

Greg Nyhoff  
City Manager

## Office of the City Manager

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July 12, 2017

Michael Powers, Chief Executive Officer  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

Lyn Krieger, Director  
Ventura County Harbor Department  
3800 Pelican Way  
Oxnard, California 93035

Re: Proposed Settlement Offer of July 6, 2017 Regarding Proposed Fisherman's Wharf Project

Dear Mr. Powers and Ms. Krieger:

Assistant City Manager Ruth Osuna and Development Services Director Ashley Golden enjoyed meeting with you on July 6, 2017 to discuss issues relating to the proposed new Fisherman's Wharf development at the Channel Islands Harbor. After the meeting, we received the County's proposed settlement offer entitled Outline of Proposed Settlement Agreement between the County of Ventura and the City of Oxnard Regarding Certain Projects in Channel Islands Harbor (the "Settlement Offer"), which was subsequently presented to the City Council for its consideration at last night's meeting.

The City of Oxnard respectfully declines the County's Settlement Offer of July 6, 2017. However, in the interest of cooperation and in a good-faith effort to resolve this matter in a timely fashion, the City makes the following counteroffer:

1. The County and/or the proposed developer would make formal submittals to the City for the Specific Plan and the proposed Local Coastal Plan amendment, and pay the appropriate fees and costs for such submittals that include the costs for the California Environmental Quality Act ("CEQA") analysis associated with such proposed entitlements.
2. The City would commit to the timely preparation of the required CEQA analysis. The CEQA analysis would contain project alternatives including (but not limited to): no-project;

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public park only; commercial and retail only; and a mixed use project that incorporates more public and visitor serving amenities and commercial uses with ground-floor retail and commercial space all along the waterfront and public parking lot and increased articulation to create more outdoor public seating and courtyards. Consistent with the requirements of state law, the CEQA analysis would be made available to the public for review and comment.

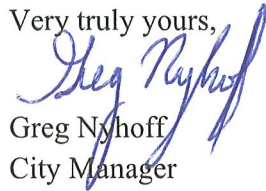
3. The City would also agree to the timely processing of the Specific Plan and the proposed Local Coastal Plan amendment before the Planning Commission and City Council once the CEQA analysis is completed. While the City cannot pre-commit to the approval of specific entitlements (including allowed uses, densities, massing, setbacks, etc.) or a specific timeline for consideration of the entitlements, the City commits to an open and public process that encourages feedback from the stakeholders, including the County, the proposed developer and nearby residents.

4. As with other development projects considered by the City, the conditions of approval for any entitlements will require that the applicant (whether it be the County or the proposed developer) indemnify and defend the City against any challenges to the approval of the entitlements.

5. Finally, while the City would welcome an earlier and more robust dialogue regarding pending projects within the Channel Islands Harbor, the City is unwilling to give up any of its existing authority under its Local Coastal Plan. To the extent, however, that the City and the County are able to forge closer ties relating to the harbor, the City is very interested in exploring such a process.

Thank you again for meeting with us regarding the proposed Fisherman's Wharf development. We look forward to your response to the City's counteroffer.

Very truly yours,



Greg Nyhoff  
City Manager

cc: Honorable Mayor and Members of the City Council  
Ruth Osuna, Assistant City Manager  
Stephen Fischer, City Attorney  
Ashley Golden, Development Services Director  
Kenneth Rozell, Assistant City Attorney  
Leroy Smith, County Counsel, Ventura County

