

CITY ATTORNEY IMPARTIAL ANALYSIS OF MEASURE L

Under existing City regulations, the Director of Finance (as head of the Finance Department) is responsible for City financial reporting, fiscal and accounting duties and assisting in budgeting. Finance Department programs include general accounting, budget management, financial resources, grants management, risk management and purchasing.

Under existing City regulations, the elected City Treasurer performs statutory duties assigned to the City Treasurer under state law and not otherwise

Under Measure L (which was placed on the ballot by a petition signed by the requisite number of voters), the elected City Treasurer's existing duties would be substantially expanded to include:

- Designated as Director of Finance, assuming all statutory duties of Director of Finance. (Director of Finance is currently appointed by City Manager.)
- Assume professional responsibility for preparation and submittal of the annual municipal budget, which is currently \$523,000,000. (City Manager is currently responsible for submitting annual budgets to City Council.)
- Supervise Finance Department employees, with authority over Finance Department.
- Establish performance measurements for each City department (not limited to financial matters), with separate performance measurements based on cost, quality and timeliness. Reports on measurements would be prepared monthly and submitted to City Clerk, with copies to City Council.
- Design, implement and oversee an internal control system. Although City Council could establish additional financial controls, Measure L would prohibit imposition of such controls if they would undermine authority of the City Treasurer (acting in the role of Finance Director).
- Select and oversee an internal auditor who would not be a City employee.
- Implement a program that would include monthly reports published online of City expenditures.

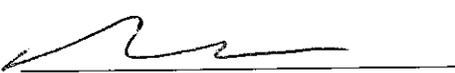
--Submit monthly financial reports itemizing: monthly and fiscal year-to-date revenues and expenses with comparisons to budgets and historical amounts for specific funds; estimated changes in fund balances for specific funds; and cash receipts and disbursements in excess of \$10,000.

Measure L also requires City Manager and City Attorney to cooperate with and be responsive to requests for administrative services and information made by City Treasurer. City Treasurer's reports to City Council would indicate if City Manager and City Attorney hindered or supported City Treasurer's fulfillment of City Treasurer's responsibilities under state law and Oxnard City Code (as amended by Measure L).

The validity of Measure L was the subject of a pre-election lawsuit. On July 15, 2020, the court ordered that the measure be placed on the November 3, 2020 ballot. The court determined that "...time had effectively run out for a comprehensive pre election review of the Starr sponsored initiatives." The court stated that specific legal authority

"gives the court wide discretion to review post-election an initiative which has procedurally qualified for the ballot. The court is exercising that discretion by this ruling and expresses no opinion regarding the legal sufficiency of the initiatives. It is simply putting off for another day should they be approved."

If Measure L passes, the outcome of the pending lawsuit challenging Measure L cannot be predicted with certainty.



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 Oxnard City Clerk's office at 805-385-7803 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.org.