

Received
SEP 12 2023

Stephen M. Fischer
City Attorney



Office of the City Attorney

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(805) 385-7483
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September 7, 2023

County of Ventura
Grand Jury
800 S. Victoria Avenue
Ventura, CA 93009

Re: Response to the 2022-2023 Ventura County Grand Jury Report Form

Dear Sir/Madam:

This letter serves as notification of transmittal of the City of Oxnard, City Council, and Mayor John Zaragoza's Response to the 2022-2023 Ventura County Grand Jury Report Form. This letter further certifies that an exact copy of The Response was submitted to The Honorable Kevin G. DeNoce, Presiding Judge.

Should you have any questions or need further information, please contact the undersigned at (805) 805-385-7483.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Fischer".

Stephen M. Fischer,
City Attorney

SF:lm
Enclosures



COUNTY of VENTURA

Grand Jury

800 South Victoria Avenue
Ventura, CA 93009
Tel (805) 477-1600
Fax (805) 658-4523
grandjury.countyofventura.org

Response to 2022-2023 Ventura County Grand Jury Report Form (Please See California Penal Code Section 933.05)

Report Title: Water Availability for Wildfires in Ventura County

Responding Entity: Mayor John C. Zaragoza, City of Oxnard, City Council

FINDINGS

- I (we) agree with the Findings numbered: F-14
- I (we) disagree wholly or partially with the Findings numbered: _____
(Attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented but will be implemented in the future.
(Attach a summary indicating the timeframe for implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation to include: scope and parameters of the analysis or study and timeframe for the matter to be prepared for discussion with the agency or department head. The timeframe shall not exceed six months from the date of publication of the report.)
- Recommendations numbered R-09 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 9-6-23

Signed: John C. Zaragoza
Title: MAYOR

Number of pages attached: 2



CITY COUNCIL AGENDA REPORT

INFORMATION/CONSENT AGENDA AGENDA ITEM NO. L.8

DATE: September 5, 2023
TO: City Council
FROM: Alexander Hamilton, Fire Chief, (805) 385-7700, alexander.hamilton@oxnard.org
SUBJECT: Response to Grand Jury Finding and Recommendation

RECOMMENDATION

That the City Council comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the Council's control related to the Ventura County Grand Jury Report "Water Availability for Wildfires in Ventura County" dated June 12, 2023, and the Mayor also comment on the findings and recommendations and submit such comments through the form titled "Response to 2022-2023 Ventura County Grand Jury Report Form."

(This item did not originate in Committee)

BACKGROUND

On June 12, 2023, the Ventura County Civil Grand Jury ("Grand Jury") delivered the attached Final Report on Water Availability for Wildfires in Ventura County ("County"). The City of Oxnard ("City") is required to respond to the Grand Jury's Finding (F-14) and Recommendation (R-09) directed to the City:

"F-14. The Grand Jury finds that Ventura County Fire Code section 4907.8 regarding brush clearance around water tanks, water supply pumps, pump houses, and related infrastructure applies to all rural and unincorporated communities and all cities except Fillmore, Oxnard, and Ventura. (SF-19, SF-20, SF-21)"

"R-09. The Grand Jury recommends that Ventura City Fire Department, Oxnard Fire Department, and Fillmore Fire Department adopt the Ventura County standard for brush clearance around water tanks, water supply pumps, pump houses, and related infrastructure. (F-14)"

DISCUSSION

The User Note for Chapter 49 of the Ventura County Fire Code, which includes section 4907.8, notes: "this chapter contains requirements for development and construction in Local Responsibility Areas (LRA) designated as Very High Fire Hazard Severity Zones and areas designated by the Board of Forestry and Fire Protection as State Responsibility Areas (SRA). ... This chapter includes Ventura County Fire Protection District (VCFPD) amendments and local provisions applicable in WUI [Wildland Urban Interface] areas identified by the VCFPD." Ventura County Fire Code Section 4901.2 provides: "The purpose of this chapter is to provide minimum standards to reduce the likelihood of life and property loss due to a wildfire through the use of performance and prescriptive requirements for construction and development in State Responsibility Areas (SRA) and Local Responsibility Areas (LRA) designated as a Moderate, High or Very High Fire Hazard Severity Zone. This chapter also provides requirements for defensible space within the boundaries of the VCFPD."

The City does not have a WUI, nor is it in a designated Fire Severity Zone. Ventura County Fire Code section 4907.8, cited in F-14, regarding brush clearance around water tanks, water supply pumps, pump houses, and related infrastructure is not applicable in the City of Oxnard. Accordingly, staff recommends responding that R-09 will not be implemented

because Chapter 49 of the CFC is not relevant in the Oxnard Jurisdiction. City ordinances, State statutes and regulations, and City policies currently in effect (i.e., OCC 7-2 (defining "weeds"), OCC 7-151 (nuisance conditions), OCC 14-8 and 14-9 (adopting by reference and providing local amendments to International Property Maintenance Code and Uniform Code for Abatement of Dangerous Buildings), Cal. Fire Code section 304 (combustible waste material), Cal. Public Resources Code sections 4171 (public nuisance) and 4201 et seq. (fire hazard severity zones), and City of Oxnard Public Works Standard for vegetation management) address vegetation management around structures, including critical infrastructure.

The recommended form of response required pursuant to Penal Code section 933.05 is attached. If the Council approves the recommended action, the explanation set forth in this agenda report will be attached to the response form to be submitted to the Presiding Judge of the Superior Court.

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.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Karsten Guthrie, Battalion Chief

ATTACHMENTS

1. GJ-Report_2022-23_WaterAvailabilityForWildFiresInVenturaCounty
2. Wildfire Water.Grand Jury Transmittal - Response Form.2023