

CITY ATTORNEY IMPARTIAL ANALYSIS OF MEASURE L

Community Facilities District No. 5 (RiverPark) was created to pay for specific services for the RiverPark community. Currently, funds generated by CFD No. 5 pay for a range of services including:

- Maintaining all of the parks and open space areas within RiverPark.
- Maintaining sports fields used for youth baseball and soccer.
- Helping to maintain a gymnasium used for youth sports activities.
- Funding flood and storm protection services.
- Funding additional police protection services.

Measure L would impose limits on how CFD No. 5 funding is used, including:

- Limit CFD funding for maintenance of parks, parkways and open space to beyond that of “standard municipal services” (less revenues derived from rentals of the parks) and paying for third-party services and City-provided utilities.
- Prohibit use of CFD funding to maintain sports fields within RiverPark for youth baseball and soccer and prohibit use of CFD funding to help maintain a gymnasium used for youth sports activities. (Measure L prohibits CFD funding for maintenance of elementary and secondary school sites and structures.)
- Restrict CFD funding for flood and storm protection services to beyond “standard municipal services” and paying third party vendors who directly provide the services.
- Limit additional police protection services to one supplemental officer or the full-time equivalent, excluding overtime costs.
- Prohibit use of CFD funding for recreation program services, library services, operation and maintenance of museums and cultural facilities, and ambulance and paramedic services. None of these services have ever been funded by the CFD.
- Limit annual cost of running the CFD and administering third-party contracts to \$100,000, with capped Consumer Price Index adjustments.
- Prohibit CFD payments for fire protection and suppression services. These services are currently not funded by the CFD. Pursuant to Resolution 15,504, the City cannot impose this obligation without a specific process that

includes written notice to all property owners within the CFD and a public hearing before the City Council.

The fiscal impact of Measure L is difficult to determine because Measure L would require that CFD revenues only be used to fund certain services beyond that of “standard municipal services”. However, the term “standard municipal services” is not defined by Measure L or City regulations. The independent 9212 Report analysis prepared for the City Council estimated that there would be a loss of revenue of \$2,268,143 if Measure L was adopted; however, that loss of revenue would be impacted by how much funding, if any, the City of Oxnard contributes toward the undefined “standard municipal services” within RiverPark, including parks, landscaping and stormwater.

However, pursuant to Oxnard City Code Section 2-225:

“If residents of a Community Facilities District...vote to terminate or substantially reduce the funding for their CFD..., then the City Council is prohibited from using money from the General Fund or other City-controlled funding sources to make up for the loss of the CFD...funding. The only exception is when specific services are required to be provided in order to protect the public health, safety or welfare.”

Measure L was placed on the ballot by a petition signed by the requisite number of voters.



Stephen M. Fischer
Oxnard City Attorney

The above statement is an impartial analysis of Measure L. If you would like a copy of the measure, please call the City Attorney's office at (805) 385-7483 and a copy will be mailed to you at no cost. You may also access the full text of the measure and other election materials on the City's home page at www.oxnard.gov.