



Meeting Date: 06/06/06

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input checked="" type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other

Prepared By: Maureen Hooper, Redevelopment Project Manager *DP/for* Agenda Item No. 0-1

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

DATE: May 25, 2006

TO: City Council

FROM: Curtis P. Cannon, Director *Curtis P. Cannon (for)*  
Community Development Department

SUBJECT: **Renewal/Expansion of the Oxnard Downtown Management District**

**RECOMMENDATION**

That the City Council adopt a Resolution of Intention to renew and expand the Oxnard Downtown Management District (ODMD), located in Downtown Oxnard, the boundaries of which are approximately Second Street on the north, the railroad tracks/Oxnard Boulevard on the east, Wooley Road on the south, and C Street/D Street on the west, and to levy and collect assessments therein and to hold a public hearing on July 25, 2006.

**DISCUSSION**

In May 2001, the City Council established the ODMD, a property-based business improvement district (PBID) for a five-year period, the maximum term for a PBID establishment per State Law at that time. The PBID expires this year. Unless renewed, the PBID will cease to exist and to levy any further assessments. The steps to renew a PBID are similar to the initial establishment in 2001. First: gather support petitions signed by property owners who will contribute more than 50 percent of the total assessments to be collected; second: have the City Council adopt a Resolution of Intention to renew the PBID; third: conduct a Proposition 218 ballot procedure of all property owners within the PBID; fourth: conduct a public hearing; and fifth: providing there is not a majority opposition to the PBID renewal, adopt a Resolution renewing the PBID. PBIDs have been used successfully in over 100 commercial districts throughout the State to increase sales, attract new tenants, increase occupancies, and increase property values. Downtown Oxnard has experienced similar positive results over the past five years since the PBID has been in effect.

Since last fall, a PBID Renewal Committee consisting of Downtown property and business owners has been meeting to formulate the details of the PBID renewal. The Committee has determined that the PBID renewal period will be a five-year period (10 years maximum are currently permitted by State Law for renewals), and that the PBID boundaries will be expanded slightly to the south and east to include the Meta Street neighborhood as well as both sides of Oxnard Boulevard south to Wooley Road, and that an initial annual budget of approximately \$520,000 be set to continue to provide

enhanced maintenance, enhanced security, marketing/promotions, physical amenities, and related management services. The expanded PBID boundary includes approximately a 40-block area bounded roughly by Second Street on the north, the railroad tracks/Oxnard Boulevard on the east, Wooley Road on the south, and C Street/D Street on the west. (Please refer to the map in Attachment #3.)

**PBID Proposal**

Under the PBID renewal proposal the City/Community Development Commission/Housing Authority/Parking Authority, as assesses, would be assessed \$123,527 which will be combined with the PBID assessment funding of \$396,164 from the remaining properties within the proposed renewed/expanded district boundary. The combined funds of \$519,691 are proposed to be allocated as follows during the first renewal year. Sample programs and services will be:

**Maintenance**

\$242,410

Daily pickup of litter from all sidewalks, gutters, alleys, and public parking lots; daily inspection and emptying of sidewalk trash bins; daily mechanical sweeping of gutters; monthly mechanical sweeping of all sidewalks, alleys, and public parking lots; regular mechanical scrubbing and steam washing of all sidewalk areas.

**Public Safety**

\$76,000

Additional Downtown safety personnel to patrol on foot or on bicycle; act as community ambassadors to assist visitors with directions and information; report graffiti, non-operational street lights, deter loitering, and other security activities.

**Marketing/Promotions**

\$90,600

Conduct or support a series of festive Downtown events and activities; sales and business promotions; advertising of Downtown Oxnard's diverse array of goods and services; marketing of business and property investment opportunities in Downtown; marketing of available space for lease or sale.

**Amenities and Improvements**

\$20,000

Expansion of desirable streetscape elements such as banners, trash bins, planters, and hanging flower baskets; seeking of matching grants from public and private sources for streetscape amenities.

**Management/Operations**

\$90,690

Full-time professional staff to manage District programs and activities; full service office to assist property and business owners with their Downtown-related needs; lobbying efforts on Downtown issues and needs.

Process for District Renewal – California State Law (Section 36600 et seq Streets and Highways Code), which allows for the formation and renewal of PBIDs, requires a two-step approval process that begins with a petition phase to gather support from owners who represent more than 50 percent of the proposed total assessment to be levied. This has been accomplished, with collected petitions representing 52.1 percent of the private and public property owners (including properties owned by the City of Oxnard, Oxnard Redevelopment Agency, Oxnard Housing Authority and Oxnard Parking

Authority). The second step, the ballot phase, is initiated by the City Council adopting a Resolution of Intent to renew the PBID, which authorizes the City Clerk to mail a ballot for the renewal of the District to each property owner within the proposed renewed District, and set a date for a public hearing to count the ballots. This is the item before the City Council on June 6<sup>th</sup>.

In order for the District to be renewed, of the PBID ballots returned, a weighted majority as determined by assessment dollars to be paid into the District, must be in favor of the District renewal. The City Council may then renew the District by adopting a formal resolution. The District assessments are collected by the County of Ventura (County) with the property tax billing. The County returns the assessment funds to the City, who then remits them to the ODMD. An annual report and fiscal audit are required from the ODMD.

Attached to this staff report is the informational packet that is anticipated to be mailed out (by June 7<sup>th</sup>) to the property owners within the proposed District boundary. The packet will include a ballot to be returned to the City Clerk's Office by the close of the public input period of the public hearing on July 25<sup>th</sup>.

## **FINANCIAL IMPACT**

There are no financial impacts associated with the recommended action. However, there will be a financial impact in the form of assessments levied on City and City related properties at such a time that the District is renewed, to be determined by City Council action at the July 25<sup>th</sup> public hearing. The estimated amount of assessment for the related City/CDC/Housing Authority/Parking Authority properties is \$123,527, which would be in effect during fiscal year 2006-2007, if the District is renewed.

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Attachment #1 - Oxnard Downtown Management District Plan

#2 - Resolution of the City of Oxnard Stating its Intention to Renew and Expand the Oxnard Downtown Management District

#3 - Informational Packet on PBID Notice and Ballot

Note: Attachment #1, the Oxnard Downtown Property-Based Business Improvement District (PBID) Management District Plan, has been provided to the City Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday).

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD STATING ITS INTENTION TO RENEW AND EXPAND THE OXNARD DOWNTOWN MANAGEMENT DISTRICT AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH DISTRICT PURSUANT TO THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994, PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

WHEREAS, the Property and Business Improvement District Law of 1994, Part 7 of Division 18 of the California Streets and Highways Code, commencing with Section 36600, (the "Law") authorizes cities and counties to establish property and business improvement districts (PBID) to promote the economic revitalization and physical maintenance of business districts; and

WHEREAS, the Law authorizes cities and counties to levy and collect assessments on real property within such districts for the purpose of providing improvements and promoting activities that specially benefit real property within such districts; and

WHEREAS, on May 1, 2001, the City Council established a property and business improvement district in Downtown Oxnard for a five year period known as the Oxnard Downtown Management District; and

WHEREAS, unless renewed by the City Council, the Oxnard Downtown Management District will cease to exist this year and no further assessments may be levied; and

WHEREAS, a written petition has been submitted by property owners within Downtown Oxnard requesting the City Council to initiate proceedings pursuant to the Law to renew and expand the Oxnard Downtown Management District for another five year period; and

WHEREAS, such petition was signed by property owners in the proposed district who will pay more than fifty percent (50%) of the assessments proposed to be levied; and

WHEREAS, a Management District Plan entitled the "Oxnard Downtown Management District Plan" (the "Management District Plan") has been prepared and submitted to the City Clerk, containing all of the information to renew the District required by Section 36622 of the Law, including a description of the boundaries of the district, the improvements and activities proposed for the district, and the cost of such improvements and activities; and

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WHEREAS, Articles XIII C and XIII D of the California Constitution and Section 53753 of the California Government Code impose certain procedural and substantive requirements relating to the levy of new or increased assessments, including mailing of a notice to each affected property owner regarding the proposed assessment, conducting a ballot procedure; and holding a public hearing;

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

Section 1. Pursuant to Section 36621(a) of the Law, the City Council declares its intention to renew and expand for five years, "The Oxnard Downtown Management District" (the "District") and to levy and collect assessments against lots and parcels of real property within the District, commencing with fiscal year 2006-07.

Section 2. The City Council hereby approves the Management District Plan, on file in the office of the City Clerk.

Section 3. The City Clerk shall make the Management District Plan and other documents related to the District available to the public for review during normal business hours.

Section 4. NOTICE IS HEREBY GIVEN that the City Council shall conduct a public hearing on the renewal and expansion of the District and the levy and collection of assessments for fiscal year 2006-07 on July 25, 2006 at 7 p.m. or as soon thereafter as the matter may be heard, in the City Council Chambers located at 305 W. Third St., Oxnard, California 93030. At the public hearing, the City Council will consider all objections or protests, if any, to the proposed renewal and expansion of the District and the proposed assessment. Any interested person may present written or oral testimony at the public hearing.

Section 5. The boundaries of the proposed renewed and expanded District include an approximate 40 block area bounded roughly by Second Street on the north, the railroad tracks/Oxnard Boulevard on the east, Wooley Road on the south and C Street/D Street on the west.

Section 6. The proposed activities for the District include providing street, sidewalk, alley and public parking lot cleaning and other municipal services supplemental to those normally provided by the City of Oxnard, additional public safety services, promotions and marketing, expansion of physical amenities throughout Downtown, related management and operation services, and other improvements and activities which benefit businesses and real property located in the District.

Section 7. The assessment proposed to be levied and collected for fiscal year 2006-07 is approximately \$520,000. A maximum increase of 5% per annum, tied either to the C.P.I. for the Oxnard/Ventura area for all urban consumers or upon approval of the Property Owner's Association Board may be imposed. Assessments may also be increased where new building construction occurs on parcels within the District which exceeds the current building area.

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Section 8. No bonds shall be issued in conjunction with the renewal of the District.

Section 9. The City Clerk is hereby authorized and directed to give notice of the public hearing as provided in Section 53753 of the Government Code and Article XIII D, Section 4 of the California Constitution.

PASSED AND ADOPTED this sixth of June, 2006, by the following vote:

AYES:

NOES:

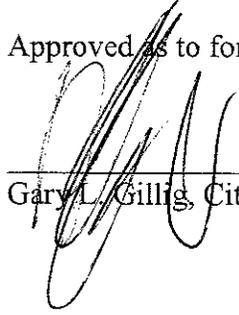
ABSENT:

ABSTAIN:

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Daniel Martinez, City Clerk

Approved as to form:



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Gary L. Gillig, City Attorney

**000076**

ATTACHMENT #3

Informational Packet on PBID Notice and Ballot

**000077**

CITY OF OXNARD  
NOTICE OF PUBLIC HEARING  
REGARDING PROPOSED RENEWAL AND EXPANSION OF  
THE OXNARD DOWNTOWN MANAGEMENT DISTRICT  
AND PROPOSED LEVY OF ASSESSMENT

The City Council of the City of Oxnard, on June 6, 2006 declared its intention to renew and expand a property and business improvement district designated the "Oxnard Downtown Management District" (the "District") and to levy and collect an assessment within the District commencing with fiscal year 2006-07. The purpose of the assessment is to provide funding for street, sidewalk, alley and public parking lot cleaning and other municipal services supplemental to those normally provided by the City of Oxnard, additional public safety services, promotions and marketing, expansion of physical amenities throughout Downtown, related management and operation services, and other improvements and activities which benefit businesses and real property located in the District.

NOTICE IS HEREBY GIVEN that the City Council of the City of Oxnard will conduct a public hearing on the renewal and expansion of the District and the levy and collection of assessments commencing with fiscal year 2006-07 on July 25th, 2006 at 7 p.m. or as soon thereafter as the matter may be heard, to be located in the City Council Chambers located at 305 W. Third St., Oxnard, California 93030.

Renewal and expansion of the District was requested by a written petition of property owners within Downtown Oxnard and may only be renewed and expanded if approved by property owners through the ballot process described below. Any funds collected via the District may only be used for the proposed improvements and activities within the District. The mailing of this notice by the City in no way changes the structure or purpose of the proposed District, as described in the petition submitted to the City.

The proposed District has a duration of five (5) years. The total amount of the proposed assessment for the entire assessment district for fiscal year 2006-07 is approximately \$520,000.

The annual assessment for each parcel is calculated based on a nominal flat rate per parcel, plus, the size of the parcel, plus, the size of any buildings on the parcel, plus, the amount of street frontage. The District has one benefit zone. The assessment fee rates for fiscal year 2006-07 are as follows:

Parcel Flat Fee Rate = \$318

Parcel Size Fee Rate = 2.5 cents per square foot

Building Size Fee Rate = 11 cents per square foot

Street Frontage Fee Rate = \$3.68 per linear foot of frontage

- Residential uses = \$50 per unit

- Owner occupied non-profits/schools/government parcels are exempt from building area fees

**000078**

Attachment #3

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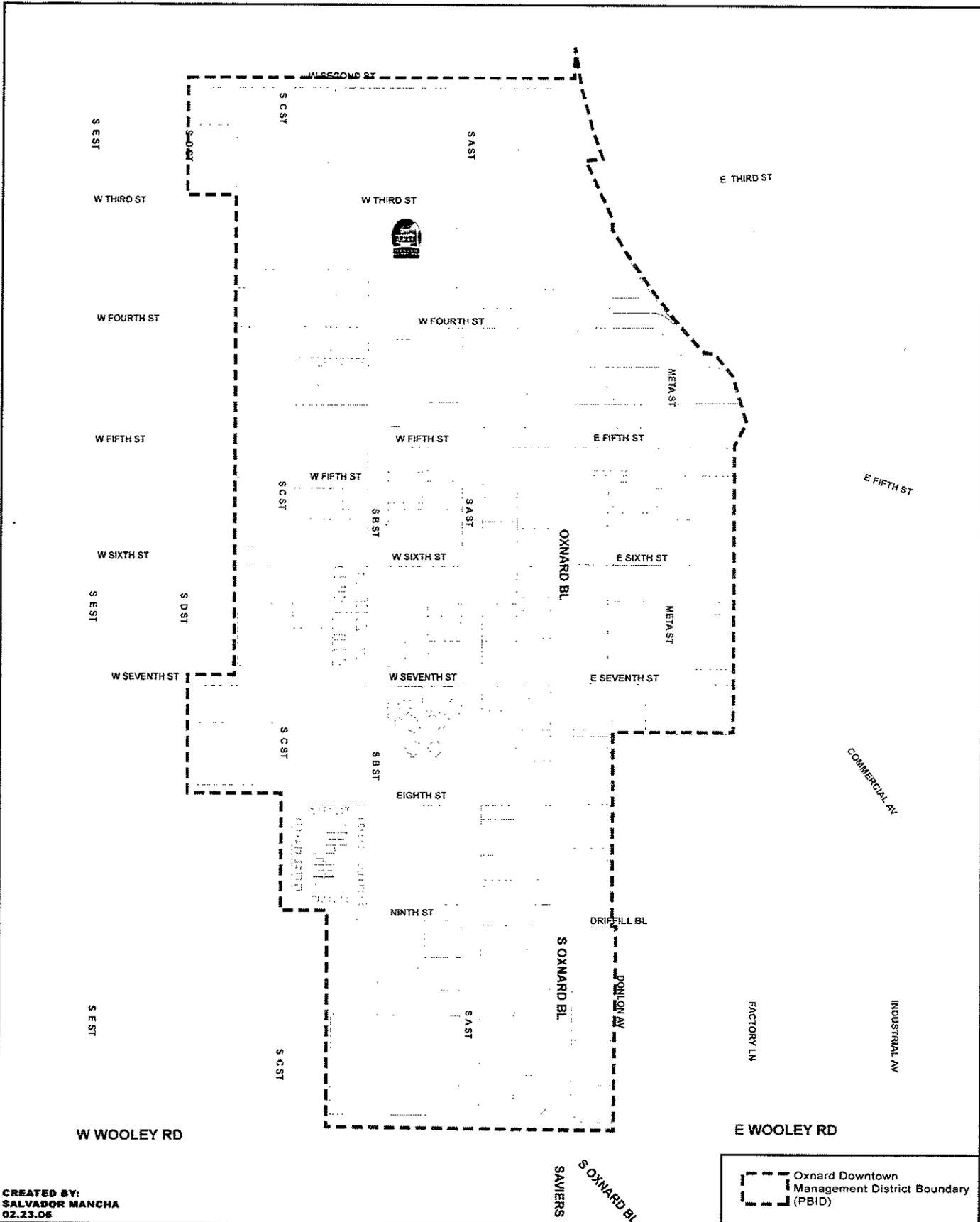
Additional information on the proposed District, including the boundaries, is included in the Management District Plan, which is on file at the City Clerk's office and available to the public for review during normal business hours and which can be obtained by contacting the City Clerk's office at 805-385-7804.

To complete the attached ballot, mark the box indicating whether you are in favor of or oppose the proposed assessment, and sign the statement certifying you are authorized to submit a ballot on behalf of the parcel(s) identified on the ballot. If your ballot is lost or damaged, or if you never received a ballot, duplicate ballots will be available at the City Clerk's Office at 305 W. Third Street Oxnard, California, 93030, and at the public hearing. (See the enclosed Procedures for the process to obtain a duplicate ballot.)

Ballots may be mailed to the City Clerk at Oxnard City Hall, 305 W. Third Street, Oxnard, California, 93030. Ballots may also be delivered in person to the City Clerk's office at City Hall or at the public hearing on the District. To ensure that your ballot is counted, the City Clerk must receive it prior to the close of the public input portion of the public hearing on the District, which is scheduled to begin on July 25, 2006, at 7 p.m.

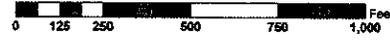
Ballots will remain sealed until tabulated following the close of the public input section of the public hearing on the District. Proceedings to renew and expand the District will be abandoned if a majority protest exists at the conclusion of the public hearing. A majority protest exists if ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. Ballots shall be weighted according to the proposed assessment against the property, or, in some cases, by the share of the proposed assessment proportional to the protesting owner's interest in the property.

Enclosed are the City's "Procedures Applicable to the Completion, Return and Tabulation of Ballots" for the Oxnard Downtown Management District. Please consult these Procedures for details regarding the ballot process. Should you have any questions regarding the ballot process or specifics of the proposed District renewal and expansion, please contact: Maureen Hooper at the Community Development Department at City Hall at 805-385-7407 for more information.



CREATED BY:  
SALVADOR MANCHA  
02.23.06

## OXNARD DOWNTOWN MANAGEMENT DISTRICT PBID BOUNDARY MAP



February 23, 2006

The data presented is derived from the City of Oxnard GIS Program, which is developed and operated solely for the convenience of the City. The City does not warrant the accuracy of this data, and no decision involving a risk of injury or economic loss should be made in reliance thereon.

Attachment #3

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**CITY OF OXNARD  
OXNARD DOWNTOWN MANAGEMENT DISTRICT  
PROCEDURES APPLICABLE TO THE COMPLETION, RETURN,  
AND TABULATION OF BALLOTS**

**I. Completion of Assessment Ballots**

- **Who may complete a ballot**

An assessment ballot (“ballot”) may be completed by the owner of the parcel to be assessed. As used in these Procedures, the term “owner” includes the owner’s authorized representative. If the owner of the parcel is a partnership, joint tenancy, or tenancy in common, a ballot may be completed by any of the general partners, joint tenants or tenants in common. Except as set forth below, only one ballot may be completed for each parcel.

- **Proportional assessment ballots**

If a parcel has multiple owners, any owner may request a proportional ballot. If the ownership interest of the owner is not shown on the last equalized secured property tax assessment roll, such request must include evidence, satisfactory to the City, of the owner’s proportional rights in the parcel. The City will provide the proportional ballot to the owner at the address shown on the assessment roll. Any request for a ballot to be mailed to another location must be made in writing and must include evidence, satisfactory to the City, of the identity of the person requesting the ballot. Each proportional ballot will be marked to show the date on which the ballot was provided, to identify it as a proportional ballot and to indicate the owner’s proportional rights in the parcel. The City will keep a record of each proportional ballot provided to an owner.

- **Duplicate ballots**

If the ballot is wrongly marked, torn or defaced, the City Clerk will provide a duplicate ballot to the owner upon surrender of such ballot. In addition, if a ballot is lost, destroyed or never received, the City Clerk will provide a duplicate ballot to the owner upon receipt of a statement, signed under penalty of perjury, that the owner has either failed to receive, lost, or destroyed his or her original ballot. The written request for a duplicate ballot shall be delivered to the City Clerk’s Office at 305 W. Third Street Oxnard, California, 93030, or at the public hearing on the proposed assessment. The duplicate ballot will be marked to show the date on which the ballot was provided and to identify it as a duplicate ballot.

To complete a ballot, the owner of the parcel must (1) stamp or mark the appropriate box supporting or opposing the proposed assessment, and (2) sign, under penalty of perjury, the statement on the ballot that the person completing the ballot is authorized to submit a ballot on behalf of the parcel(s) identified on the ballot. Only one box may be stamped or marked on each ballot. Ballots must be completed in ink.

- Only assessment ballots provided by the City will be accepted

The City Clerk will only accept ballots mailed or otherwise provided to owners by the City. Photocopies, faxes, and other forms of the ballots will not be accepted.

## **II Return of Assessment Ballots**

- **Who may return ballots**

A ballot may be returned by the owner of the parcel or by anyone authorized by the owner to return the ballot.

- **Where to return ballots**

Ballots may be mailed to the address indicated on the ballot. Ballots may also be delivered in person to the City Clerk's Office at 305 W. Third Street Oxnard, California, 93030, or at the public hearing on the proposed assessment.

- **When to return ballots**

All returned ballots must be received by the City Clerk prior to the time the City Council closes the public input portion of the public hearing on the proposed assessment. The public input portion of the public hearing may be continued from time to time. The City Clerk will stamp on each ballot the date of its receipt.

To ensure that mailed ballots are received by the City Clerk prior to the conclusion of the public input portion of the public hearing, mailed ballots must be received by the City Clerk prior to that time. Ballots received on the date scheduled for the public hearing will only be counted if the ballots are received by the City Clerk prior to the conclusion of the public input portion of the public hearing. The City makes no representation as to whether the public input portion of the public hearing will be concluded on the date scheduled for commencement of the public hearing or continued to a later date.

- **Withdrawal of assessment ballots**

After returning a ballot to the City, the person who signed the ballot may withdraw the ballot by submitting a written request to the City Clerk directing the City Clerk to withdraw the ballot. Such request must be received by the City Clerk prior to the close of the public input portion of the public hearing on the proposed assessment. If any ballot has been withdrawn, the person withdrawing the ballot may request a duplicate ballot. The City Clerk will retain all withdrawn ballots and will indicate on the face of such ballots that they have been withdrawn.

### **III. Tabulation of Assessment Ballots**

- **Which assessment ballots will be counted**

Only ballots which are completed and returned in compliance with these procedures will be counted. Ballots received by the City Clerk after the close of the public input portion of the public hearing on the proposed assessment will not be counted. Ballots which are not signed by the owner will not be counted. Ballots with no boxes marked, or with more than one box marked, will not be counted. Ballots marked in pencil will not be counted. Ballots withdrawn in accordance with these procedures will not be counted.

The City Clerk will keep a record of each proportional or duplicate ballot provided to an owner and will verify, prior to counting any duplicate ballot, that only one ballot has been returned for the parcel (or for the owner in the case of proportional ballots). If a non-duplicate ballot has been returned, the City will count the non-duplicate ballot and void all duplicate ballots. If only duplicate ballots have been returned, the City will count the earliest provided duplicate ballot and void the later provided duplicate ballots. If an owner returns both a non-proportional ballot and a proportional ballot, the City will count the proportional ballot and void the non-proportional ballot.

- **When and where assessment ballots will be tabulated**

The final tabulation of ballots will be performed at the public hearing following the close of the public input portion of the public hearing. The public hearing may be continued from time to time for the purpose of tabulating ballots.

- **How assessment ballots will be tabulated**

The City may presort and determine the proportionate weight of the returned ballots prior to tabulating the ballots. Ballots may be counted by hand, by computer or by any other tabulating device.

Ballots will be weighted according to the proportional financial obligation of the affected property; provided, however, that proportional ballots shall be weighted in accordance with the respective ownership interests of each proportional ballot submitted. If one or more proportional ballots are returned for a parcel and a non-proportional ballot is returned for the parcel, the non-proportional ballot will either be disregarded (if the same owner has returned a proportional ballot) or treated as a proportional ballot (if the same owner has not returned a proportional ballot).

- **Who will tabulate assessment ballots**

Ballots will be tabulated by the City Clerk and other non-biased designees.

- **Results of tabulation**

The results of the tabulation will be announced following the completion of the tabulation and entered in the minutes of the City Council's meeting. If ballots submitted in opposition to the proposed assessment exceed the ballots submitted in favor of the proposed assessment (as tabulated above), the assessment will not be imposed.

**IV. Resolution of Disputes**

In the event of a dispute regarding whether the signer of a ballot is the owner of the parcel to which the ballot applies, the City will make such determination from the last equalized assessment roll and any evidence of ownership submitted to the City Clerk prior to the conclusion of the public hearing. The City will be under no duty to obtain or consider any other evidence as to ownership of property and the City's determination of ownership will be final and conclusive. In the event of a dispute regarding whether the signer of a ballot is authorized to submit a ballot on behalf of the parcel, the City may rely on the statement on the ballot, signed under penalty of perjury, that the person completing the ballot is authorized to submit a ballot and any evidence submitted to the City Clerk prior to the conclusion of the public hearing. The City will be under no duty to obtain or consider any other evidence as to whether the signer of the ballot is authorized to submit a ballot and the City's determination will be final and conclusive.

**V. General Information**

The ballots will be opened at the conclusion of the public input portion of the public hearing by the City Clerk. Following the public hearing, all returned ballots are public records. For further information regarding the ballot process or the proposed District, contact Maureen Hooper at the Community Development Department at City Hall at 805-385-7407.



City of

SAMPLE

**Ballot to Renew and Expand the  
Oxnard Downtown Management District**

(Pursuant to Section 36600 et seq of the California Streets and Highways Code)

**Legal Owner:**

**CN:**

**Owner % of Total Assessment:**

<u>I.D.</u>	<u>APN</u>	<u>Site Address</u>	<u>Land Area</u>	<u>Bldg Area</u>	<u>Frontage</u>	<u>Residential Units</u>	<u>Year 1 Assessment</u>	<u>% of Total</u>
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**PLEASE CHECK ONE OF THE FOLLOWING. SIGN BALLOT AND RETURN IN ENCLOSED ENVELOPE**

       **YES, I APPROVE** of the proposed assessment on the parcel(s) identified on this ballot.

       **NO, I DO NOT APPROVE** of the proposed assessment on the parcel(s) identified on this ballot



\_\_\_\_\_  
Signature of Record Owner or Authorized Representative  
(in the case of property owned by non-individuals)

**PLEASE PLACE THIS COMPLETED BALLOT IN THE OFFICIAL BALLOT SECRECY  
ENVELOPE AND THEN PLACE THE SECRECY ENVELOPE IN THE ENCLOSED POSTAGE-  
PAID PRE-ADDRESSED OFFICIAL BALLOT RETURN ENVELOPE AND RETURN TO:**

**CITY CLERK, CITY OF OXNARD, 305 W. THIRD STREET, OXNARD CA, 93030**

**000085**

Attachment #3  
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