arise. The League's website at www.calcities.org provides a variety resources for public officials. The City of Oxnard participates in League activities through the Channel Counties Division.

Local Government Commission

The Commission is a California-based organization that focuses largely on planning and resource conservation issues. It conducts workshops, offers periodic seminars, and publishes newsletters. See its website for more information: http://www.lgc.org/.

International City/County Management Association (ICMA)

ICMA is a professional association of local government chief executives/city managers. The association has an extensive list of publications to assist local officials that can be found at its website: http://icma.org.

Other Resources for Reference Material

Open Government (including *Open & Public V: A Guide to the Ralph M. Brown Act*)

http://www.calcities.org/Resources/ ~~Open-Government~~

Institute for Local Government: http://www.ca-ilg.org/

Elections information: http://recorder.countyofventura.org/elections/

Political Reform Act: https://oag.ca.gov/conflict-interest

Fair Political Practices Commission: http://www.fppc.ca.gov/

City of Oxnard City Code: http://www.amlegal.com/codes/~~client/~~oxnard~~–ca~~/latest/overview

California Legislative Information: http://leginfo.legislature.ca.gov

~~Rosenberg's Rules of Order: https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx~~

CITY OF OXNARD CALIFORNIA

**FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT**

**REPORTS
AGENDA ITEM NO. D.4**

DATE: December 14, 2021

TO: Finance & Governance Committee

FROM: Betsy George, Chief Financial Officer, 805-200-5400, betsy.george@oxnard.org

SUBJECT: Fiscal Year 2020-21 Annual Report on Development Impact Fees (AB1600). (0/10/10)

RECOMMENDATION

That the Finance and Governance Committee recommend that the City Council receive and file the annual development impact fee report (AB1600) for the fiscal year ended June 30, 2021.
(Presentation will be live upon consultant's request).

BACKGROUND

Development Impact Fees (DIFs) are a monetary exaction, other than a tax or special assessment, which is charged by a local governmental agency to an applicant in connection with approval of a development project. The purpose of these fees is to defray all or a portion of the cost of public facilities related to the development project. The Mitigation Fee Act (Act), commonly known as Assembly Bill 1600 (AB1600), was adopted by the state of California in 1987 and created Section 66000 et. Seq. of the Government Code. AB1600 was enacted to ensure that new development mitigates its impact on the City's infrastructure.

AB1600 requires that agencies report annually on the fees collected and the use of those fees.

The requirements are:

1. The beginning and ending balances in each fee account;
2. The amount of fees collected during the preceding year;
3. Identifying the projects that fees were expended on and the percentage of the total project costs that was funded with fees;
4. The expected date that construction will commence on improvements to be funded by the fees collected for which sufficient fees have been collected to fund the construction of the project; and
5. A description of any inter-fund transfers or loans, and the interest that the account will receive for the loan and the date on which the loan will be repaid.

Moreover, Government Code Section 66001 (d) requires that for the fifth year following the first deposit into a DIF account or fund, and every five (5) thereafter, the local agency shall make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

1. Identify the purpose for which the fee is to be expended.
2. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.

3. Identify all sources and amounts of funding anticipated to complete financing for incomplete improvements.
4. Designate the approximate dates on which the funding referred to in item 2 above is expected to be deposited into the appropriate account or fund.

DISCUSSION

The City Council last approved the required annual report on these development impact fees on July 20, 2021 for the fiscal years ended June 30, 2018, June 30, 2019 and June 30, 2020. The City has contracted with Harris & Associates, Inc. to prepare the required AB1600 Report for the fiscal year ended June 30, 2021. The attached report (Attachment 1) provides all of the required information as noted in the Background section above for the respective fiscal year.

Improvements to the City's infrastructure are identified to meet current needs and to accommodate future growth. The governing document identifying these improvements may be an Environmental Impact Report, a master plan, the results of a deficiency study, or a specific City Council action.

New development that benefits from a particular improvement pays its pro-rata share of that improvement. Usually, the pro-rata share (fee) collected does not fully fund the infrastructure deficiency and other City resources are included. When an improvement benefitting a property has been constructed by the City, the new development's pro-rata share (fee) reimburses the City. If a developer has constructed an improvement, they receive reimbursement fees collected by the City from other developments. For relevant projects, the attached report shows how much of the project was funded with fees. The dates of improvement are dependent upon the rate of development and the collection of sufficient revenues to complete the improvement.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the five strategic priorities adopted by City Council on March 16, 2021.

FINANCIAL IMPACT

There is no direct financial impact to receive and file this report.

AB1600 allows a local agency to impose fees in connection with approval of a development project to defray all or a portion of the cost of public facilities related to the development project. If the local agency does not identify a specific use for the funds collected or uses of the funds for the specified public facility, it is required to refund, on a pro rata basis to the current record owner(s), the unexpended portion of the fee and any interest accrued thereon.

Prepared by: Juanita Guzman, Administrative Services Manager

ATTACHMENTS

1. FY 2020-21 AB1600 Report
2. Presentation

OXNARD
CALIFORNIA

Development Impact Fee Annual Report City of Oxnard

For the Fiscal Year Ending June 30, 2021

Prepared by:

Harris & Associates

22 Executive Park | Irvine, CA | 92614

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Executive Summary

Figure 1 – City of Oxnard Civic Center

Development Impact Fees are fees imposed by local government on new development projects to finance the acquisition, construction, and improvement of public facilities and infrastructure needed to serve those projects. California state law requires local agencies to prepare a report on the status of their Development Impact Fee (DIF) program on an annual basis and make additional findings every fifth year. This report meets the legal requirements for Fiscal Year 20/21 (July 1, 2020 thru June 30, 2021).

The fees for Parks and Recreation, Storm Drainage, Traffic Circulation, Growth Requirement (Residential and Non-Residential), and Public Art Projects were updated May 19, 2020 via resolution 15,329. The updated fees became effective July 18, 2020. Fees for Water Resource Development, Water Capital Facility Charge, Wastewater Collection, and Wastewater Treatment Collection were not changed during the 2020 update. The 2020 update also created a Mobility Fee which is included in this report. On July 7th, 2020, Oxnard City Council passed resolution 15,364 which allowed developers who had already received entitlements to pay the Development Impact Fees that were in effect at the time their permit was approved instead of paying the updated fees, provided that the project progress toward the construction phase and obtain a building permit within 12 months of the effective date of the updated Development Impact Fees.

Section 1 - Requirements of the Mitigation Fee Act (AB1600)

Assembly Bill (AB) 1600, commonly known as the Mitigation Fee Act, was enacted by the state of California in 1987 and created Section 66000 et. seq. of the Government Code and was amended by Assembly Bill 518 and Senate Bill (SB) 1693. AB1600 requires the city to report fee information annually and every fifth year. Within 180 days after the last day of each fiscal year, the City must make available the following information from the prior fiscal year:

1. Brief description of the type of fee in the account or fund
2. Amount of the fee
3. Beginning and ending balance in the account or fund
4. Amount of fees collected and the interest earned during the previous year
5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees
6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete

7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each loan will be repaid and the rate of interest the account will receive on the loan
8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects

For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the City must make the following findings with respect to any remaining funds in the fee account, regardless of whether those funds are committed or uncommitted:

1. Identification of the purpose to which the fees are to be put
2. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
3. Identification of all sources and amounts of funding anticipated to complete financing in incomplete improvements identified as part of the City's annual report
4. Identification of the approximate dates on which the funding referred to in Requirement 3 is expected to be deposited into the appropriate account or fund

The City must make this information available for public review and must present it at the next regularly scheduled public meeting no less than 15 days after this information is made available to the public. This report is intended to satisfy the annual reporting requirements for Fiscal Year (FY) 20/21 as well as the five-year reporting requirements.

The City of Oxnard currently collects the development impact fees listed in the table below. The table also provides the fund that the fee is deposited into.

Fee	Fund Number
Parks and Recreation Fee (Formerly Park Acquisition and Development Fee)	352
Storm Drain Facility Fee	353
Traffic Circulation Fee (Formerly Circulation System Improvement Fee)	354
Growth Requirement Capital Fee (Residential & Non-Residential)	355 & 356
Mobility Fee	357
Art in Public Places Fee	547
Water Resource Development Fee	603
Water Capital Facility Charge	605
Wastewater Collection Connection Fee	613
Wastewater Treatment Connection Fee	623

Section 2 – Annual Report

The following section provides information necessary to meet the legal requirements for each impact fee fund. This includes a brief description of the fee, the amount of the fee, the beginning and ending balances, fee revenues collected, interest earned, and the expenditures on each project including the percentage that was funded with fees. It also includes a table summary of whether sufficient funds have been identified to complete future projects and the approximate date by which the construction of the public improvement will commence if sufficient funds have been identified. Any loans are also identified as well as any refunds from the account.

Fund 352 Parks and Recreation Fee (Formerly Park Acquisition and Development Fee)

Requirement 1. Brief description of the type of fee in the account or fund.

The Parks and Recreation Fee requires that all new residential development pay a one-time fee per new residential unit to fund the construction of new parks. The Parks and Recreation Fee (Formerly Park Acquisition and Development Fee) was originally established by Ordinances 1421, 1448, 1696, 1949, and 2031 and was updated in 2020 via Resolution 15,329.

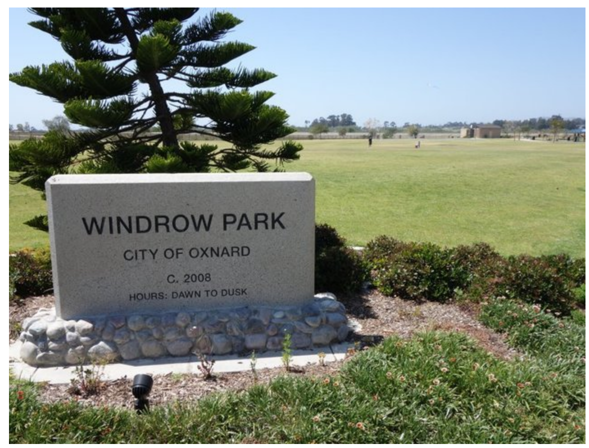

Figure 2 – Windrow Park

Requirement 2. Amount of the fee.

The Park Acquisition and Development Fees for Fiscal Year 20/21 are summarized in Table 1.

Table 1: Park Acquisition and Development Fee

Land Use	Fee as of July 1, 2019
One or Fewer Bedrooms	$150
Two Bedrooms	$200
Three or More Bedrooms	$250
Land Use	**Fee as of July 18, 2020**
Single Family (Per Unit)	$3,622
Multifamily (Per Unit)	$2,437
Non-Residential	N/A

Requirement 3. Beginning and ending balance in the account or fund.

Table 2 summarizes the beginning and ending fund balances for the Parks and Recreation Fee for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Table 2 summarizes the fees collected and the interest earned for the Parks and Recreation Fee during Fiscal Year 20/21.

Table 2: Parks and Recreation Fee Fund Summary

Fund 352		
Parks and Recreation Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**649,824.12**
Revenues		
Fees Collected	$	27,950.00
Interest Earned	$	(1,121.13)
Other Revenues	$	-
Total Revenues	**$**	**26,828.87**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	(729.00)
Total Expenses	**$**	**(729.00)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**675,923.99**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Table 3 summarizes the expenditures this past year on Parks and Recreation Fee projects.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Table 3 summarizes the planned future expenditures for the Park Acquisition and Development Fee/Parks and Recreation Fee and the anticipated construction start date.

Table 3: Parks and Recreation Fee Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 352 Expense to Date	Fund 352 Expense FY 20-21	Fund 352 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
905701	Cabrillo Neighborhood Park	$ 16,837	-	-	$ 16,837	100%	2023
945702	Citywide Park Improvement Program	$ 320,968	$ 43,547	-	$ 277,421	100%	2023
n/a	Via Marina Park Renovation	$ 1,234,871	-	-	$ 1,234,871	100%	2023
-	Indirect Charges[2]	-	-	$ 729	-	-	n/a
	GRAND TOTAL	**$ 1,572,676**	**$ 43,547**	**$ 729**	**$ 1,529,129**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.
2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

There were no transfers or loans from this fund in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from this fund in Fiscal Year 20/21.

Fund 353 Storm Drain Facility Fee

Requirement 1. Brief description of the type of fee in the account or fund**.**

The City imposes a fee on new development based upon their prorated share of the cost of constructing the improvements identified in the City's Drainage Master Plan. The City's Storm Drain Facility Fees were based on Ordinance 2258 and Resolution 10274 and were updated as part of the 2020 DIF update via Resolution 15,329.

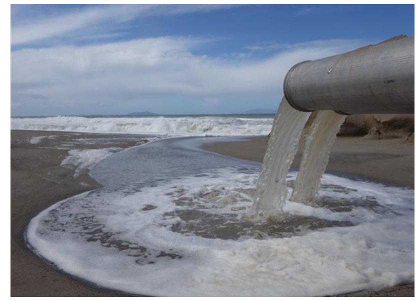

Figure 4 – Storm water drains into the Pacific Ocean at Oxnard Shores

Requirement 2. Amount of the fee.

The Storm Drain Facility Fee for Fiscal Year 20/21 is summarized in Table 4 below.

Table 4: Storm Drain Facility Fee

Land Use	Fee as of July 1, 2019
Low-Density Residential (Per Gross Acre)	$10,645
Medium and High Density Residential (Per Gross Acre)	$14,637
All Other Land Uses (Per Gross Acre)	$14,637
Land Use	**Fee as of July 18, 2020**
Single Family Residential (Per Gross Acre)[1]	$15,954
All Other Land Uses (Per Gross Acre)	$21,937

[1] For storm drainage fees, single family is 6 units per acre or less.

Requirement 3. Beginning and ending balance in the account or fund.

Table 5 summarizes the beginning and ending fund balances for the Storm Drain Facility Fee for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Table 5 summarizes the fees collected and the interest earned for the Storm Drain Facility Fee during Fiscal Year 20/21.

Table 5: Storm Drain Facility Fee Fund Summary

Fund 353		
Storm Drainage Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**8,632,792.37**
Revenues		
Fees Collected	$	78,074.16
Interest Earned	$	(15,580.68)
Other Revenues	$	-
Total Revenues	**$**	**62,493.48**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	(17,774.00)
Total Expenses	**$**	**(17,774.00)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**8,677,511.85**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Table 6 summarizes the expenditures this past year on storm drainage projects.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Table 6 summarizes the planned future expenditures for the Storm Drainage Facility Fee.

Table 6: Storm Drainage Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 353 Expense to Date	Fund 353 Expense FY 20-21	Fund 353 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
n/a	Bartolo Square N Neighborhood SD Construction	$ 13,450,000	-	-	$ 13,450,000	100%	2022
-	Other Services / Bank Charges	-	-	-	-	-	n/a
-	Indirect Charges[2]	-	-	$ 17,774	-	-	n/a
	GRAND TOTAL	**$ 13,450,000**	**$ -**	**$ 17,774**	**$ 13,450,000**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

There were no transfers or loans from this fund in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from this fund in Fiscal Year 20/21.

Fund 354 Traffic Circulation Fee (Formerly Circulation System Improvement Fee)

Requirement 1. Brief description of the type of fee in the account or fund.

The City charges a fee to all new development and redevelopment in the City that generates additional vehicular trips above what can be reasonably associated with the current use of the property. The fee is used to construct improvements to the circulation system. The City's Traffic Circulation Fee (Formerly Circulation System Improvement Fee) was established under Ordinance 2258 and Resolutions 10016, 10673, 13328, 13600, and 13890 and was updated and renamed to the Traffic Circulation Fee during the 2020 DIF update via Resolution 15,329.

Requirement 2. Amount of the fee.

The Traffic Circulation Fees for Fiscal Year 20/21 are summarized in Table 7.

Table 7: Traffic Circulation Fee

Land Use	Fee as of July 1, 2019
Single Family (Per Unit)	$8,030
Condo/Townhome (Per Unit)	$6,278
Apartments (Per Unit)	$4,745
Mobile Home (Per Unit)	$3,650
Senior Housing (Per Unit)	$2,920
General Commercial (Per 1,000sf)	$7,899
Light Industrial (Per 1,000sf)	$5,088
Automated Car Wash (Per Site)	$177,390
Self Service Car Wash (Per Stall)	$21,462
Gas Station (Per Fueling Station)	$21,958
Hotel/Motel (Per Room)	$3,796
New Car Sales (Per 1,000sf)	$5,030
Church (Per 1,000sf)	$3,803
Warehouse (Per 1,000sf)	$3,621
Sit Down or Take Out Restaurant (Per 1,000sf)	$13,789
Fast Food w/Drive Thru (Per 1,000sf)	$76,059
Land Use	**Fee as of July 18, 2020**
Per ADT	$1,035
Single Family (Per Unit)	$9,769
Mobile Home (Per Unit)	$5,174
Low-Rise Multifamily (Per Unit)	$7,574
Mid-Rise Multifamily (Per Unit)	$5,630
High-Rise Multifamily (Per Unit)	$4,605
Senior Housing (Per Unit)	$4,139
General Commercial (Per 1,000sf)	$6,560
Office (Per 1,000sf)	$10,079
Medical Office (Per 1,000sf)	$6,054
New Car Sales (Per 1,000sf)	$6,157

Church (Per 1,000sf)	$4,118
Sit Down or Take Out Restaurant (Per 1,000sf)	$19,506
Fast Food w/Drive Thru (Per 1,000sf)	$102,342
Self Service Car Wash (Per Stall)	$27,153
Gas Station (Per Fueling Station)	$22,962
Hotel/Motel (Per Room)	$5,040
Light Industrial (Per 1,000sf)	$5,132
Warehouse (Per 1,000sf)	$1,800

Requirement 3. Beginning and ending balance in the account or fund.

Table 8 summarizes the beginning and ending fund balances for the Circulation System Improvement Fee/Traffic Circulation Fee for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Table 8 summarizes the fees collected and the interest earned for the Circulation System Improvement Fee/Traffic Circulation Fee during Fiscal Year 20/21.

Table 8: Traffic Circulation Fee Fund Summary

Fund 354		
Circulation System Improvement Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**7,809,125.98**
Revenues		
Fees Collected	$	4,940,578.38
Interest Earned	$	(8,280.49)
Other Revenues[2]	$	1,515,260.85
Total Revenues	**$**	**6,447,558.74**
Expenses		
Project Expenses	$	(506,240.28)
Developer Reimbursements	$	(15,572.50)
Other Charges[1]	$	(16,037.00)
Total Expenses	**$**	**(537,849.78)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**13,718,834.94**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

2) One time payment for URS Legal settlement.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Table 9 summarizes the expenditures this past year on Circulation System Improvement Fee projects.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Table 9 summarizes the planned future expenditures for the Circulation System Improvement Fee projects.

Table 9: Circulation System Improvement Fee Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 354 Expense to Date	Fund 354 Expense FY 20-21	Fund 354 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[4]
133101	Rice Ave At 5th St GRD	$ 118,144,021	$ 765,192.26	$ 67,236.49	$ 765,903.74	1.3%	2023
163106	HWY 101 - Rice Phase II[2]	$ 689,003	$ 608,823.56	$ 37,462.82	$ 80,180.00	88%	2022
173102	Oxnard Boulevard & Saviers Road Signal Improvements	$ 1,692,315	$ 34,173.63	$ 9,077.40	$ 267,801.37	18%	2022
183101	Oxnard Boulevard Bicycle Facilities Installation	$ 2,747,978	$ -	$ -	$ 708,828.00	26%	2022
183114	Traffic Signal Modifications	$ 2,054,345	$ 25,035.00	$ 6,658.50	$ -	1.2%	2022
203101	Adaptive Traffic Signal	$ 1,852,000	$ 138,927.36	$ 126,152.74	$ 1,713,072.64	100%	2020
203106	Traffic Signal Modernization	$ 6,240,000	$ 267,693.68	$ 259,652.33	$ 3,092,306.32	54%	2020
223110	US 101 Del Norte Interchange Upgrade	$ 250,000	$ -	$ -	$ 250,000.00	100%	2022
n/a	Five Points Intersection Modernization	$ 250,000	$ -	$ -	$ 250,000.00	100%	2023
n/a	Tšumaš Creek Drainage and Linear Park Construction	$ 3,600,000	$ -	$ -	$ 600,000.00	17%	2022
n/a	Traffic Circulation Study	$ 500,000			$ 500,000	100%	n/a
n/a	ITS Master Plan Update	$ 250,000			$ 250,000	100%	n/a
n/a	Traffic Signal Modification	$ 4,000,000			$ 1,878,600	47%	2023
n/a	Traffic Model Update	$ 200,000			$ 200,000	100%	n/a
n/a	Traffic Signal Timing	$ 850,000			$ 850,000	100%	2025
n/a	Adaptive Traffic Signals	$ 1,527,000			$ 1,527,000	100%	2025
n/a	Fifth Street & Pacific Avenue Traffic Signal	$ 1,527,000			$ 1,527,000	100%	2025
-	Other Services / Bank Charges	-	-	$ -	-	-	n/a
-	Indirect Charges[2]	-	-	$ 16,037.00	-	-	n/a
-	Developer Reimbursement[3]	-	-	$ 15,572.50	-	-	n/a
	GRAND TOTAL	**$ 146,373,662**	**$ 1,839,845.49**	**$ 537,849.78**	**$ 14,460,692.07**		

1) City of Oxnard 2021-2026 Capital Improvement Program.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

3) Reimbursement to Alisam Channel Islands per Resolution 10,272.

4) Construction start date may be revised pending availability of funds.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

There were no transfers or loans from this fund in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from this fund in Fiscal Year 20/21.

Funds 355 and 356 Growth Requirement Capital Fee

Funds 355 and 356 Growth Requirement Capital Fee

Requirement 1. Brief description of the type of fee in the account or fund.

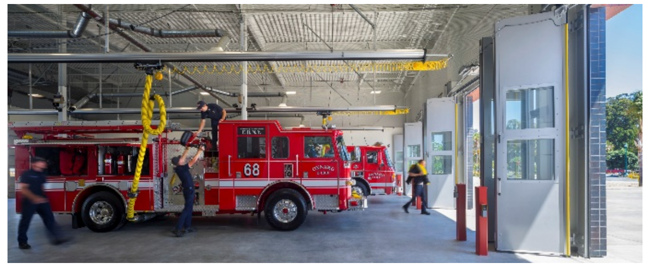

Figure 3 –Fire Station No. 8, City of Oxnard

The City's Growth Requirement Capital Fee funds general governmental facilities such as fire and police stations, City Hall, corporation yards, and recreation facilities. The fee was based on Ordinance 2258 and Resolutions 10275, 10996, and 12975 and was updated as part of the 2020 DIF update via Resolution 15,329. The fee is collected based on additional covered space created by any new development. There are two separate funds for this fee. Fund 355 is for residential fees and Fund 356 is for non-residential fees.

Requirement 2. Amount of the fee.

The Growth Requirement Capital Fee for Fiscal Year 20/21 is summarized in Table 10.

Table 10: Growth Requirement Capital Fee

Land Use	Fee as of July 1, 2019
Residential (Per Square Foot of Covered Space)	$1.16
Mobile Home Park (Per Square Foot of Home Pad)	$1.75
Commercial (Per Square Foot of Covered Space)	$0.60
Industrial (Per Square Foot of Covered Space)	$0.60
Industrial (Per Square Foot of Uncovered Space)	$0.04
Land Use	**Fee as of July 18, 2020**
Single Family (Per Unit)	$4,383
Multifamily (Per Unit)	$2,558
Retail (Per 1,000sf)	$1,309
Office (Per 1,000sf)	$1,505
Industrial (Per 1,000sf)	$853
Hotel (Per Room)	$302

Requirement 3. Beginning and ending balance in the account or fund.

Tables 11 and 12 summarize the beginning and ending fund balances for the Growth Requirement Capital Fee for Fiscal Year 20/21. Table 11 summarizes the Residential Fee and Table 12 summarizes the non-residential fee.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Tables 11 and 12 summarize the fees collected and the interest earned for the Growth Requirement Capital Fee during Fiscal Year 20/21. Table 11 summarizes the Residential Fee and Table 12 summarizes the non-residential fee.

Table 11: Growth Requirement Capital Fee (Residential) Fund Summary

Fund 355		
Growth Requirement Capital Fee (Residential)		
Beginning Fund Balance as of July 1, 2020	**$**	**1,416,091.02**
Revenues		
Fees Collected	$	704,063.93
Interest Earned	$	(2,118.72)
Other Revenues	$	-
Total Revenues	**$**	**701,945.21**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	(56,499.50)
Total Expenses	**$**	**(56,499.50)**
Transfers In	**$**	**-**
Transfers Out[2]	**$**	**(422,737.98)**
Ending Balance as of June 30, 2021	**$**	**1,638,798.75**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

2) Transfers Out to General Fund for debt service on Civic Center Phase 2 Bond.

Table 12: Growth Requirement Capital Fee (Non-Residential) Fund Summary

Fund 356		
Growth Requirement Capital Fee (Non-Residential)		
Beginning Fund Balance as of July 1, 2020	**$**	**20,101.73**
Revenues		
Fees Collected	$	2,675,575.75
Interest Earned	$	2,555.69
Other Revenues	$	-
Total Revenues	**$**	**2,678,131.44**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	(625.00)
Total Expenses	**$**	**(625.00)**
Transfers In	**$**	**-**
Transfers Out[2]	**$**	**(140,912.66)**
Ending Balance as of June 30, 2021	**$**	**2,556,695.51**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

2) Transfers Out to General Fund for debt service on Civic Center Phase 2 Bonds.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Tables 13 and 14 summarize the expenditures this past year on Growth Requirement Capital Fee projects.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Tables 13 and 14 summarize the planned future expenditures for the Growth Requirement Capital Fee projects.

Table 13: Growth Requirement Capital Fee (Residential) Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 355 Expense to Date	Fund 355 Expense FY 20-21	Fund 355 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
172201	Fire Station 4 Rebuild	$ 5,800,000	-	-	$ 2,900,000	50%	2022
-	Professional Services/Contract[2]	-	-	$ 54,753	-		n/a
-	Other Services / Bank Charges	-	-	$ -	-		n/a
-	Indirect Charges[3]	-	-	$ 1,747	-		n/a
	TOTAL PROJECT EXPENSES	$ 5,800,000	$ -	$ 56,500	$ 2,900,000		
-	Bond Payments - Civic Center Phase 2[4]	n/a	n/a	$ 422,738	$ 6,056,250	26%	n/a
	GRAND TOTAL	**$ 5,800,000**	**$ -**	**$ 479,237**	**$ 8,956,250**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Charges related to development impact fee update.

3) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

4) Debt service summary provided by City. Fees fund 34% of the debt with Fund 355 picking up 75% and Fund 356 picking up 25%.

Table 14: Growth Requirement Capital Fee (Non-Residential) Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 356 Expense to Date	Fund 356 Expense FY 20-21	Fund 356 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
172201	Fire Station 4 Rebuild	$ 5,800,000	-	-	$ 2,900,000	50%	2022
-	Other Services / Bank Charges	-	-	-	-	-	n/a
-	Indirect Charges[2]	-	-	$ 625	-	-	n/a
	TOTAL PROJECT EXPENSES	$ -	$ -	$ 625	$ -		
-	Bond Payments - Civic Center Phase 2[3]	n/a	n/a	$ 140,912	$ 2,018,750	9%	n/a
	GRAND TOTAL	**$ -**	**$ -**	**$ 141,537**	**$ 4,918,750**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

3) Debt service summary provided by City. Fees fund 34% of the debt with Fund 355 picking up 75% and Fund 356 picking up 25%.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

Fund 355 had a transfer of $422,737.98 for the debt service payment on the Variable Rate Demand Lease Revenue Refunding Bonds related to the Downtown Civic Center. Fund 356 had a transfer of $140,912.66 for debt service payment on the same bonds.

The Variable Rate Demand Lease Revenue Refunding Bonds (Civic Center Phase 2 Project), Series 2006 were issued on December 1, 2006 for $24,205,000 to finance the acquisition, construction, and improvement of certain public facilities constituting the Civic Center Phase 2 Project. This debt was refunded on April 30, 2018 as part of the Lease Revenue Refunding Bonds Series 2018. The outstanding balance as of June 30, 2021 is $23,750,000. The impact fee funds 34% of the bond repayment, which means there is an outstanding balance of $8,075,000 allocated to impact fee funds. The impact fee debt service payment is split 75% from Fund 355 and 25% from Fund 356. This means there is an outstanding obligation of $6,056,250 for Fund 355 and $2,018,750 for Fund 356. The payments on these bonds constitute the City's obligations that exist through the maturity date of the bonds on June 1, 2036.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from these funds in Fiscal Year 20/21.

Fund 357 Mobility Fee

Requirement 1. Brief description of the type of fee in the account or fund.

The Mobility Fee covers the cost to mitigate the effects of new development on the City's mobility facilities including sidewalks, bike lanes, pedestrian bridges, and other similar facilities that are necessary to improve connectivity within the City, improve bicycle and pedestrian safety, improve bicycle and pedestrian access to public transportation stops and stations, and increase bicycle mode sharing. This fee was created in the 2020 update by Resolution 15,329.

Requirement 2. Amount of the fee.

The Mobility Fee for Fiscal Year 20/21 is summarized in Table 15.

Table 15: Mobility Fee

Land Use	Fee as of July 18, 2020
Single Family (Per Unit)	$1,698
Multifamily (Per Unit)	$1,123
Retail (Per 1,000sf)	$573
Office (Per 1,000sf)	$684
Industrial (Per 1,000sf)	$243
Hotel (Per Room)	$171

Requirement 3. Beginning and ending balance in the account or fund.

Table 16 summarizes the beginning and ending fund balances for the Mobility Fee for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Table 16 summarizes the fees collected and the interest earned for the Mobility Fee during Fiscal Year 20/21.

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Table 16: Mobility Fee Fund Summary

Fund 357		
Mobility Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**-**
Revenues		
Fees Collected	$	712,145.26
Interest Earned	$	639.93
Other Revenues	$	-
Total Revenues	**$**	**712,785.19**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	-
Total Expenses	**$**	**-**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**712,785.19**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Table 17 summarizes the expenditures this past year on Mobility Fee projects.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Table 17 summarizes the planned future expenditures for the Mobility Fee projects.

Table 17: Mobility Fee Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 357 Expense to Date	Fund 357 Expense FY 20-21	Fund 357 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
223101	4th Street Mobility Improvements	$ 6,900,000	-	-	$ 1,000,000	14%	2022
	GRAND TOTAL	**$ 6,900,000**	**$ -**	**$ -**	**$ 1,000,000**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

There were no transfers or loans from this fund in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from this fund in Fiscal Year 20/21.

Fund 547 Public Art Program Fee

Figure 6 – Public Art at The Collection at Riverpark

Requirement 1. Brief description of the type of fee in the account or fund.

The Public Art Program Fee is based on Resolutions No. 9813, 12290, 13013, 13736, and 14124 and was updated as part of 2020 DIF update via Resolution 15,329. The purpose of the program is to install works of art in conjunction with new development in locations accessible to the public. This fee is designed to enhance the City's appearance and mitigate certain effects of development projects. All new development projects pay this fee.

Requirement 2. Amount of the fee.

The Public Art Program Fee for Fiscal Year 20/21 is summarized in Table 18.

Table 18: Public Art Program Fee

Land Use	Fee as of July 1, 2019
All Development (Per Roofed Building Square Foot)	
Land Use	**Fee as of July 18, 2020**
All Development (Per Roofed Building Square Foot)	$0.28

Requirement 3. Beginning and ending balance in the account or fund.

Table 19 summarizes the beginning and ending fund balances for the Public Art Program Fee for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Table 19 summarizes the fees collected and the interest earned for the Public Art Program Fee during Fiscal Year 20/21.

Table 19: Public Art Program Fee Fund Summary

Fund 547		
Public Art Program Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**273,269.13**
Revenues		
Fees Collected	$	-
Interest Earned	$	13,188.04
Other Revenues[2]	$	870,873.96
Total Revenues	**$**	**884,062.00**
Expenses		
Project Expenses	$	(41,023.47)
Art Projects	$	(9,919.00)
Other Charges[1]	$	(5,002.54)
Total Expenses	**$**	**(55,945.01)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021[3]	**$**	**1,101,386.12**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

2) Sponsorship Revenue

3) Includes sponsorship revenue which is not development impact fees and should be moved to separate fund.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Table 20 summarizes the expenditures this past year on Public Art Program Fee projects.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Table 20 summarizes the planned future expenditures for the Public Art Program Fee projects.

Table 20: Public Art Program Fee Project Expenditures

Project No.	Project Name	Project Budget	Fund 547 Expense FY 20-21	Fund 547 Future Expenditures	% Funded by Fee	Approx. Construction Start Date
18IN10	Downtown Arts Hub Murals	$ 45,000	$ 41,023	$ 3,677	100%	2022
n/a	Downtown Mural Program	$ 305,000	-	$ 305,000	100%	2022
n/a	Downtown Sculptures Program	$ 50,000	-	$ 50,000	100%	2025
n/a	Citywide Mural Program	$ 150,000	-	$ 150,000	100%	2025
-	Personnel Services/PERS	-	$ 275	-	-	n/a
-	Direct Labor-Regular	-	$ 2,870	-	-	n/a
-	Employee Benefits	-	$ 814	-	-	n/a
-	One Time Misc. Expense[1]	-	$ 9,919	-	-	n/a
-	Indirect Charges[2]	-	$ 1,043	-	-	n/a
	GRAND TOTAL	**$ 550,000**	**$ 55,945**	**$ 508,677**		

1) Funding for community art projects.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

There were no transfers or loans from this fund in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from this fund in Fiscal Year 20/21.

Funds 603 and 605 Water Resource Development Fee and Capital Facility Charge

Requirement 1. Brief description of the type of fee in the account or fund.

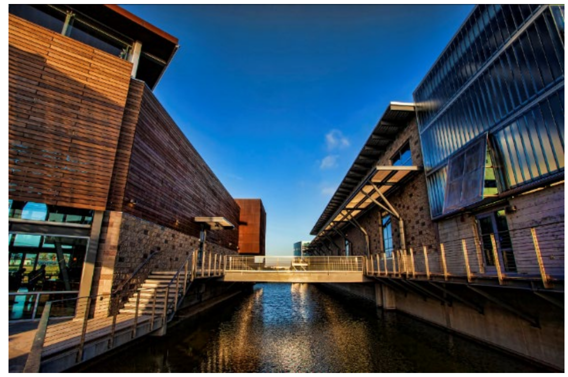

Figure 5 – Advanced Water Purification Facility, Oxnard

The City collects a Water Resource Development Fee and Capital Facility Charge for new, expanded, or additional service connections based on the diameter of the meter installation directly related to the volume of water required for the new, expanded, or additional service connection.

The Water Resource Development Fee pays for the development of new water resources, such as recycled water, to offset demand by new customers, and water conservation projects, reducing water demand. The Water Resource Development Fee was adopted by Ordinance 2624 consistent with the requirement of Government Code Sections 54999 through 54999.6.

The Water Capital Facility Charge pays for master-planned capacity improvements to the City's water system, such as the addition of new production, treatment, storage, transmission, and distribution facilities. The Water Capital Facility Charge was adopted by Resolution 9717.

Requirement 2. Amount of the fee.

The Water Resource Development Fee and Capital Facility Charge for Fiscal Year 20/21 are summarized in Table 22.

Table 21: Water Resource Development Fee and Capital Facility Charge

Water Meter Size	Water Resource Development Fee as of July 1, 2020	Water Capital Facility Charge as of July 1, 2020	Total Water Connection Fee
3/4"	$ 2,792	$ 341	$ 3,133
1"	$ 5,583	$ 682	$ 6,265
1 1/2 "	$ 8,375	$ 1,023	$ 9,398
2"	$ 13,958	$ 1,706	$ 15,664
3"	$ 30,708	$ 3,752	$ 34,460
4"	$ 47,458	$ 5,799	$ 53,257
6"	$ 92,125	$ 11,257	$ 103,382
8"	$ 147,958	$ 18,080	$ 166,038
10"	$ 315,457	$ 38,548	$ 354,005
12"	$ 502,498	$ 61,404	$ 563,902

Requirement 3. Beginning and ending balance in the account or fund.

Tables 22 and 23 summarize the beginning and ending fund balances for the Water Resource Development Fee and Capital Facility Charge for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Tables 22 and 23 summarize the fees collected and the interest earned for the Water Resource Development Fee and Capital Facility Charge during Fiscal Year 20/21.

Table 22: Water Resource Development Fee Fund Summary

Fund 603		
Water Resource Development Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**18,148,466.37**
Revenues		
Fees Collected	$	689,055.07
Interest Earned	$	(37,824.97)
Other Revenues	$	-
Total Revenues	**$**	**651,230.10**
Expenses		
Project Expenses	$	(278,101.60)
Other Charges[1]	$	(19,893.00)
Total Expenses	**$**	**(297,994.60)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**18,501,701.87**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Table 23: Water Capital Facility Charge Fund Summary

Fund 605		
Water Capital Facility Charge		
Beginning Fund Balance as of July 1, 2020	**$**	**2,797,158.71**
Revenues		
Fees Collected	$	84,171.17
Interest Earned	$	(4,393.41)
Other Revenues	$	-
Total Revenues	**$**	**79,777.76**
Expenses		
Project Expenses	$	-
Developer Reimbursement	$	-
Other Charges[1]	$	(4,135.00)
Total Expenses	**$**	**(4,135.00)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**2,872,801.47**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Tables 24 and 25 summarize the expenditure for this past year for the Water Resource Development Fee and Capital Facility Charge.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Tables 24 and 25 summarize the planned future expenditures for the Water Resource Development Fee and Capital Facility Charge.

Table 24: Water Resource Development Fee Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 603 Expense to Date	Fund 603 Expense FY 20-21	Fund 603 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
106002	Water Distribution: Hueneme Road Recycled Water Pipeline - Phase II	$ 30,376,345	$ 661,271	$ 250,318	$ 11,215,074	39%	2022
116505	Great ASR Wells	$ 1,465,169	$ 532,416	$ 27,784	$ 110,855	44%	2021
n/a	Recycled Water: AWPF Improvements Phase I	$ 1,000,000	-	-	$ 1,000,000	100%	2022
n/a	Recycled Water: AWPF Improvements Phase II	$ 28,333,334			$ 28,333,334	100%	2023
-	Indirect Charges[2]	-	-	$ 19,893	-	-	n/a
	GRAND TOTAL	**$ 61,174,848**	**$ 1,193,687**	**$ 297,995**	**$ 40,659,263**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Table 25: Water Capital Facility Charge Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 605 Expense to Date	Fund 605 Expense FY 20-21	Fund 605 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
216504	Recycled Water Feature at Campus Park	$ 1,600,000	-	-	$ 1,600,000	100%	2021
n/a	Recycled Water: AWPF Storage Construction	$ 3,000,000			$ 3,000,000	100%	2022
-	Aquifer Storage and Recovery (ASR) Wells Construction	$ 7,800,000	-	-	$ 7,800,000	100%	2022
-	Indirect Charges[2]	-	-	$ 4,135	-	-	n/a
-	Developer Reimbursement Lump Sum[3]	-	-	-	$ 1,383,143	-	n/a
	GRAND TOTAL	**$ 12,400,000**	**$ 700,000**	**$ 4,135**	**$ 13,783,143**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

3) Lump sum payment to be made to Riverpark Legacy, LLC in repayment for Vineyard Ave Improvements.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan**.**

There were no transfers or loans from these funds in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from these funds in Fiscal Year 20/21.

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Funds 613 and 623 Wastewater Connection Fee and Wastewater Treatment Connection Fee

Requirement 1. Brief description of the type of fee in the account or fund.

The City collects a Wastewater System Connection Fee and Wastewater Treatment Connection Fee for new, expanded, or additional service connections. The City imposes fees based on new development's prorated share of the cost of constructing the improvements identified in the City's Master Plans for Wastewater Treatment and Conveyance. The current wastewater fees were adopted by Ordinance 2709.

Requirement 2. Amount of the fee.

The Wastewater Connection Fee and Wastewater Treatment Connection Fee for Fiscal Year 20/21 are summarized in Table 26.

Table 26: Wastewater Connection Fee and Wastewater Treatment Fee

Water Meter Size	Wastewater Collection Connection Fee as of July 1, 2020	Wastewater Treatment Connection Fee as of July 1, 2020	Total Wastewater Connection Fee
5/8" & 3/4"	$ 3,798	$ 1,458	$ 5,256
1"	$ 7,596	$ 2,916	$ 10,512
1 1/2"	$ 11,394	$ 4,374	$ 15,768
2"	$ 18,990	$ 7,290	$ 26,280
3"	$ 41,778	$ 16,038	$ 57,816
4"	$ 64,566	$ 24,786	$ 89,352
6"	$ 125,334	$ 48,114	$ 173,448
8"	$ 201,294	$ 77,274	$ 278,568
10"	$ 429,174	$ 164,754	$ 593,928
12"	$ 683,640	$ 262,440	$ 946,080

Requirement 3. Beginning and ending balance in the account or fund.

Tables 27 and 28 summarize the beginning and ending fund balances for the Wastewater Connection Fee and Wastewater Treatment Connection Fee for Fiscal Year 20/21.

Requirement 4. Amount of fees collected and the interest earned during the previous year.

Tables 27 and 28 summarize the fees collected and the interest earned for the Wastewater Connection Fee and Wastewater Treatment Connection Fee during Fiscal Year 20/21.

Table 27: Wastewater Collection Connection Fee Fund Summary

Fund 613		
Wastewater Collection Connection Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**3,721,076.58**
Revenues		
Fees Collected	$	494,503.72
Interest Earned	$	(35,045.65)
Other Revenues	$	-
Total Revenues	**$**	**459,458.07**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	(9,609.00)
Total Expenses	**$**	**(9,609.00)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**4,170,925.65**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Table 28: Wastewater Treatment Connection Fee Fund Summary

Fund 623		
Wastewater Treatment Connection Fee		
Beginning Fund Balance as of July 1, 2020	**$**	**6,214,544.06**
Revenues		
Fees Collected	$	1,342,563.36
Interest Earned	$	18,700.07
Other Revenues	$	-
Total Revenues	**$**	**1,361,263.43**
Expenses		
Project Expenses	$	-
Other Charges[1]	$	(9,098.00)
Total Expenses	**$**	**(9,098.00)**
Transfers In	**$**	**-**
Transfers Out	**$**	**-**
Ending Balance as of June 30, 2021	**$**	**7,566,709.49**

1) Other Charges include expenses for General Fund Indirect Charges and Other/Bank Charges.

Requirement 5. Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.

Tables 29 and 30 summarize the expenditures for this past year for the Wastewater Collection Connection Fee and Wastewater Treatment Connection Fee.

Requirement 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.

Tables 29 and 30 summarize the planned future expenditures for the Wastewater Collection Connection Fee and Wastewater Treatment Connection Fee.

Table 29: Wastewater Collection Connection Fee Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 613 Expense to Date	Fund 613 Expense FY 20-21	Fund 613 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
n/a	Rice Avenue Sewer Pipeline Improvements	$1,330,000	-	-	$ 1,330,000	100%	2023
86101	Septic Conversion Loan Pro	$ 109,967	$ 57,799	-	$ 52,168	100%	2021
12IN04	Master Plan Wastewater	$ 821,388	$ 753,076	-	$ 68,312	100%	n/a
n/a	Ventura Road Sewer Pipeline Improvements	$1,755,197	-	-	$ 1,755,197	100%	2022
n/a	3rd and Navarro Sewer Pipeline Improvement	$ 364,869	-	-	$ 364,869	100%	2022
n/a	Various Sewer Pipeline Expansion	$1,300,000	-	-	$ 1,300,000	100%	2024
-	Indirect Charges[2]	-	-	$ 9,609	-	-	n/a
	GRAND TOTAL	$5,681,421	$ 810,875	$ 9,609	$ 4,870,546		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Table 30: Wastewater Treatment Connection Fee Project Expenditures

Project No.	Project Name	Project Budget[1]	Fund 623 Expense to Date	Fund 623 Expense FY20-21	Fund 623 Future Expenditures[1]	% Funded by Fee	Approx. Construction Start Date[1]
12IN04	Master Plan Wastewater	$ 2,900,000	281,388	-	$ -	10%	n/a
186626	OWTP Reliability Improvements	$ 20,023,291	-	-	$ 2,100,000	20%	2022
n/a	OWTP Electrical Improvements	$ 27,137,793	-	-	$ 5,500,000	32%	2023
-	Indirect Charges[2]	-	-	$ 9,098	-	-	n/a
	GRAND TOTAL	**$ 50,061,084**	**$ 281,388**	**$ 9,098**	**$ 7,600,000**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Requirement 7. Description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended, and when each will be repaid and the rate of interest the account will receive on the loan.

There were no transfers or loans from these funds in Fiscal Year 20/21.

Requirement 8. Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

No refunds were made from these funds in Fiscal Year 20/21.

Fund Summary

Table 31 provides an accounting of each impact fee fund and a total impact fee account balance. The table summarizes the starting fund balance, the amount of fees collected, the interest earned, the total expenditures, and the fiscal year ending fund balance.

Table 31: Development Impact Fee Fund Summary

Description	Park Acquisition & Development	Storm Drain Facilities Fee	Circulation System Improvement Fee	Capital Growth Fee (Residential)	Capital Req. Growth Fee (Non-Residential)	Mobility Fee	Public Art Program Fee	Water Resource Development Fee	Water Capital Facility Charge	Wastewater Connection Fee	Wastewater Treatment Connection Fee
Fund No.	352	353	354	355	356	357	547	603	605	613	623
Starting Balance											
As of July 1, 2020	$ 649,824	$ 8,632,792	$ 7,809,126	$ 1,416,091	$ 20,102	$ -	$ 273,269	$ 18,148,466	$ 2,797,159	$ 3,721,077	$ 6,214,544
REVENUES											
Fees Collected	$ 27,950	$ 78,074	$ 4,940,578	$ 704,064	$ 2,675,576	$712,145.26	$ -	$ 689,055	$ 84,171	$ 494,504	$ 1,342,563
Interest	$ (1,121)	$ (15,581)	$ (8,280)	$ (2,119)	$ 2,556	$ 640	$ 13,188	$ (37,825)	$ (4,393)	$ (35,046)	$ 18,700
Other Revenues	$ -	$ -	$ 1,515,261	$ -	$ -	$ -	$ 870,874	$ -	$ -	$ -	$ -
Total Revenues	**$ 26,829**	**$ 62,493**	**$ 6,447,559**	**$ 701,945**	**$ 2,678,131**	**$ 712,785**	**$ 884,062**	**$ 651,230**	**$ 79,778**	**$ 459,458**	**$ 1,361,263**
EXPENDITURES											
Project Expenditures	$ -	$ -	$ (506,240)	$ -	$ -	$ -	$ (41,023)	$ (278,102)	$ -	$ -	$ -
Other Expenditures[1]	$ (729)	$ (17,774)	$ (31,610)	$ (56,500)	$ (625)	$ -	$ (14,922)	$ (19,893)	$ (4,135)	$ (9,609)	$ (9,098)
Total Expenditure	**$ (729)**	**$ (17,774)**	**$ (537,850)**	**$ (56,500)**	**$ (625)**	**$ -**	**$ (55,945)**	**$ (297,995)**	**$ (4,135)**	**$ (9,609)**	**$ (9,098)**
Transfers in	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Transfers Out	$ -	$ -	$ -	$ (422,738)	$ (140,913)	$ -	$ -	$ -	$ -	$ -	$ -
Net Transfers	**$ -**	**$ -**	**$ -**	**$ (422,738)**	**$ (140,913)**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Ending Balance											
As of June 30, 2021	**$ 675,924**	**$ 8,677,512**	**$ 13,718,835**	**$ 1,638,799**	**$ 2,556,696**	**$ 712,785**	**$ 1,101,386**	**$ 18,501,702**	**$ 2,872,801**	**$ 4,170,926**	**$ 7,566,709**

1) Other Expenditures include expenses for General Fund Indirect Charges, Other/Bank Charges, Developer Reimbursement, Bond Payments, Temporary Assistance, and Art Grants.

Note: Small variances may appear due to rounding.

ANNUAL REPORT FOR DEVELOPMENT IMAPCT FEES (AB 1600) FOR FISCAL YEAR 2020-2021

Finance & Governance Committee

December 14, 2021

Alison Bouley

Harris & Associates

CITY OF OXNARD CALIFORNIA

RECOMMENDATION

That the Finance and Governance Committee recommend that the City Council receive and file the annual development impact fee report (AB1600) for the fiscal year ended June 30, 2021.

BACKGROUND

- Assembly Bill (AB) 1600, commonly known as the Mitigation Fee Act, requires the city to file a report annually summarizing the following information:

  - Brief description of the type of fee in the account or fund.
  - Amount of the fee.
  - Beginning and ending balance in the account or fund.
  - Amount of fees collected and the interest earned during the previous year.
  - Identification of each public improvement for which fees were expended and the amount of expenditures, including the total percentage of the cost of the public improvement that was funded with fees.
  - An identification of an approximate date by which the construction of the public improvement will commence.
  - Description of each inter-fund transfer or loan made from the account.
  - Identification of any refunds made.

Impact Fee Funds

Fee	Fund Number
Parks and Recreation Fee (Formerly Park Acquisition and Development Fee)	352
Storm Drain Facility Fee	353
Traffic Circulation Fee (Formerly Circulation System Improvement Fee)	354
Growth Requirement Capital Fee (Residential & Non-Residential)	355 & 356
Mobility Fee	357
Art in Public Places Fee	547
Water Resource Development Fee	603
Water Capital Facility Charge	605
Wastewater Collection Connection Fee	613
Wastewater Treatment Connection Fee	623

Impact Fee Summary (Funds 352-457)

Description		Park Acquisition & Development		Storm Drain Facilities Fee		Circulation System Improvement Fee		Capital Growth Fee (Residential)		Capital Req. Growth Fee (Non-Residential)		Mobility Fee		Public Art Program Fee
Fund No.		**352**		**353**		**354**		**355**		**356**		**357**		**547**
Starting Balance														
As of July 1, 2020	$	649,824	$	8,632,792	$	7,809,126	$	1,416,091	$	20,102	$	-	$	273,269
REVENUES														
Fees Collected	$	27,950	$	78,074	$	4,940,578	$	704,064	$	2,675,576		$712,145.26	$	-
Interest	$	(1,121)	$	(15,581)	$	(8,280)	$	(2,119)	$	2,556	$	640	$	13,188
Other Revenues	$	-	$	-	$	1,515,261	$	-	$	-	$	-	$	870,874
Total Revenues	**$**	**26,829**	**$**	**62,493**	**$**	**6,447,559**	**$**	**701,945**	**$**	**2,678,131**	**$**	**712,785**	**$**	**884,062**
EXPENDITURES														
Project Expenditures	$	-	$	-	$	(506,240)	$	-	$	-	$	-	$	(41,023)
Other Expenditures[1]	$	(729)	$	(17,774)	$	(31,610)	$	(56,500)	$	(625)	$	-	$	(14,922)
Total Expenditure	**$**	**(729)**	**$**	**(17,774)**	**$**	**(537,850)**	**$**	**(56,500)**	**$**	**(625)**	**$**	**-**	**$**	**(55,945)**
Transfers in	$	-	$	-	$	-	$	-	$	-	$	-	$	-
Transfers Out	$	-	$	-	$	-	$	(422,738)	$	(140,913)	$	-	$	-
Net Transfers	**$**	**-**	**$**	**-**	**$**	**-**	**$**	**(422,738)**	**$**	**(140,913)**	**$**	**-**	**$**	**-**
Ending Balance														
As of June 30, 2021	**$**	**675,924**	**$**	**8,677,512**	**$**	**13,718,835**	**$**	**1,638,799**	**$**	**2,556,696**	**$**	**712,785**	**$**	**1,101,386**

1) Other Expenditures include expenses for General Fund Indirect Charges, Other/Bank Charges, Developer Reimbursement, Bond Payments, Temporary Assistance, and Art Grants.

Note: Small variances may appear due to rounding.

Impact Fee Summary (Water and Wastewater)

Description		Water Resource Development Fee		Water Capital Facility Charge		Wastewater Connection Fee		Wastewater Treatment Connection Fee
Fund No.		**603**		**605**		**613**		**623**
Starting Balance								
As of July 1, 2020	$	18,148,466	$	2,797,159	$	3,721,077	$	6,214,544
REVENUES								
Fees Collected	$	689,055	$	84,171	$	494,504	$	1,342,563
Interest	$	(37,825)	$	(4,393)	$	(35,046)	$	18,700
Other Revenues	$	-	$	-	$	-	$	-
Total Revenues	**$**	**651,230**	**$**	**79,778**	**$**	**459,458**	**$**	**1,361,263**
EXPENDITURES								
Project Expenditures	$	(278,102)	$	-	$	-	$	-
Other Expenditures[1]	$	(19,893)	$	(4,135)	$	(9,609)	$	(9,098)
Total Expenditure	**$**	**(297,995)**	**$**	**(4,135)**	**$**	**(9,609)**	**$**	**(9,098)**
Transfers in	$	-	$	-	$	-	$	-
Transfers Out	$	-	$	-	$	-	$	-
Net Transfers	**$**	-	**$**	-	**$**	-	**$**	-
Ending Balance								
As of June 30, 2021	**$**	**18,501,702**	**$**	**2,872,801**	**$**	**4,170,926**	**$**	**7,566,709**

1) Other Expenditures include expenses for General Fund Indirect Charges, Other/Bank Charges, Developer Reimbursement, Bond Payments, Temporary Assistance, and Art Grants.

Note: Small variances may appear due to rounding.

Expenditures - Fund 352 Parks and Recreation Fee

Project No.	Project Name	Project Budget[1]	Fund 352 Expense to Date	Fund 352 Expense FY 20-21	Fund 352 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
905701	Cabrillo Neighborhood Park	$ 16,837	-	-	$ 16,837	100%	2023
945702	Citywide Park Improvement Program	$ 320,968	$ 43,547	-	$ 277,421	100%	2023
n/a	Via Marina Park Renovation	$ 1,234,871	-	-	$ 1,234,871	100%	2023
-	Indirect Charges[2]	-	-	$ 729	-	-	n/a
	GRAND TOTAL	**$ 1,572,676**	**$ 43,547**	**$ 729**	**$ 1,529,129**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.
2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Expenditures - Fund 353 Storm Drainage Fee

Project No.	Project Name	Project Budget[1]	Fund 353 Expense to Date	Fund 353 Expense FY 20-21	Fund 353 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
n/a	Bartolo Square N Neighborhood SD Construction	$ 13,450,000	-	-	$ 13,450,000	100%	2022
-	Other Services / Bank Charges	-	-	-	-	-	n/a
-	Indirect Charges[2]	-	-	$ 17,774	-	-	n/a
	GRAND TOTAL	**$ 13,450,000**	**$ -**	**$ 17,774**	**$ 13,450,000**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Expenditures - Fund 354 Circulation System Improvement F

Project No.	Project Name	Project Budget[1]	Fund 354 Expense to Date	Fund 354 Expense FY 20-21	Fund 354 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[4]
133101	Rice Ave At 5th St GRD	$ 118,144,021	$ 765,192.26	$ 67,236.49	$ 765,903.74	1.3%	2023
163106	HWY 101 - Rice Phase II[2]	$ 689,003	$ 608,823.56	$ 37,462.82	$ 80,180.00	88%	2022
173102	Oxnard Boulevard & Saviers Road Signal Improvements	$ 1,692,315	$ 34,173.63	$ 9,077.40	$ 267,801.37	18%	2022
183101	Oxnard Boulevard Bicycle Facilities Installation	$ 2,747,978	$ -	$ -	$ 708,828.00	26%	2022
183114	Traffic Signal Modifications	$ 2,054,345	$ 25,035.00	$ 6,658.50	$ -	1.2%	2022
203101	Adaptive Traffic Signal	$ 1,852,000	$ 138,927.36	$ 126,152.74	$ 1,713,072.64	100%	2020
203106	Traffic Signal Modernization	$ 6,240,000	$ 267,693.68	$ 259,652.33	$ 3,092,306.32	54%	2020
223110	US 101 Del Norte Interchange Upgrade	$ 250,000	$ -	$ -	$ 250,000.00	100%	2022
n/a	Five Points Intersection Modernization	$ 250,000	$ -	$ -	$ 250,000.00	100%	2023
n/a	Tšumaš Creek Drainage and Linear Park Construction	$ 3,600,000	$ -	$ -	$ 600,000.00	17%	2022
n/a	Traffic Circulation Study	$ 500,000			$ 500,000	100%	n/a
n/a	ITS Master Plan Update	$ 250,000			$ 250,000	100%	n/a
n/a	Traffic Signal Modification	$ 4,000,000			$ 1,878,600	47%	2023
n/a	Traffic Model Update	$ 200,000			$ 200,000	100%	n/a
n/a	Traffic Signal Timing	$ 850,000			$ 850,000	100%	2025
n/a	Adaptive Traffic Signals	$ 1,527,000			$ 1,527,000	100%	2025
n/a	Fifth Street & Pacific Avenue Traffic Signal	$ 1,527,000			$ 1,527,000	100%	2025
-	Other Services / Bank Charges	-	-	$ -	-	-	n/a
-	Indirect Charges[2]	-	-	$ 16,037.00	-	-	n/a
-	Developer Reimbursement[3]	-	-	$ 15,572.50	-	-	n/a
	GRAND TOTAL	**$ 146,373,662**	**$ 1,839,845**	**$ 537,850**	**$ 14,460,692**		

1) City of Oxnard 2021-2026 Capital Improvement Program.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

3) Reimbursement to Alisam Channel Islands per Resolution 10,272.

4) Construction start date may be revised pending availability of funds.

Expenditures - Fund 355 Growth Requirement Capital Fee (Residential)

Project No.	Project Name	Project Budget[1]	Fund 355 Expense to Date	Fund 355 Expense FY 20-21	Fund 355 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
172201	Fire Station 4 Rebuild	$ 5,800,000	-	-	$ 2,900,000	50%	2022
-	Professional Services/Contract[2]	-	-	$ 54,753	-		n/a
-	Other Services / Bank Charges	-	-	$ -	-		n/a
-	Indirect Charges[3]	-	-	$ 1,747	-		n/a
	TOTAL PROJECT EXPENSES	$ 5,800,000	$ -	$ 56,500	$ 2,900,000		
-	Bond Payments - Civic Center Phase 2[4]	n/a	n/a	$ 422,738	$ 6,056,250	26%	n/a
	GRAND TOTAL	**$ 5,800,000**	**$ -**	**$ 479,237**	**$ 8,956,250**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Charges related to development impact fee update.

3) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

4) Debt service summary provided by City. Fees fund 34% of the debt with Fund 355 picking up 75% and Fund 356 picking up 25%.

Expenditures - Fund 356 Growth Requirement Capital Fee (Non-Residential)

Project No.	Project Name	Project Budget[1]	Fund 356 Expense to Date	Fund 356 Expense FY 20-21	Fund 356 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
172201	Fire Station 4 Rebuild	$ 5,800,000	-	-	$ 2,900,000	50%	2022
-	Other Services / Bank Charges	-	-	-	-	-	n/a
-	Indirect Charges[2]	-	-	$ 625	-	-	n/a
	TOTAL PROJECT EXPENSES	$ -	$ -	$ 625	$ -		
-	Bond Payments - Civic Center Phase 2[3]	n/a	n/a	$ 140,912	$ 2,018,750	9%	n/a
	GRAND TOTAL	**$ -**	**$ -**	**$ 141,537**	**$ 4,918,750**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

3) Debt service summary provided by City. Fees fund 34% of the debt with Fund 355 picking up 75% and Fund 356 picking up 25%.

Expenditures - Fund 357 Mobility Fee

Project No.	Project Name	Project Budget[1]	Fund 357 Expense to Date	Fund 357 Expense FY 20-21	Fund 357 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
223101	4th Street Mobility Improvements	$ 6,900,000	-	-	$ 1,000,000	14%	2022
	GRAND TOTAL	**$ 6,900,000**	**$ -**	**$ -**	**$ 1,000,000**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

Expenditures - Fund 547 Public Art Program Fee

Project No.	Project Name	Project Budget	Fund 547 Expense FY 20-21	Fund 547 Future Expenditures	% Funded by Fee	Approx. Construction Start Date
18IN10	Downtown Arts Hub Murals	$ 45,000	$ 41,023	$ 3,677	100%	2022
n/a	Downtown Mural Program	$ 305,000	-	$ 305,000	100%	2022
n/a	Downtown Sculptures Program	$ 50,000	-	$ 50,000	100%	2025
n/a	Citywide Mural Program	$ 150,000	-	$ 150,000	100%	2025
-	Personnel Services/PERS	-	$ 275	-	-	n/a
-	Direct Labor-Regular	-	$ 2,870	-	-	n/a
-	Employee Benefits	-	$ 814	-	-	n/a
-	One Time Misc. Expense[1]	-	$ 9,919	-	-	n/a
-	Indirect Charges[2]	-	$ 1,043	-	-	n/a
	GRAND TOTAL	**$ 550,000**	**$ 55,945**	**$ 508,677**		

1) Funding for community art projects.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Expenditures - Fund 603 Water Resource Development Fee

Project No.	Project Name	Project Budget[1]	Fund 603 Expense to Date	Fund 603 Expense FY 20-21	Fund 603 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
106002	Water Distribution: Hueneme Road Recycled Water Pipeline - Phase II	$ 30,376,345	$ 661,271	$ 250,318	$ 11,215,074	39%	2022
116505	Great ASR Wells	$ 1,465,169	$ 532,416	$ 27,784	$ 110,855	44%	2021
n/a	Recycled Water: AWPF Improvements Phase I	$ 1,000,000	-	-	$ 1,000,000	100%	2022
n/a	Recycled Water: AWPF Improvements Phase II	$ 28,333,334			$ 28,333,334	100%	2023
-	Indirect Charges[2]	-	-	$ 19,893	-	-	n/a
	GRAND TOTAL	**$ 61,174,848**	**$ 1,193,687**	**$ 297,995**	**$ 40,659,263**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Expenditures - Fund 605 Water Capital Facility Charge

Project No.	Project Name	Project Budget[1]	Fund 605 Expense to Date	Fund 605 Expense FY 20-21	Fund 605 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
216504	Recycled Water Feature at Campus Park	$ 1,600,000	-	-	$ 1,600,000	100%	2021
n/a	Recycled Water: AWPF Storage Construction	$ 3,000,000			$ 3,000,000	100%	2022
-	Aquifer Storage and Recovery (ASR) Wells Construction	$ 7,800,000	-	-	$ 7,800,000	100%	2022
-	Indirect Charges[2]	-	-	$ 4,135	-	-	n/a
-	Developer Reimbursement Lump Sum[3]	-	-	-	$ 1,383,143	-	n/a
	GRAND TOTAL	**$ 12,400,000**	**$ 700,000**	**$ 4,135**	**$ 13,783,143**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

3) Lump sum payment to be made to Riverpark Legacy, LLC in repayment for Vineyard Ave Improvements.

Expenditures - Fund 613 Wastewater Connection Fee

Project No.	Project Name	Project Budget[1]	Fund 613 Expense to Date	Fund 613 Expense FY 20-21	Fund 613 Future Expenditures	% Funded by Fee	Approx. Construction Start Date[1]
n/a	Rice Avenue Sewer Pipeline Improvements	$1,330,000	-	-	$ 1,330,000	100%	2023
86101	Septic Conversion Loan Pro	$ 109,967	$ 57,799	-	$ 52,168	100%	2021
12IN04	Master Plan Wastewater	$ 821,388	$ 753,076	-	$ 68,312	100%	n/a
n/a	Ventura Road Sewer Pipeline Improvements	$1,755,197	-	-	$ 1,755,197	100%	2022
n/a	3rd and Navarro Sewer Pipeline Improvements	$ 364,869	-	-	$ 364,869	100%	2022
n/a	Various Sewer Pipeline Expansion	$1,300,000	-	-	$ 1,300,000	100%	2024
-	Indirect Charges[2]	-	-	$ 9,609	-	-	n/a
	GRAND TOTAL	**$5,681,421**	**$ 810,875**	**$ 9,609**	**$ 4,870,546**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

Expenditures - Fund 623 Wastewater Treatment Connection Fee

Project No.	Project Name	Project Budget[1]	Fund 623 Expense to Date	Fund 623 Expense FY20-21	Fund 623 Future Expenditures[1]	% Funded by Fee	Approx. Construction Start Date[1]
12IN04	Master Plan Wastewater	$ 2,900,000	281,388	-	$ -	10%	n/a
186626	OWTP Reliability Improvements	$ 20,023,291	-	-	$ 2,100,000	20%	2022
n/a	OWTP Electrical Improvements	$ 27,137,793	-	-	$ 5,500,000	32%	2023
-	Indirect Charges[2]	-	-	$ 9,098	-	-	n/a
	GRAND TOTAL	**$ 50,061,084**	**$ 281,388**	**$ 9,098**	**$ 7,600,000**		

1) City of Oxnard 2021-2026 Capital Improvement Program. Construction start date may be revised pending availability of funds.

2) Indirect Charges include costs related to Human Resources, Finance, City Manager, City Attorney, Treasurer, City Clerk, City Council, etc.

FINANCIAL IMPACT

There is no direct financial impact to receive and file this report.

AB 1600 allows a local agency to impose fees in connection with approval of a development project to defray all or a portion of the cost of public facilities related to the development project. If the local agency does not identify a specific use for the funds collected or uses of the funds for the specified public facility, it is required to refund, on a pro rata basis to the current record owner(s), the unexpended portion of the fee and any interest accrued thereon.

QUESTIONS