

RESOLUTION NO. 6830

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT AND AMENDING ITS PURPOSES.

WHEREAS, By Resolution No. 5144 the City Council of the City of Oxnard did establish the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121, and

WHEREAS, by Resolution No. 5487 the City Council of the City of Oxnard did annex Tract No. 2026-2 to the Waterway Maintenance District, and

WHEREAS, the City has accepted the waterways in Tract No. 2026-3 for maintenance, and said property should be included in the Waterway Maintenance District, and

WHEREAS, the owners of all of the property included in Tract No. 2026-3 have petitioned to have said property included in the Waterway Maintenance District and have waived their right to a public hearing and to any further notice of said annexation, and

WHEREAS, the City Council desires to amend the purposes of the Waterway Maintenance District, and

WHEREAS, the City Council of the City of Oxnard on July 6, 1976, adopted its Resolution No. 6758, to amend the purposes of the Waterway Maintenance District by amending the purposes set forth in Resolutions 5121 and 5144,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders that the boundaries of the Waterway Maintenance District, as described in Resolution Nos. 5121, 5144 and 5487, are hereby amended to include Tract No. 2026-3, which amended boundaries are more particularly described as follows:

All of lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52, 67 and 68 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the City of Oxnard, County of Ventura, State of California, described as follows:

Beginning at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of Victoria Avenue, (former West Road) with the centerline of West Hemlock Street, being also the northeasterly corner of the Waterway Maintenance District as adopted by the City Council of said City of Oxnard in Resolution Number 5487 on the 23rd day of November, 1971; thence along said boundary the following five courses;

- 1st - South 0° 05' 19" West 2013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2nd - North 89° 59' 21" West 2116.72 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at right angles,
- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve Northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide to and along the southwesterly boundary of Tract No. 2026-3, as shown on map thereof recorded in Book 58, Page 80 of said Miscellaneous Records
- 6th - North 24° 46' 56" West 2589.67 feet; thence continuing along the boundary of said Tract No. 2026-3 the following nineteen courses
- 7th - North 65° 13' 04" East 92.00 feet; thence at right angles
- 8th - South 24° 46' 56" East 2.37 feet to the beginning of a tangent curve concave northeasterly and having a radius of 15.00 feet; thence
- 9th - Along said curve easterly through a central angle of 94° 11' 37" a distance of 24.66 feet; thence tangent from said curve
- 10th - North 61° 01' 27" East 221.13 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet;
- 11th - Along said curve easterly through a central angle of 36° 52' 12" a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South 65° 50' 45" East; thence
- 12th - Along said reverse curve through a central angle of 73° 44' 24" a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North 7° 53' 39" East; thence

- 13th - Along last mentioned reverse curve through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet; thence tangent from said curve
- 14th - North $61^{\circ} 01' 27''$ East 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 15th - Along said curve easterly through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South $65^{\circ} 50' 45''$ East; thence
- 16th - Along said reverse curve through a central angle of $73^{\circ} 44' 24''$ a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North $7^{\circ} 53' 39''$ East; thence
- 17th - Along last mentioned reverse curve through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet; thence tangent from said curve
- 18th - North $61^{\circ} 01' 27''$ East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 19th - Along said curve northerly through a central angle of $90^{\circ} 00' 00''$ a distance of 47.12 feet; thence along a radial line from said curve.
- 20th - North $61^{\circ} 01' 27''$ East 48.00 feet; thence at right angles
- 21st - South $28^{\circ} 58' 33''$ East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
- 22nd - Along said curve southerly through a central angle of $20^{\circ} 12' 34''$ a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South $40^{\circ} 48' 53''$ West; thence
- 23rd - Along last mentioned reverse curve through a central angle of $20^{\circ} 12' 34''$ a distance of 25.75 feet; thence along a radial line from said curve
- 24th - North $61^{\circ} 01' 27''$ East 393.23 feet; thence at right angles
- 25th - South $28^{\circ} 58' 33''$ East 1522.90 feet to a point in the said boundary of the Waterway Maintenance District; thence along said boundary
- 26th - North $61^{\circ} 01' 27''$ East 139.92 feet; thence at right angle
- 27th - South $28^{\circ} 58' 33''$ East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North $63^{\circ} 04' 52''$ West; thence
- 28th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,

- 29th - North 61° 01' 27" East 5.63 feet; thence at right angle,
 30th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve Northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
 31st - South 89° 58' 18" East 1575.50 feet to the point of beginning.

Except a portion that constitutes the area of Mandalay Canal, being owned in fee by the Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" West 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1456.24 feet; thence,
 2nd - North 17° 46' 50" West 174.02 feet; thence,
 3rd - North 28° 58' 33" West 1901.95 feet; thence,
 4th - South 61° 01' 27" West 300.00 feet; thence,
 5th - South 28° 58' 33" East 1863.13 feet; thence,
 6th - South 17° 46' 50" East 112.60 feet; thence,
 7th - South 0° 00' 39" West 1453.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence
 8th - South 89° 59' 21" East 300.00 feet to the true point of beginning.

NOTE: The basis of bearings for this description is centerline of Harbor Boulevard north 24° 46' 56" West, recorded per Tract 1567-1 MR 41-84.

2. The public interest and convenience require that the purposes of the Waterway Maintenance District be amended to be as follows:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways and bulkheads dedicated in Tracts 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3, excepting the east bank of the Edison Canal east of Tract 2026-3 for a distance of 1522.9 feet north of Tract 2026-1, with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters of the landscape areas within the dedicated cul-de-sacs within Tract 1904 and of the landscape areas and parking areas within Parcels 1A through 15A, inclusive, of Tract 2026-1, within Parcels 1A through 3A, inclusive, of Tract 2026-2, and within Parcels 1A through 19A, inclusive, of Tract No. 2026-3.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

3. The proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be for the benefit of the property lying within the boundaries of the herein described Waterway Maintenance District, and the costs of such maintenance and operation shall be assessed upon the lands within said district.

4. That if said district is formed. The City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said

maintenance district during the ensuing year. The Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

5. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

6. The City Clerk shall certify to the adoption of this Resolution and shall file certified copies of this Resolution with the County Assessor and with the State Board of Equalization as provided in Section 54901 of the California Government Code.

Passed and adopted this 26th day of October, 1976, by the following vote:

AYES: Councilmen Takasugi, Tolmach, Kato, Maxwell, Miller

NOES: None

ABSENT: None

ATTEST:

Mildred W. Foster
Mildred W. Foster, CMC
City Clerk

Tsujio Kato
Tsujio Kato, D.D.S.
Mayor