Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.

CITY OF OXNARD CALIFORNIA

This meeting is held pursuant to the State Emergency Services Act, the Governor's Emergency Declaration, and Governor's Executive Order N-29-20 to allow members of the City Council or staff to participate via teleconference.

Pursuant to the Ventura County Public Health Official's order and Governor's Executive Order N-33-20, all city buildings are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online immediately following the meeting.

The public may provide comments to the City Council via email at cityclerk@oxnard.org no later than 8:00 a.m. on the day of the meeting. Please identify the agenda item in the email Subject line.

A telephone option for public comments is also available at this time due to the State of California "Stay At Home" order. Requests to speak must be submitted no later than 8:00 a.m. on the day of the meeting. Use the form on the city's website to submit your request: Oxnard.org/city-meetings, or call the City Clerk's Office at (805) 385-7803, or email your request to cityclerk@oxnard.org (identify the agenda item in the Subject line).

AGENDA
OXNARD CITY COUNCIL
PUBLIC WORKS AND TRANSPORTATION COMMITTEE
Council Chambers, 305 West Third Street
April 28, 2020
Regular Meeting - 11:00 AM to 12:15 PM

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of fifteen minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker cards will not be accepted after the beginning of the general public comment period. Based on the number of speaker cards submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to two minutes, but shorter time may be established as deemed necessary. A person not able to address the legislative body at this time because the fifteen minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager for administrative action or scheduled on a subsequent agenda for discussion.

C. CONSENT AGENDA

1. City Clerk Department

   SUBJECT: Approval of Minutes.

   RECOMMENDATION: That the Public Works and Transportation Committee approve the minutes of the April 14, 2020 regular meeting as presented.

   Contact: Michelle Ascencion, (805) 385-7805

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item time estimates: (Staff Presentation / Committee Discussion / Public Comment)

D. REPORTS

1. Public Works Department

SUBJECT: Purchase Order to Badger Meter, Inc. for Water Meters and Parts. (5/5/5)

RECOMMENDATION: That the Public Works and Transportation Committee recommend the City Council approve and authorize the Mayor to execute a Purchase Order with Badger Meter, Inc. to purchase residential, commercial, irrigation, industrial, and fire service water meters and parts in the amount of $250,000 for a one-year term.

Contact: Rosemarie Gaglione, (805) 385-8055

2. Community Development Department

SUBJECT: Revision of Existing Fees and Adoption of New Fees Related to Development Impact Fees. (10/10/10)

RECOMMENDATION: That the Public Works and Transportation Committee:
1. Recommend the City Council receive a presentation and receive public comment regarding proposed new fees and revisions to existing fees related to Development Impact Fees (DIF);
2. Recommend the City Council review and provide comments on the new Development Impact Fee Nexus Study and development impact fees pertaining to a resolution for: a Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Utility Undergrounding In-Lieu Fee, including an automatic annual inflation factor, Public Art Program Fee, and Mobility Fee, and Amendments and additions to Chapters 15;
3. Recommend the City Council provide input on staff's recommended time frame for implementation of the proposed DIF;
4. Recommend the City Council adopt the Development Impact Fee Resolution;
5. Recommend the City Council adopt the Development Impact Fee Ordinance; and
6. Recommend the City Council approve the Development Impact Fee Nexus Study.

Contact: Jeffrey Lambert, Darwin Base, (805) 385-7882, (805) 385-7700

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT

M I N U T E S
OXNARD CITY COUNCIL
PUBLIC WORKS AND TRANSPORTATION COMMITTEE
Regular Meeting
April 14, 2020

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 11:04 a.m., Chair Perello called to order the regular meeting of the Oxnard City Council Public Works and Transportation Committee in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Members Tim Flynn, Bryan A. MacDonald, and Chair Bert E. Perello were present via telephone.

Staff members present were Alexander Nguyen, City Manager; Tara Mazzanti, Assistant City Attorney; Tatiana Arnaout, City Engineer (via telephone); Rosemarie Gaglione, Public Works Director; Thien Ng, Assistant Public Works Director; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (None received.)

C. CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
   RECOMMENDATION: That the Public Works and Transportation Committee approve the minutes of the March 24, 2020 regular meeting as presented.

It was moved by Member MacDonald, seconded by Chair Perello, to approve the minutes as presented. VOTE: MacDonald and Perello voted in favor; the motion carried 2-0 (Flynn did not vote).

D. REPORTS

Public Works Department

1. SUBJECT: Award Agreement A-8205 to Hardy & Harper, Inc. for Thin Maintenance Overlay Project Phase II (Rebid) PW 18-58R2.
   RECOMMENDATION: That the Public Works and Transportation Committee recommend that the City Council approve and authorize:
   1. The Mayor to execute Agreement A-8205 in the amount of $6,550,000 to Hardy & Harper, Inc. for the Thin Maintenance Overlay Project Phase II (Rebid) PW 18-58R2;
   2. A Project contingency in the amount of $655,000 for the Thin Maintenance Overlay Project Phase II;
   3. A Project allocation of $458,500 for engineering, inspection, survey and project management for the Thin Maintenance Overlay Project Phase II; and
   4. The City Manager to execute a budget appropriation of $100,000 from the Tab Hero/SW Ormond Fund (315) and project fund transfers within the Street Maintenance Fund (181) and RMRA Gas Tax Fund (185).

DRAFT

The City Engineer gave a report. Written comments were received from Jose Garcia. Discussion ensued among the Committee and staff.

It was moved by Chair Perello, seconded by Member MacDonald, to approve the recommended action as presented. VOTE: Flynn, MacDonald, and Perello voted in favor; the motion carried 3-0.

2. SUBJECT: Restructuring of Public Works Engineering and Traffic Engineering Divisions.
   RECOMMENDATION: That the Public Works and Transportation Committee recommend the City Council approve and authorize:
   1. The Mayor to adopt a Resolution to amend Resolution No. 15,241 authorizing full-time equivalent positions pursuant to Chapter 4 of the City Personnel Rules and Regulations;
   2. The Mayor to adopt a Resolution to amend Resolution No. 15,242 authorizing and approving classification and salary schedules pursuant to Chapter 4 of the City Personnel Rules and Regulations; and
   3. The City Manager to approve a budget appropriation in the amount of $18,469.

The City Engineer gave a report. Discussion ensued among the Committee and staff.

It was moved by Member Flynn, seconded by Member MacDonald, to approve the recommended action as presented. VOTE: Flynn, MacDonald, and Perello voted in favor; the motion carried 3-0.

3. SUBJECT: Trade Services Agreement with BC Laboratories, Inc. for Samples Testing Services.
   RECOMMENDATION: That the Public Works and Transportation Committee recommend the City Council approve and authorize the Mayor to execute Agreement A-8214 with BC Laboratories, Inc. for water, wastewater, and recycled water samples testing services in the amount of $800,000 through May 5, 2023.

The Assistant Public Works Director gave a report. Discussion ensued among the Committee and staff.

It was moved by Member MacDonald, seconded by Member Flynn, to approve the recommended action as presented. VOTE: Flynn, MacDonald, and Perello voted in favor; the motion carried 3-0.

E. ITEMS FOR FUTURE AGENDAS

Member MacDonald reiterated previous requests for future items on food waste recycling and railroad quiet zones. Discussion ensued among the Committee and staff.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Perello adjourned the meeting at 12:03 p.m.

MICHELLE ASCENCION, CMC City Clerk	BERT E. PERELLO Chair

DRAFT

CITY OF OXNARD CALIFORNIA

PUBLIC WORKS AND TRANSPORTATION COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.1

DATE: April 28, 2020

TO: Public Works and Transportation Committee

FROM: Rosemarie Gaglione, Public Works Director, (805) 385-8055, rosemarie.gaglione@oxnard.org

SUBJECT: Purchase Order to Badger Meter, Inc. for Water Meters and Parts. (5/5/5)

RECOMMENDATION

That the Public Works and Transportation Committee recommend the City Council approve and authorize the Mayor to execute a Purchase Order with Badger Meter, Inc. to purchase residential, commercial, irrigation, industrial, and fire service water meters and parts in the amount of $250,000 for a one-year term.

BACKGROUND

The City of Oxnard's Water Division installs and replaces water meters for residential, commercial, irrigation, industrial, and fire service applications. The current Automated Meter Reading (AMR) system requires staff to collect meter readings by a special radio installed in a city vehicle. Water Division staff drive past the meters that send out a radio signal containing the meter reading to the vehicle. The Water Division has begun planning the transition to Advanced Metering Infrastructure (AMI) and it is estimated to be completed within the next five years. The AMI system will allow meter readings to be collected remotely through a cellular network, which means staff will no longer need to drive by the meters to collect readings.

DISCUSSION

The purpose of the purchase order is to replace existing failed water meters while the Water Division is transitioning from the existing AMR to the new AMI systems. Staff will bring forward the new water meter replacement program (AMI system) for the City Council approval in the near future.

The new AMI system has the following advantages over the existing AMR system.

- New meters will be solid state type meters that will eliminate mechanical wear
- Meter registers will be sealed and tamper proof
- Capture low flow rates
- No lead content to comply with the lead free provisions of the Safe Drinking Water Act
- Capable of registering consumption, rate of flow, reverse flow indicators and have various alarm setting to identify leaks and tampering
- Allow water customers to access their water usage, profile history, and leak detection

The existing meter contract with Aqua Metric is expiring on March 30, 2020. A Request for Bidding was

published on January 14, 2020 with a close date of February 17, 2020. A total of three bids were received from Badger Meter Inc., Smart Earth Technologies, and Zenner USA. Badger Meters Inc. was the only bidder that met all requirements and specifications.

Failure to repair or replace meters in a timely fashion requires that water consumption be estimated, resulting in a potential loss of revenue in both water and wastewater as well as impacting our water resource management.

STRATEGIC PRIORITIES

Infrastructure and Natural Resources Strategic Priority Area. To preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding.

FINANCIAL IMPACT

Total value of Agreement with Badger Meter, Inc. is $250,000 for a one-year term . The spending plan for FY 2019-20 is $60,000. Budgeted funds are available in the Water Operating Fund (Account 601-6003-843-81-21) for Fiscal Year 2019-20. The remaining balance of $190,000 will be requested for the subsequent fiscal year.

Prepared by: Thien Ng, Assistant Public Works Director

ATTACHMENTS

1. PO 7634 Badger Meter, Inc.
2. RFB PW 20-45 Bid Tabulation (Badger Meter)
3. RFB PW 20-45 Badger Meter Bid
4. Badger Meter PowerPoint

CITY OF OXNARD CALIFORNIA

PURCHASE ORDER

CITY OF OXNARD
300 WEST 3RD STREET
OXNARD, CA 93030

PURCHASE ORDER NO. 007634

DATE: 3/30/2020

VENDOR PHONE: (800)876-3837
VENDOR FAX: (888)371-5982
VENDOR #: 11516
VENDOR ADDRESS: BADGER METER INC.
4545 W. BROWN DEER ROAD
MILWAUKEE, WI 53223

SHIP TO: WATER DIVISION
251 S. HAYES AVENUE
OXNARD, CA 93030

Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence

DELIVER BY	REQUISITION #	REQUISITION DATE	CONFIRMED BY
05/05/2021	0000004890	03/12/2020	THERESA M. SZAFRANSKI, AS
FOB	**ACCOUNT NUMBER**		**AUTHORIZED BY**
	60160038438121		JOSE CHAVEZ

ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE	UNIT COST	EXTENDED COST
1	60,000.00 / DL	ULTRASONIC E SERIES METERS	1.0000	60,000.00

20-00082875 EXP 3/31/20*AM
03/30/20 AGMT NTE $250000.00 APPROVED FY 19/20
FOR $60000.00 FY 20/21 $190000.00 PRICE QUOTED
FROM VENDOR EXPIRES 02/16/2021. JC.

TOTAL PURCHASE AMOUNT	**$60,000.00**

In order to receive payment, email all invoices to:
invoices@oxnard.org

In the subject line, reference the Purchase Order number above.

AUTHORIZED SIGNATURE. _____

ee to the attached terms and conditions of the City of Oxnard

PURCHASE ORDERS
TERMS AND CONDITIONS

The City Purchasing Officer and the Vendor agree as follows:

1. Vendor shall furnish to City the labor, materials, equipment, supplies and/or services described in the Purchase Order preceding this page.
2. City shall pay to Vendor the price, or prices, specified in the Purchase Order upon delivery of the labor, materials, equipment, supplies and/or services, and acceptance thereof by the City Purchasing Officer, or upon the completion of the services to be performed and acceptance thereof.
3. If the Purchase Order is continuing in nature, City shall pay to Vendor the amount due Vendor for labor, materials, equipment or supplies furnished, or services completed and accepted.
4. Vendor shall deliver the labor, materials, equipment or supplies, or cause the services to be performed, within the time and in the manner specified in the Purchase Order. Vendor shall be excused in performance for delays resulting from causes beyond the control of Vendor.
5. If services are performed or labor furnished to City under the Purchase Order, Vendor agrees to indemnify, hold harmless and defend City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from any acts or omissions related to this Agreement performed by Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf. This agreement to indemnify, hold harmless and defend shall apply whether such acts or omissions are the product of active negligence, passive negligence, willfulness or acts for which Vendor or its agents, employees, subcontractors, consultants and other persons acting on Vendor's behalf would be held strictly liable. Vendor's obligation to defend shall arise when a claim, demand or action is made or filed, whether or not such claim, demand or action results in a determination of liability or damages as to which Vendor is obligated to indemnify and hold harmless.
6. Insurance
   a) Vendor shall obtain and maintain during the performance of any services under this Agreement the following insurance coverage issued by a company satisfactory to the Risk Manager, unless the Risk Manager waives, in writing, the requirement that Vendor obtain and maintain such insurance coverage.
      i. Commercial general liability insurance, including a contractual liability endorsement, in an amount not less than $1,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability coverage (Occurrence Form CG0001ED, November 1988);
      ii. Business automobile liability insurance in an amount not less than $1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Auto Liability Insurance Services Office coverage (Occurrence Form CA000TED, June 1992) covering Code No. 1, "any auto";
      iii. Workers' compensation insurance in compliance with the laws of the State of California, including employer's liability insurance in an amount not less than $1,000,000 per claimant.
7. Vendor, in the performance of any services or the furnishing of any labor under this Purchase Order, shall be considered an independent contractor, and Vendor and Vendor's agents and employees shall not be considered officers or employees of the City.
8. Vendor, without the written consent of the City Purchasing Officer, shall not:
   a) Assign the Purchase Order, or any interest therein, or any money due thereunder; or
   b) Make any changes, alterations or variations in the terms of the Purchase Order.
9. The cost of inspection on deliveries, or offers to make deliveries that do not meet specifications, will be paid by Vendor or deducted by City from amounts due Vendor.
10. Vendor shall indemnify and hold harmless City, its officers and employees, from liability, claims, loss or expense of any kind or nature on account of any copyrighted or uncopyrighted composition, patented or unpatented process or invention, article or appliance furnished or used under this Purchase Order.
11. Vendor shall comply with all applicable federal, state and local ordinance, laws and regulations and shall obtain and pay for all required licenses and permits, including a City of Oxnard business license.
12. Return or exchange of materials, equipment or supplies will not be permitted without written approval by the City Purchasing Officer.
13. All materials, supplies and equipment furnished under the Purchase Order shall, where applicable, be in full compliance with the Safety Orders and Regulations of the Division of Industrial Safety of the State of California and the Williams-Steiger Federal Occupational Health and Safety Act of 1970.
14. City may terminate this Purchase Order at any time by giving written notice of termination to Vendor. If termination is for cause, termination shall become effective on the date of the notice or at a later date, specified in the notice. If termination is without cause, termination shall become effective five days after the date of the notice or at a later date specified in the notice.
15. Vendor shall comply with all applicable equal employment opportunity requirements of the California Department of Fair Employment and Housing in performing or contracting for any services under this Purchase Order.
16. For public projects, Vendor shall pay prevailing wages in accordance with Labor Code Sections 1720 et seq.

ADDITIONAL REQUIREMENTS FOR GRANT-FUNDED PROJECTS

17. The following requirements apply to any Purchase Order funded in whole or in part by federal grant funds.
   a) Upon expiration of the time specified on the reverse side, this Purchase Order shall terminate unless City and Vendor have mutually agreed in writing to an extension of time.
   b) If legal action is brought by either party because the other has failed to comply with terms or conditions of this Purchase Order, the prevailing party shall be awarded its attorney's fees and costs in addition to its damages and/or equitable relief.
   c) Vendor shall comply with all applicable requirements of Executive Order 11246 as amended by Executive Order 11375 and the regulations adopted pursuant thereto (41 CFR Chapter 60), which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin.
   d) Vendor shall insure that the grantee (City), the Federal Grantor Agency, the Comptroller General of the United States, or any duly authorized representative, shall have access to any books, records, documents and papers, specifically relating to this Purchase Order, for the purpose of making audit, examination, excerpts and transcriptions for not less than three years after completion of the project and/or until the completion of the final project audit as required by the Federal Grants Agency.

Badger Meter

Qty	Nomenclature	Unit Price
1	Ultrasonic E-Series Meter, Stainless Steel, 3/4" x 9", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$135.00
1	Ultrasonic E-Series Meter, Stainless Steel, 3/4" x 7-1/2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$126.00
1	Ultrasonic E-Series Meter, Stainless Steel, 1", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$149.00
1	Ultrasonic E-Series Meter, Stainless Steel, Elliptical, 1-1/2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$353.00
1	Ultrasonic E-Series Meter, Stainless Steel, Elliptical, 2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$476.00
1	*ALTERNATE* Ultrasonic E-Series Meter, Polymer, 3/4" x 9", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$112.00
1	*ALTERNATE* Ultrasonic E-Series Meter, Polymer, 3/4" x 7-1/2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$104.00
1	*ALTERNATE* Ultrasonic E-Series Meter, Polymer, 1", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$126.00
1	*ALTERNATE* Ultrasonic E-Series Plus Meter with Integrated Flow Restriction Valve, Stainless Steel, 3/4" x 9", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$400.00

Badger Meter

CITY OF OXNARD

Request for Bid PW 20-45
AMI Capable Water Meters
February 17, 2020 at 2:00 P.M. PT

Badger Meter

4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

February 17, 2020

Mr. Jose Chavez
City of Oxnard
300 West Third Street
Suite 202
Oxnard, CA 93030

RE: AMI Capable Water Meters
Opening Date: February 17, 2020 at 2:00 PM PST

Dear Mr. Chavez:

This letter is attached to and becomes part of the above-referenced bid.

Payment terms are net 30 days.

Prices quoted in this bid, if awarded to Badger Meter, Inc. (Badger Meter), will remain firm for one year, through February 16, 2021, if acceptance is made within 60 days.

As an alternate product offering, we would like to introduce the E-Series® Ultrasonic Plus meter with an Integrated Valve. This innovative design allows remote partial and full disconnect and reconnect of water in residential, utility applications. The E-Series Plus ultrasonic meter will be available for utility purchase end of Q1, beginning of Q2.

Badger Meter is a 115 year old company, which is headquartered in Milwaukee, WI. The core pillars of our organization are quality, excellence, and service. To achieve this, Badger Meter focuses exclusively on measuring flow and our products have been specifically designed for the water utility market. Meter pits are extremely harsh environments requiring meters that will operate for 20 years even while fully submerged. In 2002, we designed a process to encapsulate our electronics in a waterproof “potting” material. Since 2002, we have shipped millions of product using this process; eliminating water intrusion and resulting in a return rate of <0.5%. Once the electronics are encapsulated, the battery cannot be replaced. Our philosophy is “if you can get in to change a battery, water molecules can get in even faster” resulting premature failures due to corrosion. To accommodate our philosophy, we design a meter with 3.6-volt lithium thionyl chloride batteries that support a 20-year life. We are currently enhancing our E-Series ultrasonic meters to allow field replacement of the full electronics package (includes the battery).

To support extended low-flow leak detection, our E-Series 5/8-1” ultrasonic meters register in 1/1000th cubic feet (e.g. 0.001) with the 1.5”-2” meters in 1/100th cubic feet (e.g., 0.01). A meter with 10 cubic feet

registration could only report leaks of 10 cuft/hour or larger. Billing resolution is supported by truncating the data in the Meter Data Management System (MDMS) before sending reads to the billing software. For utilities less concerned with leak detection and/or MDMS without truncation support, we are adding the ability to program the meter resolution between 1 and .001 cubic feet for the 5/8"-1" meters and 10 to .001 cubic feet in the enhanced design.

The enhanced E-Series Ultrasonic 3/4" meters are expected to be available in June 2020 with the 1" following in December, 2020 and the 1-1/2"-2" available in March, 2021.

We will extend bid pricing to participating agencies based on similarly situated products, including exact product specifications and similar quantities, as per this bid, provided those agencies qualify as direct customers of Badger Meter and are not authorized accounts to a distributor of Badger Meter.

We provide certification files to help manage meter and endpoint inventory and to maintain meter accuracy data. The standard method of delivery for this format is via electronic mail. Any deviations from our standard format, or any custom file formats, will be considered on a time and material basis.

A copy of the bid tabulation, for our records, is appreciated. Electronic results can be emailed to bids@badgermeter.com.

In the event you have any questions regarding this correspondence, we can be reached by telephone at 800-876-3837 ext. 12728 or via email at bids@badgermeter.com. Additionally, you may contact your Account Manager, Lisa Engstrom, via email at lengstrom@badgermeter.com or by phone at 949-445-7171.

We appreciate the opportunity to support your metering needs.

Sincerely,

BADGER METER, INC.

Korrine L. Fleming
Assistant Secretary

Badger Meter

4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

CERTIFICATION

OF SIGNATURE AUTHORITY

I certify as follows:

By Board Resolution adopted by the Board of Directors of Badger Meter, Inc. and in full force and effect as of this date:

The following *elected executive officers* are, among other things, hereby authorized to execute, amend, and cancel bids and contracts for the sale of products, distributor and representative agreements, bid bonds, surety bonds, contracts, leases and certain other legally binding documents in the ordinary course of business, in the name of Badger Meter, Inc. (or Badger Meter, Inc. dba National Meter & Automation):

William R.A. Bergum	Vice President – General Counsel & Secretary
Kenneth C. Bockhorst	President and Chief Executive Officer
Kimberly K. Stoll	Vice President – Sales & Marketing
Robert A. Wrocklage	Sr. Vice President – Finance, CFO, and Treasurer

The following *elected non-executive officers* are hereby authorized to execute, amend, and cancel bids, bid-related contracts and documents, requests for proposals and quotes, an all other bid-related documentation in the name of Badger Meter, Inc. (or Badger Meter, Inc. db a National Meter Automation)

Wayne Dennis	Assistant Secretary	Sr. Director – International Sales and Marketing and Business Development
Charla D. Dury	Assistant Secretary	Project Manager – Bid and Contract Administration
Frank J. Fenton	Assistant Secretary	Director – Utility Sales
Korrine L. Fleming	Assistant Secretary	Manager – Bid and Contract Admin.
Jessica L. Kent	Assistant Secretary	Senior Project Manager – Bids and Contract Administration
Nathanial R. Hawley	Assistant Secretary	Director – Distribution Administration
Rebecca L. Loomans	Assistant Secretary	Senior Project Manager – Bids and Contract Administration
Benjamin E. Loomis	Assistant Secretary	Milwaukee Credit Manager
Pamela G. Stokke-Ceci	Assistant Secretary	Assistant General Counsel and Director
Christopher D. Washington	Assistant Secretary	Senior Proposal Lead

February 17, 2020
Date

BY: William R. A. Bergum

William R.A. Bergum
Vice President – General Counsel & Secretary
Badger Meter, Inc.

BADGER METER, INC. CORPORATE SEAL 1905 WISCONSIN

CONFIDENTIALITY STATEMENT

The information contained herein is to be considered confidential and proprietary to the extent allowable by law. © 2020 Badger Meter, Inc. All rights reserved.

TABLE OF CONTENTS

Company Profile

Attachment A

Attachment B

Attachment C

Appendices

- Appendix 1 – Section 1.6; B (i): Company Ownership and Affidavit of Non-Collusion
- Appendix 2 – Section 1.6; C (ii): Company Hierarchy and Organizational Chart
- Appendix 3 – Section E: Authorized Negotiator
- Appendix 4 – Section F: Credentials/Resumes/Certifications/Licenses
- Appendix 5 – Price Proposal
- Appendix 6 – Product Data Sheets
- Appendix 7 – Product Warranties

COMPANY PROFILE

City of Oxnard
Request for Bid
PW 20-45
AMI-CAPABLE WATER METERS
Bid Close Date: (Feb 17, 2020)
By 2:00 p.m. PT

Purchasing Division
300 West Third Street
Oxnard, CA 93030
https://www.oxnard.org/
Solicitation opportunities: https://www.oxnard.org/rfps-and-rfqs/

PREPARATION OF BID

1.1 In addition to responding to other sections of this request for bid, **bidder shall submit Attachments A, B, and C, in its entirety, which includes the bid documents and specifications**. Failure to do so may cause rejection of the bid.

1.2 Bidder's response shall state on a point-by-point basis whether the bid is in compliance with the requirements and specifications of this request for bid. Deviations to the requirements and specifications may be considered, provided that the vendor submits full description and explanation of, and or justification for the proposed deviation supported by specifications and descriptive literature that fully describes the item(s) offered.

1.3 Bidders may reproduce Attachment A to submit alternate bids, if the City requests alternate bids.

1.4 The bid must be submitted by an authorized agent of the submitting entity.

1.5 Term of Agreement:
It is the intent of the City to issue a non-exclusive agreement for a one (1) year term with pricing locked in for this term, with the option if agreed upon by both parties for one additional one-year periods.

1.6 Company Profile

This section of the proposal is designed to establish the bidder as an entity with the ability and experience to operate the program as specified in the solicitation. The Company Profile should be concise and clear, including descriptive information regarding service delivery. The following information must be provided as follows:

A. Business name and legal business status (i.e. partnership, corporation, etc.).

BIDDER'S RESPONSE: Badger Meter, Inc. - Corporation

B. Company overview and disclosure of services or activities performed, including:

i. The City of Oxnard is a public agency with a City Council composed of elected officials. The elected officials are restricted from voting on any action concerning a contract whose owners have made a campaign contribution of $250 or more in the previous 12 months. To assist them in their decision making process, please indicate the owners of the company and if any contributions were made to the Elected Officials. Please refer to Appendix Section 1.

ii. Company hierarchy (President, Vice President, Company Officers, etc.) and an organizational chart. The organizational chart shall clearly identify all staff members that will provide services under this contract. Please refer to Appendix Section 2.

iii. The number of years in business under the present business name, as well as prior business names, and the number of years of experience providing the proposed, equivalent or related services. Badger Meter has been in business under its present name, and providing the proposed goods and services for the last 115 years, since its founding in 1905. Badger Meter has also operated under the prior business name of Badger Meter, Inc. DBA National Meter & Automation.

iv. Location of the office from which the work under this contract will be provided and the staff allocation at that office.

i.	***BIDDER'S RESPONSE:*** Headquarters - 4545 W. Brown Deer Rd., Milwaukee, WI 53223 Staff allocation as of 12/2019: 476
ii.	***BIDDER'S RESPONSE:*** California - 940 Riverside Pkwy. Ste. 30, West Sacramento, CA 95605 Staff allocation as of 02/2020: 5
iii.	***BIDDER'S RESPONSE:***
iv.	***BIDDER'S RESPONSE:***

C. Provide any financial interests in any other business. Individuals who are personally performing the contracted services and governmental agencies are exempt from this requirement. If exempt, please indicate with an "N/A" in the box below.

BIDDER'S RESPONSE: Not applicable.

D. An explanation of any litigation involving the Bidder or any principal officers thereof in connection with any contract. Is your firm, or the principals associated with your firm, under investigation, being sued, suing, or affiliated in any lawsuit or alternative dispute resolution with any governmental agency? If so, please provide details.

BIDDER'S RESPONSE: Not applicable.

E. List the members of your organization who are authorized to negotiate the Agreement.

BIDDER'S RESPONSE: Please refer to Appendix Section 3.

F. **Credentials/Resumes/Certifications/Licenses:**

This section shall state all employees/subcontractors responsible for administering or providing services. Provide a summary list of the organizational personnel that will actively participate and contribute their skills to this project. Include in this list the individual's name, job title, work location and relevant experience in projects of similar size and complexity. (Responses may be one page per individual.)

Please refer to Appendix Section 4.

Bidder shall specifically provide the following information on all employees to be providing services related to this RFB:

i. Position Title
ii. Current Responsibilities
iii. Qualifications/Experiences
iv. Education
v. Certifications/licenses, if applicable

vi. List other pertinent information that will assist in evaluating Bidder's qualifications.

i.	***BIDDER'S RESPONSE:***
ii.	***BIDDER'S RESPONSE:***
iii.	***BIDDER'S RESPONSE:***
iv.	***BIDDER'S RESPONSE:***
v.	***BIDDER'S RESPONSE:***
vi.	***BIDDER'S RESPONSE:***

Bidder can add as many sections to this bid response box as they need to state all employees providing services.

ATTACHMENT A

DESCRIPTION OF EQUIPMENT

2.0 The specifications provides for Advanced Metering Infrastructure (AMI)-Capable Water Meters in the anticipated amounts as indicated.

- Provide a meter that is AMI capable (cellular infrastructure or a standalone fixed network) Badger Meter complies with this requirement.
- Meters sized ¾ through 2" shall have no moving parts via (ultra-sonic or mag type) Badger Meter complies with this requirement.
- Meters ¾ in size shall be no more than 3.5" in height Badger Meter complies with this requirement.
- Meters shall be constructed of composite, Stainless Steel or other material containing no lead metal Badger Meter complies with this requirement.
- Meter to be 100% lead free (0 lead) is preferred Badger Meter complies with this requirement.
- Meters to meet AWWA and NSF 61 compliance Standards Badger Meter complies with this requirement.
- Meter shall be tamper proof along with a sealed type body to protect from the environment Badger Meter complies with this requirement.
- Meter remote shutoff must not increase the length of the meter Badger Meter complies with this requirement.
- Register/Encoder with each meter and register is LCD display for manual reads in field Badger Meter complies with this requirement.
- Meter accuracy warranty for an accuracy of +/- 1.5% for normal operating range, and a +/-3% extended low flows on all size meters Badger Meter complies with this requirement.
- Batteries for Meter, Register/Encoder warranty is 20 years and 10 years prorated Badger Meter complies with this requirement.
- Battery to have a field replacement option Please refer to our cover letter for product clarification.
- Meters are to be programmed to register in 10 cubic feet Please refer to our cover letter for product clarification.

ATTACHMENT A
BID DOCUMENTS
FOR
(AMI-CAPABLE WATER METERS)

AMI-Capable Water
Meter Specifications (

The following addenda are acknowledged: (Enter # & date or "None" if appropriate)

No.	Date	No.	Date
1	January 28, 2020		
2	February 5, 2020		

( ) Check here if "NO Bid".
(X) Check here if your bid will be extended to other public agencies. Your response will in no way affect consideration of your bid.

The undersigned agrees to provide the above items and/or services to the City of Oxnard at the price quoted hereon, hold the price firm for 60 days after the designated date to receive bids, and provide the above items and/or services upon receipt of a City of Oxnard purchase order.

Bidder's Signature KFleming Date February 17, 2020

Printed Name & Title Korrine L. Fleming, Assistant Secretary

Business Name Badger Meter, Inc.

Business Address 4545 W. Brown Deer Rd.
Milwaukee, WI 53223

Telephone No. 800-876-3837 Email bids@badgermeter.com

Federal Taxpayer Identification No. 390143280

ATTACHMENT B

ATTACHMENT B

CITY OF OXNARD
SIGNATURE SHEET, AFFIDAVIT

I, Korrine L. Fleming

depose and say that I am Assistant Secretary
("Sole Owner", "A Partner", "President", or other proper title)

of Badger Meter, Inc.
Name of Bidder

Whoever submits this proposal to the City of Oxnard declares:

1. That the bidder has read these bid documents and specifications, will abide by and agrees to the conditions herein, and does hereby propose to furnish all equipment required for the item totals listed in the Bid Proposal.

2. That this bid is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, firm or corporation to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure an advantage over any other bidder.

3. That the addenda indicated on page 1 of this proposal are acknowledged.

I certify or declare under penalty of perjury that the foregoing is true and correct and I am an authorized agent to submit bids.

Korrine L. Fleming Signature Assistant Secretary

February 17, 2020
Date

ATTACHMENT C

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2852

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, ESTABLISHING A SMALL LOCAL BUSINESS PURCHASING PREFERENCE PROGRAM

WHEREAS, the unemployment rate in the City of Oxnard in recent years consistently has been higher than the unemployment rate of other cities in Ventura County and in the State; and

WHEREAS, the Council finds it necessary, desirable, and in the best interests of the City to establish a small business preference program in order to attract businesses to Oxnard, to retain businesses, and to increase employment and reduce competitive barriers faced by small local businesses; and

WHEREAS, the City is authorized by its municipal affairs authority and state law to establish such a program.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. In cases where the Oxnard City Code requires a written competitive bid for the purchase of goods or services, in determining the lowest responsible bidder when responsibility and quality are equal, a credit in a percentage of the bid submitted by the lowest responsible bidder meeting specifications shall be given to a bidder that meets the definition of a "Small Local Business" in this ordinance as follows: 5% of the amount up to $500,000; 4% of the amount between $500,001 and $750,000; 3% of the amount between $750,001 and $1,000,000; 2% of the amount between $1,000,001 and $1,250,000 and 1% of the amount between $1,250,001 and $1,500,000. For example, if the lowest responsible bid is $1,000,000, the preference would be $42,500 ($500,000 x .05 + $250,000 x .04 + $250,000 x .03). The preference applies to all contracts, including contracts over $1,500,000, but the amount of the preference is limited as provided herein, so that the maximum preference is $50,000.

Part 2. "Small Local Business" shall mean a business entity that has for at least thirty six (36) months immediately preceding submittal of its bid held a current business license issued by the City and maintained its principal business office within the City's geographic boundaries, and has average annual gross receipts of twenty million dollars ($20,000,000) or less over the thirty six (36) months immediately preceding submittal of its bid, and that employs fewer than one hundred (100) employees at least fifty percent (50%) of whom are Oxnard residents and have been Oxnard residents for at least 90 days prior to submission of the bid.

Part 3. As an alternative to the employment requirements described in Part 2, and only with respect to trade services or construction contracts to perform which the contractor intends to

hire employees or to subcontract, a contractor submitting a bid shall satisfy the resident employment requirements for obtaining preference as follows. With the submission of its bid, the contractor shall submit a certification under penalty of perjury that it has verified its own proposed employee base for performance of the contract and confirmed with all subcontractors providing bids used to formulate the contractor's bid, all of whom have subcontracted with or will subcontract with the contractor, that at least 50% of the labor hours devoted to performance of the contract will be provided by residents of the City of Oxnard. During, or within one year after performance of the contract, the City Manager or designee shall have the right to audit all the contractor's records to confirm the accuracy of the contractor's certification and the contractor shall provide to the City all documents (including subcontractors' records) appropriate to perform such an audit. Should it be determined after such audit by the City Manager that the requirements of this Part 3 have not been met or should the contractor not upon request provide documents sufficient for the audit required by this Part 3 to be performed, the contractor shall be required to pay upon demand to the City the entire amount of any preference granted, which amount may be withheld from any payment otherwise due the contractor. The foregoing is in addition to any other consequences which may be imposed upon the contractor for violation of the provisions of a City ordinance. The City Manager's determination under this Part 3 may be reviewed pursuant to sections 1 – 55 et seq., of the City Code, enacted by Ordinance No. 2840.

Part 4. The principal business office shall mean the place where the principal officers or owners generally transact business and the place to which reports are made and from which orders and payments are made, and the place which the business represents to government authorities as its principal office or principal place of business. Subject to review by the City Manager or designee, the requirements to obtain a Small Local Business preference may be established by submission with the bid of certification under penalty of perjury that the business meets such requirement, including a list showing all employee addresses and affirming that the employees have granted permission for the use of their addresses.

Part 5. The City Manager or his designee shall determine whether a business is a Small Local Business under this ordinance, including whether the principal office of the business is in the city, and whether employees are residents of the City. The City Manager's determination shall be final and not appealable under any provision of the City Code, except for the determination described in Part 3.

Part 6. The City Manager may adopt or instruct the purchasing agent to adopt such regulations, applications and forms as the City Manager determines are appropriate to implement the provisions of this ordinance.

Part 7. The provisions of this ordinance shall not apply when the Small Local Business preference described herein is contrary to or precluded by requirements of State or federal law or contrary to or precluded by requirements of a State of federal funding source or program providing assistance to the City for the particular project.

Part 8. In addition to any other consequence which may be imposed for violation of a City ordinance, the City Manager may prohibit a business entity which he determines has falsely claimed to be a Small Local Business from bidding on City contracts for a period of up to five

Ordinance No. 2852
Page 3

years. The City Manager's determination may be reviewed pursuant to sections 1 – 55 et seq., of the City Code, enacted by Ordinance No. 2840.

Part 9. Within fifteen days (15) after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the City.

Part 10. Ordinance No. 2852 was first read on Dec. 6, 2011, and finally adopted on Dec. 13, 2011, to become effective thirty days thereafter.

AYES: Councilmembers Holden, MacDonald, Flynn, and Ramirez.

NOES: None.

ABSENT: Mayor Pro Tem Pinkard.

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Alan Holmberg, City Attorney

Attachment C

Local Business Qualification Affidavit

The City of Oxnard's Local Business Preference may be applied to this solicitation. If you qualify for this preference, this form must be submitted along with each bidder's response to this solicitation. If a Bidder fails to provide a completed Local Business Qualification Affidavit form with their bid submittal, the Bidder may be disqualified from obtaining local preference. It is the sole responsibility of the Bidder to identify local preference with each bid submittal. Reference Ordinance 2852.

Definition of Local Business

A local business shall mean a business firm meeting the following requirements:

1. Fixed offices located within the geographical boundaries of the City of Oxnard, authorized to perform business within the City, and in doing so, holds a current City Business license, and provides, produce/s, or performs contracted work using employees, of whom the majority are physically located in said local offices, and
2. A City of Oxnard business street address, shall be open and staffed during normal business hours with an annual gross receipts of twenty million dollars ($20,000,000) or less thirty-six months (36) and,
3. Employee fewer than one hundred (100) employees at least fifty percent (50%) Oxnard residents, per the Ordinance. (Refer to Ordinance 2852).
4. Post office box numbers shall not suffice to establish status as a "local business.

Additional supporting documentation is required to verify qualification includes:

1. A copy of a current BOE 531-A and/or BOE 530-C form (State, Local & District Sales, and Use Tax Return Form). This is what businesses submit to the State Board of Equalization when paying the sales tax to the State of California indicating the amount of the payment to be credited to each jurisdiction (i.e. Counties, Cities).
2. A current business license if required.
3. Proof of the current business address. The business address must match for points 1, 2 and 3.

Business Name: _____

Physical Address: _____

Phone: _____ E-Mail: _____

Length of time at this location: _____ Number of Company Employees at this address: _____

If less than 36 months, list previous City of Oxnard location: _____

Business License _____ Hours of Operation: _____

Primary function of this location (i.e., sales, distribution, production, corporate, etc): _____

_____

_____

Signature of Company Official Date

Badger Meter does not have a local established office for distribution of product, however we have relationships with local existing businesses to distribute our products.

Print Name, Title

Submittal of false data will result in disqualification of local preference and/or doing business with the City of Oxnard.

APPENDICES

APPENDIX 1 - SECTION 1.6; B (i): COMPANY OWNERSHIP AND AFFIDAVIT OF NON-COLLUSION

Badger Meter

4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

Badger Meter, Inc.
Company Ownership of Five Percent and Greater
February 28, 2019

Shareholders of Common Stock	**Percentage Interest in Shareholders' Equity**
BlackRock, Inc. 55 E. 52nd St. New York, NY 10055	14.7%
The Vanguard Group, Inc. 100 Vanguard Blvd. Malvern, PA 19355	11.2%
Kayne Anderson Rudnick Investment Management, LLC 1800 Ave. of the Stars, 2nd Fl. Los Angeles, CA 90067	6.4%

Badger Meter obtains the shareholder ownership information from the SEC 13-F forms filed by holders no later than 45 days after each quarter end, and compiled by an outside service provider.

Badger Meter

4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837

February 17, 2020

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of the bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

The prices in the bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

Unless otherwise required by law, the prices which have been quoted in the bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other competitor; and

No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit a bid for the purpose of restricting competition.

Sincerely,

Badger Meter, Inc.

Korrine L. Fleming
Assistant Secretary

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

Subscribed and sworn to before me this 17th day of February, 2020.

Chris Washington, Notary Public

My commission expires January 18, 2022.

CHRIS WASHINGTON NOTARY PUBLIC STATE OF WISCONSIN

APPENDIX 2 - SECTION 1.6; C (ii): COMPANY HIERARCHY AND ORGANIZATIONAL CHART

Badger Meter

4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

Badger Meter, Inc. Corporate Officers
November 1, 2019

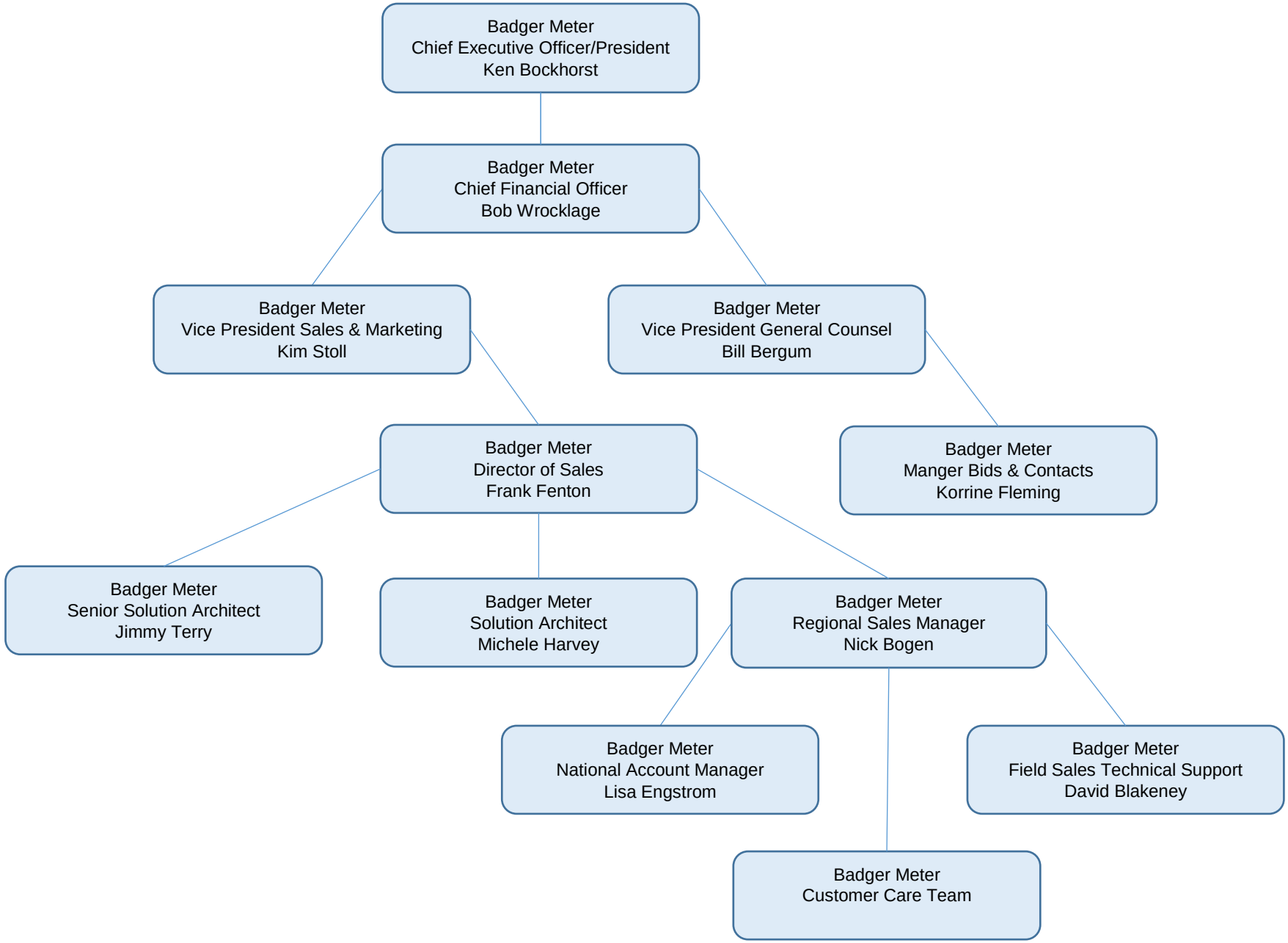
Elected Executive Officers:

Kenneth C. Bockhorst	President and Chief Executive Officer
Robert A. Wrocklage	Vice President – Chief Financial Officer
Karen M. Bauer	Vice President – Investor Relations, Corporate Strategy and Treasurer
Fred J. Begale	Vice President – Engineering
William R.A. Bergum	Vice President – General Counsel and Secretary
Gregory M. Gomez	Vice President – Global Flow Instrumentation and International Utility
Trina L. Jashinsky	Vice President – Human Resources
William J. Parisen	Vice President – Global Operations
Kimberly K. Stoll	Vice President – Sales and Marketing
Daniel R. Weltzien	Vice President – Controller

Elected Non-Executive Officers*:

Joanne K. Crumer-Pascale	Assistant Treasurer	Milwaukee Accounting Manager
Charla D. Dury	Assistant Secretary	Project Manager – Bid & Contract Admin.
Frank J. Fenton	Assistant Secretary	Director – Utility Sales
Korrine L. Fleming	Assistant Secretary	Manager– Bid & Contract Admin.
Nathaniel R. Hawley	Assistant Secretary	Director – Distributor Administration
David A. Kutil	Assistant Treasurer	Milwaukee Assistant Controller
Rebecca L. Loomans	Assistant Secretary	Sr. Project Manager – Bid & Contract Admin.
Benjamin E. Loomis	Assistant Secretary	Milwaukee Credit Manager
Pamela G. Stokke-Ceci	Assistant Secretary	Assistant General Counsel and Director
Christopher D. Washington	Assistant Secretary	Senior Proposal Lead

**Scope of authority for Assistant Secretaries determined by job description and duties, as approved by the Corporation's Secretary*


Badger Meter
Chief Executive Officer/President
Ken Bockhorst
Badger Meter
Chief Financial Officer
Bob Wrocklage
Badger Meter
Vice President Sales & Marketing
Kim Stoll
Badger Meter
Vice President General Counsel
Bill Bergum
Badger Meter
Director of Sales
Frank Fenton
Badger Meter
Manger Bids & Contacts
Korrine Fleming
Badger Meter
Senior Solution Architect
Jimmy Terry
Badger Meter
Solution Architect
Michele Harvey
Badger Meter
Regional Sales Manager
Nick Bogen
Badger Meter
National Account Manager
Lisa Engstrom
Badger Meter
Field Sales Technical Support
David Blakeney
Badger Meter
Customer Care Team

APPENDIX 3 - SECTION E: AUTHORIZED NEGOTIATOR

Korrine Fleming
Manager – Bids & Contracts

Office: 414-371-2728
Email: kfleming@badgermeter.com

Summary of Qualifications

Korrine Fleming is the Manager of the Bids & Contracts Department of Badger Meter. In this role, Korrine oversees a team of proposal management professionals dedicated to the successful contract life cycle of customer projects, ranging from opportunity identification, content management, and proposal development. While serving in this role, Korrine applies a strategy-driven method focused on efficiency and best practices to create accurate, compliant, and compelling proposals for standard supplier bid opportunities and full turnkey AMR/AMI implementation proposals. She collaborates with Badger Meter's legal counsel, field support services, sales, and marketing departments within Badger Meter to ensure contractual obligations and performance requirements are properly managed from a risk and contract perspective.

Education & Associations

Korrine is a certified Proposal Management Professional, maintains her membership with the Association of Proposal Management Professionals, and has over 15 years of experience in contract administration, contract management, and negotiation. She holds a bachelor's degree in Legal Studies and an associate's degree in Paralegal Studies from South University in Savannah, Georgia.

Professional Experience

Before beginning her career with Badger Meter in 2017 Korrine worked in the private law firm setting for several years. As her career progressed, she directed her experience and skillset towards supporting the advancement of the water and wastewater industry in contract management roles. Specifically, she worked for CRANE Nuclear, Inc., located in Kennesaw, Georgia, to deliver a broad offering of solutions to the nuclear industry. In addition, Korrine served as a Sr. Contract Specialist at Rexnord Corporation/VAG, LLC, which manufactures water supply and waste management products and has locations in Milwaukee, Wisconsin and Cranberry, Pennsylvania.

APPENDIX 4 - SECTION F: CREDENTIALS/RESUMES/ CERTIFICATIONS/LICENSES

Nick Bogen
Regional Manager

Office: 414-371-7240
Cell: 414-339-5680
nbogen@badgermeter.com

Summary of Qualifications

Nick Bogen is the Western Regional Sales Manager for the Utility Sales Group at Badger Meter. Nick started with Badger Meter in March 2013 and brings over 23 years of successful sales and sales management experience. Prior to joining Badger Meter, Nick was the Director of Sales at Adaptive Micro Systems, a manufacturer of electronic LED displays and billboards. Nick's previous experience also includes his role as the Western Regional Manager for Cerro Flow products where he was responsible for over $50 million in annual sales of copper water pipe and refrigeration pipe in a commodity market dynamic. Nick has a broad understanding of manufacturing processes including plastic molding, extrusion, circuit board, casting and radio frequency (RF) technology. Nick's diverse background makes him ideally suited to support his utility customers' metering needs.

Education & Associations

Jacksonville University, Jacksonville, Florida, *Bachelor of Science in Business Administration*, 1991
Member of American Water Works Association (AWWA)

Professional Experience

Badger Meter, *Regional Manager-Utility Sales*, 2013-present

- Responsible for overall management of sales plan development, sales strategy, forecasting, budgets, revenue and margin goals
- Manages sales professionals to achieve corporate goals while providing executive management with market trends in the industry to improve our product offering to ensure a successful deployment of Badger products and water systems
- Responsible for bringing knowledge of Badger Meter products to the market to help Badger Meter remain at the forefront of innovation

Adaptive Micro Systems, *Director of Dealer Sales*, 2008-2013

- Responsible for sales and marketing efforts for dealer, productivity and billboard sales channels while serving on the executive management team

Cerro Flow Products, *Northwest Regional Manager*, 2004-2008

- Responsible for pricing to meet profit, spread, and volume objectives by daily monitoring raw material costs and competitive climate

Hartwell DZUS, *Regional Sales Manager for the Consumer Electronic Sector,* 2003-2004

- Developed, implemented, and managed the first organized distribution program for Hartwell's products
- Developed contracts and pricing strategy

Richco, Inc., *US Sales Manager, Regional Manager, NAM, Program Manager, Sales Representative,* 1991- 2003

- US Sales Manager: (2001-2003) Responsible for the development, implementation and management of the overall US sales plan;
- Western Regional Manager: (2000-2001) Responsible for overall sales management of 22 state western region including 8 sales territories, and developed, motivated and managed a distribution network of 40+ organizations;
- National Accounts Manager-Global: (1999-2000) Responsible for creating and developing a National Account program to maintain and grow sales to major accounts and contract manufacturers
- Contract Manufacturing Program Manager: (1999-2000) Responsible for creating a program to capture, maintain and grow sales to the contract Manufacturing industry
- Mountain Regional Manager: (1994-1999) Responsible for overall sales management of 17-state mountain region
- Territory Sales Representative: (1991-1994) Responsible for five-state sales territory

Accomplishments

Nick has been involved with hundreds of RFPs, RFIs, and negotiated system sales opportunities. Through his tenure at Badger Meter, his team has successfully won large and small projects that have provided the right solution to each utility. Nick has been involved with several large turnkey deployments and has a vast knowledge of the components that need to be provided to ensure a successful deployment. Additionally, he has reorganized the market coverage and strategy to meet the growing needs of the customer base of Badger Meter. Nick has also restructured the go-to-market strategy in Canada to offer his customers a strong and knowledgeable support team to ensure success with Badger Meter water systems.

Lisa Engstrom
Account Manager

Office: 949-445-7171
Cell: 949-565-5698
lengstrom@nationalmeter.com

Summary of Qualifications

Lisa Engstrom is an Account Manager with National Meter and leverages her experience to support and provide solutions for water utilities throughout southern California. Lisa's primary objective is to work with utilities on a consultative basis to identify their meter and meter reading needs and match those needs to solutions from Badger Meter and our partners. Lisa successfully manages Badger Meter's resources to provide her customers with state-of-the-art solutions and excellent service for both residential and commercial applications. Working with Badger Meter's existing customers and new accounts, Lisa's role is to build and maintain relationships, and provide long-term solutions, support, and training while achieving her annual sales objectives.

Education & Associations

San Diego State University, *Bachelor of Science in Business Finance*
Member of the California-Nevada Section of the AWWA

Professional Experience

Badger Meter, Inc. DBA National Meter & Automation, *Account Manager,* February 2011-present

- Consults with utility customers to determine their needs and goals and also provide innovative, customized Badger Meter solutions
- Manages Badger Meter team and resources to ensure both smooth deployment of solutions and resolution of issues
- Plans and conducts educational seminars for utility contacts and industry partners
- Awarded #1 in Sales Growth and #1 Margin Producer in 2016 for Badger Meter

AT&T, *Sales Manager,* January 2006-February 2011

- Successfully executed sales and daily operations for team of eight sales professionals while managing the company's largest and most strategic market segment in Los Angeles, California
- Continually increased brand awareness and expanded market for global provider of IP and wireless-based communications services to a diverse B2B client base
- Consistently outperformed sales plan and achieved Circle of Excellence designation in 2010; Awarded 2007, 2008, 2009, and 2010 Market Leaders Club
- Winner of BCS President's Significant Sales Award in October 2007

AT&T, *Senior Account Manager,* January 1998-January 2006

- Built solid executive relationships and successfully grew a key account base of AT&T enterprise business customers in a $6 million territory that included San Francisco, San Jose, and later, Orange County
- Utilized expert knowledge of business and government market niches to provide consultative technology sales
- Won "President's Managed Services Showdown" and was #1 in overall sales performance in 2005 earning the "Market Leaders Award" six times from 1999 to 2005
- Promoted to position after two years as Account Manager while achieving 383% of annual sales target in 1999 and being awarded the "President's Club"

Verizon Communications, Inc., *Account Executive,* September 1996-September 1998

- Successfully built relationships and sold bundled solutions encompassing local and long-distance voice, internet and wireless services to targeted verticals industries
- Quickly learned the communications and technology business and exceeded sales quota by up to 225% during tenure
- Received the "President's Award" 4th Quarter, 1997 for sales excellence

Accomplishments

Over the course of Lisa’s career with National Meter, she has been instrumental in the success of the following projects:

- City of Hesperia, California: Project consists of water meters and BEACON AMA Cellular solution; currently implementing and managing seven-year project totaling over $5 million.
- Helix Water District, La Mesa, California: Won competitive customer for Badger Meter and signed water meter contract worth $500,000 annually. Project consisted of BEACON AMA Cellular solution for fire hydrant meters and commercial services.
- City of Norwalk, California: Won competitive customer for Badger Meter with contract totaling $400,000. Project consisted of BEACON AMA Cellular solution with 1,000 services.
- Cucamonga Valley Water District, Rancho Cucamonga, California: Won competitive customer for Badger Meter and signed two-year water meter contract worth $1.5 million.

- South Coast Water District, California: Worked with customer to convert existing and aging mobile read solution to BEACON AMA Cellular solution. Multi-year project worth in excess of $1 million per year.
- Walnut Valley Water District, California: Worked with customer to convert existing aging mobile read solution to BEACON AMA Cellular solution. Multi-year project worth $1 million per year.

Jimmy L. Terry Jr.

Senior Solution Architect – National Strategic Accounts

Office: 720-531-9676
Cell: 303-478-8163
jterry@badgermeter.com

Summary of Qualifications

Jimmy Terry is a Senior Solution Architect for National Strategic Accounts for Badger Meter. In this role, he is a critical member of the sales team in the strategic development of large utility accounts who desire innovative AMR/AMI solutions. Jimmy has nearly 40 years of water industry experience and has become a proven, genuine leader in crafting successful, cost-effective metering solutions for utilities and municipalities across North America.

Education & Associations

University of Louisiana-Monroe, *Bachelor's degree in Accounting (Finance minor)*, 1983
University of Louisiana-Monroe, *Master's degree in Business Administration*, 1988
Member of the American Water Works Association (AWWA)

Professional Experience

Jimmy Terry began his professional career in the water industry as the Sales Support Specialist for Utility Data Systems in Monroe, Louisiana. From 1982 to 1992, Jimmy was a key part of the sales and marketing departments of Utility Data Systems, where he specialized in the installation and implementation of utility billing and general accounting software for utilities and municipalities. He also collaborated with utilities to develop utility training programs.

In 1992, Jimmy joined the sales team of Badger Meter and has since worked in various roles at the local, regional, and national levels. Since 2018, Jimmy has worked as a Senior Solution Architect, interfacing with both utility customers and the Badger Meter organization in developing customized, localized, and profitable metering solutions.

Accomplishments

During Jimmy's tenure at Badger Meter, he has become a recognized industry leader. For example, Jimmy has been instrumental in several successful metering projects for utilities, such as Wichita, Kansas. His years of experience in the water industry are a veritable asset to utility customers as they embark on new and innovative AMR/AMI projects.

Michele Harvey
Solution Architect

Office: 414-371-6531
Cell: 414-460-7724
mharvey@badgermeter.com

Summary of Qualifications

Since joining Badger Meter in 2010, Michele Harvey has utilized her engineering background to support water utilities in the western United States and Canada. Located in Sacramento, California, Michele works with utilities to determine their metering needs in order to propose the best meter and technology solutions. Once a solution is identified, she works hands-on with the utility to train, deploy, and provide long-term support. Michele obtained her bachelor's degree in Electrical Engineering and Mathematics from the University Evansville and is proud to be the meter committee chair for the California-Nevada Section of the American Water Works Association.

Education & Associations

University of Evansville, *Bachelor of Science in Electrical Engineering & Mathematics*
American Water Works Association*, California-Nevada Section, Pacific North West Section, Hawaii Section, Intermountain Section*

Professional Experience

Badger Meter, *Solution Architect*, October 2010-present

- Helps utility customers determine meter and meter reading needs
- Matches technology solutions to utility needs and objectives
- Collaborates with Badger Meter team to ensure smooth deployment of chosen solutions

Numonyx, *Field Applications Engineer,* August 2009-October 2010

- Supported flash memory designs

Nu Horizons Electronics, *Technical Marketing Director,* October 2006-February 2009

- Developed Nu Horizons' LED lighting program
- Defined and delivered a technology showcase board demonstrating a 2A HB-LED circuit with PWM dimming and electronic lighting control

- Acted as a business development manager by identifying and meeting with potential customers, and as an applications engineer supporting technical questions from the field and customers
- Developed and managed Nu Horizons' Field Application Engineer (FAE) training program including planning and executing the annual FAE training conference

Nu Horizons Electronics, *Regional Technical Sales Manager,* July 2003-October 2006

- Co-developed Nu Horizons' Regional Technical Sales Manager program which includes sales management, field application engineering, and marketing job functions
- Responsible for initial training of Asia account managers and field application engineers as part of a franchise expansion
- Managed team of 17 account managers and five field application engineers in the Northwest United States (including San Jose bay, Colorado and Utah)

Phase II Technical Sales, *Networking & Communications Application Manager,* February 2000-June 2003

- Supported a team of eight sales representatives in the San Francisco, Sacramento and Reno areas by meeting with customer engineers, making product recommendations, and providing technical follow-up: technologies supported included DSL, SONET/ATM, T1/DS3/PSTN, QoS Ethernet and OptoElectronics

Pioneer-Standard Electronics, *Field Applications Engineer,* September 1997-February 2000

- Collaborated with customer engineers, made product recommendations, provided technical follow-up, and reviewed customer activity and set strategy

Intel Corporation, *Technical Marketing Engineer,* May 1990-September 1997

- Specialized in microprocessors including the i960, i360EX and Pentium processors
- Managed team of interns to develop application notes and a custom military grade Pentium/FPGA reference design
- Developed PLD daughter-card as alternative to obsolete i960 microprocessor bus controller

Accomplishments

Over the course of Michele's career at Badger Meter, she has achieved numerous successes for both Badger Meter and her utility customers, including the implementation and deployment of a migratable AMR system in the City of Pittsburg, California; a fixed network system in the City of Sacramento, California; and a cellular system in the City of Hermiston, Oregon.

David N. Blakeney

Field Sales Support Specialist

Office: 949-445 -7171
Cell: 909-996-7909
dblakeney@badgermeter.com

Summary of Qualifications

David Blakeney joined the field sales support team of Badger Meter, Inc. in 2015 and is currently the Field Sales Support Specialist for the states of California, Nevada, Oregon, Washington, Alaska, and Hawaii. Before joining Badger Meter, David began his professional career as a Field Supervisor at Measurement Control Systems and then went on to start his own company at Aquatek Services. Given David's business acumen and professional experience in sales and service management, David has been instrumental in ensuring a great customer experience for the territories in which he serves. He has been integral in implementing many large scale AMR and AMI deployments. David is committed to providing exceptional service and solutions to each of his utility customers.

Education & Associations

Citrus College, Associate's Degree (*in progress)* in Business Management

Professional Experience

Badger Meter, Inc., *Field Sales Support Specialist,* 2015-present

- Provides technical training and post-sales support to customers in the following states: California, Nevada, Oregon , Washington, Alaska, and Hawaii
- Collaborates with Account Manager and Solution Architect to develop and maintain relationships with utility customers.

Aquatek Services, *Founder/Owner*, 2011-2015

- Aquatek Services was a large water meter testing, installation and repair company based in Southern California. As a licensed and bonded contractor, David contracted with water utilities and purveyors to provide exceptional water meter related services at economical rates.

Measurement Control Systems, *Field Supervisor*, 2009-2011

- Measurement Control Systems was a multi-vendor distributor that specialized in water and natural gas meters. As a Field Supervisor, David managed twelve (12) employees and also led the water meter testing division for the company.

Certifications

- Badger Meter Certified Trainer
- Certified Itron FCS Installer
- State of California Licensed Contractor
- California Department of Public Health Water Distribution Operator 2 (D2)

APPENDIX 5 - PRICE PROPOSAL

QUOTATION

Badger Meter

4545 W. Brown Deer Rd
Milwaukee, WI 53224
Phone: 800-616-3837

DATE: February 17, 2020
QUOTED BY: Lisa Engstrom
CONTACT: Jose Chavez
CUSTOMER EMAIL: jose.chavez@oxnard.org

BILL TO:
City of Oxnard, CA

SHIP TO:
City of Oxnard, CA

SALESPERSON	PAYMENT TERMS	SHIPPING METHOD	SHIPPING TERMS	SUBJECT TO REVIEW
Lisa Engstrom	Net 30 Days	Best Way	FOB Oxnard, CA	February 16, 2021

QTY	Product Description	UNIT PRICE	AMOUNT
	Scope of Project: City of Oxnard RFB. Provide Badger water meters with AMI capabilities.		
tbd	Ultrasonic E-Series Meter, Stainless Steel, 3/4" x 9", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$135.00	$135.00
tbd	Ultrasonic E-Series Meter, Stainless Steel, 3/4" x 7-1/2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$126.00	$126.00
tbd	Ultrasonic E-Series Meter, Stainless Steel, 1", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$149.00	$149.00
tbd	Ultrasonic E-Series Meter, Stainless Steel, Elliptical, 1-1/2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$353.00	$353.00
tbd	Ultrasonic E-Series Meter, Stainless Steel, Elliptical, 2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$476.00	$476.00
tbd	***ALTERNATE*** Ultrasonic E-Series Meter, Polymer, 3/4" x 9", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$112.00	$112.00
tbd	***ALTERNATE*** Ultrasonic E-Series Meter, Polymer, 3/4" x 7-1/2", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$104.00	$104.00
tbd	***ALTERNATE*** Ultrasonic E-Series Meter, Polymer, 1", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$126.00	$126.00
tbd	***ALTERNATE*** Ultrasonic E-Series Plus Meter with Integrated Flow Restriction Valve, Stainless Steel, 3/4" x 9", Cubic Feet, 9-dial, Twist Tight Connector, 5' Cable	$400.00	$400.00

Due to continuous improvements and redesign of our products and technology solutions, we reserve the right to provide our newest product solutions as an alternative to the proposed products provided they are in conformance with the requirements of the specifications and do not exceed the prices quoted.

APPENDIX 6 - PRODUCT DATA SHEETS

Badger Meter

E-Series® Ultrasonic Meter

Cold Water Stainless Steel Meter, 5/8, 5/8 x 3/4, 3/4 and 1 inch

DESCRIPTION

The E-Series® Ultrasonic meter uses solid-state technology in a compact, totally encapsulated, weatherproof, and UV-resistant housing, suitable for residential and commercial applications. Electronic metering provides information—such as rate of flow and reverse flow indication—and data not typically available through traditional, mechanical meters and registers. Electronic metering eliminates measurement errors due to sand, suspended particles and pressure fluctuations.

Offered in four sizes and lay lengths, the Ultrasonic meter features:

- Minimum extended low-flow rate lower than typical positive displacement meters.
- Simplified one-piece electronic meter and register that are integral to the meter body and virtually maintenance free.
- Sealed, non-removable, tamper-protected meter and register.
- Easy-to-read, 9-digit LCD display presents consumption, rate of flow, reverse-flow indication, and alarms.
- High resolution industry standard ASCII encoder protocol.

The Ultrasonic meter is available with an in-line connector for easy connection and installation to AMR/AMI endpoints. It is also available with a flying lead for field splice connection.

APPLICATIONS

Use the Ultrasonic meter for measuring potable cold water in residential, commercial and industrial services. The meter is also ideal for non-potable, reclaimed irrigation water applications or less than optimum water conditions where small particles exist.

E-Series Ultrasonic meters meet and exceed ANSI/AWWA C715 standards. The meters comply with the lead-free provisions of the Safe Drinking Water Act, are certified to NSF/ANSI Standards 61 and 372 and carry the NSF-61 mark on the housing.

OPERATION & PERFORMANCE

As water flows into the measuring tube, ultrasonic signals are sent consecutively in forward and reverse directions of flow. Velocity is then determined by measuring the time difference between the measurement in the forward and reverse directions. Total volume is calculated from the measured flow velocity using water temperature and pipe diameter. The LCD display shows total volume and alarm conditions and can toggle to display rate of flow.

In the normal temperature range of 45…85° F (7…29° C), the Ultrasonic "new meter" consumption measurement is accurate to:

- ±1.5% over the normal flow range
- ±3.0% from the extended low flow range to the minimum flow value

CONSTRUCTION

E-Series Ultrasonic meters feature a stainless steel, lead-free meter housing, an engineered polymer and stainless steel metering insert, a meter-control circuit board with associated wiring, LCD, and battery. Wetted elements are limited to the pressure vessel, polymer/stainless steel metering insert and the transducers. The electronic components are housed and fully potted within a molded, engineered polymer enclosure, which is permanently attached to the meter housing. The transducers extend through the stainless steel housing and are sealed by O-rings.

The metering insert holds the stainless steel ultrasonic reflectors in the center of the flow area, enabling turbulence-free water flow through the tube and around the ultrasonic signal reflectors. The metering insert's patented design virtually eliminates chemical buildup on the reflectors, ensuring long-term metering accuracy.

METER INSTALLATION

The meter is completely submersible and can be installed using horizontal or vertical piping, with flow in the up direction. The meter will not measure flow when an "empty pipe" condition is experienced. An empty pipe is defined as a condition that occurs when the flow sensors are not fully submerged.

SPECIFICATIONS

E-Series Ultrasonic Meter Size	5/8 in. (16 mm)	5/8 x 3/4 in. (16 x 19 mm)	3/4 in. (19 mm)	1 in. (25 mm)
Operating Range	0.1…25 gpm (0.02…5.7 m^3/hr)	0.1…25 gpm (0.02…5.7 m^3/hr)	0.1…32 gpm (0.02…7.3 m^3/hr)	0.4…55 gpm (0.09…12.5 m^3/hr)
Extended Low-Flow Rate	0.05 gpm (0.01 m^3/hr)	0.05 gpm (0.01 m^3/hr)	0.05 gpm (0.01 m^3/hr)	0.25 gpm (0.06 m^3/hr)
Maximum Continuous Operation	25 gpm (5.7 m^3/hr)	25 gpm (5.7 m^3/hr)	32 gpm (7.3 m^3/hr)	55 gpm (12.5 m^3/hr)
Pressure Loss	4.3 psi at 15 gpm (0.3 bar @ 3.4 m^3/hr)	2.3 psi at 15 gpm (0.16 bar @ 3.4 m^3/hr)	2.0 psi at 15 gpm (0.14 bar @ 3.4 m^3/hr)	1.8 psi at 25 gpm (0.12 bar @ 5.7 m^3/hr)
Reverse Flow - Maximum Rate	4 gpm (0.9 m^3/hr)	4 gpm (0.9 m^3/hr)	4 gpm (0.9 m^3/hr)	9 gpm (2.0 m^3/hr)
Operating Performance	In the normal temperature range of 45…85° F (7…29° C), new meter consumption measurement is accurate to: • ±1.5% over the normal flow range • ±3.0% from the extended low flow range to the minimum flow value			
Storage Temperature	– 40…140° F (– 40…60° C)			
Maximum Ambient Storage (Storage for One Hour)	150° F (72° C)			
Measured-Fluid Temperature Range	34…140° F (1°…60° C)			
Humidity	0…100% condensing; meter is capable of operating in fully submerged environments			
Maximum Operating Pressure of Meter Housing	175 psi (12 bar)			
Register Type	Straight reading, permanently sealed electronic LCD; digits are 0.28 in. (7 mm) high			
Register Display	• Consumption (up to nine digits) • Rate of flow • Alarms • Unit of measure factory programmed for gallons, cubic feet and cubic meters			
Register Capacity	• 10,000,000 gallons • 1,000,000 cubic feet • 100,000 cubic meters			
Totalization Display Resolution	• Gallons: 0.XX • Cubic feet: 0.XXX • Cubic meters: 0.XXXX			
Battery	3.6-volt lithium thionyl chloride; battery is fully encapsulated within the register housing and is not replaceable; 20-year battery life			

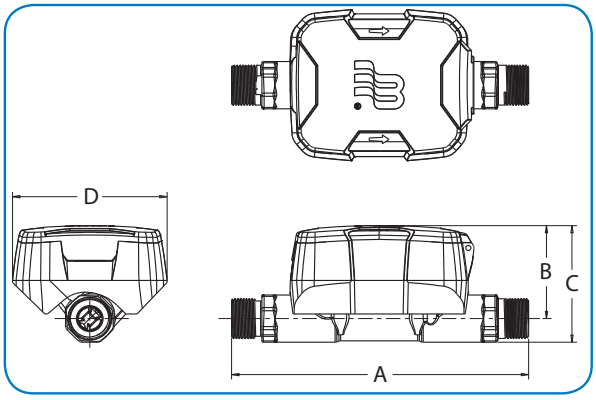
MATERIALS

Meter Housing	316 stainless steel
Measuring Element	Pair of ultrasonic sensors located in the flow tube
Register Housing & Lid	Engineered polymer
Metering Insert	Engineered polymer & stainless steel
Transducers	Piezo-ceramic device with wetted surface of stainless CrNiMo

PHYSICAL DIMENSIONS

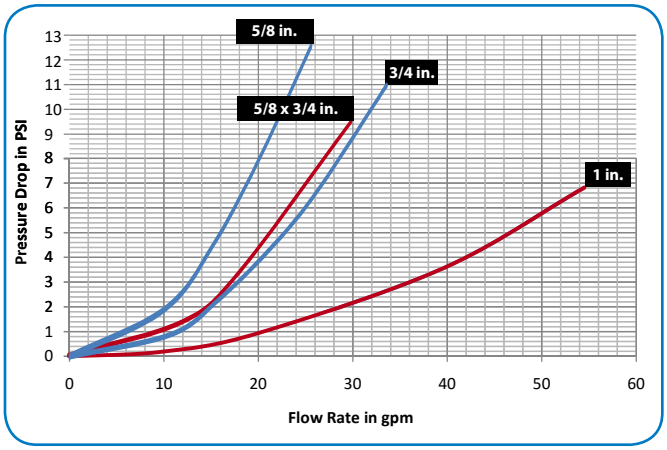
E-Series Ultrasonic Meter Size	5/8 in. (16 mm)	5/8 x 3/4 in. (16 x 19 mm)	3/4 in. (19 mm)	1 in. (25 mm)
Size Designation X Lay Length	5/8 x 7-1/2 in. (16 x 191 mm)	5/8 x 3/4 x 7-1/2 in. (16 x 19 x 191 mm)	3/4 × 7-1/2 in. or 3/4 × 9 in. (19 × 191 mm or 19 × 229 mm)	1 x 10-3/4 in. 25 x 273 mm)
Weight (without AMR)	2.2 lb (1 kg)	2.1 lb (.95 kg)	3/4 × 7-1/2 in.: 2.1 lb 3/4 × 9 in.: 2.4 lb (20 × 190 mm.: 0.95 kg or 20 × 229 mm: 1.08 kg)	3.1 lb (1.4 kg)
See illustration below for Measurement Designations.				
Length (A)	7.5 in. (191 mm)	7.5 in. (191 mm)	7.5 in. or 8.98 in. (191 mm or 228 mm)	10.745 in (273 mm).
Height (B)	2.404 in. (61 mm)	2.404 in. (61 mm)	2.404 in. (61 mm)	2.529 in. (64 mm)
Height (C)	3.014 in. (77 mm)	3.014 in. (77 mm)	3.094 in. (79 mm)	3.359 in. (85 mm)
Width (D)	3.898 in. (99 mm)	3.898 in. (99 mm)	3.898 in. (99 mm)	3.898 in. (99 mm)
Bore Size	5/8 in. (16 mm)	3/4 in. (19 mm)	3/4 in. (19 mm)	1 in. (25 mm)
Coupling Nut & Spud Thread	3/4 in. x 14 NPSM	1 in. x 11-1/2 NPSM	1 in. x 11-1/2 NPSM	1-1/4 in. x 11-1/2 NPSM
Tailpiece Pipe Thread (NPT)	1/2 in. (13 mm)	3/4 in. (19 mm)	3/4 in. (19 mm)	1 in. (25 mm)
Service Pipe Thread (NPT)	1/2 in. (13 mm)	3/4 in. (19 mm)	3/4 in. (19 mm)	1 in. (25 mm)

Measurement Designations



PRESSURE LOSS CHART

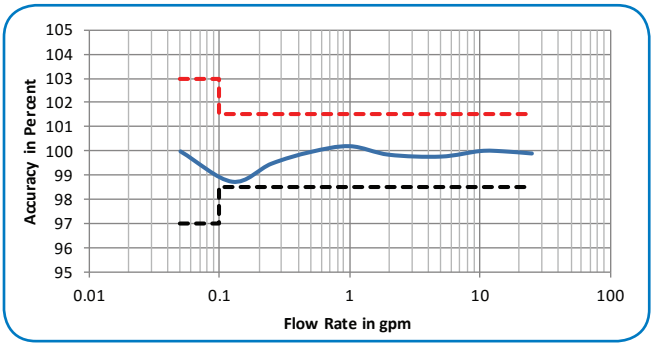
Rate of Flow in gallons per minute (gpm)



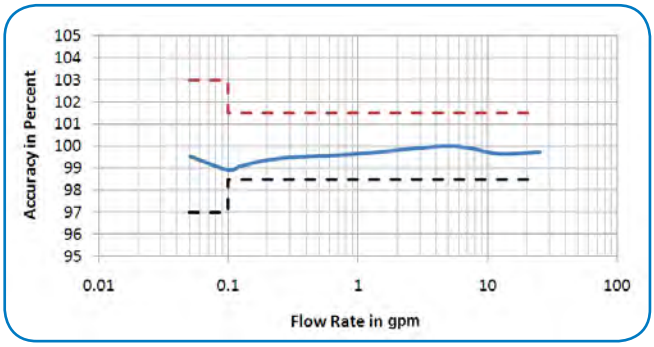
ACCURACY CHARTS

Rate of Flow in gallons per minute (gpm)

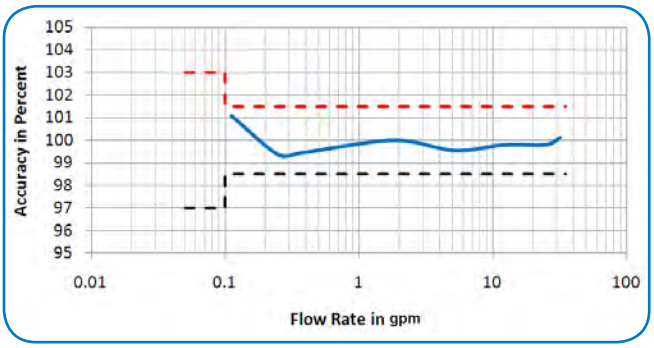
5/8 in. Meter



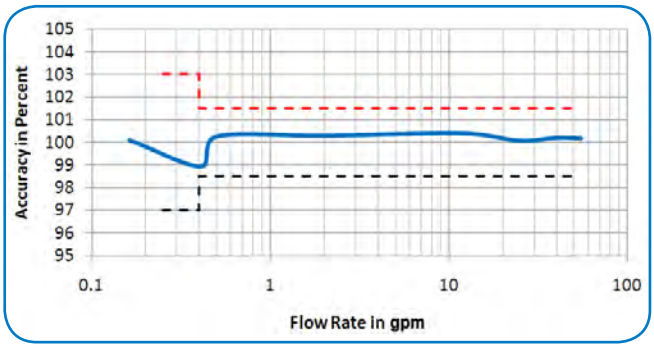
5/8 x 3/4 in. Meter



3/4 in. Meter



1 in. Meter



SMART WATER IS *BADGER METER*

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Legacy Document Number: ESM-T-01-EN

Badger Meter

E-Series® Ultrasonic Meter

Cold Water Stainless Steel Meter, 1-1/2 and 2 inch

DESCRIPTION

The E-Series® Ultrasonic meter uses solid-state technology in a compact, totally encapsulated, weatherproof, and UV-resistant housing, suitable for residential and commercial applications. Electronic metering provides information—such as rate of flow and reverse flow indication—and data not typically available through traditional, mechanical meters and registers. Electronic metering eliminates measurement errors due to sand, suspended particles and pressure fluctuations.

The Ultrasonic 1-1/2 and 2 inch meters feature:

- Minimum extended low-flow rate lower than typical positive displacement meters.
- Simplified one-piece electronic meter and register that are integral to the meter body and virtually maintenance free.
- Sealed, non-removable, tamper-protected meter and register.
- Easy-to-read, 9-digit LCD display presents consumption, rate of flow, reverse-flow indication, and alarms.
- High resolution industry standard ASCII encoder protocol.

The Ultrasonic meter is available with an in-line connector for easy connection and installation to AMR/AMI endpoints. It is also available with a flying lead for field splice connection.

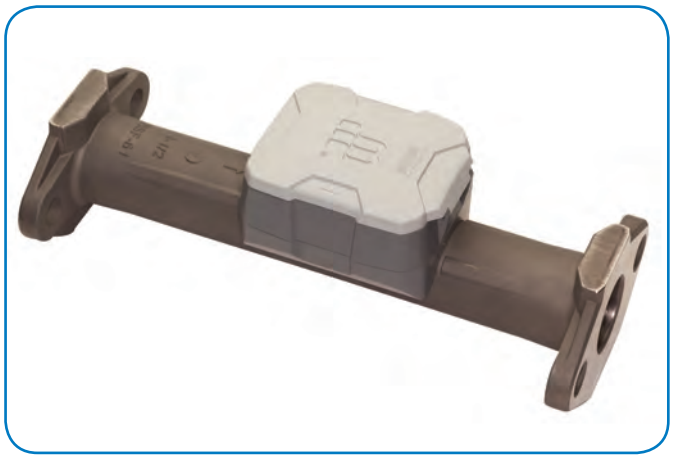
APPLICATIONS

Use the Ultrasonic meter for measuring potable cold water in residential, commercial and industrial services. The meter is also ideal for non-potable, reclaimed irrigation water applications or less than optimum water conditions where small particles exist.

E-Series Ultrasonic meters meet and exceed ANSI/AWWA C715 standards. The meters comply with the lead-free provisions of the Safe Drinking Water Act, are certified to NSF/ANSI Standards 61 and 372 and carry the NSF-61 mark on the housing.

OPERATION & PERFORMANCE

As water flows into the measuring tube, ultrasonic signals are sent consecutively in forward and reverse directions of flow. Velocity is then determined by measuring the time difference between the measurement in the forward and reverse directions. Total volume is calculated from the measured flow velocity using water temperature and pipe diameter. The LCD display shows total volume and alarm conditions and can toggle to display rate of flow.



In the normal temperature range of 45…85° F (7…29° C), the Ultrasonic "new meter" consumption measurement is accurate to:

- ±1.5% over the normal flow range
- ±3.0% from the extended low flow range to the minimum flow value

CONSTRUCTION

E-Series Ultrasonic meters feature a stainless steel, lead-free meter housing, an engineered polymer and stainless steel metering insert, a meter-control circuit board with associated wiring, LCD, and battery. Wetted elements are limited to the pressure vessel, the polymer/stainless steel metering insert and the transducers. The electronic components are housed and fully potted within a molded, engineered polymer enclosure, which is permanently attached to the meter housing. The transducers extend through the stainless steel housing and are sealed by O-rings.

The metering insert holds the stainless steel ultrasonic reflectors in the center of the flow area, enabling turbulence-free water flow through the tube and around the ultrasonic signal reflectors. The metering insert's patented design virtually eliminates chemical buildup on the reflectors, ensuring long-term metering accuracy.

METER INSTALLATION

The meter is completely submersible and can be installed using horizontal or vertical piping, with flow in the up direction. The meter will not measure flow when an "empty pipe" condition is experienced. An empty pipe is defined as a condition that occurs when the flow sensors are not fully submerged.

SPECIFICATIONS

E-Series Ultrasonic Meter Size	1-1/2 in. (40 mm)	2 in. (50 mm)
Operating Range	1.25…100 gpm	1.5…160 gpm
Extended Low-Flow Rate	0.40 gpm	0.50 gpm
Maximum Continuous Operation	100 gpm	160 gpm
Pressure Loss at Maximum Flow	3.8 psi	5.2 psi
Reverse Flow – Maximum Rate	12 gpm	18 gpm
Operating Performance	In the normal temperature range of 45…85° F (7…29° C), new meter consumption measurement is accurate to: • ±1.5% over the normal flow range • ±3.0% from the extended low flow range to the minimum flow value	
Storage Temperature	– 40…140° F (– 40…60° C)	
Maximum Ambient Storage (Storage for One Hour)	150° F (72° C)	
Measured-Fluid Temperature Range	34…140° F (1…60° C)	
Humidity	0…100% condensing; meter is capable of operating in fully submerged environments	
Maximum Operating Pressure of Meter Housing	175 psi (12 bar)	
Register Type	Straight reading, permanently sealed electronic LCD; digits are 0.28 in. (7 mm) high	
Register Display	• Consumption (up to nine digits) • Rate of flow • Alarms • Unit of measure factory programmed for gallons, cubic feet and cubic meters	
Register Capacity	• 100,000,000 gallons • 10,000,000 cubic feet • 1,000,000 cubic meters	
Totalization Display Resolution	• Gallons: 0.X • Cubic feet: 0.XX • Cubic meters: 0.XXX	
Battery	3.6-volt lithium thionyl chloride; battery is fully encapsulated within the register housing and is not replaceable; 20-year battery life	

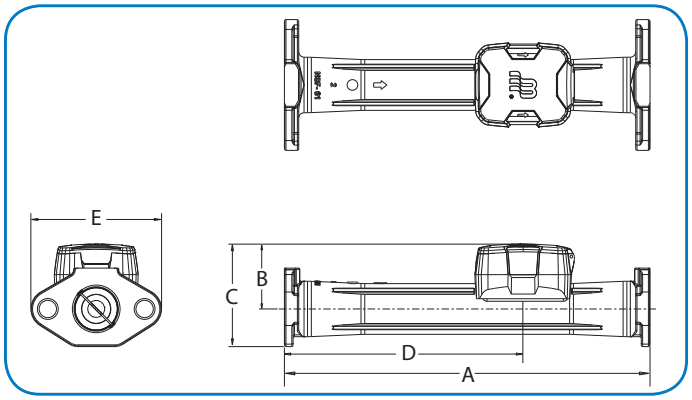
MATERIALS

Meter Housing	316 stainless steel
Measuring Element	Pair of ultrasonic sensors located in the flow tube
Register Housing & Lid	Engineered polymer
Metering Insert	Engineered polymer & stainless steel
Transducers	Piezo-ceramic device with wetted surface of stainless CrNiMo

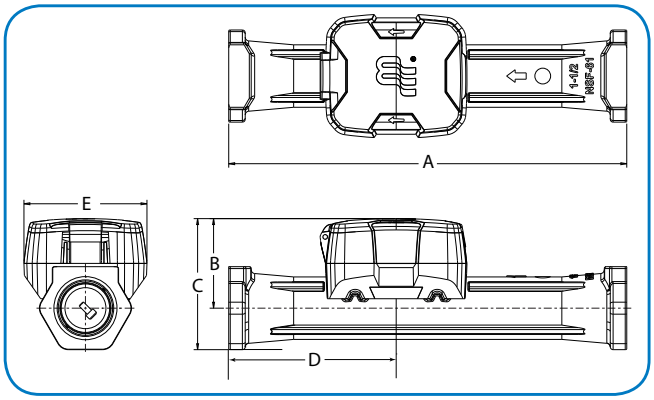
PHYSICAL DIMENSIONS

E-Series Ultrasonic Meter Size	1-1/2 in. (40 mm)	1-1/2 in. (40 mm)	2 in. (50 mm)	2 in. (50 mm)
Housing	**Elliptical**	**HEX**	**Elliptical**	**HEX**
Size Designation X Lay Length	1-1/2 x 13 in. (38 x 330 mm)	1-1/2 x 12.62 in. (38 x 321 mm)	2 x 17 in. (51 x 432 mm)	2 x 15.25 in. (51 x 387 mm)
Weight (without AMR)	8.2 lb (3.7 kg)	6.5 lb (2.9 kg)	11.9 lb (5.4 kg)	8.9 lb (4.0 kg)
See illustration below for Measurement Designations.				
Length (A)	13 in. (33 cm)	12.62 in. (32 cm)	17 in. (43 cm)	15.25 in. (39 cm)
Height (B)	2.80 in. (71 mm)	2.84 in. (72 mm)	3.01 in. (77 mm)	3.06 in. (78 mm)
Height (C)	4.55 in. (116 mm)	4.15 in. (105 mm)	4.76 in. (121 mm)	4.68 in. (119 mm)
Length (D)	7.10 in. (180 mm)	5.31 in. (135 mm)	11.10 in. (282 mm)	5.05 in. (128 mm)
Width (E)	5.50 in. (140 mm)	3.90 in. (99 mm)	6.08 in. (154 mm)	3.90 in. (99 mm)
Bore Size	1-1/2 in. (40 mm)	1-1/2 in. (40 mm)	2 in. (51 mm)	2 in. (51 mm)
Two-Bolt Elliptical Flange (AWWA)	1-1/2 in. (40 mm)	—	2 in. (51 mm)	—
Companion Flange	1-1/2 in. (40 mm)	—	2 in. (51 mm)	—
Internal Thread Size	—	1-1/2 in. NPT	—	2 in. NPT

Elliptical Measurement Designations

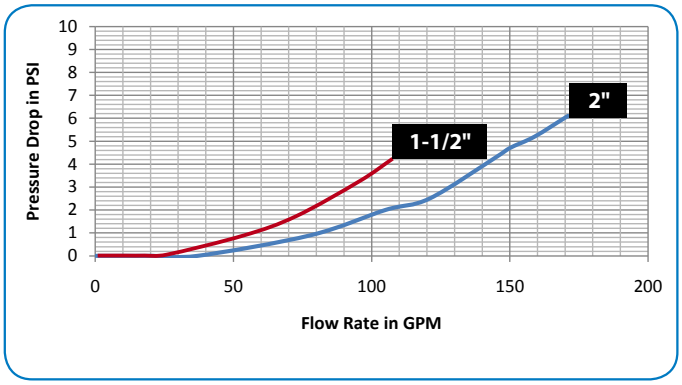


HEX Measurement Designations



PRESSURE LOSS CHART

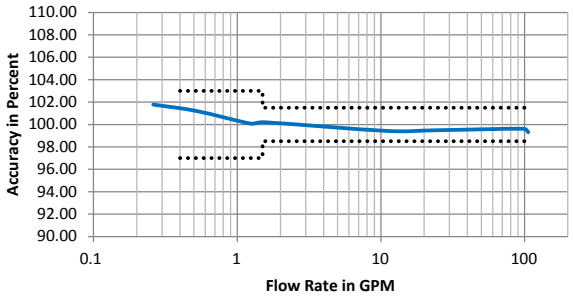
Flow rate in Gallons Per Minute (GPM)



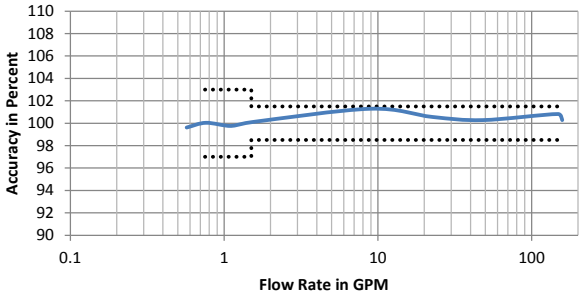
ACCURACY CHARTS

Rate of Flow in Gallons Per Minute (GPM)

1-1/2 in. Meter



2 in. Meter



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Legacy Document Number: ESM-T-10-EN

Badger Meter

E-Series® Ultrasonic Meter

Cold Water Engineered Polymer Meter, 5/8, 5/8 x 3/4, 3/4, and 1 inch

DESCRIPTION

The E-Series® Ultrasonic meter uses solid-state technology in a compact, totally encapsulated, weatherproof, and UV-resistant housing, suitable for residential and commercial applications. Electronic metering provides information—such as rate of flow and reverse flow indication—and data not typically available through traditional, mechanical meters and registers. Electronic metering eliminates measurement errors due to sand, suspended particles and pressure fluctuations.

The Ultrasonic 5/8, 5/8 × 3/4, 3/4, and 1 inch meters feature:

- Minimum extended low-flow rate lower than typical positive displacement meters.
- Simplified one-piece electronic meter and register that are integral to the meter body and virtually maintenance free.
- Sealed, non-removable, tamper-protected meter and register.
- Easy-to-read, 9-digit LCD display presents consumption, rate of flow, reverse-flow indication, and alarms.
- High resolution industry standard ASCII encoder protocol.

The Ultrasonic meter is available with an in-line connector for easy connection and installation to AMR/AMI endpoints. It is also available with a flying lead for field splice connection.

APPLICATIONS

Use the Ultrasonic meter for measuring potable cold water in residential, commercial and industrial services. The meter is also ideal for non-potable, irrigation water applications or less than optimum water conditions where small particles exist.

E-Series Ultrasonic meters meet and exceed ANSI/AWWA C715 standards. The meters comply with the lead-free provisions of the Safe Drinking Water Act, are certified to NSF/ANSI Standards 61 and 372 and carry the NSF-61 mark on the housing.

OPERATION & PERFORMANCE

As water flows into the measuring tube, ultrasonic signals are sent consecutively in forward and reverse directions of flow. Velocity is then determined by measuring the time difference between the measurement in the forward and reverse directions. Total volume is calculated from the measured flow velocity using water temperature and pipe diameter. The LCD display shows total volume and alarm conditions and can toggle to display rate of flow.

In the normal temperature range of 45…85° F (7…29° C), the Ultrasonic "new meter" consumption measurement is accurate to:

- ±1.5% over the normal flow range
- ±3.0% from the extended low flow range to the minimum flow value

CONSTRUCTION

E-Series Ultrasonic meters feature an engineered polymer, lead-free meter housing, an engineered polymer and stainless steel metering insert, a meter-control circuit board with associated wiring, LCD, and battery. Wetted elements are limited to the pressure vessel, polymer/stainless steel metering insert and the transducers. The electronic components are housed and fully potted within a molded, engineered polymer enclosure, which is permanently attached to the meter housing. The transducers extend through the polymer housing and are sealed by O-rings.

The metering insert holds the stainless steel ultrasonic reflectors in the center of the flow area, enabling turbulence-free water flow through the tube and around the ultrasonic signal reflectors. The metering insert's patented design virtually eliminates chemical buildup on the reflectors, ensuring long-term metering accuracy.

METER INSTALLATION

The meter is completely submersible and can be installed using horizontal or vertical piping, with flow in the up direction. The meter will not measure flow when an "empty pipe" condition is experienced. An empty pipe is defined as a condition when the flow sensors are not fully submerged.

SPECIFICATIONS

E-Series Ultrasonic Meter Size	5/8 in. (15 mm)	5/8 x 3/4 in. (15 mm)	3/4 in. (20 mm)	1 in. (25 mm)
Operating Range	0.1…25 gpm	0.1…25 gpm	0.1…32 gpm	0.4…55 gpm
Extended Low-Flow Rate	0.05 gpm	0.05 gpm	0.05 gpm	0.25 gpm
Maximum Continuous Operation	25 gpm	25 gpm	32 gpm	55 gpm
Pressure Loss	4.3 psi at 15 gpm	2.3 psi at 15 gpm	2.0 psi at 15 gpm	1.8 psi at 25 gpm
Reverse Flow - Maximum Rate	4.0 gpm	4.0 gpm	4.0 gpm	9.0 gpm
Operating Performance	In the normal temperature range of 45…85° F (7…29° C), new meter consumption measurement is accurate to: • ± 1.5% over the normal flow range • ± 3.0% from the extended low flow range to the minimum flow value			
Storage Temperature	– 40…140° F (– 40…60° C)			
Maximum Ambient Storage (Storage for One Hour)	150° F (72° C)			
Measured-Fluid Temperature Range	34…140° F (1°…60° C)			
Humidity	0…100% condensing; meter is capable of operating in fully submerged environments			
Maximum Operating Pressure of Meter Housing	175 psi (12 bar)			
Register Type	Straight reading, permanently sealed electronic LCD; digits are 0.28 in. (7 mm) high			
Register Display	• Consumption (up to nine digits) • Rate of flow • Alarms • Unit of measure factory programmed for gallons, cubic feet and cubic meters			
Register Capacity	• 10,000,000 gallons • 1,000,000 cubic feet • 100,000 cubic meters			
Totalization Display Resolution	• Gallons: 0.XX • Cubic feet: 0.XXX • Cubic meters: 0.XXXX			
Battery	3.6-volt lithium thionyl chloride; battery is fully encapsulated within the register housing and is not replaceable; 20-year battery life			

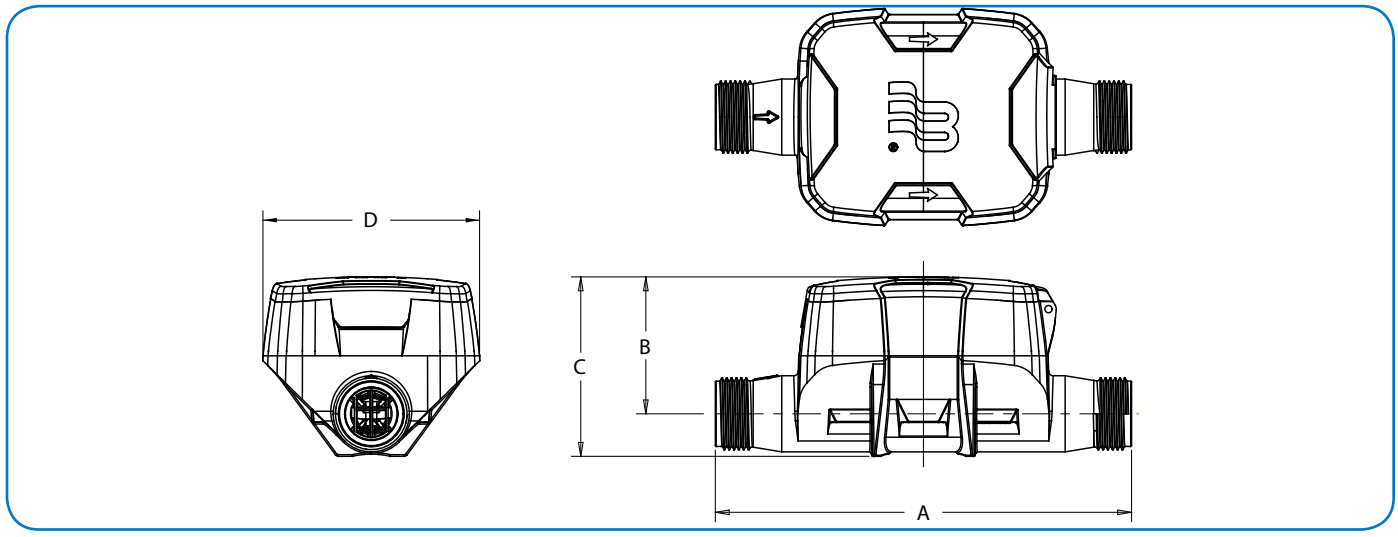
MATERIALS

Meter Housing	Engineered polymer
Measuring Element	Pair of ultrasonic sensors located in the flow tube
Register Housing & Lid	Engineered polymer
Metering Insert	Engineered polymer & stainless steel
Transducers	Piezo-ceramic device with wetted surface of stainless CrNiMo

PHYSICAL DIMENSIONS

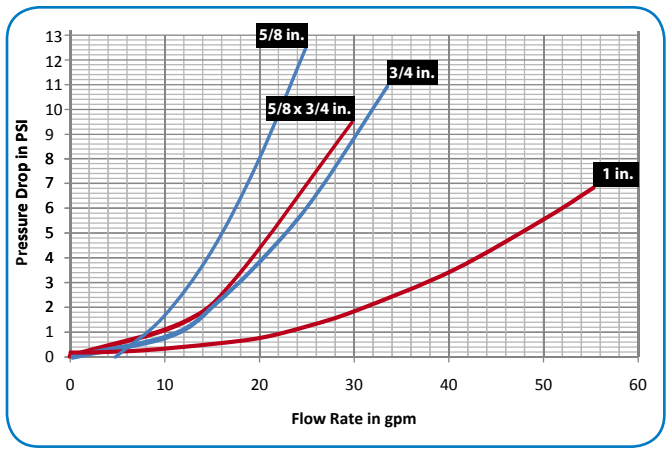
E-Series Ultrasonic Meter Size	5/8 in. (15 mm)	5/8 (15 mm) x 3/4 in. (20 mm)	3/4 in. (20 mm)	1 in. (25 mm)
Size Designation X Lay Length	5/8 × 7-1/2 in.	5/8 × 3/4 × 7-1/2 in.	3/4 × 7-1/2 in. or 3/4 × 9 in.	1 × 10-3/4 in.
Weight (without AMR)	1.60 lb	1.58 lb	3/4 × 7-1/2 in.: 1.58 lb 3/4 × 9 in.: 1.64 lb	2.3 lb
See illustration below for Measurement Designations.				
Length (A)	7.5 in.	7.5 in.	7.5 in. or 8.85 in.	10.75 in.
Height (B)	2.46 in.	2.46 in.	2.46 in.	2.66 in.
Height (C)	3.27 in.	3.23 in.	3.23 in.	3.62 in.
Width (D)	3.90 in.	3.90 in.	3.90 in.	3.90 in.
Bore Size	5/8 in.	3/4 in.	3/4 in.	1 in.
Coupling Nut & Spud Thread	3/4 in. × 14 NPSM	1 in. × 11-1/2 NPSM	1 in. × 11-1/2 NPSM	1-1/4 in. × 11-1/2 NPSM
Tailpiece Pipe Thread (NPT)	1/2 in.	3/4 in.	3/4 in.	1 in.
Service Pipe Thread (NPT)	1/2 in.	3/4 in.	3/4 in.	1 in.

MEASUREMENT DESIGNATIONS



PRESSURE LOSS CHART

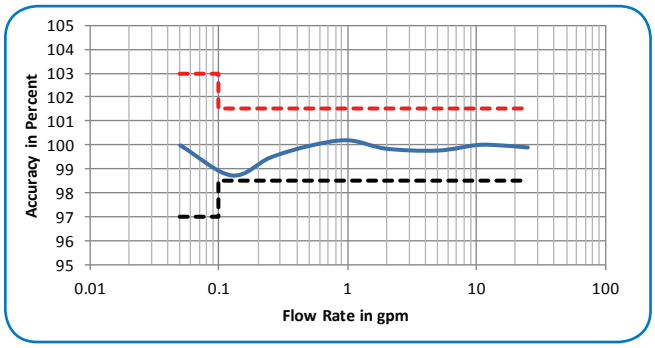
Rate of Flow in gallons per minute (gpm)



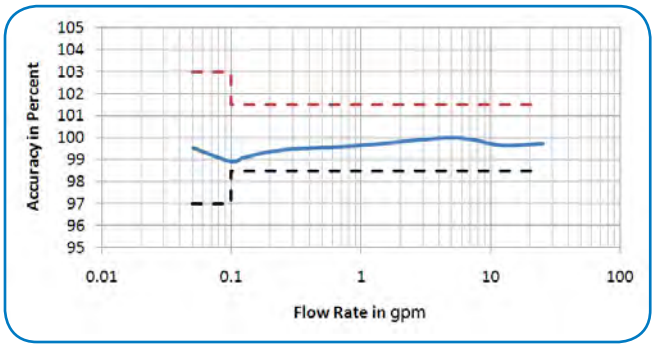
ACCURACY CHARTS

Rate of Flow in gallons per minute (gpm)

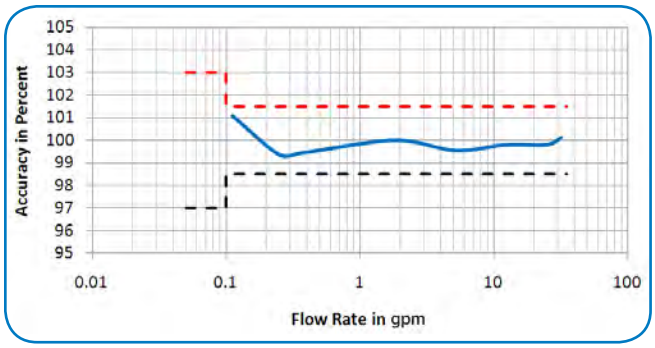
5/8 IN. METER



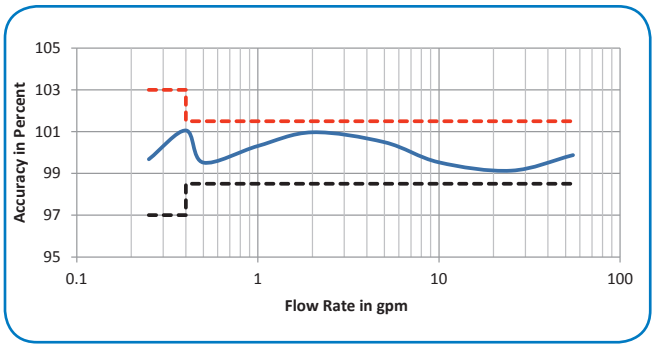
5/8 × 3/4 IN. METER



3/4 IN. METER



1 IN. METER



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Legacy Document Number: ESM-T-12-EN

E-Series® Ultrasonic Plus Meter

with Integrated Valve

5/8 × 3/4 in., 3/4 × 7-1/2 in., 3/4 × 9 in.

DESCRIPTION

The E-Series® Ultrasonic Plus meter uses solid-state ultrasonic transit time technology to measure cold potable water and incorporates an integrated valve into the lay length of the meter. The integrated valve allows remote flow restriction of water service in residential utility applications.

Authorized utility personnel can actuate the valve via a command sent from BEACON® AMA (Advance Metering Analytics) to an ORION® Cellular LTE-M endpoint connected to the meter.

BEACON AMA displays the status of the valve (open, partial or closed) and upon a command to transition the valve, confirms the success of that actuation. Status of the valve is also indicated on the physical meter via a position-indicating LED.

E-Series Ultrasonic Plus meters comply with the lead-free provisions of the Safe Drinking Water Act, are certified to NSF/ANSI Standards 61 and 372, and carry the NSF 61 marking. All components of the meter comprise the certified system. E-Series Ultrasonic Plus meters comply with the applicable portions of the most recent revision of AWWA Standard C715.

All electronic components utilized in the meter and RF Transceiver design comply with applicable FCC Part 15 standards and AWWA C707 for encoded remote reading systems.

Features

- Delivers precision accuracies with extended flow ranges
- Gate valve integrated into standard lay length of meter—no cut-ins required
- Patented magnetically coupled valve to extend field life (US Patent No. 10,161,777.B2)
- Patented flow restriction valve technology supports open, closed and partially closed options (US Patent No. 8,539,827)
- Does not require infrastructure
- Valve position-indicating LED
- Flexible and modular design allows installing the meter first, valve later—in the field
- Field-serviceable valve
- Fully submersible—electronics completely encapsulated to withstand harsh, flooded pit environments
- Low pressure loss
- Easy to read, 9-digit display presents consumption, rate of flow, reverse flow indication and alarms
- High resolution industry standard ASCII encoder protocol

APPLICATIONS

The E-Series Ultrasonic Plus meter provides a cost-effective, non-confrontational, safe method for water utilities to temporarily restrict an end consumer's water service. The most common application is for authorized utility personnel to close or inhibit water service to repeat delinquent accounts to encourage prompt payment from the property owner. Other applications may include opening or closing the valve as tenants change, or accommodating end-customer requests for temporary water restriction.

CONSTRUCTION

The E-Series Ultrasonic Plus meter features lead-free bronze alloy meter housing, ultrasonic transducers, a meter-control circuit board with associated wiring, LCD, and battery. Electronic components are housed and fully potted within a molded, engineered polymer enclosure, which is attached to the meter housing. The transducers extend through the housing and are sealed by O-rings, enabling turbulence-free water flow through the tube. The open flow tube design prevents obstruction of flow to reduce pressure loss and provide long-term accuracy.

The gate valve incorporated into the outlet side of the meter is designed to be field serviceable. The internal valve components (lead screw, gate, magnetic follower) are accessible by removal of the power control module (potted motor, battery, and PCB) and valve bonnet.

OPERATION AND PERFORMANCE

As water flows into the measuring tube, ultrasonic signals are sent consecutively, in forward and reverse directions of flow. Velocity is then determined by measuring the time difference between the measurement in the forward and reverse directions. Total volume is calculated from the measured flow velocity using water temperature and pipe diameter. The LCD shows total volume, rate of flow and alarm conditions.

A battery powered DC motor module drives the dry-side magnetic coupling that is completely separated from the pressure vessel. The dry-side magnet couples to a mating wet-side magnetic assembly consisting of a magnetic disc, lead screw, and gate. The combined dry-side and wet-side magnetic coupling transfers torque from the motor to turn the lead screw inside the pressure vessel, which ultimately drives the gate into the open, closed,* or partially closed positions based on a command prompted by the connected ORION Cellular LTE-M endpoint via BEACON AMA. If necessary, actuation of the valve can be also be performed at the meter site.

System screens within BEACON AMA indicate the position of the valve and record the date and time for all valve actuations. In addition, the position of the valve can also be determined by physical inspection of the meter via the valve position LED.

* When the valve is in closed position, water flow is restricted to 0.015…0.060 gpm for humanitarian, life-sustaining measures.

INSTALLATION

The E-Series Ultrasonic Plus meter is completely submersible and can be installed using horizontal or vertical piping, with flow in the up direction.

The meter will not measure flow when an empty pipe (flow sensors are not fully submerged) condition is experienced.

SPECIFICATIONS

E-Series Ultrasonic Meter Size	**5/8 in. x 3/4 in. (15 mm)**	**3/4 in. (20 mm)**
Normal Test Flow Limits	0.1…25 gpm	0.1…32 gpm
Minimum Test Flow Limits	0.05 gpm	0.05 gpm
Maximum Continuous Operation	25 gpm	32 gpm
Pressure Loss	4.0 psi at 15 gpm	2.8 psi at 15 gpm
Reverse Flow - Maximum Rate	4.0 gpm	4.0 gpm
Operating Performance	In the normal temperature range of 45…85° F (7…29° C), new meter consumption measurement is accurate to: • ±1.5% over the normal flow range • ±3.0% from the extended low flow range to the minimum flow value	
Typical Flow Rate in Valve Closed Position	0.015…0.060 gpm	
Storage Temperature	– 40…140° F (– 40…60° C)	
Maximum Ambient Storage (Storage for One Hour)	150° F (66° C)	
Measured-Fluid Temperature Range	34…140° F (1°…60° C)	
Humidity	0…100% condensing; meter is capable of operating in fully submerged environments.	
Maximum Operating Pressure of Meter Housing	175 psi (12 bar)	
Register Type	Straight reading, permanently sealed electronic LCD; digits are 0.28" (7 mm) high.	
Register Display	• Consumption (up to nine digits) • Rate of flow • Alarms • Unit of measure factory programmed for gallons, cubic feet and cubic meters	
Register Capacity	• 10,000,000 gallons • 1,000,000 cubic feet • 100,000 cubic meters	
Totalization Display Resolution	• Gallons: 0.XX • Cubic feet: 0.XXX • Cubic meters: 0.XXXX	
Meter Battery	3.6-volt lithium thionyl chloride battery is fully encapsulated within the register housing and is not replaceable; 20-year battery life.	
Valve Battery	3.6-volt lithium thionyl chloride battery within the power module. Battery is replaceable by replacing the entire power module; 20-year battery life, based upon 240 actuations.	
Operating Temperature Range	35…140° F (2…60° C)	

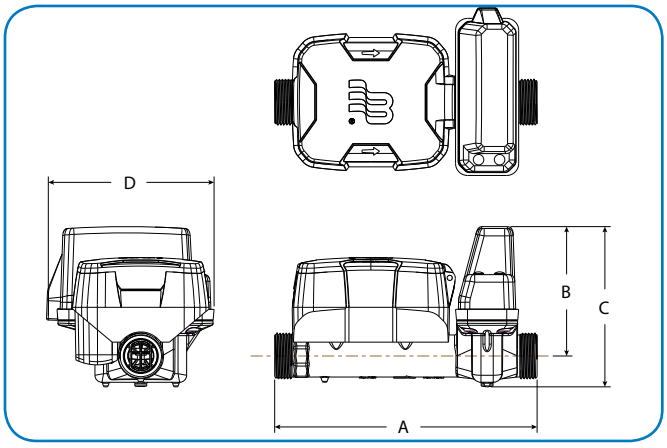
MATERIALS

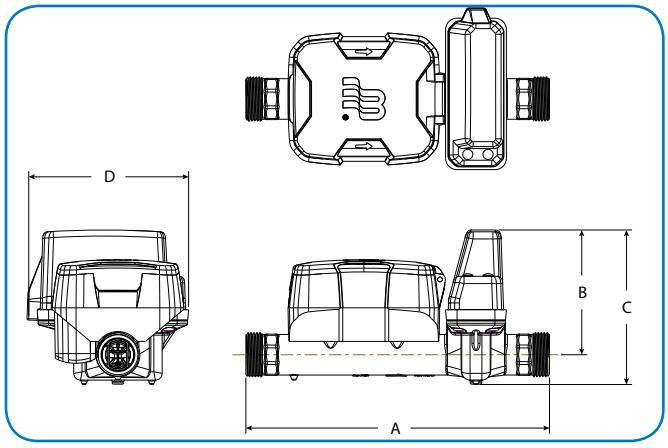
Meter Housing	Lead-free bronze alloy
Valve Bonnet	Lead-free bronze alloy
Bonnet Seal	Viton O-ring
Register Housing	Engineered polymer
Power Control Module Housing	Engineered polymer
Gate	PTFE
Power Screw	316 stainless steel

PHYSICAL DIMENSIONS

E-Series Ultrasonic Meter Size	**5/8 in. × 3/4 in. (15 mm)**	**3/4 in. (20 mm)**
Size Designation X Lay Length	5/8 in. × 3/4 in. × 7-1/2 in.	3/4 in. × 7-1/2 in. or 3/4 in. × 9 in.
Weight (without AMR)	4.2 lb	3/4 in. × 7-1/2 in., 4.2 lb or 3/4 in. × 9 in., 4.4 lb
See illustration below for Measurement Designations.		
Length (A)	7.5 in.	7.5 in. or 9.0 in.
Height (B)	3.69 in.	3.69 in.
Height (C)	4.57 in.	4.57 in.
Width (D)	4.728 in.	4.728 in.
Bore Size	3/4 in.	3/4 in.
Coupling Nut & Spud Thread	1 in. × 11-1/2 NPSM	1 in. × 11-1/2 NPSM
Tailpiece Pipe Thread (NPT)	3/4 in.	3/4 in.
Service Pipe Thread (NPT)	3/4 in.	3/4 in.

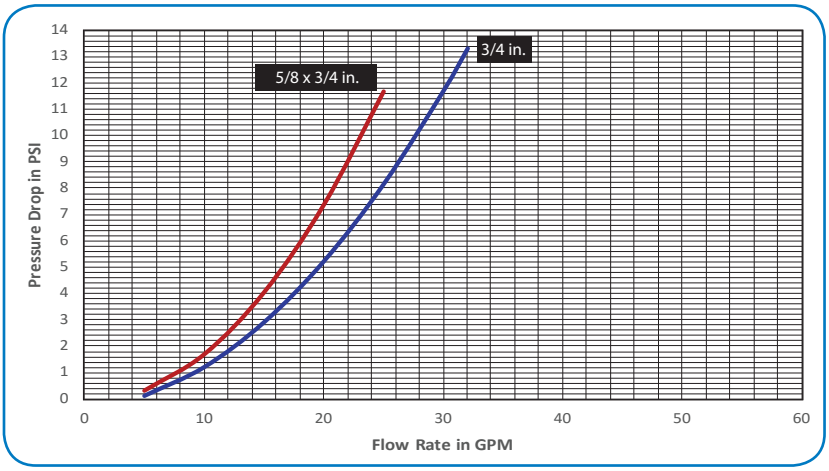
Measurement Designations





PRESSURE LOSS CHART

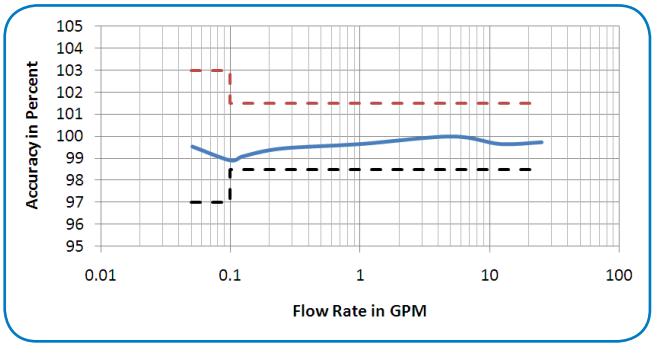
Typical Rate of Flow in Gallons per Minute (gpm)



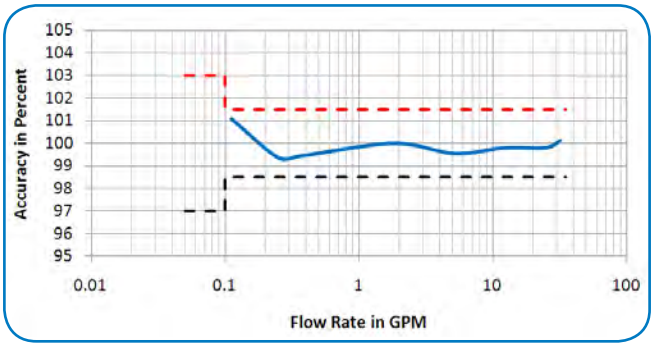
ACCURACY CHARTS

Typical Curve—Rate of Flow in Gallons per Minute (gpm)

5/8 x 3/4 in. Meter



3/4 in. Meter



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APPENDIX 7 - PRODUCT WARRANTIES

Badger Meter

E-Series® Ultrasonic Meter

Cold Water Lead-Free Meters
5/8, 5/8 x 3/4, 3/4, 1 inch

PRODUCTS

This warranty shall apply to all Badger Meter E-Series® Ultrasonic lead-free meters (stainless steel or engineered polymer), sizes 5/8 inch, 5/8 × 3/4 inch, 3/4 inch, and 1 inch, when used to measure potable water and the internal register/encoder and battery used with these meters (collectively "Product"), sold on or after May 23, 2019. This warranty is not transferable and is extended only to utilities, municipalities, other commercial users and authorized distributors, hereafter referred to as "Customer" and does NOT apply to consumers or any person or entity who is not an original customer of Badger Meter or its authorized distributors.

MATERIALS AND WORKMANSHIP

Badger Meter, Inc. ("Badger Meter") warrants Product to be free from defects in materials and workmanship appearing within the earlier of the following time frames.

Lead-Free Housings

Twenty (20) years and six (6) months after shipment from Badger Meter.

Electronics, Battery, Transducers, and Register/Encoder Supplied with the Meters Listed Herein

Twenty (20) years and six (6) months, prorated, after shipment from Badger Meter.

This warranty is prorated as follows: the first ten (10) years of the warranty and at prorated price discounts during the last ten (10) years of the warranty. Badger Meter will apply these prorated price discounts to the Product list prices in effect at the time of Product return and according to the following prorated price discount schedule: Years 11 through 12 — 75% discount; Years 13 through 15 — 50% discount; Year 16 — 40% discount; Year 17 — 30% discount; Year 18 — 20% discount; and Years 19 through 20 — 10% discount.

Specifically, Badger Meter will repair or replace, at its discretion, a non-performing Product at no cost during the first ten (10) years of the warranty and at prorated price discounts during the last ten (10) years of the warranty. Badger Meter will apply these prorated price discounts to the Product list prices in effect at the time of Product return and according to the following prorated price discount schedule:

- Years 11 through 12—75% discount
- Years 13 through 15—50% discount
- Year 16—40% discount
- Year 17—30% discount
- Year 18—20% discount
- Years 19 through 20—10% discount

METER ACCURACY

The Product will meet meter accuracy of ±1.5% for the published normal test flow limits set forth in Badger Meter's current published product data sheet for twenty (20) years from the date of shipment from Badger Meter.

EXTENDED LOW-FLOW METER ACCURACY

Badger Meter further warrants the Product will meet extended minimum test flow accuracy of ±3% for the published ranges set forth in Badger Meter's current published product data sheet for twenty (20) years from the date of shipment from Badger Meter.

PRODUCT RETURNS

Any Product proved to the satisfaction of Badger Meter to have failed the foregoing warranties will, at the option of Badger Meter, be repaired or replaced without charge to the Customer. Any eligible Product repaired or replaced by Badger Meter will retain the original Product's warranty based on the original Product purchase date, at Badger Meter's sole discretion. The Badger Meter obligation hereunder shall be limited to such repair and replacement and shall be conditioned upon Badger Meter receiving written notice of any alleged defect within ten (10) days after its discovery. This exclusive remedy shall not be deemed to have failed its essential purpose so long as Badger Meter is willing and able to replace defective products or issue a credit to purchaser within a reasonable time of proof to Badger Meter that a defect is involved. Product returns must be shipped by the Customer prepaid F.O.B. to the nearest Badger Meter factory or distribution center. The Customer shall be responsible for all direct and indirect costs associated with removing the original Product and reinstalling the repaired or replacement Product.

LIMITS OF LIABILITY

This warranty shall not apply to Product repaired or altered by parties other than Badger Meter. The foregoing warranty applies only to the extent that the Product is installed, serviced and operated strictly in accordance with AWWA Standard C715 and AWWA M6 Manual, as applicable. The warranty shall not apply and shall be void with respect to Product exposed to conditions other than those detailed in the Badger Meter Product technical and/or operational literature, or which have been exposed to adverse installation conditions, damaged by any water conditions and/or water quality, including but not limited to foreign matter in the water such as dirt, sand, minerals, debris, deposits, biofilms, extreme corrosivity, or other impurities, or which have been subject to passage of high-speed air slugs, vandalism, negligence, accident, acts of God, alteration, improper installation, operation or repair, or other circumstances which are beyond the reasonable control of Badger Meter. With respect to Product not manufactured by

Badger Meter, the warranty obligations of Badger Meter shall in all respects conform and be limited to the warranty extended to Badger Meter by the supplier.

THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ALL OTHER EXPRESS AND IMPLIED WARRANTIES WHATSOEVER, INCLUDING BUT NOT LIMITED TO IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE (except warranties of Title).

Any description of Product, whether in writing or made orally by Badger Meter or its agents, specifications, samples, models, bulletins, drawings, diagrams, engineering sheets, or similar materials used in connection with any Customer's order are for the sole purpose of identifying Product and shall not be construed as an express warranty. Any suggestions by Badger Meter or its agents regarding use, application or suitability of Product shall not be construed as an express warranty unless confirmed to be such in writing by Badger Meter.

Exclusion of Consequential Damages and Disclaimer of Other Liability

Badger Meter liability with respect to breaches of the foregoing warranty shall be limited as stated therein. Badger Meter liability shall in no event exceed the contract price. BADGER METER SHALL NOT BE SUBJECT TO AND DISCLAIMS: (1) ANY OTHER OBLIGATIONS OR LIABILITIES ARISING OUT OF BREACH OF CONTRACT OR OF WARRANTY (2) ANY OBLIGATIONS WHATSOEVER ARISING FROM TORT CLAIMS (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR ARISING UNDER OTHER THEORIES OF LAW WITH RESPECT TO PRODUCTS SOLD OR SERVICES RENDERED BY BADGER METER, OR ANY UNDERTAKINGS, ACTS OR OMISSIONS RELATING THERETO, AND (3) ALL CONSEQUENTIAL, INCIDENTAL AND CONTINGENT DAMAGES WHATSOEVER.

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E-Series® Ultrasonic Meter

Cold Water Stainless Steel Lead-Free Meters, 1-1/2, 2 in.

PRODUCTS

This warranty shall apply to all Badger Meter E-Series® Ultrasonic lead-free meters, sizes 1-1/2 in. and 2 in., when used to measure potable water and the internal register/encoder and battery used with these meters (collectively "Product"), sold on or after May 23, 2019. This warranty is not transferable and is extended only to utilities, municipalities, other commercial users and authorized distributors, hereafter referred to as "Customer" and does NOT apply to consumers or any person or entity who is not an original customer of Badger Meter or its authorized distributors.

MATERIALS AND WORKMANSHIP

Badger Meter, Inc. ("Badger Meter") warrants Product to be free from defects in materials and workmanship appearing within the following time frames.

Lead-Free Housings
Ten (10) years and six (6) months after shipment from Badger Meter.

Electronics, Battery, Transducers, and Register/Encoder Supplied with the Meters Listed Herein
Ten (10) years and six (6) months after shipment from Badger Meter.

METER ACCURACY

The Product will meet meter accuracy of ±1.5% for the published normal test flow limits set forth in Badger Meter's current published product data sheet for ten (10) years from the date of shipment from Badger Meter.

EXTENDED LOW-FLOW METER ACCURACY

Badger Meter further warrants the Product will meet extended minimum test flow accuracy of ±3% for the published ranges set forth in Badger Meter's current published product data sheet for ten (10) years from the date of shipment from Badger Meter.

PRODUCT RETURNS

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LIMITS OF LIABILITY

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Exclusion of Consequential Damages and Disclaimer of Other Liability

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Purchase Order to Badger Meter, Inc. for Water Meter and Parts

Public Works and Transportation Committee
April 28, 2020

Thien Ng
Assistant Public Works Director

RECOMMENDATION

That the Public Works and Transportation Committee recommend the City Council approve and authorize the Mayor to execute a Purchase Order with Badger Meter, Inc. to purchase residential, commercial, irrigation, industrial, and fire service water meters and parts in the amount of $250,000 through June 30, 2021.

2

BACKGROUND

- City's Water Division installs and replaces water meters for residential, commercial, irrigation, industrial, and fire service applications
- Water Division has begun planning the transition to Advanced Metering Infrastructure (AMI) and estimated to be completed within the next five years
- AMI system will allow meter readings to be collected remotely through a cellular network
- Purchase order purpose:
  - Replace failed existing water meters
  - Transition to new AMI system

3

DISCUSSION

- The new AMI system has the following advantages:
  - New meters will be solid state type meters that will eliminate mechanical wear
  - Meter registers will be sealed and tamper proof
  - Capture low flow rates
  - No lead content to comply with the lead-free provisions of the Safe Drinking Water Act
  - Capable to register consumption, rate of flow, reverse flow indicators and have various alarm setting to identify leaks and tampering
  - Allow water customers to access their water usage, profile history, and leaks detection

4

DISCUSSION

- Existing meter purchase order with Aqua Metric Sales has expired
- Request for Bidding was published on January 14, 2020 with a close date of February 17, 2020.
- Three (3) bids were received from Badger Meter Inc., Smart Earth Technologies, and Zenner USA.
- Badger Meter Inc. was the only bidder that met all requirements and specifications
- Failure to repair or replace meters in timely fashion may result in revenue loss for Water and Wastewater and could impact water resource management

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FINANCIAL IMPACT

- Total value of Agreement with Badger Meter, Inc. is $250,000 through June 30, 2021
- Spending plan for FY 2019-20 is $60,000
- Budgeted funds are available in the Water Operating Fund (Account 601-6003-843-81-21) for Fiscal Year 2019-20
- The remaining balance of $190,000 will be requested for the subsequent fiscal year

6

QUESTIONS?
CITY OF
OXNARD
CALIFORNIA

CITY OF OXNARD CALIFORNIA

PUBLIC WORKS AND TRANSPORTATION COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.2

DATE: April 28, 2020

TO: Public Works and Transportation Committee

FROM: Jeffrey Lambert, Community Development Director, (805) 385-7882, jeffrey.lambert@oxnard.org
Darwin Base, Fire Chief, (805) 385-7700, darwin.base@oxnard.org

SUBJECT: Revision of Existing Fees and Adoption of New Fees Related to Development Impact Fees. (10/10/10)

RECOMMENDATION

That the Public Works and Transportation Committee:
1. Recommend the City Council receive a presentation and receive public comment regarding proposed new fees and revisions to existing fees related to Development Impact Fees (DIF);
2. Recommend the City Council review and provide comments on the new Development Impact Fee Nexus Study and development impact fees pertaining to a resolution for: a Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Utility Undergrounding In-Lieu Fee, including an automatic annual inflation factor, Public Art Program Fee, and Mobility Fee, and Amendments and additions to Chapters 15;
3. Recommend the City Council provide input on staff's recommended time frame for implementation of the proposed DIF;
4. Recommend the City Council adopt the Development Impact Fee Resolution;
5. Recommend the City Council adopt the Development Impact Fee Ordinance; and
6. Recommend the City Council approve the Development Impact Fee Nexus Study.

BACKGROUND

Executive Summary: The City of Oxnard's ("City") development impact fees are woefully outdated, with some going back more than four decades. It is industry standard to adjust DIFs annually using Engineering News-Record Construction Cost Index (ENR CCI), with a comprehensive update every five years. As the resident population and non-resident employment population in the City increases, there exists a correlating rise in the need for expanded public infrastructure and services to support the increased demand on City Infrastructure. It is imperative for the City to update all its fees in order to adequately pay for the various impacts created by new development and growth. The Impact Fee Study, prepared by Harris and Associates (Harris), addresses the following fees:

1. Growth Requirement Fee (4 Components): a.) Public Administration, b.) Police, c.) Fire, d.) Cultural and Recreational Facilities
2. Parks Development Fee

3. Storm Drainage Fee
4. Traffic Circulation Fee
5. Public Art Program Fee
6. Utility Undergrounding In-Lieu Fee
7. Mobility Fee
8. Affordable Housing Fee (will be discussed at the Housing and Economic Development Committee)

The DIF Report prepared by Harris finds that the City's current DIF does not accurately represent new development's share of public facilities and capital improvements needed to support the City of Oxnard. The analysis and recommendation from this study is that the majority of the DIF need to be increased significantly. Proposed DIF increases range from a low of 1% ($5,088 to $5132) to as high as a 2697% increase ($250 to $4,624). Additional details on the growth assumptions can be found in the attached Nexus Study.

In considering these DIF increases, the City Council must balance several key issues. First, if the City doesn't charge the appropriate DIFs based on the attached data driven analysis, the City's infrastructure and facilities will be more overwhelmed, leading to even further reductions in levels of service and community dissatisfaction. As the City grows there are many benefits, however growth also impacts the existing infrastructure and population around it by adding more cars, bicycles and pedestrians to the streets, increasing sewer and stormwater flows into the City's systems, increasing demand for park space and amenities, public safety services, and other expanded public services, as well as building space from which to provide those services. While raising our fees may appear to be a deterrent to development, a city that is falling apart, with increasing traffic congestion and insufficient services is actually more of a deterrent. The purpose of DIF is also to make sure the quality of life in the city is not negatively impacted by new development; thereby impacting residents. It also ensures that existing residents do not have to fund the expansion of services that would not be necessary without new development.

Development is driven by three factors: (a) cost of land, (b) cost of materials and (c) cost of labor. Oxnard's cost of land compared to other seaside communities in California remains relatively low and provides an incentive for economic investment and development. Because it has been many years since Oxnard has updated our fees, we must go through this seemingly extreme increase, but it actually brings Oxnard up to the present needs. Once these fees are in place, and the City implements a regular DIF update based on the cost of construction as anticipated, our fees will be predictable and development is not likely to be impacted given our already lower cost of land.

Development Impact Fees

Development Impact Fees (DIF) are one-time fees paid by new development to fund the cost of providing municipal facilities to serve that development. This authorization exists through the enactment of California Government Code sections 66001 through 66025 (also known as the "Mitigation Fee Act" and sometimes referred to as "AB1600"). The Mitigation Fee Act is premised on the concept that new development pays its own way, or, put another way, new development has to mitigate its own impacts on the system.

The Mitigation Fee Act requires a rational nexus and rough proportionality between the type and scale of development and the fee imposed. This is what makes a DIF a "fee" and not a tax; DIF cannot be used for general purposes, such as maintenance. This process includes making a determination that there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. In order for DIF to be legally enforceable, a community must conduct an analysis that identifies anticipated growth related infrastructure costs and apportion those costs to project development. This is distributed by type of

development, square foot, dwelling unit, or per trip basis - with the intent that this impact fee type distribution equitably mitigates the impact of development on City resources, amenities and infrastructure.

Discussion

In June of 2018, the City hired Harris and Associates (Harris), a consulting firm with extensive experience in impact fee analysis, to conduct a Development Impact Fee Nexus Study (Impact Fee Study). The study's first step was to compile population and employment growth projections that serve as the foundation for the impact fee analysis. Staff compiled population and employment growth projections, development projections, existing facility inventory, Capital Improvement Program (CIP) project data, among other items needed to develop the DIF Study.

As part of the action before the Committee, Staff is requesting that the Committee recommends that the City Council approves an ordinance amending the City's Development Impact Fee procedures in Chapter 15 of the City's Code of Ordinances (Code). A clean version of the amendments to the Code will be presented to the City Council for approval at the public hearing and not a redline version. This is due to the substantial amount of changes that are being made to this section of the Code. A resolution adopting the Development Impact Fee Nexus study is also included in the recommended action items.

The Impact Fee Study addressed the following fees:

Growth Requirement Capital Fee (which contains 4 Components)

The current Growth Requirement Capital Fee was adopted in 2005. The proposed Growth Requirement Capital Fee is broken into four categories; (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities. The Growth Requirement Fee funds facilities such as police stations and equipment, fire stations and equipment, city hall, community centers, visitor center, and the corporation yard. The proposed fee uses the existing inventory method for fee calculation.

Parks Development Fee

The current Park Development Fee was adopted by Ordinance No. 1421 in 1972. The Park Development Fee covers park development costs only. The City's 2030 General Plan sets the park standard for the City at 1.5 acres per 1,000 residents for neighborhood parks and 1.5 acres per 1,000 residents for community parks for a total of three (3) acres per 1,000 residents. The cost per resident is converted to a fee per new residential unit based on the estimated persons per household. The proposed fee uses the facility standards method for fee calculation.

Park land dedication or an in-lieu fee is regulated through Quimby Act Fees as set forth in Chapter 15, Article IV of the City Code. Quimby is separate and apart from the Park and Recreation Fee.

Storm Drainage Fee

The current Storm Drainage Fee was adopted in 1991. The storm drainage fee provides funding for the infrastructure required to mitigate the impacts of new development. As each new development occurs,

additional impervious area is created which creates the need for the expansion of storm drainage facilities. The storm drainage fee will be escalated by the Engineering News Record Construction Cost Index (ENR CCI) at this time to ensure that adequate funding is received until the City can update their Storm Drainage Master Plan. The fee is calculated using the planned facilities method. A comprehensive update to this fee will be done after the Storm Drainage Master Plan is updated in 2021.

Traffic Circulation Fee

The current Traffic Circulation Fee was comprehensively adopted in 2007, with minor adjustments to the development categories in 2009 and adjustments to the restaurant fee in 2010. The fees for traffic circulation cover the costs to lessen the effects of additional vehicle trips caused by new development and maintain the City's level of service standard. Funding new transportation facilities, improvements such as adaptive traffic signals of the addition of dedicated turn lanes, and other related infrastructure will ensure that the service level is maintained as development and population growth produce an increase in roadway use and changes in traffic patterns. The fee is calculated using the planned facilities method.

The City's Traffic Model is expected to be updated in 2021. Once that is completed the assumptions in the Development Impact Fee Nexus Study will be updated and a new fee will be presented to City Council for consideration.

Public Art Program Fee

The current Public Art Program Fee was adopted in 2006. The City's public art program is designed to enhance the overall quality of life and create a more vibrant community. This fee is designed to help the City adequately fund artwork on public property and reimburse the City's costs to administer the Program. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic. In order to keep pace with inflation, the current fee is being updated by the ENR CCI for Los Angeles. This ensures that new development continues to fund the public art program at the same level as it has been historically funded. The fee is being established pursuant to the existing Public Art Fee Program Resolution to keep up with the cost of inflation.

Utility Undergrounding In-Lieu Fee

The current Utility Undergrounding In-Lieu Fee was adopted in 1989. The purpose of the City's utility undergrounding policy is to enhance the safety of the public and the persons frequenting the new developments and to improve the appearance of the new development and the City. For smaller projects the cost per acre of undergrounding adjacent utilities is more than twice the undergrounding cost per acre of larger projects. For a one acre project, the cost per acre is nearly eight times the cost per acre for a larger project. Therefore, this fee is intended to prevent excessive costs to smaller projects while still maintaining a proportionate financial participation of projects under 10 acres. The fee is calculated using the master plan method.

Mobility Fee

This is a new fee and is designed to be used to construct mobility improvements including sidewalks, bike lanes, pedestrian bridges, and other similar facilities that are necessary to improve connectivity within the City, including improving bicycle and pedestrian access to public transportation stops and stations, and increasing bicycle mode sharing. These types of improvements, designed according to modern standards will also improve bicycle and pedestrian safety. This fee is intended to implement priority projects contained with the City

Council adopted Bicycle and Pedestrian Facilities Master Plan. The fee is calculated using a combination of master planned facilities and existing inventory methods.

Affordable Housing Fee

The City engaged Harris and Associates to prepare an Affordable Housing In-Lieu Fee Nexus Study. This has resulted in a recommendation to increase the City's current in-lieu fee; this report and recommendations will be presented to the City Council Housing and Economic Development Committee (HEDC) on April 28, 2020.

Downtown Parking In-Lieu Fee

The City engaged Harris and Associates to prepare an Downtown Parking In-Lieu Fee Nexus Study. This fee is pursuant to the City's Downtown strategy. The fee will be presented to Council at a later date along with appropriate amendments to the Downtown Code.

Community Input

The study and the resulting fees were presented to Chamber of Commerce members, the development community, and the Building Industry Association (BIA) on March 12, 2020. Attached to this report are letters from both the BIA and Oxnard Chamber of Commerce. The Chamber opposes any increases during these uncertain economic times and questions the fee comparison to the Cities of Santa Clarita and Goleta. The BIA, also informed by the current health and economic crisis, asks that the City delay any consideration of updated development impact fees indefinitely.

Comparison to Other Agencies

Harris and Associates reached out to five other public agencies to see what their DIF are currently. Those agencies were the cities of Santa Clarita, Goleta, Ventura, Thousand Oaks and Camarillo. Some of the cities did not have all of the same fees:

City of Ventura has: Growth, Traffic and Park DIF
City of Thousand Oaks has: Traffic DIF
City of Camarillo has: Traffic DIF
City of Santa Clarita has: Growth, Traffic, Mobility and Park Development DIF
City of Goleta has: Growth, Traffic, Mobility, Storm Drain and Park DIF

While a full table is attached to this staff report, below is how the City of Oxnard proposed DIF compares to the average of the above cities for a Single Family Residence (SFR). The SFR category has the highest fees, so this is the category being highlighted in the body of the report. SFR is also the category of development that the City sees the lowest percentage of. With an eye to the potential long-term impacts of the Coronavirus crisis, the City of Oxnard expects to continue to attract residential, commercial, and industrial development and the economic benefits they bring to our community. The City's seaside location, quality of life and relatively low land values are expected to continue to attract development as the industry adjusts to these new fees and land values are adjusted accordingly. Further, getting the City's DIF fees in line with the impacts of development on the community's infrastructure and facilities will ensure the City has a high quality of life and is an attractive place for private investment.

Single Family Residence DIF	Five City Average	Proposed Oxnard
Growth	$3,760.68	$5,981.00
Traffic	$10,121.04	$9,769.00
Mobility	$1,668.50	$3,396.00
Storm Drain	$3,649.00	$2,657.88
Park Development	**$5,731.50**	**$6,993.00**

*While the Mobility Fee is higher than other jurisdictions, not all even have one. If a city has an older Traffic DIF, mobility projects are likely rolled into their Traffic DIF. Current best practice is to separate Traffic and Mobility fees out.

The table below shows the average of all fees over all five development categories for both the comparative jurisdictions and the City of Oxnard proposed DIF. The City of Oxnard only charges a Park Development Fee for residential uses, so the fee was averaged over all five categories to show average City of Oxnard impact. In total, the proposed Oxnard DIFs are aligned with other jurisdictions.

Type of DIF	Five City Average of All Development Categories	Proposed Oxnard Average of All Development Categories
Growth	$1,937.43	$3,043.20
Traffic	$8,514.08	$7,822.80
Mobility	$863.10	$1,727.80
Storm Drain	$2,405.70	$1,762.00
Park Development	$3,197.41	$2,323.40

Comparison of Proposed Fees to the Current Fees

The following table provides a summary comparison of the proposed fees to the City's existing fees. Proposed DIF increases range from a low of 1% ($5,088 to $5,132) to as high as a 2697% increase ($250 to $4,624).

		Oxnard (Proposed)	Oxnard Existing Fee	Percent Increase
Single Family Dwelling Unit	*Fee Per Unit*			
Growth		$ 5,981.00	$ 2,784.00	115%
Traffic		$ 9,769.00	$ 8,030.00	22%
Mobility		$ 3,396.00	$ 0.00	n/a
Storm Drain		$ 2,657.88	$ 1,330.63	100%
Public Art Program Fee		$ 672.00	$ 480.00	40%
Park Development		$ 6,993.00	$ 250.00	2697%
Total		**$ 29,468.88**	**$ 12,874.63**	**129%**
Multifamily Dwelling Unit	*Fee Per Unit*			
Growth		$ 3,955.00	$ 1,160.00	241%
Traffic		$ 7,574.00	$ 4,745.00	60%
Mobility		$ 2,245.00	$ 0.00	n/a
Storm Drain		$ 1,624.28	$ 813.17	100%
Public Art Program Fee		$ 280.00	$ 200.00	40%
Park Development		$ 4,624.00	$ 250.00	1750%
Total		**$ 20,302.28**	**$ 7,168.17**	**183%**
Retail Development	*Fee per 1,000 square feet*			
Growth		$ 2,018.00	$ 600.00	236%
Traffic		$ 6,560.00	$ 7,899.00	-17%
Mobility		$ 1,146.00	$ 0.00	n/a
Storm Drain		$ 1,917.68	$ 960.06	100%
Public Art Program Fee		$ 280.00	$ 200.00	40%
Park Development		n/a	n/a	
Total		**$ 11,921.68**	**$ 9,659.06**	**23%**
Office Development	*Fee per 1,000 square feet*			
Growth		$ 2,409.00	$ 600.00	302%
Traffic		$ 10,079.00	$ 7,899.00	28%
Mobility		$ 1,367.00	$ 0.00	n/a
Storm Drain		$ 1,118.65	$ 560.03	100%
Public Art Program Fee		$ 280.00	$ 200.00	40%
Park Development		n/a	n/a	
Total		**$ 15,253.65**	**$ 9,259.03**	**65%**
Industrial Development	*Fee per 1,000 square feet*			
Growth		$ 853.00	$ 600.00	42%
Traffic		$ 5,132.00	$ 5,088.00	1%
Mobility		$ 485.00		n/a
Storm Drain		$ 1,491.53	$ 746.71	100%
Public Art Program Fee		$ 280.00	$ 200.00	40%
Park Development		n/a	n/a	
Total		**$ 8,241.53**	**$ 6,634.71**	**24%**

Implementation

Based upon stakeholder input during public meetings in March, as well as what is the common practice for other public agencies in the State, staff recommends that Council consider implementing all of the updated DIF now. However, if Council looks to phase in fees, the only fee staff sees the potential of phasing would be the Park Development Fee. If that is to be phased staff would not recommend more than a year to phase it in. This is the DIF that has seen the largest jump, primarily because it has not been updated since 1972.That being said, the proposed Park Development Fee is still below the average for other agencies, especially since the City of Oxnard only charges Park DIF on residential development, where other jurisdictions spread it out over all development categories.

The identification of a threshold that development projects reach in the review process which will allow them to pay current DIF fees must be established. Staff recommends that any development project that has obtained a Planning Entitlement Approval prior to the effective date of the new DIFs be permitted to pay the prior DIFs provided they obtain a building permit for that approved project within 12 months of the effective date of the updated DIF.

Environmental Review

In accordance with Section 15378(b)(4) of the California Environmental Quality Act (CEQA) Guidelines, the DIF and DIF Nexus Studies have been determined to not be a project as described and determined by CEQA.

STRATEGIC PRIORITIES

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goals and objectives:

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals and objectives:

Goal 3. Ensure Funding is adequate to meet the goals of the master plans.

Objective 3a. Maximize funding sources.

Objective 3b. Set rates and fees to fully recover cost.

FINANCIAL IMPACT

No direct fiscal impacts to the City's operating budget are expected as a result of this recommended action. Rather, Development Impact Fees ("DIF") are fees paid by new development to fund the capital cost of

providing municipal facilities to serve the increased demands from that development. Since the City's current adopted fees have not been updated in some time (varies by fee) the recommended action will generate additional funds beyond those expected under the existing DIF schedule. The consequence of not updating the DIFs would be an inability of the City to keep up with the increased capacity needs created by new development, which would lead to a lower overall quality of life for both current and future residents. By enacting the Mitigation Fee Act, the State legislature has concurred that the cost of mitigating the impacts of new development should be borne by new development and not existing residents and businesses.

Prepared by: Darwin Base, Fire Chief, Rosemarie Gaglione, Public Works Director, Jeffrey Lambert, Community Development Director

ATTACHMENTS

1. City of Oxnard Development Impact Fee Nexus Study
2. Comment Letter BIA-LAV 4.16.20
3. Comment Letter Chamber of Commerce 4-17-20
4. Development Impact Fee Ordinance
5. Development Impact Fee Resolution (with Exhibits)
6. DIF Presentation

UPDATED DRAFT REPORT

City of Oxnard Development Impact Fee Nexus Study

April 2020

Prepared for:

CITY OF OXNARD CALIFORNIA

Prepared by:

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EXECUTIVE SUMMARY

INTRODUCTION

Incorporated in 1903, the City of Oxnard is located in Ventura County, approximately 60 miles northwest of downtown Los Angeles. At the time of the 2010 U.S. Census, the City population was 197,899. As of January 1, 2019, the Census estimates that Oxnard's population is 209,879.

As the resident population and non-resident employment in the City increase, there exists a correlating rise in the need for expanded public infrastructure and services to support the increased demand on City infrastructure. California's Assembly Bill 1600 (AB1600), commonly known as the Mitigation Fee Act, adopted in 1987 and codified as California Government Code Section 66000 et. seq., authorizes the City to impose Development Impact Fees on new development within the City. Development Impact Fees are a one-time charge on new development that is collected and used by the City to cover the cost of capital facilities, vehicles, and equipment that are required to serve new growth.

The purpose of this study is to update the City's Development Impact Fee (Fee) program to ensure that new development pays their fair share of their impact on the City's infrastructure and that the Fees are in compliance with the legal requirements set out in the Mitigation Fee Act and relevant case law. The impact fees adopted through this study will replace the fees currently in effect as summarized in each individual section. The fees discussed in this report apply to all future development and redevelopment in the City. Table ES.1 summarizes the current fee resolutions and ordinances.

Table ES.1: Summary of Existing Resolutions and Ordinances

Fee	Resolution/Ordinance
General Growth Fee	Resolution 10,275, 10,996, and 12,975
Park and Recreation Fee	Ordinance 1421
Traffic Circulation Fee	Resolution 10,016, 10,673, 13,328, 13,600, and 13,890
Storm Drainage Fee	Resolution 10,274
Public Art Program Fee	Resolution 14,124
Utility Undergrounding In-Lieu	Ordinance 2207

NEXUS STUDY

Purpose

As development occurs in the City, new backbone infrastructure and capital facilities are required to mitigate the increased demand created by new residents and employees. Impact fee revenues, collected from development and redevelopment projects, fund these impacted backbone

infrastructure and capital facilities. The following fees are currently collected and are being updated as part of this Nexus Study:

- *Growth Requirement Fee (4 Components)*
  - *Public Administration*
  - *Police*
  - *Fire*
  - *Cultural and Recreational Facilities*
- *Parks and Recreation Fee*
- *Public Art Program Fee*
- *Storm Drainage Fee*
- *Traffic Circulation Fee*
- *Utility Undergrounding In-Lieu Fee*

In addition the following new fee is being proposed:

- *Mobility Fee*

This report is designed to provide the necessary technical analysis to support adoption by resolution of the Fee program. Adoption by resolution allows the fees to be updated over time without amending the enabling ordinance.

Results

Tables ES.2, ES.3, and ES.4 show a summary of the proposed Fees.

Table ES.2: Summary of Proposed Impact Fees

Land Use	Growth Requirement Capital Fee	Parks and Recreation Fee	Mobility Fee	Public Art Program Fee	Storm Drainage Fee[1]
Residential	*(Fee per Dwelling Unit)*			*(Fee per SF)*	*(Fee per Gross Acre)*
Single Family	$ 5,981	$ 6,993	$ 3,396	$ 0.28	$ 21,263
Multifamily[2]	$ 3,955	$ 4,624	$ 2,245	$ 0.28	$ 29,237
Non-Residential	*(Fee per 1,000 Building Square Feet)*			*(Fee per SF)*	*(Fee per Gross Acre)*
Retail	$ 2,018	*n/a*	$ 1,146	$ 0.28	$ 29,237
Office	$ 2,409	*n/a*	$ 1,367	$ 0.28	$ 29,237
Industrial	$ 853	*n/a*	$ 485	$ 0.28	$ 29,237
	(Fee per Room)			*(Fee per SF)*	*(Fee per Gross Acre)*
Hotel	$ 603	*n/a*	$ 342	$ 0.28	$ 29,237

[1] *For Storm Drainage fees, 6 units per acre and under are considered single family and above 6 units per acre are considered multi-family.*

[2] *Includes area of on-site streets and alleys plus the area up to the center line of bordering streets and alleys.*

Table ES.3: Summary of Proposed Traffic Circulation Fees

Land Use		Traffic Circulation Fee
per ADT	$	1,035
(Fee per unit)		
Single Family	$	9,769
Mobile Home	$	5,174
Low-Rise Multifamily[1]	$	7,574
Mid-Rise Multifamily[1]	$	5,630
High-Rise Multifamily[1]	$	4,605
Senior Housing	$	4,139
(Fee per 1,000 SF)		
Office	$	10,079
Medical Office	$	6,054
General (C2)	$	6,560
New Car Sales	$	6,157
Church	$	4,118
Restaurant	$	19,506
Fast Food with Drive Thru	$	102,342
(Fee per stall/room/fueling station)		
Self Service Car Wash (per stall)	$	27,153
Gas Station (per fueling position)	$	45,924
Hotel/Motel (per Room)	$	5,040
(Fee per 1,000 SF)		
Light Industrial	$	5,132
Warehouse	$	1,800

[1] *Low-Rise is defined as containing one or two floors, mid-rise is defined as containing three to ten floors, and high rise is defined as containing more than ten floors.*

Table ES.4: Proposed Utility Undergrounding In-Lieu Fee

Fee per Building SF, All Land Uses	$	0.54

Section 1 REQUIREMENTS AND METHODOLOGY

NEXUS REQUIREMENT SUMMARY

The Mitigation Fee Act, commonly known as Assembly Bill (AB) 1600, was enacted by the State of California in 1987 and created Section 66000 et. seq. of the Government Code. AB1600 requires public agencies to satisfy the following requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project:

1. Identify the purpose of the fee.
2. Identify the use for the fee.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The purpose of this report is to demonstrate that the fee components comply with AB1600. The assumptions, methodologies, facility costs and standards, and cost allocation factors used to establish the nexus between the levied fees and new development are in subsequent sections of this report.

METHODOLOGY

Imposed fees require various findings to ensure that a reasonable relationship exists between the fee amount and the cost of the facility or portion of the facility attributable to the new development. Several methodologies are available to determine fee amounts. Choosing the appropriate methodology depends on the type of facility for which the fee is calculated and the availability of documentation to support the fee calculation. Following is a discussion of the methodologies available to calculate the separate fee components in this report.

Facility Standards Method

The facility standards method determines the facilities and associated costs required to accommodate growth based on adopted City standards. Depending on the fee analysis, the City may or may not currently have sufficient facilities to meet the adopted standard. If the City's existing facilities are below the standards, then a deficiency exists. In this case, the portion of the cost of planned facilities associated with correcting the deficiency must be

satisfied with funding sources other than Development Impact fees. AB1600 fees can only fund planned facilities needed to accommodate new development at the adopted standard.

Master Plan Method

The master plan method is based on a master facilities plan in situations where the needed facilities serve both existing and new development. This approach allocates existing and planned facilities across existing and new development to determine new development's fair share of the facility need. This approach is used when it is not possible to differentiate the benefits of new facilities between existing and new development.

Planned Facilities Method

The planned facilities method calculates the standard based solely on the ratio of planned facilities to the increase in demand associated with new development. This method is appropriate when planned facilities are mostly for the benefit of new development, such as a wastewater trunk line extension to a previously undeveloped area. This method can be used when there is excess capacity in existing facilities that can accommodate new development.

Existing Inventory Method

The existing inventory method uses a facility standard based on the ratio of existing facilities to the existing service population on a cost per unit or cost per square foot basis. Under this approach, new development funds the expansion of facilities at the same standard currently serving existing development. By definition, the existing inventory method ensures that no facility deficiencies are spread to future development. This method is often used when a long-range plan for new facilities is not available.

FEE ADJUSTMENT PROCEDURES

The Fees will be automatically adjusted each year on July 1st based on the June Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles. The base index for the first year increase shall be 12144.49, the January 2020 Index. In addition, the fees may be adjusted periodically to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised facilities or costs, changes in demographics, or changes to the land use plan. A complete review of the fees must be completed every five years per AB1600 but it is recommended that the fees be updated more frequently.

CREDITS AND REIMBURSEMENT POLICIES

The City may provide fee credits or reimbursements to developers who dedicate land or construct facilities. Fee credits or reimbursements shall be the lesser of the estimated cost of the

improvements as shown in this report, subject to inflation adjustments, or the actual cost incurred by the developer. Reimbursements will be made when funds are available based on the priority of capital improvements as determined by the City. Fee credits will be allowed on a case-by-case basis as determined by the City.

SPECIALIZED DEVELOPMENT PROJECTS

The fees in this report may not be applicable to specialized development projects. For specialized development projects, the City will review the development's impacts to determine the applicable fees.

In addition, for redevelopment projects, the developer shall only be responsible for paying fees for the intensification of the development. The City will review the development's increased impacts to determine the applicable fees.

ACCESSORY DWELLING UNITS

An accessory dwelling unit (ADU) is a second unit on the same lot that is attached or detached from a residential unit. In accordance with Assembly Bill 881 (AB881) fees cannot be charged for an ADU that is less than 750 square feet. For an ADU that is 750 square feet or larger, an ADU will pay a percentage of the residential fee based on the square footage of the ADU in proportion to the primary dwelling unit.

GROWTH FORECASTS

Growth projections are used as indicators of demand. The City's existing population as well as 2030 population projections are used throughout the fee sections that follow in this report. The following resources were used for the purpose of updating the Fee program:

- Estimates of total development through 2030 are based on a vacant land survey, detailed discussions with the City, and the downtown environmental impact report update (EIR).
- Population estimates are from *U.S. Census Bureau American Community Survey*, 2018 Data.
- Estimates of existing non-residential development from Census data and GIS files.
- Estimates of the City's non-residential worker populations are from *On the Map U.S. Census Center for Economic Studies*, 2015 data.

LAND USE TYPES

To ensure a reasonable relationship between each fee and the type of development paying the fee, the following land use categories are used in this Study:

- **Single family:** Detached single-family homes.

- **Multifamily:** All attached residential dwellings such as duplexes, condominiums, townhomes, apartments, and dormitories.
- **Commercial:** Retail, educational, and downtown non-residential development.
- **Office:** General, professional, and medical office development.
- **Industrial:** Manufacturing and warehouse development.
- **Hotel:** Development designed to be occupied less than 30 days per stay.

For the traffic circulation fees, additional land uses were included to provide a more detailed estimate of the average daily trips (ADT) of different development. These land uses are discussed in Section 5 of this report.

Some developments may include more than one land use type. In these cases, the fee is calculated separately for each land use type. The City has the discretion to impose the fees based on the specific aspects of a proposed development regardless of zoning. The fee imposed should be based on the land use type that most closely represents the impacts of the development.

In addition, some parcels may redevelop into a more intense use. In these cases, the development will only be charged for intensification of use and a credit will be given for the existing use.

SERVICE POPULATION

The City's service population accounts for persons who live in the City and a weighted percent of workers employed in the City. Workers are weighted to reflect the lower per capita service demand compared to City residents. Workers spend less time in the City than residents and use fewer City services. The service population is used to determine the cost necessary to continue providing the City facilities at the existing level of service and to ensure that the fees are allocated fairly to each type of new development based on the impact of the development on the facilities.

Table 1 summarizes the City's service population used to develop the fees. The total service population of 236,623, including a fifty percent (50%) weighted factor for employees, was calculated using information taken from the 2018 US Census Data Population Estimates and the *On the Map from the U.S. Census Bureau Center for Economic Studies*, 2015 data.

Table 1: Service Population Calculation

	Baseline Population	Weighting Factor	Service Population
Residents [1]	209,877	1.0	209,877
Workers [2]	53,492	0.5	26,746
			236,623

[1] *U.S. Census Bureau 2018. American Community Survey, Table DP05. Retrieved from data.census.us.*

[2] *On the Map US Census Bureau Center for Economic Studies, 2015 data.*

RESIDENT AND EMPLOYMENT DENSITY

Using persons per household (PPH) data for residential units and employment density data for non-residential buildings establishes a reasonable relationship between the demand created by the development project and the fees charged. Developers pay fees based on the number of additional residential units or building square feet of non-residential development; therefore, the fee schedule must convert service population estimates to these units of measure for each land use. This conversion is done using the average PPH and employment density by land use type.

Table 2 summarizes the occupant density factors for residential and non-residential development. The residential density factors were calculated using information from the City's 2017 Mid-Cycle 2013–2021 Housing Element Update, while the non-residential employment density factors were calculated using information from the Employment Density Study Report for the Southern California Association of Governments dated October 31, 2001.

Table 2: Persons per Household and Employment Density

Residential [1]		
Single Family	4.31	Residents per dwelling unit
Multi-Family	2.85	Residents per dwelling unit
Non-Residential [2]		
Retail	2.91	Employees per 1,000 square feet
Office	3.47	Employees per 1,000 square feet
Industrial	1.23	Employees per 1,000 square feet
Hotel [3]	0.87	Employees per Room

[1] *City of Oxnard 2017 Mid Cycle 2013-2021 Housing Element update.*

[2] *Employment Density Study for Southern California Association of Governments dated October 31, 2001.*

[3] *River Park Specific Plan Land Use Summary.*

2030 LAND USE PROJECTIONS

The 2030 land use projections summarized in Table 3 includes residential and non-residential acreages, the estimated number of residential units, and the estimated non-residential square footage. This information, estimated from proposed developments, planned downtown redevelopment, and currently undeveloped land assumptions, presents a projection of the total new development expected to take place in the City by 2030.

Table 3: 2030 Residential and Non-Residential Development Projections

	Acres	Units/Square Feet	
Residential			
Single Family	64.27	397	Dwelling Units
Multi-Family	126.03	3,890	Dwelling Units
Non-Residential			
Retail	16.90	549,900	Building Square Feet
Office	10.74	234,000	Building Square Feet
Industrial	629.71	3,570,000	Building Square Feet
Hotel	7.15	500	Rooms

Source: Vacant land survey with future zoning plans and discussions with Oxnard Planning.

Section 2 GROWTH REQUIREMENT CAPITAL FEE

BACKGROUND

The City's current Growth Requirement Capital Fee is based on Resolution 12,975 adopted in November 2005 which set the Fee at $1.16 per square foot of residential covered space, $0.60 per square foot of commercial and industrial covered space, $0.04 per square foot of industrial uncovered space, and $1.75 per square foot for mobile home pads. The existing Growth Requirement Capital Fee consists of five components; Cultural and Recreational Facilities, Essential Infrastructure, Government Facilities, Public Safety Facilities, and Related Facilities.

Based on discussions with City staff, the proposed Growth Requirement Capital Fee is broken into four categories; (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities. These categories will allow the City to better administer the Fee program and more closely tie to the City's various departmental needs.

This section presents an analysis of the City's Growth Requirement Capital Fee. The Growth Requirement Capital Fee funds facilities such as police stations and equipment, fire stations and equipment, city hall, community centers, visitor center, and the corporation yard. These fees use the Existing Inventory Method for fee calculation. Under this methodology, the facilities are inventoried and the value of the facilities used to determine the current level of service (LOS) provided by the City on a per capita basis. This LOS calculation is used to determine the fee by land use that is needed in order for new development to fund the facilities needed to maintain the existing LOS.

SERVICE POPULATION

Demand for services and the associated facilities is based on the City's existing service population, which includes residents and non-residential workers. In calculating the service population for growth, workers were weighted less than residents to reflect the lower service demand of workers. Non-resident workers spend less time in the City and use fewer services, so the demand for City services is less than that of a resident.

GROWTH REQUIREMENT CAPITAL FEE SUMMARY

The City's maximum supportable fee calculation for the Growth Requirement Capital Fee examines (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities to determine the facility standard of each. As growth occurs in the City, these facilities should continue to operate at their respective standards. The fees collected from new development will ensure the City is able to continue to provide the existing LOS as the service population grows. The Growth Requirement Capital Fee is summarized in Table 4. An

administrative fee of four percent (4%) is added to the Fee to fund the City's cost to administer the Fee program.

Table 4: Growth Requirement Capital Fee – Summary of Fees

Land Use	Government Facilities	Police Facilities	Fire Facilities	Cultural & Recreational Facilities	Administrative Fee (4%)[1]	Total
Residential	*(Fee per Dwelling Unit)*					
Single Family	$ 2,033	$ 926	$ 1,038	$ 1,754	$ 230	$ 5,981
Multi Family	$ 1,345	$ 612	$ 686	$ 1,160	$ 152	$ 3,955
Non-Residential	*(Fee per 1,000 Building Square Feet)*					
Retail	$ 686	$ 312	$ 350	$ 592	$ 78	$ 2,018
Office	$ 819	$ 373	$ 418	$ 706	$ 93	$ 2,409
Industrial	$ 290	$ 132	$ 148	$ 250	$ 33	$ 853
	(Fee per Room)					
Hotel	$ 205	$ 93	$ 105	$ 177	$ 23	$ 603

[1] *Administrative charge of 4% for (1) legal, accounting, and other administrative support and (2) Development impact fee program administration costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analysis.*

REVENUE PROJECTIONS

Table 5 summarizes the anticipated Growth Requirement Capital Fee revenue. The revenue will be available to expand the City's existing Government Facilities, Police Facilities, Fire Facilities, and Cultural and Recreational Facilities to meet the need of new residents and workers in the City. The City will program the revenues through their Capital Improvement Program (CIP) process.

Table 5: Growth Requirement Capital Fee – Revenue Summary

Government Facilities	$	7,745,828.40
Police Facilities	$	3,524,892.80
Fire Facilities	$	3,951,763.00
Cultural & Recreational Facilities	$	6,680,482.80
Administrative Fee (4%)	$	876,554.20
Total	$	22,779,521.20

GOVERNMENT FACILITIES COMPONENT

The Government Facilities Fee includes buildings and vehicles related to the Oxnard Civic Center, City administrative offices, City corporation yard, downtown parking garage, visitor center, and

the transportation center. As new development occurs these facilities should continue to operate at the standard the City currently provides.

Government Facilities and Cost

The City-owned government facilities are summarized in Table 6. The value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing government facilities.

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Table 6: Government Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Mobile Equipment	Total Value
Existing Facilities						
Civic Center Vehicles & Equipment	305 W. 3rd St.	-	-	$ 26,257,423	$ 4,462,115	$ 30,719,538
Civic Center City Hall[1]	305 W. 3rd St.	$ 7,111,700	$ 1,210,558	-	-	$ 8,322,258
Civic Center East Wing[1]	305 W. 3rd St.	$ 2,485,895	$ 522,376	-	-	$ 3,008,271
Administrative Annex[1]	300 W. 3rd St.	$ 8,521,615	$ 1,844,551	-	-	$ 10,366,166
Visitors Center	715 S. "A" ST.	$ 93,149	$ 7,499	-	-	$ 100,648
Administrative Offices - Service Center	214 S. "C" St.	$ 14,119,355	$ 1,393,196	-	-	$ 15,512,551
Building and Safety Offices	241 W. 2nd St.	$ 906,306	$ 312,931	-	-	$ 1,219,237
Wilson Offices	350 N. "C" St.	$ 204,669	$ 21,128	-	-	$ 225,797
Downtown Parking Garage	324 S. "B" St.	$ 22,253,992	$ -	-	-	$ 22,253,992
Transportation Center	200 E. 4th St.	$ 9,314,831	$ 374,880	-	-	$ 9,689,711
City Yard Building 1	1060 Pacific	$ 1,645,713	$ 1,341,582	-	-	$ 2,987,295
City Yard Building 2	1060 Pacific	$ 1,215,548	$ 370,701	-	-	$ 1,586,249
City Yard Building 3	1060 Pacific	$ 725,640	$ 125,039	-	-	$ 850,679
City Yard Warehouse	1060 Pacific	$ 388,633	$ 22,533	-	-	$ 411,166
City Yard Warehouse 2	1060 Pacific	$ 273,760	$ 4,107,189	-	-	$ 4,380,949
Total Existing Facilities		**$ 69,260,806**	**$ 11,654,163**	**$ 26,257,423**	**$ 4,462,115**	**$ 111,634,507**
					Service Population	236,623
					Cost per Capita	$ 471.78

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Vehicles and equipment based on Fleet Equipment Fact Sheet dated 02/4/2020

[1] The value of the Civic Center is $24,730,110. The City currently has debt associated with the building, of which 34% is allocated to future development and is paid through the fee program. The value was reduced by 34% of the debt.

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Government Facilities Fee Schedule

Table 7 summarizes the government facilities fee schedule based on the existing cost standard established in Table 6. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 7: Government Facilities – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 471.78	4.31	$ 2,033
Multi-Family	$ 471.78	2.85	$ 1,345
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 235.89	2.91	$ 686
Office	$ 235.89	3.47	$ 819
Industrial	$ 235.89	1.23	$ 290
	(Fee per Room)		
Hotel	$ 235.89	0.87	$ 205

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

POLICE COMPONENT

Police facilities include the police station, department annex, and associated equipment. As new development occurs additional facilities will be required to continue to operate at the standard the City currently provides.

Police Facilities and Costs

The City-owned police facilities are summarized in Table 8. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing police facilities.

Table 8: Police Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Mobile Equipment	Total Value
Existing Facilities						
Police Station	251 S. C St.	$ 23,711,535	$ 2,711,839	$ 5,368,415	$ 3,416,114	$ 35,207,903
Safety & Communications Equipment	305 W. 3rd St.	-	$ 638,123	-	-	$ 638,123
Police Dispatch Equipment	2900 Saviers Rd.	-	$ 27,863	-	-	$ 27,863
Recreation Building & Storefront	300 W. Clara St.	$ 602,420	$ 20,823	-	-	$ 623,243
Police Annex	3001 Sturgis Rd.	$ 14,021,291	$ 299,196	-	-	$ 14,320,487
Total Existing Facilities		**$ 38,335,246**	**$ 3,697,844**	**$ 5,368,415**	**$ 3,416,114**	**$ 50,817,619**
					Service Population	236,623
					Cost per Capita	$ 214.76

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Equipment based on Fleet Equipment Fact Sheet dated 02/4/2020.

Police Fee Schedule

Table 9 summarizes the police fee schedule based on the existing cost standard established in Table 8. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 9: Police Facilities – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 214.76	4.31	$ 926
Multi-Family	$ 214.76	2.85	$ 612
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 107.38	2.91	$ 312
Office	$ 107.38	3.47	$ 373
Industrial	$ 107.38	1.23	$ 132
	(Fee per Room)		
Hotel	$ 107.38	0.87	$ 93

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

FIRE COMPONENT

Fire facilities include fire stations, administration buildings, and the associated equipment. As new development occurs additional facilities and equipment will be required to continue to operate at the standard the City current provides.

Fire Facilities and Costs

The City-owned fire facilities are summarized in Table 10. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing fire facilities.

Table 10: Fire Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Total Value
Existing Facilities					
Administration Building	360 W. 2nd St.	$ 10,983,462	$ 390,094	$ 10,900,552	$ 22,274,108
Fire Station 1	491 S. "K" St.	$ 2,616,171	$ 178,983	-	$ 2,795,154
Training Center	491 S. "K" St.	$ 207,071	$ 41,643	-	$ 248,714
Fire Station 2	531 E. Pleasant Valley Rd.	$ 1,259,482	$ 67,887	-	$ 1,327,369
Fire Station 3	150 Hill St.	$ 1,099,141	$ 75,577	-	$ 1,174,718
Fire Station 4	230 W. Vineyard	$ 1,778,547	$ 56,584	-	$ 1,835,131
Fire Station 5	1950 Colonia	$ 894,050	$ 81,714	-	$ 975,764
Fire Station 6	2601 Pensula Rd.	$ 896,562	$ 75,057	-	$ 971,619
Fire Station 7	3300 Turnout Park Circle	$ 9,165,885	-	-	$ 9,165,885
Fire Station 8	3000 S. Rose Ave.	$ 15,916,902	$ 310,759	-	$ 16,227,661
Total Existing Facilities		**$ 44,817,273**	**$ 1,278,298**	**$ 10,900,552**	**$ 56,996,123**
				Service Population	236,623
				Cost per Capita	$ 240.87

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Equipment based on Fleet Equipment Fact Sheet dated 02/4/2020.

Fire Fee Schedule

Table 11 summarizes the fire fee schedule based on the existing cost standard established in Table 10. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 11: Fire Facilities – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 240.87	4.31	$ 1,038
Multi-Family	$ 240.87	2.85	$ 686
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 120.44	2.91	$ 350
Office	$ 120.44	3.47	$ 418
Industrial	$ 120.44	1.23	$ 148
	(Fee per Room)		
Hotel	$ 120.44	0.87	$ 105

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

CULTURAL AND RECREATIONAL COMPONENT

Cultural and recreational facilities include art centers, youth and senior centers, tennis centers, theatre, libraries, clubhouses, and community centers. As new development occurs additional facilities and equipment will be required to continue to operate at the standard the City current provides.

Cultural and Recreational Facilities and Costs

The City-owned cultural and recreational facilities are summarized in Table 12. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing cultural and recreational facilities.

Table 12: Cultural and Recreational Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Total Value
Existing Facilities				
Youth Center	800 W. Hill St.	$ 844,672	$ 17,466	$ 862,138
Senior Center	350 N. "C" St.	$ 1,226,451	$ 97,432	$ 1,323,883
Art Center	350 N. "C" St.	$ 274,097	$ 9,704	$ 283,801
Recreation Club House	350 N. "C" St.	$ 245,988	$ 58,300	$ 304,288
Community Center	800 Hobson	$ 2,552,362	$ 292,716	$ 2,845,078
Boxing Club	520 E. 1st St.	$ 283,428	$ 16,249	$ 299,677
Community Building	801 Hobson Way	$ 794,517	$ 60,073	$ 854,590
Tennis Pro Shop	801 Hobson Way	$ 206,615	$ 7,001	$ 213,616
Tennis Center	801 Hobson Way	$ 152,783	$ 5,599	$ 158,382
Theater & Auditorium	800 Hobson Way	$ 11,638,594	$ 680,280	$ 12,318,874
Library	424 S. "C" St.	$ 1,527,836	$ 65,931	$ 1,593,767
Library	251 S. "A" St.	$ 21,819,005	$ 24,981,800	$ 46,800,805
Library & Child Care Center	200 E. Bard Rd.	$ 5,197,191	$ 1,073,778	$ 6,270,969
Library	1500 Camino Del Sol	-	$ 633,879	$ 633,879
Library	4300 S. Saviers Rd.	$ 14,332,050	$ 7,236,005	$ 21,568,055
Total Existing Facilities		$ 61,095,589	$ 35,236,213	**$ 96,331,802**
			Service Population	236,623
			Cost per Capita	$ 407.00

Source: City of Oxnard, Statement of Value - April 26, 2018.

Cultural and Recreational Fee Schedule

Table 13 summarizes the cultural and recreational fee schedule based on the existing cost standard established in Table 12. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 13: Cultural and Recreational Facilities –Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 407.00	4.31	$ 1,754
Multi-Family	$ 407.00	2.85	$ 1,160
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 203.50	2.91	$ 592
Office	$ 203.50	3.47	$ 706
Industrial	$ 203.50	1.23	$ 250
	(Fee per Room)		
Hotel	$ 203.50	0.87	$ 177

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

NEXUS FINDINGS – GROWTH REQUIREMENT CAPITAL FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the Growth Requirement Capital Fee is to fund government, police, fire, and cultural and recreational facilities required to mitigate the impacts of new development on the City's infrastructure.

Requirement 2: Identify the use of the fee.

The Growth Requirement Capital Fee will be used to expand the City's new government, police, fire, and cultural and recreational facilities as needed to maintain the existing standard the City provides. As new development occurs, the City will be required to expand facilities to serve new development. The projects that will be funded with the fee will be identified in future years through the City's CIP program in order to maintain the City's standard of service.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional residents and workers. An increase in residents and workers will increase the demand for facilities. Residential and non-residential development are responsible for paying their fair share to maintain the City's existing standard based on the persons per household and employee

density assumptions assigned to each individual land use as shown in Tables 7, 9, 11, and 13.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

An increase in residential and non-residential development generates additional residents and workers that increase the need for police, fire, government, and cultural and recreational facilities to maintain the City's existing level of service. The value of the City's existing facilities is divided by the current service population to determine the existing cost per capita. One worker is assumed to create half of the demand of a new resident. Each residential land use is charged a fee based on the additional residents it is expected to add multiplied by the cost per capita. Non-residential development is charged a fee based on the cost per capita, multiplied by 0.5 (the weighting factor), and then multiplied by the number of assumed workers per 1,000 square feet of building or per hotel room. By charging the fee based on the additional residents or workers created by each land use, the fee directly correlates to the demand created by each new development.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New facilities are necessary to maintain the City's existing level of service as new residential and non-residential units are constructed. The City inventoried the existing government, police, fire, and cultural and recreational facilities and identified the value of each. This value was divided by the City's existing service population to calculate the cost per resident and the cost per worker necessary to maintain the City's existing level of service. This cost per resident and cost per worker were converted into a cost per unit for each type of residential development and a cost per square foot for non-residential development based on the estimated densities as shown in Table 13. Basing the fee on the additional residents or workers generated by each land use ensures that the development pays only their fair share of future facilities.

Section 3 PARK AND RECREATION FEE

BACKGROUND

This section presents an analysis of the City's Park and Recreation Fee. The Park and Recreation Fee covers the cost to mitigate the effects of new development on the City's parks.

The City's current park fee was first established in 1972 by Ordinance 1421. The City's Municipal Code, section 13-71 outlines the City's current fee which is $150 for one or less bedrooms, $200 for two bedrooms and $250 for three or more bedrooms. This fee is not adequate to construct the parks needed to meet the City's 2030 General Plan Standard. The proposed fee will replace the City's current park fee and is based on the methodology described in this report.

These fees use the facility standards method for fee calculation. Under this methodology, the City's 2030 General Plan Park standard of 3.0 acres per 1,000 residents is used to determine the fee.

SERVICE POPULATION

The City's 2030 General Plan sets the park standard for the City at 1.5 acres per 1,000 residents for neighborhood parks and 1.5 acres per 1,000 residents for community parks for a total of three (3) acres per 1,000 residents.

Based on the 2010 Parks Master Plan, the City's park inventory was 991.47 acres including the City's Golf Course. Based on the Master Plan, the City provided 5.8 acres of park per 1,000 people in 2010, exceeding the 3 acres per 1,000 resident standard set in the General Plan. The City is currently in the process of updating their Park Master Plan.

COST STANDARD

Table 14 identifies the construction cost per park acre and the cost per resident served. Charging a fee based on the City's standard of three acres per 1,000 residents as established in the City's 2030 General Plan, ensures that the City will have sufficient revenues to maintain this standard as new development occurs and population increases. The fee covers park development costs only.

Table 14: Park and Recreation – Cost per Resident

Construction Cost per Acre[1]	**A**	$	520,000
Park Acres Required per 1000 Residents[2]	**B**		3.000
Cost per Resident	**(A X B) / 1000 = C**	**$**	**1,560**

[1] *Oxnard College Park estimate dated 6/24/2009, adjusted by the ENR CCI (+30.5%), rounded.*

[2] *2030 General Plan Standard (Park Requirement is 3 Acres per 1,000 population; 1.5 acres of community park and 1.5 acres of neighborhood park).*

Park land dedication or an in-lieu fee will be required through Quimby as set forth in Chapter 15, Article IV of the City's Government Code.

FEE SCHEDULE

Table 15 summarizes the Park and Recreation Fee schedule based on the City's General Plan standard of three (3) acres per 1,000 residents. The cost per resident is converted to a fee per new residential unit based on the estimated persons per household. The total fee includes a four percent (4%) administrative charge to fund Fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to the Fee program administration. The park and recreation fees are not applied to non-residential development because of the minimal demand of employees on City parks.

Table 15: Park and Recreation– Fee Schedule

Land Use	A Cost per Resident	B Density (PPH)[1]	A x B = C Construction Fee[2]	C x 4% = D Administrative Fee (4%)[2]	C + D Total Fee
Single Family	$ 1,560	4.31	$ 6,724	$ 269	$ 6,993
Multifamily	$ 1,560	2.85	$ 4,446	$ 178	$ 4,624

[1] *Per Table 2.*

[2] *Rounded.*

REVENUE PROJECTIONS

Table 16 summarizes the anticipated Park and Recreation Fee revenue. The 2010 Parks Master Plan identified a need for approximately $58 million in park development improvements plus another $80 million in park improvements to existing parks. The City is currently in the process of updating their Parks Master Plan and the specific improvements that these funds will be used for will be identified as part of that process. Generally, the funds need to be expended to build improvements that expand the City's existing park system to ensure the City maintains their standard of three (3) acres per 1,000 residents.

Table 16: Park and Recreation– Revenue Projections

Land Use	Units	Fee	Anticipated Revenue
Single Family	397	$ 6,993	$ 2,776,221
Multifamily	3,890	$ 4,624	$ 17,987,360
Total			**$ 20,763,581**

NEXUS FINDINGS – PARK AND RECREATION FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the park and recreation fee is to fund new park development that is needed to maintain the City's General Plan level of service of 1.5 acres of neighborhood park and 1.5 acres of community park per 1,000 residents served.

Requirement 2: Identify the use of the fee.

The park and recreation fee will be used to construct new parks and/or to add additional amenities at the City's existing parks that increase the capacity of the park. Future park opportunities will be identified through the City's Parks Master Plan and the City's CIP program.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential development will generate additional residents which will increase the demand for park facilities. In order to maintain the City standard of three (3) acres of park per 1,000 residents, new residential developments will be required to pay the Park and Recreation Fee to fund additional parks. Non-residential uses do not pay the fee since they do not generate additional residents and workers have minimal impact on the City's park system.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

New residential development will contribute to an increase in residents that raises the need for park facilities to maintain the City's General Plan park standard of three (3) acres per 1,000 residents. Non-residential uses do not pay the fee since workers have minimal impact on the City's park system.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

As new residential units are constructed, new park facilities are necessary to maintain the City's 2030 General Plan standard of three (3) acres per 1,000 residents. The fees are calculated by taking the cost per acre of park land times three acres of parks per 1,000 residents and then dividing that by 1,000 to determine the cost per person. The cost per

person is then spread to each residential land use based on the persons per household each unit is expected to generate as shown in Table 15. Since the need for park land is based on the number of new residents, calculating the fee based on the number of persons each unit is expected to generate ensures that each new residential unit is paying only its fair share of the required facilities.

Section 4 TRAFFIC CIRCULATION FEE

BACKGROUND

This section presents an analysis of the City's traffic circulation fee. The fees for traffic circulation cover the costs to lessen the effects of additional vehicle trips caused by new development and maintain the City's level of service standard. Funding new transportation facilities, improvements, and infrastructure will ensure that the service level is maintained as development and population growth produce an increase in roadway use and changes in traffic patterns. This fee is calculated using the planned facilities method.

The City's current traffic circulation fee is based on a number of resolutions, the most recent three are described below:

- Resolution 13,328 was adopted on June 26, 2007 set the fee at $730 per average daily trip (ADT) and was based on the City's 1992 Traffic Study.
- Resolution 13,600 was adopted on February 3, 2009 and modified the categories of development projects and made adjustments to the peak hour and pass-by trips. The cost per ADT was not updated.
- Resolution 13,890 was adopted on July 13, 2010 and adjusted the fee for restaurants while retaining the cost per ADT.

The City is planning an update to the traffic model that will update the assumptions in this section.

SERVICE POPULATION

The City's traffic circulation fee provides funding for new transportation facilities and infrastructure to accommodate and mitigate new development's impact on the City infrastructure. The residential and non-residential land uses will be assessed a fee based on the ADTs generated by each land use.

Table 17 estimates the trips generated by future development based on the land use projections in Table 3. The 10th Edition of the Institute of Transportation Engineers' (ITE) trip generation rate manual is used to estimate the total ADTs generated by the remaining 2030 development. When the fees were updated in 2009 by Resolution 13,600, reductions in the ADT rates were adopted to account for non-peak trips as well as pass-by trips. The following trip reductions are being applied consistent with Resolution 13,600.

Off-peak travel adjustments:

- 0.42 for Commercial and Medical Office
- 0.583 for Hotels and Motels
- 0.572 for Churches
- 0.534 for New Car Sales

A pass-by trip adjustment is further applied as follows:

- 40% for Commercial and Medical Office
- 50% for Fast Food with Drive-thru
- 56% for Gas Stations

Table 17: Traffic Circulation – Total Remaining Trips Generated

Land Use	New Units/ Square Footage	ADT Generated[1]	New City Trips
Residential Units		*Per Unit*	
Single Family Residential	397	9.44	3,747.68
Multifamily Residential	3,890	5.74	22,328.60
			26,076.28
Non-Residential		*Per 1,000 building sf*	
Retail[2]	549,900	32.51	17,877.25
Office	234,000	9.74	2,279.16
Industrial	3,570,000	4.96	17,707.20
			37,863.61
		Per Room	
Hotel	500	4.87	2,435.00
			2,435.00
Total Trips			**66,374.89**

[1] 10th Edition ADT discounted with adopted discounts for pass by and non-peak rates per 2009 fee resolution as further described. Peak travel adjustments are as follows: 0.42 for commercial and medical office, 0.538 for hotels/motels, 0.572 for churches, and 0.534 for new car sales. In addition, a pass-by trip adjustment is applied as follows: commercial and medical office 40%, fast food with drive-thrus 50% and gas station 56%. Multifamily ADT is an average of low-rise, mid-rise, and high-rise land uses.

[2] Average ADT for commercial land uses.

FACILITIES AND COSTS

Calculating the traffic circulation fee based on the planned facilities ensures that the City will have sufficient revenues to build and expand the City's roadway facilities in order to maintain acceptable levels of services as new development occurs.

Table 18 identifies the list of eligible traffic projects and associated costs per the City's Public Works Department. The City estimated the grant funding and the percent of each project that can be allocated to the fee program. The cost per trip is calculated by deducting the fund balance from the eligible project cost and dividing by the total trips from Table 17.

Table 18: Traffic Circulation – List of Eligible Projects

Project	Total Project Cost	Existing Development Share	Grant Funding	Allocation to New Development	Cost Allocated to New Development	Eligible Project Cost
Adaptive Traffic Signals	$ 1,527,000	$ -	$ -	100%	$ 1,527,000	$ 1,527,000
Fifth Street & Pacific Avenue Traffic Signal	$ 700,000	$ -	$ -	100%	$ 700,000	$ 700,000
Harbor Boulevard Edison Canal Bridge Widening	$ 2,300,000	$ 2,300,000	$ -	0%	$ -	$ -
ITS Master Plan Update	$ 250,000	$ -	$ -	100%	$ 250,000	$ 250,000
Oxnard Boulevard & Saviers Road Signal Improvements	$ 1,146,600	$ 1,146,600	$ 869,780	0%	$ -	$ -
Traffic Circulation Improvements Fee Study	$ 500,000	$ -	$ -	100%	$ 500,000	$ 500,000
Traffic Intersection Capacity Improvements	$ 61,900,000	$ -	$ -	100%	$ 61,900,000	$ 61,900,000
Traffic Model Update	$ 200,000	$ -	$ -	100%	$ 200,000	$ 200,000
Traffic Signal Modernization (ITS)	$ 6,800,000	$ -	$ -	100%	$ 6,800,000	$ 6,800,000
Traffic Signal Modifications	$ 1,878,600	$ -	$ 1,445,100	100%	$ 433,500	$ 433,500
Traffic Signal Timing	$ 850,000	$ -	$ -	100%	$ 850,000	$ 850,000
Total Project Cost	**$ 78,052,200**	**$ 3,446,600**	**$ 2,314,880**		**$ 73,160,500**	**$ 73,160,500**
Less: Existing Fund 354 Balance[1]						$ (7,121,156.00)
Total Remaining Cost						**$ 66,039,344.00**
					New ADT's Generated	**66,374.89**
					Cost per Trip	**$ 995.00**

Source: The City of Oxnard Capital Improvement Plan, Oxnard Public Works Department.

[1] *FY 2018/2019 Fund Balance.*

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FEE SCHEDULE

Table 19 summarizes the traffic circulation fees based on the cost per trip calculated in Table 18. The fee categories are consistent with the City's current fees. The total fee includes a four percent (4%) administrative charge to fund Fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to the fee program administration. A fee per ADT is included for projects that do not fall within one of the fee categories or for which a specialized calculation is necessary.

Table 19: Traffic –Fee Schedule

Land Use	Discounted ADT[1]	Fee Per Unit (rounded)	Administrative Fee (rounded)	Total Fee (rounded)
Fee per ADT		$ 995	$ 40	$ 1,035
(Fee per unit)				
Single Family	9.44	$ 9,393	$ 376	**$ 9,769**
Mobile Home	5.00	$ 4,975	$ 199	**$ 5,174**
Low-Rise Multifamily[2]	7.32	$ 7,283	$ 291	**$ 7,574**
Mid-Rise Multifamily[2]	5.44	$ 5,413	$ 217	**$ 5,630**
High-Rise Multifamily[2]	4.45	$ 4,428	$ 177	**$ 4,605**
Senior Housing	4.00	$ 3,980	$ 159	**$ 4,139**
(Fee per 1,000 SF)				
Office	9.74	$ 9,691	$ 388	**$ 10,079**
Medical Office	5.85	$ 5,821	$ 233	**$ 6,054**
General (C2)	6.34	$ 6,308	$ 252	**$ 6,560**
New Car Sales	5.95	$ 5,920	$ 237	**$ 6,157**
Church	3.98	$ 3,960	$ 158	**$ 4,118**
Restaurant	18.85	$ 18,756	$ 750	**$ 19,506**
Fast Food with Drive Thru	98.90	$ 98,406	$ 3,936	**$ 102,342**
(Fee per stall/room/fueling station)				
Self Service Car Wash (per stall)	26.24	$ 26,109	$ 1,044	**$ 27,153**
Gas Station (per fueling position)	44.38	$ 44,158	$ 1,766	**$ 45,924**
Hotel/Motel (per room)	4.87	$ 4,846	$ 194	**$ 5,040**
(Fee per 1,000 sf)				
Light Industrial	4.96	$ 4,935	$ 197	**$ 5,132**
Warehouse	1.74	$ 1,731	$ 69	**$ 1,800**

1 10th Edition ADT discounted with adopted discounts for pass by and non-peak rates per 2009 fee resolution as further described. Peak travel adjustments are as follows: 0.42 for commercial and medical office, 0.538 for hotels/motels, 0.572 for churches, and 0.534 for new car sales. In addition, a pass-by trip adjustment is applied as follows: commercial and medical office 40%, fast food with drive-thrus 50% and gas station 56%.

[2] Low-Rise is defined as containing one or two floors, mid-rise is defined as containing three to ten floors, and high rise is defined as containing more than ten floors.

NEXUS FINDINGS – TRAFFIC CIRCULATION FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the traffic circulation fee is to fund the transportation facilities that are necessary to mitigate traffic impacts created by new residential and non-residential development in the City.

Requirement 2: Identify the use of the fee.

The traffic circulation fee will be used to fund transportation facilities and infrastructure necessary to maintain the level of service standards on the City's roadway network. As new development occurs, the City will be required to fund roadway projects. The traffic circulation fee will provide funding for these additional facilities and infrastructure as identified in Table 18.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional vehicle trips as identified in the ITE trip generation manual and summarized in Table 19. These vehicle trips will create demand for additional transportation infrastructure. Residential and non-residential development is responsible for paying their fair share of the City's needed infrastructure based on the new trips generated by each type of development.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

New residential and non-residential development will contribute to an increase in vehicle trips that create the need for expanded transportation infrastructure improvements. The Traffic Circulation Fee will be used to build and improve traffic facilities as identified in Table 18. Each development will pay its fair share of the fees based on the trip generation rates summarized in Table 19. Charging a Traffic Circulation Fee based on the number of new trips generated by each new development ensures that the project pays only to mitigate their fair share of the improvements.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New traffic facilities are necessary to maintain the City's level of service standards and are required to serve residential and non-residential development in the City. The City's list of eligible traffic mitigation projects is shown in Table 18. This cost is divided by the trips expected to be generated by future development in the City. This cost per trip is then multiplied by the discounted ADT to calculate the fee for each land use. The ADT was discounted consistent with Resolution 13,600 to capture a reduction in ADT related to pass-by and off-peak trips. This fee calculation ensures that each development pays only their fair share to mitigate their traffic impacts within the City.

Section 5 STORM DRAINAGE FEE

BACKGROUND

This section presents an analysis of the City's storm drainage fee. The City's existing storm drainage fee was adopted by Resolution 10,274 on September 27, 1991. The storm drainage fee provides funding for the infrastructure required to mitigate the impacts of new development. As each new development occurs, additional impervious area is created which creates the need for the expansion of storm drainage facilities. This fee is calculated using the planned facilities method.

FACILITIES AND COSTS

The City's existing storm drainage fee is based on Resolution 10,274 and the City's Storm Drainage Master Plan. The fee was calculated based on the facilities that were identified as required to mitigate new development's impact on the storm drainage system on a cost per acre basis.

At this time, the City has not adopted an updated Storm Drainage Master Plan. Based on discussions with City staff, it is estimated that the cost to provide storm drainage improvements has escalated in proportion to the Engineering News Record Construction Cost Index (ENR CCI) for Los Angeles. Based on this input and discussions with staff, the storm drainage fee will be escalated by the ENR CCI at this time to ensure that adequate funding is received until the City can update their Storm Drainage Master Plan. The City will use the money generated from the impact fee program to make improvements to the storm drainage system per the City's Master Plan and CIP program that are necessary to mitigate the impact of new Development.

The fees are based on an average peak flow discharge of 0.8 cubic feet per second (CFS) per acre of land for low density residential development and 1.1 CFS per acre of land for medium and high density residential, commercial, and industrial development.

FEE SCHEDULE

Table 20 summarizes the storm drainage fees per gross acres, which includes the area of on-site streets and alleys, plus the area up to the centerline of bordering streets and alleys. The fee is calculated by multiplying the ENR CCI by the currently adopted fees.

Table 20: Storm Drainage –Fee Schedule

Land Use	Current Fee	Proposed Fee [1]
Residential	*(fee per gross acre [2])*	
Low Density Residential	$ 10,645	$ 21,263
Medium and High Density Residential[3]	$ 14,637	$ 29,237
Commercial	$ 14,637	$ 29,237
Office	$ 14,637	$ 29,237
Industrial	$ 14,637	$ 29,237
Hotel	$ 14,637	$ 29,237

[1] *Based on the ENR CCI for LA from September 1991 to January 2020.*

[2] *Includes area of on-site streets and alleys plus the area up to the center line of bordering streets and alleys.*

[3] *Projects over 6 dwelling units per acre.*

NEXUS FINDINGS – STORM DRAINAGE FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the storm drainage fee is to fund the storm drainage facilities that are necessary to mitigate impacts created by new residential and non-residential growth in the City.

Requirement 2: Identify the use of the fee.

The storm drainage fee will be used to fund the storm drainage facilities and infrastructure necessary to mitigate the impacts of additional impervious area on the City's storm drainage pipes, basins, and channels. As new development occurs, the City will be required to fund storm drainage projects. The storm drainage fee will provide funding for these additional facilities and infrastructure.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional impervious area which increases the storm drainage run-off in the City. This additional runoff will create the demand for additional storm drainage infrastructure such as pipes, drainage basins, and channels. Residential and non-residential development is responsible for paying their fair share of the City's needed infrastructure based on the average peak flow generated by each acre of new development.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

New residential and non-residential development will contribute to an increase in impervious area which increases storm run-off and creates the need for expanded storm drainage infrastructure. The storm drainage fee will be used to build and improve storm drainage facilities. Each development will pay its fair share of the fees based on the average peak flow discharge. Charging a storm drainage fee based on the additional storm water generated by each new development ensures that the project pays only to mitigate their fair share of the needed improvements.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New storm drainage facilities are necessary to mitigate the impacts of new residential and non-residential development in the City. The storm drainage fee is based on the average peak flow discharge that is created by each acre of development. The fees are charged per acre based on these assumptions which ensures that each development is only paying their fair share based on their impact to the storm drainage system.

Section 6 MOBILITY FEE

BACKGROUND

This section presents an analysis of the City's Mobility Fee. The Mobility Fee covers the cost to mitigate the effects of new development on the City's mobility facilities including sidewalks, bike lanes, pedestrian bridges, and other similar facilities that are necessary to improve connectivity within the City, improve bicycle and pedestrian safety, improve bicycle and pedestrian access to public transportation stops and stations, and increase bicycle mode sharing.

The City currently does not collect a separate fee for bike and pedestrian facilities. Previously impact fee revenues from the traffic fee were used to build on street bicycle facilities and new sidewalks. The need for a mobility fee as established in the City's 2011 Bicycle and Pedestrian Facilities Master Plan.

SERVICE POPULATION

The City's 2011 Bicycle and Pedestrian Facilities Master Plan inventoried the City's bicycle facilities and listed the facilities that were needed to improve pedestrian connectivity throughout the City. In 2011, the City's service population was 221,889 based on the population in 2011 and the estimated worker population, weighted at 50 percent. Non-resident workers spend less time in the City and use fewer facilities, so the demand for City facilities is less than that of a resident. The City's existing level of service for bicycle facilities is based on the 2011 service population.

In 2020, the City's service population is 236,623 based on the City's current population and weighted worker population. The sidewalk survey is based on the current sidewalk inventory therefore, the 2020 population is used to calculate the City's existing level of service for sidewalks.

MOBILITY FACILITIES AND COSTS

Table 21 identifies the existing standards for bike and pedestrian facilities and the value associated with those facilities to calculate a cost per person served. The bicycle costs are based on the Bicycle and Pedestrian Facilities Master Plan escalated to 2020 costs. The sidewalk costs are based on information provided by the Public Works Department.

Table 21: Mobility – Cost per Person Served

Mobility Item	Existing Miles	Miles per Person Served[1]	Unit Cost 2011 Dollars[2]	ENR Adjustment	Unit Cost 2020 Dollars	Value per Person
2012 Bicycle Facility						
Current Class 1 Bike Path	3.3	0.00001487	$ 500,000	26.60%	$ 633,022	$ 9.41
Current Class 2 Bike Lanes	61.5	0.00027717	$ 65,000	26.60%	$ 82,293	$ 22.81
Current Class 3 Bike Route	1.2	0.00000541	$ 5,000	26.60%	$ 6,330	$ 0.03
Total Bike	**66.0**	**0.00029745**				**$ 32.25**
Current Pedestrian Facilities						
Sidewalks[3]	650.0	0.00274699			$ 264,000	$ 725.20
Total Pedestrian	**650.0**	**0.00292939**				**$ 725.20**
Mobility Facility per Person Served						**$ 757.45**

[1] *2011 Service Population based on California Department of Finance E-5 Study resident population of 200,029 and US Census Data employee count of 43,720.*

[2] *Costs per 2011 Bike and Pedstrian Facilities Master Plan.*

[3] *Current sidewalk facilities uses the 2020 service population. Costs of sidewalks based on $10/sf replacement cost per City engineering.*

FEE SCHEDULE

Table 22 summarizes the Mobility Fee schedule based on the existing cost standard established in Table 21. The cost per person served is converted to a fee per new residential unit based on the estimated persons per household. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or in the case of hotels, the number of workers per room. The total fee includes a four percent (4%) administrative charge to fund fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to fee program administration.

Table 22: Mobility – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	A x B = C Fee (rounded)	C x 4% = D Administrative Fee (4%)	C + D Total Fee
Residential	*(Fee per Dwelling Unit)*				
Single Family	$ 757.45	4.31	$ 3,265	$ 131	$ 3,396
Multi-Family	$ 757.45	2.85	$ 2,159	$ 86	$ 2,245
Non-Residential	*(Fee per 1,000 Square Feet)*				
Retail	$ 378.73	2.91	$ 1,102	$ 44	$ 1,146
Office	$ 378.73	3.47	$ 1,314	$ 53	$ 1,367
Industrial	$ 378.73	1.23	$ 466	$ 19	$ 485
	(Fee per Room)				
Hotel	$ 378.73	0.87	$ 329	$ 13	$ 342

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

REVENUE PROJECTIONS

Table 23 summarizes the anticipated Mobility Fee revenue. The 2011 Bicycle and Pedestrian Facilities Master Planned identified a need for approximately $66 million in bicycle facilities and $6 million in pedestrian facilities. Using the estimated 2030 buildout projections, the City would receive approximately $13 million in Mobility Fee revenue.

Table 23: Mobility– Revenue Projections

Land Use	Units/ Square Feet	Fee	Anticipated Revenue
Single Family	397	$ 3,396	$ 1,348,212
Multi-Family	3,890	$ 2,245	$ 8,733,050
Retail	549,900	$ 1,146	$ 630,185
Office	234,000	$ 1,367	$ 319,878
Industrial	3,570,000	$ 485	$ 1,731,450
Hotel	500	$ 342	$ 171,000
Total			**$ 12,933,775**

NEXUS FINDINGS – MOBILITY FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the Mobility Fee is to fund new bicycle and pedestrian facilities that are needed to maintain the City's current level of service. The bicycle facility standard from

the 2011 Master Plan is 1.57 linear feet per person served. Based on information provided by the City, there are currently 14.5 linear feet of sidewalk per person served.

Requirement 2: Identify the use of the fee.

The Mobility Fee will be used to construct additional bicycle and pedestrian facilities to maintain the City's current level of service. Future bicycle and pedestrian facilities are identified in the City's Bicycle and Pedestrian Facilities Master Plan and the City's CIP program.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional residents and employees, which will increase the need for bicycle and pedestrian facilities. In order to maintain the City's existing standard improve connectivity within the City, new development will be required to pay the Mobility Fee. Residential and non-residential development are responsible for paying their fair share to maintain the City's existing standard based on the persons per household and employee density assumptions shown in Table 22.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

An increase in residential and non-residential development generates additional residents and workers that increase the need for bicycle and pedestrian facilities to maintain the City's existing level of service. The value of the City's existing facilities is divided by the service population to determine the cost per capita. One worker is assumed to create half of the demand of a new resident. Each residential land use is charged a fee based on the additional residents it is expected to add multiplied by the cost per capita. Non-residential development is charged a fee based on the cost per capita, multiplied by 0.5 (the weighting factor), and then multiplied by the number of assumed workers per 1,000 square feet of building or in the case of hotels, the number of workers per room. By charging the fee based on the additional residents or workers created by each land use, the fee directly correlates to the demand created by each new development.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New facilities are necessary to maintain the City's existing level of service as new residential and non-residential units are constructed. The City inventoried the existing bicycle and pedestrian facilities and identified the value of each. These values were divided

by the City's service population to calculate the cost per resident and the cost per worker necessary to maintain the City's existing level of service. This cost per resident and cost per worker were converted into a cost per unit for each type of residential development and a cost per square foot for non-residential development based on the estimated densities as shown in Table 22. Basing the fee on the additional residents or workers generated by each development type ensures that the development pays only their fair share of future facilities.

Section 7 PUBLIC ART PROGRAM FEE

BACKGROUND

This section presents an analysis of the City's Public Art Program Fee. The City's public art is designed to enhance the overall quality of life and create a more vibrant community. This fee is designed to help the City adequately fund artwork on public property and reimburse the City's costs to administer the Program. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic.

The following resolutions were adopted related to the Public Art Program Fee

- Resolution 9813 Established the Art in Public Places Program and adopted guidelines for the program.
- Resolution 12,290 revised the program such that all applicants submitting for the development of a commercial or industrial project of over 100,000 square feet of roofed building area or for a mixed use projects of over 75,000 square feet of roofed building area to participate in the program. The City was not to issue a certificate of occupancy until the project has participated in the program. Applicants were required to provide to the city one percent of the valuation of the project, either as public art installed within a public place on the site or as an in-lieu fee to be paid to the Art in Public Places Fund.
- Resolution 13,103 adopted in June of 2006 modified the program making the requirement apply to all new development in the City and setting the fee at $0.20 per square foot of building area. Projects governed by a specific plan could install their Public Art element in accordance with their specific plan or master plan. All other projects were required to pay the fee prior to the issuance of a building permit. Residential additions were exempted from the fee.
- Resolution 13,736 adopted in July of 2009 amended resolution 13,103 by modifying paragraphs 7 and 8 to establish that the Public Art Fees shall be deposited in the Public Art Fund and that the Public Art Fund is subject to approval by the City Council. It also clarified what constituted Public Art.
- Resolution 14,124 renamed the Art in Public Places Fee to the Public Art Program Fee.

FACILITIES AND COST STANDARD

The City's current public art program fee was calculated based on a fee of one percent (1%) of the value of the development project. In order to keep pace with inflation, the current fee is being

updated by the ENR CCI for Los Angeles. This ensures that new development continues to fund the public art program at the same level as it has been historically funded.

FEE SCHEDULE

Table 24 summarizes the public art program fee schedule based on a cost per square foot for additional buildings.

Table 24: Public Art Program –Fee Schedule

Adopted in-lieu Fee (per building SF)	$	0.20
ENR CCI Increase[1]		42%
Proposed Fee (per building SF)	$	0.28

[1] *Based on the ENR CCI for LA from June 2006 to January 2020.*

NEXUS FINDINGS – PUBLIC ART PROGRAM FEE

California Government Code section §66000 et seq. requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the public art program fee is to mitigate the impacts of new development in the City by providing funds for new public art projects. Public art benefits the City by introducing cultural identity, providing a boost for economic growth, and improving public vitality and community well-being.

Requirement 2: Identify the use of the fee.

The public art program fee will be used to fund new public art projects. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

Public art provides many benefits to an area, including improved public health, economic stimulus, and aesthetic beautification. All new development will be required to either build public art as identified in their specific plan or pay the public art program fee as shown in Table 24 in order to enhance the City's public art program.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

An increase in residential and non-residential development generates additional residents and non-residential workers who increase the need for public art to maintain the City's existing standard. Each development pays its fair share of the fee based on the additional building square footage that the project is adding to the City.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The City's Public Art Program Fee was established based on a cost per square foot of all new building space. Each square foot of building is required to pay the same fee to mitigate their impact on the City's public art program. Through the charge of a uniform fee, each new development is contributing equally to the City's Public Art Program.

Section 8 UTILITY UNDERGROUNDING IN-LIEU FEE

BACKGROUND

This section presents an analysis of the City's Utility Undergrounding In-Lieu Fee. The purpose of this fee is to allow small development projects the option to underground their overhead utilities in-lieu of being required to underground their frontage. Small development projects are defined as projects under ten (10) acres with a structure of less than 134,000 square feet of total floor area.

The following ordinances were adopted related to the Utility Undergrounding In-Lieu Fee

- Ordinance 2207 Established the Utility Undergrounding In-Lieu Fee and adopted guidelines for the program.

At this time, the in-lieu fee is being updated to reflect the current cost to underground utilities however the same methodology is being used. The methodology used is in this calculation is the Master Plan Method.

COST STANDARD

The City's current Utility Undergrounding In-Lieu fee is calculated using the net buildable square footage in the City's sphere of influence and the cost to underground all overhead utilities in the City based on data from 1989 when Ordinance 2207 was adopted. Table 25 shows the calculation of the estimated buildout floor area in the City's sphere of influence.

Table 25: Utility Undergrounding –Buildout Square Footage

Total Acres in the City's Sphere of Influence	19,427.00	Acres
Net Acres (23% Reduction to account for streets and right of way dedications)	14,958.79	Acres
Floor Area Ratio Conversion (0.4 FAR)	5,983.52	Acres
Floor Area (converted to SF)	260,641,957	Square Feet

The cost undergrounding the utilities has been updated based on recent costs provided by the City and the utility company. The current cost to underground utilities is $600 per linear foot. Table 26 calculates the total cost to underground all overhead utilities in the City, based on data from 1989.

Table 26: Utility Undergrounding –Cost Calculation

Total Length of Overhead Utilities Along Arterials		236,130	Linear Feet
Average cost of Undergrounding	$	600	per LF
Total cost of Undergrounding	$	141,678,000	

FEE SCHEDULE

Table 27 shows the Utility Undergrounding In-Lieu fee calculation based on a cost per square foot of building.

Table 27: Utility Undergrounding –Fee Schedule

Total cost of Undergrounding	$	141,678,000	
Total Planned Floor Area		260,641,957	Square Feet
Cost per SF of building	$	0.54	per SF

NEXUS FINDINGS – UTILITY UNDERGROUNDING IN-LIEU FEE

Requirement 1: Identify the purpose of the fee.

The purpose of the Utility Undergrounding In-Lieu Fee is to provide an option for small developments to pay a fee in-lieu of undergrounding their utilities.

Requirement 2: Identify the use of the fee.

The Utility Undergrounding In-Lieu Fee will be used to underground utilities within the City

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

The Utility Undergrounding In-Lieu Fee provides small developers an option to pay a fee in-lieu of undergrounding the utilities in front of their development. Each development pays a fee based on the building square footage.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

The City requires that all new developments underground the utilities in front of their development. In order to not overly burden small development projects, the City has provided developers the option to pay an in-lieu fee rather than constructing the improvements.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The in-lieu fee provides small development projects the option of paying an in-lieu fee when undergrounding their utilities creates a disproportionate burden on the project. Small developments have the option to pay the in-lieu fee based on the building square footage.

Section 9 IMPLEMENTATION AND ADMINISTRATION

IMPLEMENTATION

According to the Mitigation Fee Act, prior to levying a new fee or increasing an existing fee, an agency must hold at least one open and public meeting with notice given pursuant to Government Code section 6062(a). This requires publication of notice twice, at least five days apart, with the first ten days prior to the public hearing. Any costs incurred in conducting the required public hearing may be recovered from the proceeds of the enacted fees. In addition, notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the local agency for mailed notice of the meeting on new or increased fees or service charges. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed.

At least 10 days prior to this public meeting, the agency must make data on infrastructure costs and funding sources available to the public. Notice of the time and place of the public meeting and a general explanation of the matter are to be published in accordance with Section 6062a of California Government Code. The new or increased fees shall be effective no earlier than 60 days following the final action on the adoption or increase of the fees.

The fee categories summarized in this report may not be applicable to specialized or unique development projects in the City. For example, the development of a cemetery, golf course, or stadium will not fall under any of the fee categories in this report. For specialized development projects, the City will need to review the impacts and decide on an applicable fee based on the specific impacts.

IMPACT FEE PROGRAM ADMINISTRATIVE REQUIREMENTS

AB1600 requires the City to report fee information annually and every fifth year. Within 180 days after the last day of each fiscal year, the City must make available the following information from the prior fiscal year:

- Brief description of the type of fee in the account or fund
- Amount of the fee
- Beginning and ending balance in the account or fund
- Amount of the fee collected and the interest earned
- Identification of each public improvement for which fees were expended and the amount of expenditures

- Identification of an approximate date by which time construction on the improvement will begin if it is determined that sufficient funds exist to complete the project
- Description of each inter-fund transfer or loan made from the account and when each will be repaid
- Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects

The City must make this information available for public review and must present it at the next regularly scheduled public meeting no less than 15 days after this information is made available to the public.

For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the City must make the following findings with respect to any remaining funds in the fee account, regardless of whether those funds are committed or uncommitted:

- Identify the purpose of the fee
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
- Identify sources and amounts of funding anticipated to complete the financing of any incomplete improvements
- Designate the approximate dates on which funding is expected to be deposited into the fee account, as needed

As with the annual disclosure, the 5-year report must be made public within 180 days after the end of the City's fiscal year and must be reviewed at the next regularly scheduled public meeting. The City must make these findings; otherwise, the law requires that the City refund the money on a prorated basis to the current record owners of the development projects.

PROGRAMMING REVENUES WITH THE CAPITAL IMPROVEMENT PLAN

The City should maintain and update its CIP to adequately plan for future infrastructure needs. The City's CIP should commit projected fee revenues and fund balances to specific projects that are necessary to serve growth as described in this report. The City's CIP provides the documentation necessary for the City to hold funds in a project account for longer than 5 years, if necessary, to collect sufficient funds to complete a project.

FEE REPORTING

Assembly Bill No. 1843 which became effective January 1, 2020 requires that Cities make the following information available on their website. This must be completed by January 1, 2021. The following information must be provided:

1. A current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special districts, of the city or county applicable to a proposed housing development project, which shall be presented in a manner that clearly identifies the fees, exactions, and affordability requirements that apply to each parcel.

2. All zoning ordinances and development standards, which shall specify the zoning, design, and development standards that apply to each parcel.

3. The list of information required to be compiled pursuant to Section 65940.

4. The current and five previous annual fee reports or the current and five previous annual financial reports, that were required pursuant to subdivision

5. An archive of impact fee nexus studies, cost of service studies, or equivalent, conducted by the city, county, or special district on or after January 1, 2018.

Any updates to the above information must be available within 30 days.

FEE ADJUSTMENTS

The fees will be automatically adjusted each year on July 1st based on the June Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles. The base index shall be the January 2020 Index of 12,144.49. In addition, the fees may be adjusted to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised facilities or costs, changes in demographics, or changes to the land use plan. A complete review of the fees must be completed every five years per California Government Code but it is recommended that the fees be updated more frequently.

Los Angeles/Ventura Chapter

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April 16, 2020

Re: Oxnard Development Impact Fees, Affordable Housing, and Parking-In-Lieu Fee Update as Relates to COVID-19 Pandemic and Housing Crisis Emergency

Dear Council Committee Members,

The Los Angeles/Ventura Chapter of the Building Industry Association of Southern California, Inc. (BIA), is a non-profit trade association representing more than 1,000 companies employing over 100,000 people focused on building housing for all. On behalf of our membership, we appreciate and support your unwavering efforts to keep everyone safe while also providing for construction to continue as an essential service.

We have partnered with you during this challenging time to protect workers health in a way that does not exacerbate the housing and shelter shortfall. We continue to help develop, support and educate our membership on critical COVID-19 related health and safety guidance.

BIALAV attended an initial outreach workshop on March 12, 2020, where we learned about the development impact fees proposal. The following day, March 13, the President of the United States declared a National Emergency, and the following Thursday, March 19, the California State Governor declared the "shelter-in-place" order. Therefore, we are surprised and disappointed to learn that the Committee is still considering the development impact fees proposal. This is extremely troubling, considering that we are amid both a deadly pandemic and housing emergency. Businesses and families are merely trying to survive and operate during these crises. Now, more than ever, people need shelter. They don't need new fees or regulations that will increase the hurdles to build housing.

In a separate letter sent earlier today to all Council and staff, we respectfully requested an emergency adoption of the following, as relates to fees:

1. A moratorium on all proposed municipal fees or policies unless they are specifically designed to create relief by reducing costs

Los Angeles/Ventura Chapter

and/or by streamlining the housing planning and production process

2. Deferment of the payment of impact fees until the close of escrow for homes sold, and until Certificate of Occupancy for homes rented, since there is no impact until the unit is occupied

Therefore, we respectfully request at this time that the consideration of this proposal is deferred indefinitely. Today, we are not operating in the environment we were on March 12. This is no longer business as usual. And yet, the fee proposal includes an increase to Park & Rec fees by 2,697% for single-family homes and 1,750% for multifamily homes. Other fees include increases of 100%, 115%, and even a 40% increase to the current art fee. Additionally, it is difficult to understand the logic to introduce an in-lieu parking fee of $44,050 per space, and exponentially increase the City's affordable housing in-lieu fee while investment is drying up across the Country and certainly our region.

We commend the City's actions in addressing the health pandemic during this difficult and uncertain reality. We want to reiterate our commitment to working with Government leaders to help keep housing affordable and our communities safe. Thank you for your consideration of this request. Should you have any questions, please contact me at (917) 204-0233 or at crangel@bialav.org.

Sincerely,

Christine Rangel
Senior Director, Government Affairs
BIA-Los Angeles/Ventura

Sent via e-mail

350 South Bixel Street | Suite 100 | Los Angeles, CA 90017 | Tel 213.797.5994 | www.bialav.org

Oxnard
Chamber of Commerce

April 17, 2020

Members of the Public Works Council Committee
Members of the Housing and Economic Development Committee
Mr. Jeff Lambert, Community Development Director
City of Oxnard

RE: Proposed Development Impact Fees, Affordable Housing, and Parking-In-Lieu Fees

The Oxnard Chamber of Commerce STRONGLY opposes any increases in Development Impact Fees at this time. Our economy is in a freefall due to the COVID-19 pandemic. We also have an affordable housing crisis. The proposed fee increases will exacerbate the affordability challenge. How would this reflect on our homelessness challenges? Do we really need to increase the Park and Recreation Fee 2697% on a single family dwelling?

Regarding the presentation from Harris & Associates, it appears the cities of Santa Clarita and Goleta were listed only because their fees are extremely high, which distorts the averages. The comparisons should only include Ventura County cities.

The proposed summary of fees (page 20) indicates Development Impact Fees for a single family dwelling would be $22,900. Ventura's fees are listed at $8,870 and Camarillo's at $6,164. We certainly trust this is not acceptable to you.

Comparing fees for Office Development, if approved by the council, Oxnard would be $12,650 per 1,000 square feet; Ventura $5,375; and Camarillo $6,358. There is bound to be a substantial softening of the commercial office space market in the coming months and years. Why would Oxnard seem to chase any development to our neighboring communities?

The leadership of the Oxnard Chamber of Commerce believes that local government must be fiscally balanced. We are not advocating the Community Development Department be subsidized by the general fund. If our neighboring communities can provide development services for substantially lower fees, perhaps we should research how they accomplish that.

We urge you not to move forward with the proposed fee increases at this time.

Sincerely,

Nancy Lindholm
President/CEO

400 E. Esplanade Drive, Suite 302 Oxnard, CA 93036 Phone (805) 983-6118 Fax (805) 604-7331 www.OxnardChamber.org

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

ORDINANCE OF THE CITY OF OXNARD REGARDING DEVELOPMENT IMPACT FEES AMENDING ARTICLE VI, CHAPTER 15, DIVISION 1, SECTIONS 15-165,15-166, 15-167, 15-170, 15-171, 15-173, 15-174, 15-178, AND ADDING SECTIONS 15-183 AND 15-184, AMENDING DIVISION 2, SECTIONS 15-186 AND 15-188, AMENDING DIVISION 5, SECTIONS 15-216, 15-218, 15-219, AND ADDING SECTION 15-220, AMENDING DIVISION 6, SECTIONS 15-225, AND 15-229, ADDING DIVISION 8, SECTIONS 15-242, 15-243, 15-244, AND 15-245, AND MAKING FINDINGS PURSUANT TO CEQA

WHEREAS, on May 19, 2020, the City Council held a duly noticed open and public meeting regarding the adoption of the proposed updated Development Impact Fee Nexus Study, as required by Government Code Sections 66016, 66017, and 66018; and

WHEREAS, the amount of each fee has been determined and calculated in a manner consistent with the Mitigation Fee Act and any applicable finance plan; and

WHEREAS, the effective date of a resolution that establishes the initial amount or increase of a fee is to be determined in accordance with California Government Code Section 66017; and

WHEREAS, all other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Nexus Study, prepared by Harris & Associates, and dated, April 2020, and the proposed updated Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, and Utility Undergrounding In-lieu Fee have been followed; and

WHEREAS, City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the *Development Impact Fee Nexus Study* prepared by Harris & Associates and dated April 2020, and the updated Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, and Utility Undergrounding In-lieu Fee pursuant to the California Environmental Quality Act ("CEQA"). City staff has determined that these actions do not constitute a "project" under CEQA pursuant to State CEQA Guidelines Section 15378(b)(4) because these actions involve the creation of a government funding mechanism which does not involve any commitment to any specific project which *may* result in a potentially significant physical impact on the environment.

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

PART 1. Article VI, Chapter 15, Division 1 of the Oxnard City Code is hereby amended, and Section 15-183 and Section 15-184 are added to read as follows:

"ARTICLE VI. DEVELOPMENT FEE PROCEDURES

DIVISION 1. IN GENERAL

SEC. 15-165. APPLICABILITY.

(A) This division applies to all development fees imposed by the city council as a condition of development approval for the purpose of financing capital improvements, the need for which is attributable to such development, unless the development fee is exempted herein or by other law.

(B) The development fees to which this division applies include, but are not limited to:

(1) Planned drainage facilities fees imposed pursuant to division 2 of this article;

(2) Planned wastewater facilities fees imposed pursuant to division 3 of this article;

(3) Planned water facilities fees imposed pursuant to division 4 of this article;

(4) Planned traffic circulation facilities fees imposed pursuant to division 5 of this article; and

(5) Growth requirement capital fees imposed pursuant to division 6 of this article.

(6) Mobility fee imposed pursuant to division 7 of this article.

SEC. 15-166. EXEMPTIONS.

(A) The provisions of this division do not apply to any monetary exactions other than development fees.

(B) Such monetary exactions include, but are not limited to:

(1) Taxes or special assessments;

(2) Fees for processing development applications or approvals;

(3) Fees for enforcement of or inspections pursuant to regulatory ordinances;

(4) Fees collected under development agreements adopted pursuant to Cal. Gov't Code Section 65864 et seq.;

(5) Fees specified in Cal. Gov't Code Section 66477;

(6) Fees imposed pursuant to a reimbursement agreement by and between the city and a property owner or developer for that portion of the cost of a capital improvement paid by the property owner or developer which exceeds the need for the capital improvement attributable to and reasonably related to the development.

SEC. 15-167. DEFINITIONS.

Except as otherwise provided with regard to a particular development fee, the following definitions apply for purposes of this article and any resolution adopted to implement development fees imposed by this article:

(A) ACCESSORY DWELLING UNIT (ADU)- A second unit on the same lot that is attached or detached from a residential unit**.**

(B) ADMINISTRATIVE FEES- The share of the Development Impact Fee that is allocated to fund the cost of the City administration.

(C) APPLICANT- The owner, or duly designated agent of the owner, of property as to which a request for development approval is received by the city.

(D) APPROVAL OF A DEVELOPMENT PROJECT - Tentative subdivision map or parcel map approval if development fees could lawfully be imposed at such time; building permit issuance if development fees could not lawfully be imposed at the time of tentative subdivision map or parcel map approval or if the city did not approve a tentative subdivision map or parcel map for the project; or any other inspection, certificate, approval or collection of fees connected with the development project if neither of the foregoing situations applies.

(E) BENEFIT AREA - The geographic area within which development fees are collected and expended for a particular type of capital improvement serving development projects within such area.

(F) BUILDING PERMIT - The permit issued or required for residential development, nonresidential development, commercial development, industrial development or other development within the city, pursuant to and as further defined by the city of Oxnard building code.

(G) CALCULATE - To determine the amount of development fees to be collected based on the need for capital improvements related to a particular development project.

(H) CAPITAL IMPROVEMENTS - Public improvements, such as land and/or facilities for the storage, treatment, or distribution of water; for the collection, treatment, reclamation, or disposal of wastewater; for the collection and disposal of storm waters or for flood control purposes; for the generation of electricity or the distribution of gas or electricity; for transportation and transit, including but not limited to streets and supporting improvements, roads, overpasses, bridges, harbors, ports, airports, and related facilities; for parks and recreation identified in the city's adopted capital improvement plan or master plans

(I) CAPITAL IMPROVEMENT PLAN - The five or six year plan for capital improvements adopted or updated annually by the city council. The capital improvement plan indicating the approximate location, size, time of availability and estimated cost of capital improvements to be financed with development fees and appropriates money for capital improvement projects.

(J) COLLECTION - The point at which the development fee due is actually paid by the applicant to the city.

(K) COMMERCIAL DEVELOPMENT - Retail, educational, and downtown non-residential development.

(L) COMMITMENT - Earmarking of development fees to fund or partially fund capital improvements serving new development projects.

(M) DEVELOPMENT FEE - A monetary exaction, other than those referred to in section 15-166, imposed as a condition of or in connection with approval of a development project for the purpose of defraying all or a portion of the cost of capital improvements related to the development project.

(N) DEVELOPMENT PROJECT - Any project undertaken for the purpose of development, including a project involving the construction of a building or structure or the reconstruction,

addition to, remodeling, rehabilitation, alteration or other improvement of an existing building or structure; however not including the issuance of a permit to operate.

(O) FEE RESOLUTION - the resolution and fee schedule adopted by the city council, as may be amended from time to time, that approves the amount of the storm drainage impact fees.

(P) HOTEL - development designed to be occupied less than 30 days per stay.

(Q) IMPOSITION - The determination that a particular development project is subject to the condition of payment of development fees and the attachment of such requirement to the project as a condition of development approval.

(R) INDUSTRIAL DEVELOPMENT - manufacturing and warehouse development.

(S) MASTER PLAN -

(1) A plan adopted by the city council for a specific type of public facility, including drainage facilities, wastewater facilities, water facilities, and traffic circulation facilities.

(2) A master plan includes, but is not limited to, an estimate of the total costs of constructing the type of facilities required by the plan and a map of the area covered by the plan, showing the location of the facilities.

(T) MULTI-FAMILY - all attached residential dwellings such as duplexes, condominiums, townhomes, apartments, and dormitories.

(U) OFFICE DEVELOPMENT - general, professional, and medical office development.

(V) SINGLE FAMILY - detached single-family homes.

SEC. 15-168. AMOUNT OF FEE; ADOPTION OF RESOLUTION.

(A) Development fees shall not exceed the estimated reasonable cost of providing the facility for which the fee or exaction is imposed.

(B) Except as otherwise provided by law or by this article, development fee amounts and benefit areas shall be established and amended by city council resolution.

SEC. 15-169. PURPOSE; USE; RELATIONSHIP.

In any action establishing, increasing or imposing a development fee, the city council shall do all of the following:

(A) Identify the purpose of the fee;

(B) Identify the use of the fee. If the use is financing capital improvements, the improvements shall be identified. That identification may, but need not, be made by reference to the capital improvement plan, to master plans, to applicable general or specific plan requirements, or to other public documents that identify the capital improvements for which the fee is charged;

(C) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed;

(D) Determine how there is a reasonable relationship between the need for the capital improvement and the type of development project on which the fee is imposed; and

(E) Determine how there is a reasonable relationship between the amount of the fee and the cost of the capital improvement or portion of the capital improvement attributable to the development on which the fee is imposed.

SEC. 15-170. HEARING REQUIRED.

(A) Prior to the establishment or increase of any development fee, the city council shall hold a public hearing at which oral or written presentations may be made, as a part of a regularly scheduled meeting except for the annual adjustment procedure outlined in Sec. 15-171.

(B) Notice of the time and place of hearing, including a general explanation of the matter to be considered, shall be published in accordance with Cal. Gov't Code Section 6062a.

SEC. 15-171. AMENDMENT PROCEDURES.

(A) The fees will be automatically adjusted each year based on the Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles.

(B) In addition, the city may adopt, through resolution, an adjustment to the fees based on revised facility standards, receipt of funding from alternative sources, revised facilities or costs, changes in demographics, or changes to the land use plan.

SEC. 15-172. EFFECTIVE DATE.

An ordinance or resolution establishing a new development fee or increasing an existing development fee shall take effect no sooner than 60 days following the final action by the city council on the ordinance or resolution.

SEC. 15-173. IMPOSITION, CALCULATION AND COLLECTION OF DEVELOPMENT FEES.

(A) Development fees shall be imposed as a condition of approval of a development project. No tentative subdivision map or final map or parcel map, grading permit, building permit, final inspection, final approval, or certificate of occupancy shall be approved, made or issued unless the provisions of this section have been fulfilled. An inspection or approval shall be deemed "final" if the inspection or approval is the last one to be performed for the project by the city.

(B) For development projects for which the city issues a building permit, development fees shall be calculated and collected at the time of issuance of the building permit, based on the development fee schedule then in effect. For development projects for which the city does not issue a building permit, development fees shall be calculated and collected, based on the development fee schedule then in effect, at the time of collection by the city of any other fee, at the time of issuance by the city of any other permit, certificate or approval, or at the time of performance by the city of any inspection of the project, which time shall be selected by the director of public works.

(C) Notwithstanding subsection (B) above, planned water facilities fees and planned wastewater facilities fees for residential development projects shall be calculated and collected at the time of application for connection to the utility system. For all development projects already

connected to the utility system, such fees based solely on an increase in water meter size or a change in use shall be calculated and collected prior to installation of the larger meter or making a change in use.

(D) The city council has determined that the adoption and annual update of the capital improvement plan, together with the adoption of any applicable master plans, constitutes the adoption of a proposed construction schedule or plan for the public improvements or facilities for which development fees are imposed by this article on residential development. The requirement of payment of such fees by residential development at the time provided in subsection (B) above is, therefore, in accordance with Cal. Gov't Code Section 66007, Subdivision (b).

(E) Notwithstanding subsection (B) above, 50 % of the amount by which planned traffic circulation facilities fees exceed credits for the provision of planned traffic circulation facilities must be paid prior to issuance of a building permit for a development project. The remaining amount must be paid prior to the sale or transfer of all or any part of the project or issuance of any temporary or permanent certificate of occupancy for all or any part of the project, whichever first occurs.

(F) If the developer, prior to the date upon which fees are otherwise required to be paid under this section, enters into a written agreement with the city providing that at least 20 % of the units in the development will be sold or rented only to lower income families or that at least 10 % of the units in the development will be sold or rented only to very low income families, as defined in Cal. Health and Safety Code Sections 50079.5 and 500105 respectively, at housing costs affordable to such families, as defined in Cal. Health and Safety Code Sections 50052.5 and 50053, for a period of at least ten years from the date of such written agreement, the city council may, in such written agreement or in a separate written agreement entered into prior to the date upon which fees are otherwise required to be paid under this division, agree to do either or both of the following:

(1) Defer payment of all or part of the fees required by this section up to the date that the developer first requests electrical service clearance for a unit in the development;

(2) Calculate development fees for the project based on such fees in effect as of a date no earlier than the date such fees otherwise would be required to be paid under this section.

SEC. 15-174. DEVELOPMENT FEE ACCOUNTS.

(A) The city shall deposit development fees received with other fees for the same type of capital improvement in a separate capital improvement account in a manner to avoid commingling of the fees with other city revenues and funds, except for temporary investments, and shall expend the fees solely for the purpose for which they were collected.

(B) Any interest income earned by money in the capital improvement account shall also be deposited in that account and expended only for the purpose for which the fees were collected.

(C) For each separate development fee account, the director of finance shall, within 180 days of the close of each fiscal year, make available to the public the following information:

(i) Brief description of the type of fee in the account or fund.

(ii.) Amount of the fee.

(iii) Beginning and ending balance in the account or fund.

(iv) Amount of the fee collected and the interest earned.

(v) Identification of each public improvement for which fees were expended and the amount of expenditures.

(vi) Identification of an approximate date by which time construction on the improvement will begin if it is determined that sufficient funds exist to complete the project.

(vii) Description of each inter-fund transfer or loan made from the account and when each will be repaid.

(viii) Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects.

(D) The city council shall review the information referred to in subsection (C) of this section at the next regularly scheduled public meeting held not less than 15 days after the information is made available.

SEC. 15-175. USE OF DEVELOPMENT FEE PROCEEDS.

(A) Development fees shall be expended only for the type of capital improvement for which they were imposed, calculated, and collected and shall be expended or committed in accordance with the time limits and procedures established in this article. Development fees may be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvements.

(B) Development fees shall not be expended to maintain, repair or operate capital improvements.

SEC. 15-176. TIME LIMIT ON EXPENDITURES.

The city shall expend or commit development fees deposited in the development fee account within five years from the date of deposit into the fund, except as provided in section 15-177(B).

SEC. 15-177. REFUNDS.

(A) Once each fiscal year, the city council shall identify all unexpended or uncommitted development fees in each development fee account.

(B) With respect to any portion of development fees unexpended or uncommitted five or more years after deposit in a development fee account, the city council shall make findings once each fiscal year to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. Such findings need be made only for money, and not for letters of credit, bonds or other instruments taken to secure payment of the fees at a future date. If the city council makes such findings, the fees are exempt from the refund requirements.

(C) The city shall refund to the then current record owner or owners of lots or units of the development project or projects on a prorated basis the unexpended or uncommitted portion of

the fee, and any interest accrued thereon, for which need cannot be demonstrated pursuant to subsection (B).

(D) If the city council finds that the administrative costs of refunding unexpended or uncommitted development fees exceed the amount to be refunded, the city council, after a public hearing, notice of which shall be published in accordance with Cal. Gov't Code Section 6061 and posted in three prominent places within the area of each development project subject to a refund, may determine that the revenues shall be allocated for other capital improvements for which development fees are collected and which serve the development projects on which the fee was originally imposed.

(E) The city may refund the unexpended or uncommitted portions of development fees by direct payment, by temporarily suspending fees, by offsetting the refunds against other development fees due for development projects on the property, or by other means agreed to by the property owner.

SEC. 15-178. CREDITS AND REIMBURSEMENTS.

(A) Any applicant subject to a development fee imposed pursuant to this article who dedicates real property or interests therein to the city for the construction of capital improvements or who constructs, escrows money with the city for the construction of, agrees to participate in an assessment district for the construction of or who otherwise contributes funds for capital improvements may be eligible for a credit for such dedication, construction or contribution against the development fee otherwise due.

(B) Eligibility for, and the amount of, the credit shall be determined by the director of public works based on adopted city standards and procedures, including, but not limited to, whether the dedication, construction or contribution meets capital improvement needs for which the particular development fee has been imposed, as provided in this article and the capital improvement plan or applicable master plan; whether the dedication, construction or contribution will substitute for or otherwise reduce the need for or cost of capital improvements anticipated to be provided with development fee funds; and the value of the dedication, construction or contribution. In no event, however, shall the credit exceed the amount of the otherwise applicable development fee.

(C) If the cost of construction exceeds the fee credits, the developer may receive a reimbursement as determined by the director of public works based on adopted city standards and procedures, including, but not limited to, whether the dedication, construction or contribution meets capital improvement needs for which the particular development fee has been imposed, as provided for in this article and the capital improvement plan or applicable master plan; whether the dedication, construction or contribution will substitute for or otherwise reduce the need for or cost of capital improvements anticipated to be provided with development fee funds; and the value of the dedication, construction or contribution. In no event, however, shall the reimbursement exceed the lesser of the estimated cost of the improvements shown in the City’s Development Impact Fee Nexus study, subject to inflation factors, or the actual cost incurred.

SEC. 15-179. APPEALS.

(A) The applicant may appeal any decision of a city official to the city council, including, but not limited to, calculation of the amount of the development fee, the number of development units, reimbursement due, applicability of an exemption, and eligibility for and amount of a credit or refund.

(B) In order to perfect an appeal, the applicant must file a notice of appeal with the city clerk within ten days following the action of the city official that is the basis of the appeal. The notice of appeal shall include, at a minimum:

(1) Name and address of applicant/agent;

(2) Description, location and size of the affected property;

(3) Land use proposed for the affected property;

(4) Number of residential units proposed, by type and/or number of square feet of nonresidential development by type;

(5) The particular circumstances giving rise to the appeal;

(6) The city official whose action is being appealed;

(7) The grounds for the appeal, i.e., why the city official's decision is erroneous; and

(8) Such other relevant information as may be requested by the city.

(C) The burden of proof shall be on the appellant to establish that the decision of the city official is erroneous pursuant to the express terms or intent of this article and applicable State law, including, but not limited to Cal. Gov't Code Section 66000 et seq.

(D) The city council shall schedule the appeal to be heard at a regular or special meeting to be held not more than 45 days after the filing of the notice of appeal by the appellant. At least 20 days prior to the hearing date, the city shall notify the appellant of the hearing date by certified mail, return receipt requested, at the address stated on the notice of appeal.

(E) The hearing on the appeal shall be administrative. Evidence may be submitted by the appellant and by the city. Testimony shall be under oath. The city council shall make written findings of fact and conclusions of law after the close of the hearing. However, if the city clerk determines from the notice of appeal or from relevant city documents that the appeal is improper, the city, within 20 days after receipt of the notice of appeal, shall reject the notice of appeal, stating the grounds therefor and notifying the appellant by certified mail, return receipt requested.

(F) A request for a continuance of the hearing may be made by the city council on its own motion or at the request of the appellant. If requested by the appellant, the city council shall determine whether a continuance should be granted.

(G) Within 30 days after the close of the administrative hearing, the city council shall render its decision, in writing, and notify the applicant of such decision by certified mail, return receipt requested, at the address listed on the notice of appeal.

(H) The findings of fact and conclusions of law shall be completed not later than 10 days following the decision of the city council and shall be filed with the city clerk. Upon the request of the applicant, the findings of fact and conclusions of law shall be sent to the applicant.

(I) Upon the filing of the findings of fact and conclusions of law with the city clerk, the decision of the city council shall be deemed to be final.

(J) Any petition for judicial review of the city council's final decision shall be filed not later than 90 days following the date on which the decision becomes final, and shall be made in accordance with Cal. Code of Civil Procedure Sections 1094.5 and 1094.6.

(K) If the development fee has been paid in full or if the notice of appeal is accompanied by a cash deposit, letter of credit, bond or other surety acceptable to the city attorney, in an amount equal to the development fee calculated to be due, the application for development project approval shall be processed. The filing of a notice of appeal shall not stay the imposition or the collection of the development fee calculated by the city to be due unless sufficient and acceptable surety has been provided.

(L) If, as a result of an appeal pursuant to this section or judicial review pursuant to section 15-180, a development fee is reduced or waived, the city council may determine whether and how such reduction or waiver may affect the development fee calculation methodology. If the city council determines that capital improvement needs are correspondingly reduced, the city council may amend the capital improvement plan, the applicable master plan, the development fee calculation methodology, the applicable development fee, or take such other action as it may deem appropriate. If the city council determines that capital improvement needs remain the same, the city council shall appropriate funds in an amount equal to the reduction or waiver of the development fee and shall deposit same to the applicable development fee account or take such other action as it may deem appropriate.

SEC. 15-180. PROTESTS/JUDICIAL REVIEW.

(A) An applicant may seek judicial review of:

(1) A final decision by the city council on an administrative appeal, pursuant to section 15-179;

(2) The adoption, by resolution or ordinance, of a new development fee or the amendment of an existing development fee or the automatic adjustment of development fee if such adjustment results in a fee increase, pursuant to this section and Cal. Gov't Code Section 66022;

(3) The imposition of a development fee as a condition of development approval, pursuant to this section and Cal. Gov't Code Section 66020.

(B) The applicable time periods for and conditions precedent to the filing of an action for judicial review are:

(1) Appeal from a final decision of the city council not later than 90 days following the date on which the decision becomes final;

(2) Adoption of a development fee ordinance or amendment not later than 120 days following the effective date of the ordinance or resolution. However, if the development fee has been directly imposed as a condition of development approval and is challenged as a special tax, the appellant must, at least 30 days prior to initiating legal action, request that the city provide the documents which establish that the development fee does not exceed the cost of the capital improvements. The requirement for this request is a condition precedent to an action challenging the development fee as a special tax, but does not alter the applicable time period for filing an action for judicial review of the fee ordinance or amendment, pursuant to Cal. Gov't Code Section 66024;

(3) Imposition of the development fee as a condition of development approval if a protest is timely filed pursuant to this section and Cal. Gov't Code Section 66020, not later than 180 days after the date of imposition; if a protest is not timely filed pursuant to this section and Cal. Gov't Code Section 66020, not later than 90 days following imposition.

(C) Any party may protest the imposition of a development fee pursuant to Cal. Gov't Code Sections 66020 and 66021.

(1) If payment of the development fee has been imposed as a condition of development project approval, the protest shall be filed at the time of such approval or conditional approval of the proposed project;

(2) If the development fee has not been calculated and payment is now required, the protest shall be filed within 90 days after the date of collection;

(3) A valid protest must meet both of the following requirements:

(a) The applicant must tender any required payment in full or provide evidence satisfactory to the city attorney of arrangements to ensure performance of the conditions necessary to meet the requirements of the imposition;

(b) The applicant must serve written notice on the city council, which notice shall contain:

(i) A statement that the required payment is tendered, or that any conditions which have been imposed are provided for or satisfied, under protest; and

(ii) A statement informing the city council of the factual elements of the dispute and the legal theory forming the basis of the protest.

(4) If a valid and timely protest is filed by an applicant, the city council shall schedule a hearing date, at a regular or special meeting, not more than 45 days after the filing of the protest. The city shall notify the protestant of the hearing date by certified mail, return receipt requested, at the address listed on the protest petition at least 20 days prior to the hearing date. However, if it is determined from the protest petition or from relevant city documents that the protest is improper, the city, within 20 days after receipt of the protest petition, shall reject the protest petition, stating the grounds therefor and notifying the protestant by certified mail, return receipt requested.

(5) The hearing of the protest shall be administrative. Evidence may be submitted by the protestant and by the city. Testimony shall be under oath. The city council shall make written findings of fact and conclusions of law after the close of the hearing.

(6) A request for continuance of the hearing may be made by the city council on its own motion or at the request of the protestant. If requested by the protestant, the city council shall determine whether a continuance should be granted.

(7) Within 30 days after the close of the administrative hearing, the city council shall render its decision, in writing, and notify the applicant of such decision by certified mail, return receipt requested at the address listed on the protest petition.

(8) The findings of fact and conclusions of law shall be completed not later than 15 days following the decision of the city council and shall be filed with the city clerk. Upon the request of the applicant, the findings of fact and conclusions of law shall be sent to the applicant.

(9) Upon the filing of the findings of fact and conclusions of law with the city clerk, the decision of the city council shall be deemed to be final.

(10) Any petition for judicial review of the city council's final decision on the protest shall be filed not later than 90 days following the date on which the decision becomes final, and shall be made in accordance with Cal. Code of Civil Procedure Sections 1094.5 and 1094.6.

SEC. 15-181. EFFECT OF DEVELOPMENT FEES ON ZONING AND SUBDIVISION REGULATIONS.

This article shall not affect, in any manner, the permissible uses of property, density or intensity of development, design and improvement standards and public improvement requirements or any other aspect of the development of land or construction of buildings, which may be imposed by the city pursuant to zoning ordinances, subdivision ordinances or other ordinances or regulations of the city.

SEC. 15-182. DEVELOPMENT FEES AS ADDITIONAL AND SUPPLEMENTAL REQUIREMENTS.

Specific development fees imposed by divisions 2, 3, 4, 5 and 6 of article VI of the code reflect a development's proportionate share of the cost of providing improvements necessary to meet demands created by such development at established city service level standards. As such, development fees are additional and supplemental to, and not in substitution of, either onsite improvement requirements or offsite improvement requirements imposed by the city pursuant to zoning, subdivision or other ordinances and regulations.

SEC. 15-183 ACCESSORY DWELLING UNITS

An accessory dwelling unit is a second unit on the same lot that is attached or detached from a residential unit. In accordance with Assembly Bill 881 (AB 881), fees cannot be charged for an ADU that is less than 750 square feet. For an ADU that is 750 square feet or larger, an ADU will pay a percentage of the residential fee based on the square footage of the ADU in proportion to the primary dwelling unit.

SEC. 15-184 COMPLIANCE WITH OTHER LAWS

(A) The provisions of this chapter shall not be construed to limit the power of the City Council to impose any other fees or exactions or to continue to impose existing ones on development within the City of Oxnard, but shall be in addition to any other fees, exactions or other requirements that the city is authorized to impose, or has previously imposed, as a condition of approving plans, rezoning or other entitlements within the city of Oxnard pursuant to state and local laws. In particular, individual property owners shall remain obligated to fund, construct, and/or dedicate the improvements, public facilities and/or pay other exactions authorized or required by, but not limited to: (1) the City of Oxnard public works department improvement standards; (2) school impact fees (Gov’t Code Section 65970 et seq.) and implementing ordinances; Any credits or repayments pursuant to Section 15-178 shall not include credits or repayment for the funding, construction or dedications described in this section.

(B) The construction of facilities by a private owner pursuant to Section 15-178 shall be performed and contracted for only as required by law, including, but not limited to, compliance with the city's improvement standards and requirements for public works projects, if applicable to the particular facility."

PART 2. Article VI, Chapter 15, Division 2, Section 15-185 through Section 15-189 of the Oxnard City Code is hereby amended to read as follows:

"**DIVISION 2. PLANNED DRAINAGE FACILITIES FEES**

SEC. 15-185. PURPOSE.

This division imposes fees to defray actual or estimated costs of constructing planned drainage facilities for the removal of surface and stormwater, as required by a development project.

SEC. 15-186. MASTER PLAN OF DRAINAGE FACILITIES.

The master plan of drainage for the city contains an estimate of the total costs of constructing the drainage facilities required by the plan and a map of the area covered by the plan, showing the location of the facilities. The fees imposed by this division shall be based on the master plan of drainage and the Development Impact Fee Nexus Study. The costs estimated in the master plan of drainage shall be adjusted to reflect current costs.

SEC. 15-187. IMPOSITION OF FEES.

The approval of each development project resulting in stormwater runoff shall be conditioned on the payment of fees to carry out the purpose of this division.

SEC. 15-188. USE OF FEES.

The fees collected shall be used to pay for the drainage facilities necessary to mitigate new development's impact on the storm drainage system.

SEC. 15-189. REASONABLE RELATIONSHIP.

(A) There is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed, and between the need for the drainage facilities financed by the fee and the type of development project on which the fee is imposed in that all types of development projects subject to the fee result in greater storm runoff, which requires more or higher capacity drainage facilities.

(B) There is a reasonable relationship between the amount of the fee and the cost of the drainage facilities or portion thereof attributable to the development project on which the fee is imposed in that the cost estimates used to calculate the fee shall be reasonable cost estimates for constructing the drainage facilities identified, the total fees to be imposed shall not exceed the total of the cost estimates, and the fees to be imposed on a particular development project shall

not exceed the project's proportionate share of the cost of the facilities that are necessary to serve the development project."

PART 3. Article VI, Chapter 15, Division 5, Section 15-215 through Section 15-219 of the Oxnard City Code is hereby amended, and Section 15-220 is hereby added to read as follows:

"**DIVISION 5. PLANNED TRAFFIC CIRCULATION FACILITIES FEES**

SEC. 15-215. PURPOSE.

This division imposes fees to defray actual or estimated costs of constructing planned traffic circulation facilities required by a development project.

SEC. 15-216. MASTER PLAN OF TRAFFIC CIRCULATION FACILITIES.

The master plan of traffic circulation for the city contains an estimate of the total costs of constructing the traffic circulation facilities required by the plan and a map of the area covered by the plan, showing the location of the facilities. The fees imposed by this division shall be based on the master plan of traffic circulation and the Development Impact Fee Nexus Study. The costs estimated in the master plan of traffic circulation shall be adjusted to reflect current costs.

SEC. 15-217. IMPOSITION OF FEES.

The approval of each development project producing additional vehicle trips shall be conditioned on the payment of fees to carry out the purpose of this division.

SEC. 15-218. USE OF FEES.

The fees collected shall be used to pay for the facilities that are necessary to mitigate new development's impact on traffic circulation facilities.

SEC. 15-219. REASONABLE RELATIONSHIP.

(A) There is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed, and between the need for the traffic circulation facilities financed by the fee and the type of development project on which the fee is imposed in that all types of development projects subject to the fee produce traffic, which requires more or higher capacity traffic circulation facilities.

(B) (1) There is a reasonable relationship between the amount of the fee and the cost of the traffic circulation facilities or portion hereof attributable to the development project on which the fee is imposed in that the cost estimates used to calculate the fee shall be reasonable cost estimates for constructing the traffic circulation facilities identified, the total fees to be imposed shall not exceed the total of the cost estimates, and the fees to be imposed on a particular development project shall not exceed the project's proportionate share of the cost of the facilities that are necessary to serve the development project.

(2) Such cost estimates and the method of calculating each development project's proportionate share thereof shall be set out in the Development Impact Fee Nexus Study.

SEC. 15-220. EXCEPTIONS FOR TRANSIT ORIENTED DEVELOPMENT.

Pursuant to Government Code Section 66005.1, the Traffic Circulation Fee shall be reduced to reflect a lower rate of automobile trip generation associated with housing developments that meet all of the following requirements in comparison with housing developments without these characteristics:

(1) The housing development is located within one-half mile of a transit station and there is direct access between the housing development and the transit station along a barrier-free walkable pathway not exceeding one-half mile in length.

(2) Convenience retail uses, including a store that sells food, and is located within one-half mile of the housing development.

(3) The housing development provides either the minimum number of parking spaces required by the local ordinance, or no more than one onsite parking space for zero to two bedroom units, and two onsite parking spaces for three or more bedroom units, whichever is less.

(b) If a housing development does not satisfy the characteristics in subdivision (a), the local agency may charge a fee that is proportional to the estimated rate of automobile trip generation associated with the housing development.

(c) As used in this section, "housing development" means a development project with common ownership and financing consisting of residential use or mixed use where not less than 50 percent of the floor space is for residential use.

(d) For the purposes of this section, "transit station" has the meaning set forth in paragraph (4) of subdivision (b) of Govt' Code Section 65460.1. "Transit station" includes planned transit stations otherwise meeting this definition whose construction is programmed to be completed prior to the scheduled completion and occupancy of the housing development."

PART 4. Article VI, Division 6, Sections 15-225 through 15-229 of the Oxnard Code is hereby amended to read as follows:

"**DIVISION 6. GROWTH REQUIREMENT CAPITAL FEES**

SEC. 15-225. PURPOSE.

(A) This division imposes fees to defray actual or estimated costs of constructing public facilities required to serve population growth and increased demand for public services attributable to development projects.

(B) The city council is committed to expanding the City's public facilities as necessary to meet the City's public safety, operational and recreational needs.

(C) The city council has determined that commercial and industrial development projects result in a need for additional public services, which in turn results in a need for additional government and public safety facilities and essential infrastructure and related facilities.

(D) The city council has determined that residential development projects, including new mobile home park development projects, result in significant increases in city population and

adversely affect the public facilities-to-population relationship which creates a need for additional government and public safety facilities, essential infrastructure and related facilities, and cultural and recreational facilities.

SEC. 15-226. CAPITAL IMPROVEMENT PLAN.

The city's capital improvement plan for the city contains an estimate of the total costs of public facilities required by the plan. For purposes of this division, “costs of public facilities” means any costs related to acquisition, construction, and financing of public facilities and equipment funded through the capital improvement plan, not including costs of routine maintenance.

SEC. 15-227. IMPOSITION OF FEES.

(A) The approval of each development project producing population growth or increasing the demand for public services shall be conditioned on the payment of fees to carry out the purpose of this division.

(B) For purposes of this division, “development project” shall not include alteration of an existing structure that does not increase the floor area of the structure.

SEC. 15-228. USE.

(A) The fees collected shall be used to pay for only the public facilities identified in the capital improvement plan in the categories of government and public safety facilities, essential infrastructure and related facilities, and cultural and recreational facilities.

(B) For purposes of this division, the following words shall have the following meanings:

(1) CULTURAL AND RECREATIONAL FACILITIES - Any libraries, auditoriums, concert halls, parks, playgrounds and similar facilities located in the city.

(2) ESSENTIAL INFRASTRUCTURE - Any facilities for the storage, treatment and distribution of nonagricultural water; facilities for the collection, treatment, reclamation and disposal of sewage; facilities for the collection and disposal of stormwaters and for flood-control purposes; facilities for the generation of electricity and the distribution of gas and electricity; transportation and transit facilities, including, but not limited to, streets and supporting improvements, roads, overpasses, bridges, harbors, ports, airports and related facilities; and any other capital projects identified in the capital improvement plan that are not related facilities, cultural and recreational facilities, government facilities or public safety facilities, as defined in this section 15-228.

(3) GOVERNMENT FACILITIES - City hall, city garages and equipment yards, city offices, parking areas and similar facilities in or through which the city conducts general city operations.

(4) PUBLIC SAFETY FACILITIES - Any capital improvements or equipment related to city police and fire operations.

(5) RELATED FACILITIES - Any major landscaping, fountains, monuments, signs and similar structures and facilities of general benefit to the city.

SEC. 15-229. REASONABLE RELATIONSHIP.

(A) There is a reasonable relationship between the need for additional public facilities and the type of development projects on which the fee is imposed in that commercial and industrial development projects create a need for additional government and public safety facilities and essential infrastructure and related facilities, and residential development projects create a need for additional government and public safety facilities, essential infrastructure and related facilities, and cultural and recreational facilities.

(B) There is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed in that the fee imposed on commercial and industrial development projects is used to pay for additional government and public safety facilities and essential infrastructure and related facilities, and the fee imposed on residential projects is used to pay for additional government and public safety facilities, essential infrastructure and related facilities, and cultural and recreational facilities.

(C) There is a reasonable relationship between the amount of the fee and the cost of the public facilities or portion thereof attributable to the development project on which the fee is imposed in that the cost estimates used to calculate the fee shall be reasonable cost estimates for constructing the public facilities identified, the total fees to be imposed shall not exceed the total of the cost estimates, and the fees to be imposed on a particular development project shall not exceed the project's proportionate share of the cost of the facilities that are necessary to serve the development project. The methodology used to determine a project's proportionate share shall be established in the City's most recent Development Impact Fee Nexus Study."

PART 5. Article VI, Division 8, Sections 15-242 through 15-245 of the Oxnard City Code are hereby added to read as follows:

"**DIVISION 8. MOBILITY FEES**

SEC. 15-242. PURPOSE.

The fees shall be used to construct mobility improvements including sidewalks, bike lanes, pedestrian bridges, and other similar facilities that are necessary to improve connectivity within the City, improve bicycle and pedestrian safety, improve bicycle and pedestrian access to public transportation stops and stations, and increase bicycle mode sharing.

SEC. 15-243. BICYCLE AND PEDESTRIAN FACILITIES MASTER PLAN

The Bicycle and Pedestrian Facilities Master Plan for the city contains a summary of the mobility facilities that are needed to meet the City's goals. The fees imposed by this division shall be based on the Development Impact Fee Nexus Study.

SEC. 15-244. IMPOSITION OF FEES.

The approval of each development project shall be conditioned on the payment of the most recently adopted Mobility Fees in order to carry out the purpose of this division as set forth in the Development Impact Fee Nexus Study.

SEC. 15-245. USE OF FEES.

The fees collected shall be used to pay for the facilities that are necessary to improve the City's bicycle and pedestrian facilities as identified in the City's Master Plan."

PART 6. SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the act which can be given without the invalid provision or application, and to this end the provision of this act are severable.

PART 7. EFFECTIVE DATE

This ordinance shall take effect and be in full force thirty (30) days after its adoption.

PART 8. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five (5) days before the City Council's adoption of the ordinance.

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PART 10. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on March 5, 2019, and finally adopted on _____, 2019, to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Tim Flynn, Mayor

ATTEST:

_____

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____

Stephen M. Fischer, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING THE DEVELOPMENT IMPACT FEE NEXUS STUDY AND DEVELOPMENT IMPACT FEES FOR THE GROWTH REQUIREMENT CAPITAL FEE, PARK AND RECREATION FEE, TRAFFIC CIRCULATION FEE, STORM DRAINAGE FEE, MOBILITY FEE, PUBLIC ART PROGRAM FEE, AND UTILITY UNDERGROUNDING IN-LIEU FEE.

WHEREAS, the City currently has in place multiple ordinances whereby the City has been collecting the following development impact fees; Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee; and

WHEREAS, the City wishes to impose a new development impact fee, the Mobility Fee; and

WHEREAS, the fees are summarized in Appendix A attached hereto and incorporated by this reference; and

WHEREAS, the City is authorized pursuant to Government Code 66000, et. seq., to impose impact fees as a condition of development approval, which impact fees are used to mitigate the impact of new development on public infrastructure; and

WHEREAS, the City's consultant Harris & Associates has completed the Development Impact Fee Nexus Study Dated April 2020, in accordance with the Mitigation Fee Act (also known as AB1600), which provides the legal nexus required to update the City's Development Impact Fee Program; and

WHEREAS, in accordance with Government Code Section 66016, at least 14 days prior to the public hearing at which the Council first considered the adoption of the Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee, notice of the time and place of the hearing was mailed to eligible interested parties who filed written requests with the City for mailed notice of meetings on new or increased fees or service charges; and

WHEREAS, in accordance with Government Code Section 66016, the Development Impact Fee Nexus Study with the data supporting the imposition of the Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee, were made available for public review and comment for 10 days prior to the public hearing at which the Council first considered the adoption of the Fee; and

WHEREAS, ten days advance notice of the public hearing at which the Council first considered the adoption of the Fee was given by publication in accordance with Section 6062a of the California Government Code; and

WHEREAS, the fees shall be adjusted each year beginning on July 1st of 2021 using the June Engineering News Record Construction Cost Increase for the Los Angeles region. The base index for the first year update shall be the index for January of 2020, 12,144.49.

NOW, THEREFORE, the City Council of the City of Oxnard resolves as follows:

1. That it does hereby approve the *Development Impact Fee Nexus Study* and Schedule of Fees, prepared by Harris & Associates attached hereto as Exhibit A establishing revised fees for Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee.

2. The Development Impact Fees established in Exhibit A are hereby adopted, and shall be calculated, adjusted, and collected in accordance with City ordinances and the Studies. The amount of the Development Impact Fees may be adjusted annually for inflation each year beginning on July 1st 2021, using the June Engineering News Record Construction Cost Increase for the Los Angeles region.

3. That the fees shall become effective 60 days following the adoption of this Resolution.

4. The City Manager is hereby authorized to adjust annually the fees on July 1st of each year using the June Engineering News Record Construction Cost Index for the Los Angeles region.

5. The City Council finds that staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the *Development Impact Fee Nexus Study* prepared by Harris & Associates and dated April 2020, and the updated Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Public Art Program Fee Mobility Fee, and Utility Undergrounding In-lieu Fee pursuant to the California Environmental Quality Act ("CEQA"). City staff has determined that these actions do not constitute a "project" under CEQA pursuant to State CEQA Guidelines Section 15378(b)(4) because these actions involve the creation of a government funding mechanism which does not involve any commitment to any specific project which *may* result in a potentially significant physical impact on the environment.

6. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

7. The fees included in this Resolution supersede those adopted in any previous Development Impact fee resolutions.

PASSED AND ADOPTED THIS _____ day of _____, 2020, by the following vote:

AYES:
NOES:

ABSENT:

ABSTAIN:

_____
Tim Flynn, Mayor

ATTEST:

_____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____
Stephen M. Fischer, City Attorney

UPDATED DRAFT REPORT

City of Oxnard Development Impact Fee Nexus Study

April 2020

Prepared for:

CITY OF OXNARD CALIFORNIA

Prepared by:

Harris & Associates

22 Executive Park, Suite 2000
Irvine, California 92614
(949) 655-3900

EXHIBIT A

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EXECUTIVE SUMMARY

INTRODUCTION

Incorporated in 1903, the City of Oxnard is located in Ventura County, approximately 60 miles northwest of downtown Los Angeles. At the time of the 2010 U.S. Census, the City population was 197,899. As of January 1, 2019, the Census estimates that Oxnard's population is 209,879.

As the resident population and non-resident employment in the City increase, there exists a correlating rise in the need for expanded public infrastructure and services to support the increased demand on City infrastructure. California's Assembly Bill 1600 (AB1600), commonly known as the Mitigation Fee Act, adopted in 1987 and codified as California Government Code Section 66000 et. seq., authorizes the City to impose Development Impact Fees on new development within the City. Development Impact Fees are a one-time charge on new development that is collected and used by the City to cover the cost of capital facilities, vehicles, and equipment that are required to serve new growth.

The purpose of this study is to update the City's Development Impact Fee (Fee) program to ensure that new development pays their fair share of their impact on the City's infrastructure and that the Fees are in compliance with the legal requirements set out in the Mitigation Fee Act and relevant case law. The impact fees adopted through this study will replace the fees currently in effect as summarized in each individual section. The fees discussed in this report apply to all future development and redevelopment in the City. Table ES.1 summarizes the current fee resolutions and ordinances.

Table ES.1: Summary of Existing Resolutions and Ordinances

Fee	Resolution/Ordinance
General Growth Fee	Resolution 10,275, 10,996, and 12,975
Park and Recreation Fee	Ordinance 1421
Traffic Circulation Fee	Resolution 10,016, 10,673, 13,328, 13,600, and 13,890
Storm Drainage Fee	Resolution 10,274
Public Art Program Fee	Resolution 14,124
Utility Undergrounding In-Lieu	Ordinance 2207

NEXUS STUDY

Purpose

As development occurs in the City, new backbone infrastructure and capital facilities are required to mitigate the increased demand created by new residents and employees. Impact fee revenues, collected from development and redevelopment projects, fund these impacted backbone

infrastructure and capital facilities. The following fees are currently collected and are being updated as part of this Nexus Study:

- *Growth Requirement Fee (4 Components)*
  - *Public Administration*
  - *Police*
  - *Fire*
  - *Cultural and Recreational Facilities*
- *Parks and Recreation Fee*
- *Public Art Program Fee*
- *Storm Drainage Fee*
- *Traffic Circulation Fee*
- *Utility Undergrounding In-Lieu Fee*

In addition the following new fee is being proposed:

- *Mobility Fee*

This report is designed to provide the necessary technical analysis to support adoption by resolution of the Fee program. Adoption by resolution allows the fees to be updated over time without amending the enabling ordinance.

Results

Tables ES.2, ES.3, and ES.4 show a summary of the proposed Fees.

Table ES.2: Summary of Proposed Impact Fees

Land Use	Growth Requirement Capital Fee	Parks and Recreation Fee	Mobility Fee	Public Art Program Fee	Storm Drainage Fee[1]
Residential	*(Fee per Dwelling Unit)*			*(Fee per SF)*	*(Fee per Gross Acre)*
Single Family	$ 5,981	$ 6,993	$ 3,396	$ 0.28	$ 21,263
Multifamily[2]	$ 3,955	$ 4,624	$ 2,245	$ 0.28	$ 29,237
Non-Residential	*(Fee per 1,000 Building Square Feet)*			*(Fee per SF)*	*(Fee per Gross Acre)*
Retail	$ 2,018	*n/a*	$ 1,146	$ 0.28	$ 29,237
Office	$ 2,409	*n/a*	$ 1,367	$ 0.28	$ 29,237
Industrial	$ 853	*n/a*	$ 485	$ 0.28	$ 29,237
	(Fee per Room)			*(Fee per SF)*	*(Fee per Gross Acre)*
Hotel	$ 603	*n/a*	$ 342	$ 0.28	$ 29,237

[1] *For Storm Drainage fees, 6 units per acre and under are considered single family and above 6 units per acre are considered multi-family.*

[2] *Includes area of on-site streets and alleys plus the area up to the center line of bordering streets and alleys.*

Table ES.3: Summary of Proposed Traffic Circulation Fees

Land Use		Traffic Circulation Fee
per ADT	$	1,035
(Fee per unit)		
Single Family	$	9,769
Mobile Home	$	5,174
Low-Rise Multifamily[1]	$	7,574
Mid-Rise Multifamily[1]	$	5,630
High-Rise Multifamily[1]	$	4,605
Senior Housing	$	4,139
(Fee per 1,000 SF)		
Office	$	10,079
Medical Office	$	6,054
General (C2)	$	6,560
New Car Sales	$	6,157
Church	$	4,118
Restaurant	$	19,506
Fast Food with Drive Thru	$	102,342
(Fee per stall/room/fueling station)		
Self Service Car Wash (per stall)	$	27,153
Gas Station (per fueling position)	$	45,924
Hotel/Motel (per Room)	$	5,040
(Fee per 1,000 SF)		
Light Industrial	$	5,132
Warehouse	$	1,800

[1] *Low-Rise is defined as containing one or two floors, mid-rise is defined as containing three to ten floors, and high rise is defined as containing more than ten floors.*

Table ES.4: Proposed Utility Undergrounding In-Lieu Fee

Fee per Building SF, All Land Uses	$	0.54

Section 1 REQUIREMENTS AND METHODOLOGY

NEXUS REQUIREMENT SUMMARY

The Mitigation Fee Act, commonly known as Assembly Bill (AB) 1600, was enacted by the State of California in 1987 and created Section 66000 et. seq. of the Government Code. AB1600 requires public agencies to satisfy the following requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project:

1. Identify the purpose of the fee.
2. Identify the use for the fee.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The purpose of this report is to demonstrate that the fee components comply with AB1600. The assumptions, methodologies, facility costs and standards, and cost allocation factors used to establish the nexus between the levied fees and new development are in subsequent sections of this report.

METHODOLOGY

Imposed fees require various findings to ensure that a reasonable relationship exists between the fee amount and the cost of the facility or portion of the facility attributable to the new development. Several methodologies are available to determine fee amounts. Choosing the appropriate methodology depends on the type of facility for which the fee is calculated and the availability of documentation to support the fee calculation. Following is a discussion of the methodologies available to calculate the separate fee components in this report.

Facility Standards Method

The facility standards method determines the facilities and associated costs required to accommodate growth based on adopted City standards. Depending on the fee analysis, the City may or may not currently have sufficient facilities to meet the adopted standard. If the City's existing facilities are below the standards, then a deficiency exists. In this case, the portion of the cost of planned facilities associated with correcting the deficiency must be

satisfied with funding sources other than Development Impact fees. AB1600 fees can only fund planned facilities needed to accommodate new development at the adopted standard.

Master Plan Method

The master plan method is based on a master facilities plan in situations where the needed facilities serve both existing and new development. This approach allocates existing and planned facilities across existing and new development to determine new development's fair share of the facility need. This approach is used when it is not possible to differentiate the benefits of new facilities between existing and new development.

Planned Facilities Method

The planned facilities method calculates the standard based solely on the ratio of planned facilities to the increase in demand associated with new development. This method is appropriate when planned facilities are mostly for the benefit of new development, such as a wastewater trunk line extension to a previously undeveloped area. This method can be used when there is excess capacity in existing facilities that can accommodate new development.

Existing Inventory Method

The existing inventory method uses a facility standard based on the ratio of existing facilities to the existing service population on a cost per unit or cost per square foot basis. Under this approach, new development funds the expansion of facilities at the same standard currently serving existing development. By definition, the existing inventory method ensures that no facility deficiencies are spread to future development. This method is often used when a long-range plan for new facilities is not available.

FEE ADJUSTMENT PROCEDURES

The Fees will be automatically adjusted each year on July 1st based on the June Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles. The base index for the first year increase shall be 12144.49, the January 2020 Index. In addition, the fees may be adjusted periodically to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised facilities or costs, changes in demographics, or changes to the land use plan. A complete review of the fees must be completed every five years per AB1600 but it is recommended that the fees be updated more frequently.

CREDITS AND REIMBURSEMENT POLICIES

The City may provide fee credits or reimbursements to developers who dedicate land or construct facilities. Fee credits or reimbursements shall be the lesser of the estimated cost of the

improvements as shown in this report, subject to inflation adjustments, or the actual cost incurred by the developer. Reimbursements will be made when funds are available based on the priority of capital improvements as determined by the City. Fee credits will be allowed on a case-by-case basis as determined by the City.

SPECIALIZED DEVELOPMENT PROJECTS

The fees in this report may not be applicable to specialized development projects. For specialized development projects, the City will review the development's impacts to determine the applicable fees.

In addition, for redevelopment projects, the developer shall only be responsible for paying fees for the intensification of the development. The City will review the development's increased impacts to determine the applicable fees.

ACCESSORY DWELLING UNITS

An accessory dwelling unit (ADU) is a second unit on the same lot that is attached or detached from a residential unit. In accordance with Assembly Bill 881 (AB881) fees cannot be charged for an ADU that is less than 750 square feet. For an ADU that is 750 square feet or larger, an ADU will pay a percentage of the residential fee based on the square footage of the ADU in proportion to the primary dwelling unit.

GROWTH FORECASTS

Growth projections are used as indicators of demand. The City's existing population as well as 2030 population projections are used throughout the fee sections that follow in this report. The following resources were used for the purpose of updating the Fee program:

- Estimates of total development through 2030 are based on a vacant land survey, detailed discussions with the City, and the downtown environmental impact report update (EIR).
- Population estimates are from *U.S. Census Bureau American Community Survey*, 2018 Data.
- Estimates of existing non-residential development from Census data and GIS files.
- Estimates of the City's non-residential worker populations are from *On the Map U.S. Census Center for Economic Studies,* 2015 data.

LAND USE TYPES

To ensure a reasonable relationship between each fee and the type of development paying the fee, the following land use categories are used in this Study:

- **Single family:** Detached single-family homes.

- **Multifamily:** All attached residential dwellings such as duplexes, condominiums, townhomes, apartments, and dormitories.
- **Commercial:** Retail, educational, and downtown non-residential development.
- **Office:** General, professional, and medical office development.
- **Industrial:** Manufacturing and warehouse development.
- **Hotel:** Development designed to be occupied less than 30 days per stay.

For the traffic circulation fees, additional land uses were included to provide a more detailed estimate of the average daily trips (ADT) of different development. These land uses are discussed in Section 5 of this report.

Some developments may include more than one land use type. In these cases, the fee is calculated separately for each land use type. The City has the discretion to impose the fees based on the specific aspects of a proposed development regardless of zoning. The fee imposed should be based on the land use type that most closely represents the impacts of the development.

In addition, some parcels may redevelop into a more intense use. In these cases, the development will only be charged for intensification of use and a credit will be given for the existing use.

SERVICE POPULATION

The City's service population accounts for persons who live in the City and a weighted percent of workers employed in the City. Workers are weighted to reflect the lower per capita service demand compared to City residents. Workers spend less time in the City than residents and use fewer City services. The service population is used to determine the cost necessary to continue providing the City facilities at the existing level of service and to ensure that the fees are allocated fairly to each type of new development based on the impact of the development on the facilities.

Table 1 summarizes the City's service population used to develop the fees. The total service population of 236,623, including a fifty percent (50%) weighted factor for employees, was calculated using information taken from the 2018 US Census Data Population Estimates and the *On the Map from the U.S. Census Bureau Center for Economic Studies*, 2015 data.

Table 1: Service Population Calculation

	Baseline Population	Weighting Factor	Service Population
Residents [1]	209,877	1.0	209,877
Workers [2]	53,492	0.5	26,746
			236,623

[1] *U.S. Census Bureau 2018. American Community Survey, Table DP05. Retrieved from data.census.us.*

[2] *On the Map US Census Bureau Center for Economic Studies, 2015 data.*

RESIDENT AND EMPLOYMENT DENSITY

Using persons per household (PPH) data for residential units and employment density data for non-residential buildings establishes a reasonable relationship between the demand created by the development project and the fees charged. Developers pay fees based on the number of additional residential units or building square feet of non-residential development; therefore, the fee schedule must convert service population estimates to these units of measure for each land use. This conversion is done using the average PPH and employment density by land use type.

Table 2 summarizes the occupant density factors for residential and non-residential development. The residential density factors were calculated using information from the City's 2017 Mid-Cycle 2013–2021 Housing Element Update, while the non-residential employment density factors were calculated using information from the Employment Density Study Report for the Southern California Association of Governments dated October 31, 2001.

Table 2: Persons per Household and Employment Density

Residential [1]		
Single Family	4.31	Residents per dwelling unit
Multi-Family	2.85	Residents per dwelling unit
Non-Residential [2]		
Retail	2.91	Employees per 1,000 square feet
Office	3.47	Employees per 1,000 square feet
Industrial	1.23	Employees per 1,000 square feet
Hotel [3]	0.87	Employees per Room

[1] *City of Oxnard 2017 Mid Cycle 2013-2021 Housing Element update.*

[2] *Employment Density Study for Southern California Association of Governments dated October 31, 2001.*

[3] *River Park Specific Plan Land Use Summary.*

2030 LAND USE PROJECTIONS

The 2030 land use projections summarized in Table 3 includes residential and non-residential acreages, the estimated number of residential units, and the estimated non-residential square footage. This information, estimated from proposed developments, planned downtown redevelopment, and currently undeveloped land assumptions, presents a projection of the total new development expected to take place in the City by 2030.

Table 3: 2030 Residential and Non-Residential Development Projections

	Acres	Units/Square Feet	
Residential			
Single Family	64.27	397	Dwelling Units
Multi-Family	126.03	3,890	Dwelling Units
Non-Residential			
Retail	16.90	549,900	Building Square Feet
Office	10.74	234,000	Building Square Feet
Industrial	629.71	3,570,000	Building Square Feet
Hotel	7.15	500	Rooms

Source: Vacant land survey with future zoning plans and discussions with Oxnard Planning.

Section 2 GROWTH REQUIREMENT CAPITAL FEE

BACKGROUND

The City's current Growth Requirement Capital Fee is based on Resolution 12,975 adopted in November 2005 which set the Fee at $1.16 per square foot of residential covered space, $0.60 per square foot of commercial and industrial covered space, $0.04 per square foot of industrial uncovered space, and $1.75 per square foot for mobile home pads. The existing Growth Requirement Capital Fee consists of five components; Cultural and Recreational Facilities, Essential Infrastructure, Government Facilities, Public Safety Facilities, and Related Facilities.

Based on discussions with City staff, the proposed Growth Requirement Capital Fee is broken into four categories; (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities. These categories will allow the City to better administer the Fee program and more closely tie to the City's various departmental needs.

This section presents an analysis of the City's Growth Requirement Capital Fee. The Growth Requirement Capital Fee funds facilities such as police stations and equipment, fire stations and equipment, city hall, community centers, visitor center, and the corporation yard. These fees use the Existing Inventory Method for fee calculation. Under this methodology, the facilities are inventoried and the value of the facilities used to determine the current level of service (LOS) provided by the City on a per capita basis. This LOS calculation is used to determine the fee by land use that is needed in order for new development to fund the facilities needed to maintain the existing LOS.

SERVICE POPULATION

Demand for services and the associated facilities is based on the City's existing service population, which includes residents and non-residential workers. In calculating the service population for growth, workers were weighted less than residents to reflect the lower service demand of workers. Non-resident workers spend less time in the City and use fewer services, so the demand for City services is less than that of a resident.

GROWTH REQUIREMENT CAPITAL FEE SUMMARY

The City's maximum supportable fee calculation for the Growth Requirement Capital Fee examines (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities to determine the facility standard of each. As growth occurs in the City, these facilities should continue to operate at their respective standards. The fees collected from new development will ensure the City is able to continue to provide the existing LOS as the service population grows. The Growth Requirement Capital Fee is summarized in Table 4. An

administrative fee of four percent (4%) is added to the Fee to fund the City's cost to administer the Fee program.

Table 4: Growth Requirement Capital Fee – Summary of Fees

Land Use	Government Facilities	Police Facilities	Fire Facilities	Cultural & Recreational Facilities	Administrative Fee (4%)[1]	Total
Residential	*(Fee per Dwelling Unit)*					
Single Family	$ 2,033	$ 926	$ 1,038	$ 1,754	$ 230	$ 5,981
Multi Family	$ 1,345	$ 612	$ 686	$ 1,160	$ 152	$ 3,955
Non-Residential	*(Fee per 1,000 Building Square Feet)*					
Retail	$ 686	$ 312	$ 350	$ 592	$ 78	$ 2,018
Office	$ 819	$ 373	$ 418	$ 706	$ 93	$ 2,409
Industrial	$ 290	$ 132	$ 148	$ 250	$ 33	$ 853
	(Fee per Room)					
Hotel	$ 205	$ 93	$ 105	$ 177	$ 23	$ 603

[1] *Administrative charge of 4% for (1) legal, accounting, and other administrative support and (2) Development impact fee program administration costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analysis.*

REVENUE PROJECTIONS

Table 5 summarizes the anticipated Growth Requirement Capital Fee revenue. The revenue will be available to expand the City's existing Government Facilities, Police Facilities, Fire Facilities, and Cultural and Recreational Facilities to meet the need of new residents and workers in the City. The City will program the revenues through their Capital Improvement Program (CIP) process.

Table 5: Growth Requirement Capital Fee – Revenue Summary

Government Facilities	$	7,745,828.40
Police Facilities	$	3,524,892.80
Fire Facilities	$	3,951,763.00
Cultural & Recreational Facilities	$	6,680,482.80
Administrative Fee (4%)	$	876,554.20
Total	$	22,779,521.20

GOVERNMENT FACILITIES COMPONENT

The Government Facilities Fee includes buildings and vehicles related to the Oxnard Civic Center, City administrative offices, City corporation yard, downtown parking garage, visitor center, and

the transportation center. As new development occurs these facilities should continue to operate at the standard the City currently provides.

Government Facilities and Cost

The City-owned government facilities are summarized in Table 6. The value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing government facilities.

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Table 6: Government Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Mobile Equipment	Total Value
Existing Facilities						
Civic Center Vehicles & Equipment	305 W. 3rd St.	-	-	$ 26,257,423	$ 4,462,115	$ 30,719,538
Civic Center City Hall[1]	305 W. 3rd St.	$ 7,111,700	$ 1,210,558	-	-	$ 8,322,258
Civic Center East Wing[1]	305 W. 3rd St.	$ 2,485,895	$ 522,376	-	-	$ 3,008,271
Administrative Annex[1]	300 W. 3rd St.	$ 8,521,615	$ 1,844,551	-	-	$ 10,366,166
Visitors Center	715 S. "A" ST.	$ 93,149	$ 7,499	-	-	$ 100,648
Administrative Offices - Service Center	214 S. "C" St.	$ 14,119,355	$ 1,393,196	-	-	$ 15,512,551
Building and Safety Offices	241 W. 2nd St.	$ 906,306	$ 312,931	-	-	$ 1,219,237
Wilson Offices	350 N. "C" St.	$ 204,669	$ 21,128	-	-	$ 225,797
Downtown Parking Garage	324 S. "B" St.	$ 22,253,992	$ -	-	-	$ 22,253,992
Transportation Center	200 E. 4th St.	$ 9,314,831	$ 374,880	-	-	$ 9,689,711
City Yard Building 1	1060 Pacific	$ 1,645,713	$ 1,341,582	-	-	$ 2,987,295
City Yard Building 2	1060 Pacific	$ 1,215,548	$ 370,701	-	-	$ 1,586,249
City Yard Building 3	1060 Pacific	$ 725,640	$ 125,039	-	-	$ 850,679
City Yard Warehouse	1060 Pacific	$ 388,633	$ 22,533	-	-	$ 411,166
City Yard Warehouse 2	1060 Pacific	$ 273,760	$ 4,107,189	-	-	$ 4,380,949
Total Existing Facilities		**$ 69,260,806**	**$ 11,654,163**	**$ 26,257,423**	**$ 4,462,115**	**$ 111,634,507**
					Service Population	236,623
					Cost per Capita	$ 471.78

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Vehicles and equipment based on Fleet Equipment Fact Sheet dated 02/4/2020

[1] *The value of the Civic Center is $24,730,110. The City currently has debt associated with the building, of which 34% is allocated to future development and is paid through the fee program. The value was reduced by 34% of the debt.*

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Government Facilities Fee Schedule

Table 7 summarizes the government facilities fee schedule based on the existing cost standard established in Table 6. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 7: Government Facilities – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 471.78	4.31	$ 2,033
Multi-Family	$ 471.78	2.85	$ 1,345
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 235.89	2.91	$ 686
Office	$ 235.89	3.47	$ 819
Industrial	$ 235.89	1.23	$ 290
	(Fee per Room)		
Hotel	$ 235.89	0.87	$ 205

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

POLICE COMPONENT

Police facilities include the police station, department annex, and associated equipment. As new development occurs additional facilities will be required to continue to operate at the standard the City currently provides.

Police Facilities and Costs

The City-owned police facilities are summarized in Table 8. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing police facilities.

Table 8: Police Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Mobile Equipment	Total Value
Existing Facilities						
Police Station	251 S. C St.	$ 23,711,535	$ 2,711,839	$ 5,368,415	$ 3,416,114	$ 35,207,903
Safety & Communications Equipment	305 W. 3rd St.	-	$ 638,123	-	-	$ 638,123
Police Dispatch Equipment	2900 Saviers Rd.	-	$ 27,863	-	-	$ 27,863
Recreation Building & Storefront	300 W. Clara St.	$ 602,420	$ 20,823	-	-	$ 623,243
Police Annex	3001 Sturgis Rd.	$ 14,021,291	$ 299,196	-	-	$ 14,320,487
Total Existing Facilities		**$ 38,335,246**	**$ 3,697,844**	**$ 5,368,415**	**$ 3,416,114**	**$ 50,817,619**
					Service Population	236,623
					Cost per Capita	$ 214.76

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Equipment based on Fleet Equipment Fact Sheet dated 02/4/2020.

Police Fee Schedule

Table 9 summarizes the police fee schedule based on the existing cost standard established in Table 8. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 9: Police Facilities – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 214.76	4.31	$ 926
Multi-Family	$ 214.76	2.85	$ 612
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 107.38	2.91	$ 312
Office	$ 107.38	3.47	$ 373
Industrial	$ 107.38	1.23	$ 132
	(Fee per Room)		
Hotel	$ 107.38	0.87	$ 93

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

FIRE COMPONENT

Fire facilities include fire stations, administration buildings, and the associated equipment. As new development occurs additional facilities and equipment will be required to continue to operate at the standard the City current provides.

Fire Facilities and Costs

The City-owned fire facilities are summarized in Table 10. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing fire facilities.

Table 10: Fire Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Total Value
Existing Facilities					
Administration Building	360 W. 2nd St.	$ 10,983,462	$ 390,094	$ 10,900,552	$ 22,274,108
Fire Station 1	491 S. "K" St.	$ 2,616,171	$ 178,983	-	$ 2,795,154
Training Center	491 S. "K" St.	$ 207,071	$ 41,643	-	$ 248,714
Fire Station 2	531 E. Pleasant Valley Rd.	$ 1,259,482	$ 67,887	-	$ 1,327,369
Fire Station 3	150 Hill St.	$ 1,099,141	$ 75,577	-	$ 1,174,718
Fire Station 4	230 W. Vineyard	$ 1,778,547	$ 56,584	-	$ 1,835,131
Fire Station 5	1950 Colonia	$ 894,050	$ 81,714	-	$ 975,764
Fire Station 6	2601 Pensula Rd.	$ 896,562	$ 75,057	-	$ 971,619
Fire Station 7	3300 Turnout Park Circle	$ 9,165,885	-	-	$ 9,165,885
Fire Station 8	3000 S. Rose Ave.	$ 15,916,902	$ 310,759	-	$ 16,227,661
Total Existing Facilities		**$ 44,817,273**	**$ 1,278,298**	**$ 10,900,552**	**$ 56,996,123**
				Service Population	236,623
				Cost per Capita	$ 240.87

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Equipment based on Fleet Equipment Fact Sheet dated 02/4/2020.

Fire Fee Schedule

Table 11 summarizes the fire fee schedule based on the existing cost standard established in Table 10. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 11: Fire Facilities – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 240.87	4.31	$ 1,038
Multi-Family	$ 240.87	2.85	$ 686
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 120.44	2.91	$ 350
Office	$ 120.44	3.47	$ 418
Industrial	$ 120.44	1.23	$ 148
	(Fee per Room)		
Hotel	$ 120.44	0.87	$ 105

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

CULTURAL AND RECREATIONAL COMPONENT

Cultural and recreational facilities include art centers, youth and senior centers, tennis centers, theatre, libraries, clubhouses, and community centers. As new development occurs additional facilities and equipment will be required to continue to operate at the standard the City current provides.

Cultural and Recreational Facilities and Costs

The City-owned cultural and recreational facilities are summarized in Table 12. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing cultural and recreational facilities.

Table 12: Cultural and Recreational Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Total Value
Existing Facilities				
Youth Center	800 W. Hill St.	$ 844,672	$ 17,466	$ 862,138
Senior Center	350 N. "C" St.	$ 1,226,451	$ 97,432	$ 1,323,883
Art Center	350 N. "C" St.	$ 274,097	$ 9,704	$ 283,801
Recreation Club House	350 N. "C" St.	$ 245,988	$ 58,300	$ 304,288
Community Center	800 Hobson	$ 2,552,362	$ 292,716	$ 2,845,078
Boxing Club	520 E. 1st St.	$ 283,428	$ 16,249	$ 299,677
Community Building	801 Hobson Way	$ 794,517	$ 60,073	$ 854,590
Tennis Pro Shop	801 Hobson Way	$ 206,615	$ 7,001	$ 213,616
Tennis Center	801 Hobson Way	$ 152,783	$ 5,599	$ 158,382
Theater & Auditorium	800 Hobson Way	$ 11,638,594	$ 680,280	$ 12,318,874
Library	424 S. "C" St.	$ 1,527,836	$ 65,931	$ 1,593,767
Library	251 S. "A" St.	$ 21,819,005	$ 24,981,800	$ 46,800,805
Library & Child Care Center	200 E. Bard Rd.	$ 5,197,191	$ 1,073,778	$ 6,270,969
Library	1500 Camino Del Sol	-	$ 633,879	$ 633,879
Library	4300 S. Saviers Rd.	$ 14,332,050	$ 7,236,005	$ 21,568,055
Total Existing Facilities		$ 61,095,589	$ 35,236,213	**$ 96,331,802**
			Service Population	236,623
			Cost per Capita	$ 407.00

Source: City of Oxnard, Statement of Value - April 26, 2018.

Cultural and Recreational Fee Schedule

Table 13 summarizes the cultural and recreational fee schedule based on the existing cost standard established in Table 12. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 13: Cultural and Recreational Facilities –Fee Schedule

Land Use	A Cost per Capita[1]	B Density	C = A x B Fee (rounded)
Residential	*(Fee per Dwelling Unit)*		
Single Family	$ 407.00	4.31	$ 1,754
Multi-Family	$ 407.00	2.85	$ 1,160
Non-Residential	*(Fee per 1,000 Square Feet)*		
Retail	$ 203.50	2.91	$ 592
Office	$ 203.50	3.47	$ 706
Industrial	$ 203.50	1.23	$ 250
	(Fee per Room)		
Hotel	$ 203.50	0.87	$ 177

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

NEXUS FINDINGS – GROWTH REQUIREMENT CAPITAL FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the Growth Requirement Capital Fee is to fund government, police, fire, and cultural and recreational facilities required to mitigate the impacts of new development on the City's infrastructure.

Requirement 2: Identify the use of the fee.

The Growth Requirement Capital Fee will be used to expand the City's new government, police, fire, and cultural and recreational facilities as needed to maintain the existing standard the City provides. As new development occurs, the City will be required to expand facilities to serve new development. The projects that will be funded with the fee will be identified in future years through the City's CIP program in order to maintain the City's standard of service.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional residents and workers. An increase in residents and workers will increase the demand for facilities. Residential and non-residential development are responsible for paying their fair share to maintain the City's existing standard based on the persons per household and employee

density assumptions assigned to each individual land use as shown in Tables 7, 9, 11, and 13.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

An increase in residential and non-residential development generates additional residents and workers that increase the need for police, fire, government, and cultural and recreational facilities to maintain the City's existing level of service. The value of the City's existing facilities is divided by the current service population to determine the existing cost per capita. One worker is assumed to create half of the demand of a new resident. Each residential land use is charged a fee based on the additional residents it is expected to add multiplied by the cost per capita. Non-residential development is charged a fee based on the cost per capita, multiplied by 0.5 (the weighting factor), and then multiplied by the number of assumed workers per 1,000 square feet of building or per hotel room. By charging the fee based on the additional residents or workers created by each land use, the fee directly correlates to the demand created by each new development.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New facilities are necessary to maintain the City's existing level of service as new residential and non-residential units are constructed. The City inventoried the existing government, police, fire, and cultural and recreational facilities and identified the value of each. This value was divided by the City's existing service population to calculate the cost per resident and the cost per worker necessary to maintain the City's existing level of service. This cost per resident and cost per worker were converted into a cost per unit for each type of residential development and a cost per square foot for non-residential development based on the estimated densities as shown in Table 13. Basing the fee on the additional residents or workers generated by each land use ensures that the development pays only their fair share of future facilities.

Section 3 PARK AND RECREATION FEE

BACKGROUND

This section presents an analysis of the City's Park and Recreation Fee. The Park and Recreation Fee covers the cost to mitigate the effects of new development on the City's parks.

The City's current park fee was first established in 1972 by Ordinance 1421. The City's Municipal Code, section 13-71 outlines the City's current fee which is $150 for one or less bedrooms, $200 for two bedrooms and $250 for three or more bedrooms. This fee is not adequate to construct the parks needed to meet the City's 2030 General Plan Standard. The proposed fee will replace the City's current park fee and is based on the methodology described in this report.

These fees use the facility standards method for fee calculation. Under this methodology, the City's 2030 General Plan Park standard of 3.0 acres per 1,000 residents is used to determine the fee.

SERVICE POPULATION

The City's 2030 General Plan sets the park standard for the City at 1.5 acres per 1,000 residents for neighborhood parks and 1.5 acres per 1,000 residents for community parks for a total of three (3) acres per 1,000 residents.

Based on the 2010 Parks Master Plan, the City's park inventory was 991.47 acres including the City's Golf Course. Based on the Master Plan, the City provided 5.8 acres of park per 1,000 people in 2010, exceeding the 3 acres per 1,000 resident standard set in the General Plan. The City is currently in the process of updating their Park Master Plan.

COST STANDARD

Table 14 identifies the construction cost per park acre and the cost per resident served. Charging a fee based on the City's standard of three acres per 1,000 residents as established in the City's 2030 General Plan, ensures that the City will have sufficient revenues to maintain this standard as new development occurs and population increases. The fee covers park development costs only.

Table 14: Park and Recreation – Cost per Resident

Construction Cost per Acre[1]	**A**	$	520,000
Park Acres Required per 1000 Residents[2]	**B**		3.000
Cost per Resident	**(A X B) / 1000 = C**	**$**	**1,560**

[1] *Oxnard College Park estimate dated 6/24/2009, adjusted by the ENR CCI (+30.5%), rounded.*

[2] *2030 General Plan Standard (Park Requirement is 3 Acres per 1,000 population; 1.5 acres of community park and 1.5 acres of neighborhood park).*

Park land dedication or an in-lieu fee will be required through Quimby as set forth in Chapter 15, Article IV of the City's Government Code.

FEE SCHEDULE

Table 15 summarizes the Park and Recreation Fee schedule based on the City's General Plan standard of three (3) acres per 1,000 residents. The cost per resident is converted to a fee per new residential unit based on the estimated persons per household. The total fee includes a four percent (4%) administrative charge to fund Fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to the Fee program administration. The park and recreation fees are not applied to non-residential development because of the minimal demand of employees on City parks.

Table 15: Park and Recreation– Fee Schedule

Land Use	A Cost per Resident	B Density (PPH)[1]	A x B = C Construction Fee[2]	C x 4% = D Administrative Fee (4%)[2]	C + D Total Fee
Single Family	$ 1,560	4.31	$ 6,724	$ 269	$ 6,993
Multifamily	$ 1,560	2.85	$ 4,446	$ 178	$ 4,624

[1] *Per Table 2.*

[2] *Rounded.*

REVENUE PROJECTIONS

Table 16 summarizes the anticipated Park and Recreation Fee revenue. The 2010 Parks Master Plan identified a need for approximately $58 million in park development improvements plus another $80 million in park improvements to existing parks. The City is currently in the process of updating their Parks Master Plan and the specific improvements that these funds will be used for will be identified as part of that process. Generally, the funds need to be expended to build improvements that expand the City's existing park system to ensure the City maintains their standard of three (3) acres per 1,000 residents.

Table 16: Park and Recreation– Revenue Projections

Land Use	Units	Fee	Anticipated Revenue
Single Family	397	$ 6,993	$ 2,776,221
Multifamily	3,890	$ 4,624	$ 17,987,360
Total			**$ 20,763,581**

NEXUS FINDINGS – PARK AND RECREATION FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the park and recreation fee is to fund new park development that is needed to maintain the City's General Plan level of service of 1.5 acres of neighborhood park and 1.5 acres of community park per 1,000 residents served.

Requirement 2: Identify the use of the fee.

The park and recreation fee will be used to construct new parks and/or to add additional amenities at the City's existing parks that increase the capacity of the park. Future park opportunities will be identified through the City's Parks Master Plan and the City's CIP program.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential development will generate additional residents which will increase the demand for park facilities. In order to maintain the City standard of three (3) acres of park per 1,000 residents, new residential developments will be required to pay the Park and Recreation Fee to fund additional parks. Non-residential uses do not pay the fee since they do not generate additional residents and workers have minimal impact on the City's park system.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

New residential development will contribute to an increase in residents that raises the need for park facilities to maintain the City's General Plan park standard of three (3) acres per 1,000 residents. Non-residential uses do not pay the fee since workers have minimal impact on the City's park system.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

As new residential units are constructed, new park facilities are necessary to maintain the City's 2030 General Plan standard of three (3) acres per 1,000 residents. The fees are calculated by taking the cost per acre of park land times three acres of parks per 1,000 residents and then dividing that by 1,000 to determine the cost per person. The cost per

person is then spread to each residential land use based on the persons per household each unit is expected to generate as shown in Table 15. Since the need for park land is based on the number of new residents, calculating the fee based on the number of persons each unit is expected to generate ensures that each new residential unit is paying only its fair share of the required facilities.

Section 4 TRAFFIC CIRCULATION FEE

BACKGROUND

This section presents an analysis of the City's traffic circulation fee. The fees for traffic circulation cover the costs to lessen the effects of additional vehicle trips caused by new development and maintain the City's level of service standard. Funding new transportation facilities, improvements, and infrastructure will ensure that the service level is maintained as development and population growth produce an increase in roadway use and changes in traffic patterns. This fee is calculated using the planned facilities method.

The City's current traffic circulation fee is based on a number of resolutions, the most recent three are described below:

- Resolution 13,328 was adopted on June 26, 2007 set the fee at $730 per average daily trip (ADT) and was based on the City's 1992 Traffic Study.
- Resolution 13,600 was adopted on February 3, 2009 and modified the categories of development projects and made adjustments to the peak hour and pass-by trips. The cost per ADT was not updated.
- Resolution 13,890 was adopted on July 13, 2010 and adjusted the fee for restaurants while retaining the cost per ADT.

The City is planning an update to the traffic model that will update the assumptions in this section.

SERVICE POPULATION

The City's traffic circulation fee provides funding for new transportation facilities and infrastructure to accommodate and mitigate new development's impact on the City infrastructure. The residential and non-residential land uses will be assessed a fee based on the ADTs generated by each land use.

Table 17 estimates the trips generated by future development based on the land use projections in Table 3. The 10th Edition of the Institute of Transportation Engineers' (ITE) trip generation rate manual is used to estimate the total ADTs generated by the remaining 2030 development. When the fees were updated in 2009 by Resolution 13,600, reductions in the ADT rates were adopted to account for non-peak trips as well as pass-by trips. The following trip reductions are being applied consistent with Resolution 13,600.

Off-peak travel adjustments:

- 0.42 for Commercial and Medical Office
- 0.583 for Hotels and Motels
- 0.572 for Churches
- 0.534 for New Car Sales

A pass-by trip adjustment is further applied as follows:

- 40% for Commercial and Medical Office
- 50% for Fast Food with Drive-thru
- 56% for Gas Stations

Table 17: Traffic Circulation – Total Remaining Trips Generated

Land Use	New Units/ Square Footage	ADT Generated[1]	New City Trips
Residential Units		*Per Unit*	
Single Family Residential	397	9.44	3,747.68
Multifamily Residential	3,890	5.74	22,328.60
			26,076.28
Non-Residential		*Per 1,000 building sf*	
Retail[2]	549,900	32.51	17,877.25
Office	234,000	9.74	2,279.16
Industrial	3,570,000	4.96	17,707.20
			37,863.61
		Per Room	
Hotel	500	4.87	2,435.00
			2,435.00
Total Trips			**66,374.89**

[1] 10th Edition ADT discounted with adopted discounts for pass by and non-peak rates per 2009 fee resolution as further described. Peak travel adjustments are as follows: 0.42 for commercial and medical office, 0.538 for hotels/motels, 0.572 for churches, and 0.534 for new car sales. In addition, a pass-by trip adjustment is applied as follows: commercial and medical office 40%, fast food with drive-thrus 50% and gas station 56%. Multifamily ADT is an average of low-rise, mid-rise, and high-rise land uses.

[2] Average ADT for commercial land uses.

FACILITIES AND COSTS

Calculating the traffic circulation fee based on the planned facilities ensures that the City will have sufficient revenues to build and expand the City's roadway facilities in order to maintain acceptable levels of services as new development occurs.

Table 18 identifies the list of eligible traffic projects and associated costs per the City's Public Works Department. The City estimated the grant funding and the percent of each project that can be allocated to the fee program. The cost per trip is calculated by deducting the fund balance from the eligible project cost and dividing by the total trips from Table 17.

Table 18: Traffic Circulation – List of Eligible Projects

Project	Total Project Cost	Existing Development Share	Grant Funding	Allocation to New Development	Cost Allocated to New Development	Eligible Project Cost
Adaptive Traffic Signals	$ 1,527,000	$ -	$ -	100%	$ 1,527,000	$ 1,527,000
Fifth Street & Pacific Avenue Traffic Signal	$ 700,000	$ -	$ -	100%	$ 700,000	$ 700,000
Harbor Boulevard Edison Canal Bridge Widening	$ 2,300,000	$ 2,300,000	$ -	0%	$ -	$ -
ITS Master Plan Update	$ 250,000	$ -	$ -	100%	$ 250,000	$ 250,000
Oxnard Boulevard & Saviers Road Signal Improvements	$ 1,146,600	$ 1,146,600	$ 869,780	0%	$ -	$ -
Traffic Circulation Improvements Fee Study	$ 500,000	$ -	$ -	100%	$ 500,000	$ 500,000
Traffic Intersection Capacity Improvements	$ 61,900,000	$ -	$ -	100%	$ 61,900,000	$ 61,900,000
Traffic Model Update	$ 200,000	$ -	$ -	100%	$ 200,000	$ 200,000
Traffic Signal Modernization (ITS)	$ 6,800,000	$ -	$ -	100%	$ 6,800,000	$ 6,800,000
Traffic Signal Modifications	$ 1,878,600	$ -	$ 1,445,100	100%	$ 433,500	$ 433,500
Traffic Signal Timing	$ 850,000	$ -	$ -	100%	$ 850,000	$ 850,000
Total Project Cost	**$ 78,052,200**	**$ 3,446,600**	**$ 2,314,880**		**$ 73,160,500**	**$ 73,160,500**
Less: Existing Fund 354 Balance[1]						$ (7,121,156.00)
Total Remaining Cost						**$ 66,039,344.00**
					New ADT's Generated	**66,374.89**
					Cost per Trip	**$ 995.00**

Source: The City of Oxnard Capital Improvement Plan, Oxnard Public Works Department.

[1] *FY 2018/2019 Fund Balance.*

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FEE SCHEDULE

Table 19 summarizes the traffic circulation fees based on the cost per trip calculated in Table 18. The fee categories are consistent with the City's current fees. The total fee includes a four percent (4%) administrative charge to fund Fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to the fee program administration. A fee per ADT is included for projects that do not fall within one of the fee categories or for which a specialized calculation is necessary.

Table 19: Traffic –Fee Schedule

Land Use	Discounted ADT[1]	Fee Per Unit (rounded)	Administrative Fee (rounded)	Total Fee (rounded)
Fee per ADT		$ 995	$ 40	$ 1,035
(Fee per unit)				
Single Family	9.44	$ 9,393	$ 376	**$ 9,769**
Mobile Home	5.00	$ 4,975	$ 199	**$ 5,174**
Low-Rise Multifamily[2]	7.32	$ 7,283	$ 291	**$ 7,574**
Mid-Rise Multifamily[2]	5.44	$ 5,413	$ 217	**$ 5,630**
High-Rise Multifamily[2]	4.45	$ 4,428	$ 177	**$ 4,605**
Senior Housing	4.00	$ 3,980	$ 159	**$ 4,139**
(Fee per 1,000 SF)				
Office	9.74	$ 9,691	$ 388	**$ 10,079**
Medical Office	5.85	$ 5,821	$ 233	**$ 6,054**
General (C2)	6.34	$ 6,308	$ 252	**$ 6,560**
New Car Sales	5.95	$ 5,920	$ 237	**$ 6,157**
Church	3.98	$ 3,960	$ 158	**$ 4,118**
Restaurant	18.85	$ 18,756	$ 750	**$ 19,506**
Fast Food with Drive Thru	98.90	$ 98,406	$ 3,936	**$ 102,342**
(Fee per stall/room/fueling station)				
Self Service Car Wash (per stall)	26.24	$ 26,109	$ 1,044	**$ 27,153**
Gas Station (per fueling position)	44.38	$ 44,158	$ 1,766	**$ 45,924**
Hotel/Motel (per room)	4.87	$ 4,846	$ 194	**$ 5,040**
(Fee per 1,000 sf)				
Light Industrial	4.96	$ 4,935	$ 197	**$ 5,132**
Warehouse	1.74	$ 1,731	$ 69	**$ 1,800**

1 10th Edition ADT discounted with adopted discounts for pass by and non-peak rates per 2009 fee resolution as further described. Peak travel adjustments are as follows: 0.42 for commercial and medical office, 0.538 for hotels/motels, 0.572 for churches, and 0.534 for new car sales. In addition, a pass-by trip adjustment is applied as follows: commercial and medical office 40%, fast food with drive-thrus 50% and gas station 56%.

[2] Low-Rise is defined as containing one or two floors, mid-rise is defined as containing three to ten floors, and high rise is defined as containing more than ten floors.

NEXUS FINDINGS – TRAFFIC CIRCULATION FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the traffic circulation fee is to fund the transportation facilities that are necessary to mitigate traffic impacts created by new residential and non-residential development in the City.

Requirement 2: Identify the use of the fee.

The traffic circulation fee will be used to fund transportation facilities and infrastructure necessary to maintain the level of service standards on the City's roadway network. As new development occurs, the City will be required to fund roadway projects. The traffic circulation fee will provide funding for these additional facilities and infrastructure as identified in Table 18.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional vehicle trips as identified in the ITE trip generation manual and summarized in Table 19. These vehicle trips will create demand for additional transportation infrastructure. Residential and non-residential development is responsible for paying their fair share of the City's needed infrastructure based on the new trips generated by each type of development.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

New residential and non-residential development will contribute to an increase in vehicle trips that create the need for expanded transportation infrastructure improvements. The Traffic Circulation Fee will be used to build and improve traffic facilities as identified in Table 18. Each development will pay its fair share of the fees based on the trip generation rates summarized in Table 19. Charging a Traffic Circulation Fee based on the number of new trips generated by each new development ensures that the project pays only to mitigate their fair share of the improvements.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New traffic facilities are necessary to maintain the City's level of service standards and are required to serve residential and non-residential development in the City. The City's list of eligible traffic mitigation projects is shown in Table 18. This cost is divided by the trips expected to be generated by future development in the City. This cost per trip is then multiplied by the discounted ADT to calculate the fee for each land use. The ADT was discounted consistent with Resolution 13,600 to capture a reduction in ADT related to pass-by and off-peak trips. This fee calculation ensures that each development pays only their fair share to mitigate their traffic impacts within the City.

Section 5 STORM DRAINAGE FEE

BACKGROUND

This section presents an analysis of the City's storm drainage fee. The City's existing storm drainage fee was adopted by Resolution 10,274 on September 27, 1991. The storm drainage fee provides funding for the infrastructure required to mitigate the impacts of new development. As each new development occurs, additional impervious area is created which creates the need for the expansion of storm drainage facilities. This fee is calculated using the planned facilities method.

FACILITIES AND COSTS

The City's existing storm drainage fee is based on Resolution 10,274 and the City's Storm Drainage Master Plan. The fee was calculated based on the facilities that were identified as required to mitigate new development's impact on the storm drainage system on a cost per acre basis.

At this time, the City has not adopted an updated Storm Drainage Master Plan. Based on discussions with City staff, it is estimated that the cost to provide storm drainage improvements has escalated in proportion to the Engineering News Record Construction Cost Index (ENR CCI) for Los Angeles. Based on this input and discussions with staff, the storm drainage fee will be escalated by the ENR CCI at this time to ensure that adequate funding is received until the City can update their Storm Drainage Master Plan. The City will use the money generated from the impact fee program to make improvements to the storm drainage system per the City's Master Plan and CIP program that are necessary to mitigate the impact of new Development.

The fees are based on an average peak flow discharge of 0.8 cubic feet per second (CFS) per acre of land for low density residential development and 1.1 CFS per acre of land for medium and high density residential, commercial, and industrial development.

FEE SCHEDULE

Table 20 summarizes the storm drainage fees per gross acres, which includes the area of on-site streets and alleys, plus the area up to the centerline of bordering streets and alleys. The fee is calculated by multiplying the ENR CCI by the currently adopted fees.

Table 20: Storm Drainage –Fee Schedule

Land Use	Current Fee	Proposed Fee [1]
Residential	(fee per gross acre [2])	
Low Density Residential	$ 10,645	$ 21,263
Medium and High Density Residential [3]	$ 14,637	$ 29,237
Commercial	$ 14,637	$ 29,237
Office	$ 14,637	$ 29,237
Industrial	$ 14,637	$ 29,237
Hotel	$ 14,637	$ 29,237

[1] *Based on the ENR CCI for LA from September 1991 to January 2020.*

[2] *Includes area of on-site streets and alleys plus the area up to the center line of bordering streets and alleys.*

[3] *Projects over 6 dwelling units per acre.*

NEXUS FINDINGS – STORM DRAINAGE FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the storm drainage fee is to fund the storm drainage facilities that are necessary to mitigate impacts created by new residential and non-residential growth in the City.

Requirement 2: Identify the use of the fee.

The storm drainage fee will be used to fund the storm drainage facilities and infrastructure necessary to mitigate the impacts of additional impervious area on the City's storm drainage pipes, basins, and channels. As new development occurs, the City will be required to fund storm drainage projects. The storm drainage fee will provide funding for these additional facilities and infrastructure.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional impervious area which increases the storm drainage run-off in the City. This additional runoff will create the demand for additional storm drainage infrastructure such as pipes, drainage basins, and channels. Residential and non-residential development is responsible for paying their fair share of the City's needed infrastructure based on the average peak flow generated by each acre of new development.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

New residential and non-residential development will contribute to an increase in impervious area which increases storm run-off and creates the need for expanded storm drainage infrastructure. The storm drainage fee will be used to build and improve storm drainage facilities. Each development will pay its fair share of the fees based on the average peak flow discharge. Charging a storm drainage fee based on the additional storm water generated by each new development ensures that the project pays only to mitigate their fair share of the needed improvements.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New storm drainage facilities are necessary to mitigate the impacts of new residential and non-residential development in the City. The storm drainage fee is based on the average peak flow discharge that is created by each acre of development. The fees are charged per acre based on these assumptions which ensures that each development is only paying their fair share based on their impact to the storm drainage system.

Section 6 MOBILITY FEE

BACKGROUND

This section presents an analysis of the City's Mobility Fee. The Mobility Fee covers the cost to mitigate the effects of new development on the City's mobility facilities including sidewalks, bike lanes, pedestrian bridges, and other similar facilities that are necessary to improve connectivity within the City, improve bicycle and pedestrian safety, improve bicycle and pedestrian access to public transportation stops and stations, and increase bicycle mode sharing.

The City currently does not collect a separate fee for bike and pedestrian facilities. Previously impact fee revenues from the traffic fee were used to build on street bicycle facilities and new sidewalks. The need for a mobility fee as established in the City's 2011 Bicycle and Pedestrian Facilities Master Plan.

SERVICE POPULATION

The City's 2011 Bicycle and Pedestrian Facilities Master Plan inventoried the City's bicycle facilities and listed the facilities that were needed to improve pedestrian connectivity throughout the City. In 2011, the City's service population was 221,889 based on the population in 2011 and the estimated worker population, weighted at 50 percent. Non-resident workers spend less time in the City and use fewer facilities, so the demand for City facilities is less than that of a resident. The City's existing level of service for bicycle facilities is based on the 2011 service population.

In 2020, the City's service population is 236,623 based on the City's current population and weighted worker population. The sidewalk survey is based on the current sidewalk inventory therefore, the 2020 population is used to calculate the City's existing level of service for sidewalks.

MOBILITY FACILITIES AND COSTS

Table 21 identifies the existing standards for bike and pedestrian facilities and the value associated with those facilities to calculate a cost per person served. The bicycle costs are based on the Bicycle and Pedestrian Facilities Master Plan escalated to 2020 costs. The sidewalk costs are based on information provided by the Public Works Department.

Table 21: Mobility – Cost per Person Served

Mobility Item	Existing Miles	Miles per Person Served[1]	Unit Cost 2011 Dollars[2]	ENR Adjustment	Unit Cost 2020 Dollars	Value per Person
2012 Bicycle Facility						
Current Class 1 Bike Path	3.3	0.00001487	$ 500,000	26.60%	$ 633,022	$ 9.41
Current Class 2 Bike Lanes	61.5	0.00027717	$ 65,000	26.60%	$ 82,293	$ 22.81
Current Class 3 Bike Route	1.2	0.00000541	$ 5,000	26.60%	$ 6,330	$ 0.03
Total Bike	**66.0**	**0.00029745**				**$ 32.25**
Current Pedestrian Facilities						
Sidewalks[3]	650.0	0.00274699			$ 264,000	$ 725.20
Total Pedestrian	**650.0**	**0.00292939**				**$ 725.20**
Mobility Facility per Person Served						**$ 757.45**

[1] *2011 Service Population based on California Department of Finance E-5 Study resident population of 200,029 and US Census Data employee count of 43,720.*

[2] *Costs per 2011 Bike and Pedstrian Facilities Master Plan.*

[3] *Current sidewalk facilities uses the 2020 service population. Costs of sidewalks based on $10/sf replacement cost per City engineering.*

FEE SCHEDULE

Table 22 summarizes the Mobility Fee schedule based on the existing cost standard established in Table 21. The cost per person served is converted to a fee per new residential unit based on the estimated persons per household. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or in the case of hotels, the number of workers per room. The total fee includes a four percent (4%) administrative charge to fund fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to fee program administration.

Table 22: Mobility – Fee Schedule

Land Use	A Cost per Capita[1]	B Density	A x B = C Fee (rounded)	C x 4% = D Administrative Fee (4%)	C + D Total Fee
Residential	*(Fee per Dwelling Unit)*				
Single Family	$ 757.45	4.31	$ 3,265	$ 131	$ 3,396
Multi-Family	$ 757.45	2.85	$ 2,159	$ 86	$ 2,245
Non-Residential	*(Fee per 1,000 Square Feet)*				
Retail	$ 378.73	2.91	$ 1,102	$ 44	$ 1,146
Office	$ 378.73	3.47	$ 1,314	$ 53	$ 1,367
Industrial	$ 378.73	1.23	$ 466	$ 19	$ 485
	(Fee per Room)				
Hotel	$ 378.73	0.87	$ 329	$ 13	$ 342

[1] *Cost per worker is weighted at 0.5 that of a resident based on industry standards.*

REVENUE PROJECTIONS

Table 23 summarizes the anticipated Mobility Fee revenue. The 2011 Bicycle and Pedestrian Facilities Master Planned identified a need for approximately $66 million in bicycle facilities and $6 million in pedestrian facilities. Using the estimated 2030 buildout projections, the City would receive approximately $13 million in Mobility Fee revenue.

Table 23: Mobility– Revenue Projections

Land Use	Units/ Square Feet	Fee	Anticipated Revenue
Single Family	397	$ 3,396	$ 1,348,212
Multi-Family	3,890	$ 2,245	$ 8,733,050
Retail	549,900	$ 1,146	$ 630,185
Office	234,000	$ 1,367	$ 319,878
Industrial	3,570,000	$ 485	$ 1,731,450
Hotel	500	$ 342	$ 171,000
Total			**$ 12,933,775**

NEXUS FINDINGS – MOBILITY FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the Mobility Fee is to fund new bicycle and pedestrian facilities that are needed to maintain the City's current level of service. The bicycle facility standard from

the 2011 Master Plan is 1.57 linear feet per person served. Based on information provided by the City, there are currently 14.5 linear feet of sidewalk per person served.

Requirement 2: Identify the use of the fee.

The Mobility Fee will be used to construct additional bicycle and pedestrian facilities to maintain the City's current level of service. Future bicycle and pedestrian facilities are identified in the City's Bicycle and Pedestrian Facilities Master Plan and the City's CIP program.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional residents and employees, which will increase the need for bicycle and pedestrian facilities. In order to maintain the City's existing standard improve connectivity within the City, new development will be required to pay the Mobility Fee. Residential and non-residential development are responsible for paying their fair share to maintain the City's existing standard based on the persons per household and employee density assumptions shown in Table 22.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

An increase in residential and non-residential development generates additional residents and workers that increase the need for bicycle and pedestrian facilities to maintain the City's existing level of service. The value of the City's existing facilities is divided by the service population to determine the cost per capita. One worker is assumed to create half of the demand of a new resident. Each residential land use is charged a fee based on the additional residents it is expected to add multiplied by the cost per capita. Non-residential development is charged a fee based on the cost per capita, multiplied by 0.5 (the weighting factor), and then multiplied by the number of assumed workers per 1,000 square feet of building or in the case of hotels, the number of workers per room. By charging the fee based on the additional residents or workers created by each land use, the fee directly correlates to the demand created by each new development.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

New facilities are necessary to maintain the City's existing level of service as new residential and non-residential units are constructed. The City inventoried the existing bicycle and pedestrian facilities and identified the value of each. These values were divided

by the City's service population to calculate the cost per resident and the cost per worker necessary to maintain the City's existing level of service. This cost per resident and cost per worker were converted into a cost per unit for each type of residential development and a cost per square foot for non-residential development based on the estimated densities as shown in Table 22. Basing the fee on the additional residents or workers generated by each development type ensures that the development pays only their fair share of future facilities.

Section 7 PUBLIC ART PROGRAM FEE

BACKGROUND

This section presents an analysis of the City's Public Art Program Fee. The City's public art is designed to enhance the overall quality of life and create a more vibrant community. This fee is designed to help the City adequately fund artwork on public property and reimburse the City's costs to administer the Program. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic.

The following resolutions were adopted related to the Public Art Program Fee

- Resolution 9813 Established the Art in Public Places Program and adopted guidelines for the program.
- Resolution 12,290 revised the program such that all applicants submitting for the development of a commercial or industrial project of over 100,000 square feet of roofed building area or for a mixed use projects of over 75,000 square feet of roofed building area to participate in the program. The City was not to issue a certificate of occupancy until the project has participated in the program. Applicants were required to provide to the city one percent of the valuation of the project, either as public art installed within a public place on the site or as an in-lieu fee to be paid to the Art in Public Places Fund.
- Resolution 13,103 adopted in June of 2006 modified the program making the requirement apply to all new development in the City and setting the fee at $0.20 per square foot of building area. Projects governed by a specific plan could install their Public Art element in accordance with their specific plan or master plan. All other projects were required to pay the fee prior to the issuance of a building permit. Residential additions were exempted from the fee.
- Resolution 13,736 adopted in July of 2009 amended resolution 13,103 by modifying paragraphs 7 and 8 to establish that the Public Art Fees shall be deposited in the Public Art Fund and that the Public Art Fund is subject to approval by the City Council. It also clarified what constituted Public Art.
- Resolution 14,124 renamed the Art in Public Places Fee to the Public Art Program Fee.

FACILITIES AND COST STANDARD

The City's current public art program fee was calculated based on a fee of one percent (1%) of the value of the development project. In order to keep pace with inflation, the current fee is being

updated by the ENR CCI for Los Angeles. This ensures that new development continues to fund the public art program at the same level as it has been historically funded.

FEE SCHEDULE

Table 24 summarizes the public art program fee schedule based on a cost per square foot for additional buildings.

Table 24: Public Art Program –Fee Schedule

Adopted in-lieu Fee (per building SF)	$	0.20
ENR CCI Increase[1]		42%
Proposed Fee (per building SF)	$	0.28

[1] *Based on the ENR CCI for LA from June 2006 to January 2020.*

NEXUS FINDINGS – PUBLIC ART PROGRAM FEE

California Government Code section §66000 et seq. requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the public art program fee is to mitigate the impacts of new development in the City by providing funds for new public art projects. Public art benefits the City by introducing cultural identity, providing a boost for economic growth, and improving public vitality and community well-being.

Requirement 2: Identify the use of the fee.

The public art program fee will be used to fund new public art projects. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

Public art provides many benefits to an area, including improved public health, economic stimulus, and aesthetic beautification. All new development will be required to either build public art as identified in their specific plan or pay the public art program fee as shown in Table 24 in order to enhance the City's public art program.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

An increase in residential and non-residential development generates additional residents and non-residential workers who increase the need for public art to maintain the City's existing standard. Each development pays its fair share of the fee based on the additional building square footage that the project is adding to the City.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The City's Public Art Program Fee was established based on a cost per square foot of all new building space. Each square foot of building is required to pay the same fee to mitigate their impact on the City's public art program. Through the charge of a uniform fee, each new development is contributing equally to the City's Public Art Program.

Section 8 UTILITY UNDERGROUNDING IN-LIEU FEE

BACKGROUND

This section presents an analysis of the City's Utility Undergrounding In-Lieu Fee. The purpose of this fee is to allow small development projects the option to underground their overhead utilities in-lieu of being required to underground their frontage. Small development projects are defined as projects under ten (10) acres with a structure of less than 134,000 square feet of total floor area.

The following ordinances were adopted related to the Utility Undergrounding In-Lieu Fee

- Ordinance 2207 Established the Utility Undergrounding In-Lieu Fee and adopted guidelines for the program.

At this time, the in-lieu fee is being updated to reflect the current cost to underground utilities however the same methodology is being used. The methodology used is in this calculation is the Master Plan Method.

COST STANDARD

The City's current Utility Undergrounding In-Lieu fee is calculated using the net buildable square footage in the City's sphere of influence and the cost to underground all overhead utilities in the City based on data from 1989 when Ordinance 2207 was adopted. Table 25 shows the calculation of the estimated buildout floor area in the City's sphere of influence.

Table 25: Utility Undergrounding –Buildout Square Footage

Total Acres in the City's Sphere of Influence	19,427.00	Acres
Net Acres (23% Reduction to account for streets and right of way dedications)	14,958.79	Acres
Floor Area Ratio Conversion (0.4 FAR)	5,983.52	Acres
Floor Area (converted to SF)	260,641,957	Square Feet

The cost undergrounding the utilities has been updated based on recent costs provided by the City and the utility company. The current cost to underground utilities is $600 per linear foot. Table 26 calculates the total cost to underground all overhead utilities in the City, based on data from 1989.

Table 26: Utility Undergrounding –Cost Calculation

Total Length of Overhead Utilities Along Arterials		236,130	Linear Feet
Average cost of Undergrounding	$	600	per LF
Total cost of Undergrounding	$	141,678,000	

FEE SCHEDULE

Table 27 shows the Utility Undergrounding In-Lieu fee calculation based on a cost per square foot of building.

Table 27: Utility Undergrounding –Fee Schedule

Total cost of Undergrounding	$	141,678,000	
Total Planned Floor Area		260,641,957	Square Feet
Cost per SF of building	$	0.54	per SF

NEXUS FINDINGS – UTILITY UNDERGROUNDING IN-LIEU FEE

Requirement 1: Identify the purpose of the fee.

The purpose of the Utility Undergrounding In-Lieu Fee is to provide an option for small developments to pay a fee in-lieu of undergrounding their utilities.

Requirement 2: Identify the use of the fee.

The Utility Undergrounding In-Lieu Fee will be used to underground utilities within the City

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

The Utility Undergrounding In-Lieu Fee provides small developers an option to pay a fee in-lieu of undergrounding the utilities in front of their development. Each development pays a fee based on the building square footage.

Requirement 4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

The City requires that all new developments underground the utilities in front of their development. In order to not overly burden small development projects, the City has provided developers the option to pay an in-lieu fee rather than constructing the improvements.

Requirement 5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The in-lieu fee provides small development projects the option of paying an in-lieu fee when undergrounding their utilities creates a disproportionate burden on the project. Small developments have the option to pay the in-lieu fee based on the building square footage.

Section 9 IMPLEMENTATION AND ADMINISTRATION

IMPLEMENTATION

According to the Mitigation Fee Act, prior to levying a new fee or increasing an existing fee, an agency must hold at least one open and public meeting with notice given pursuant to Government Code section 6062(a). This requires publication of notice twice, at least five days apart, with the first ten days prior to the public hearing. Any costs incurred in conducting the required public hearing may be recovered from the proceeds of the enacted fees. In addition, notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the local agency for mailed notice of the meeting on new or increased fees or service charges. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed.

At least 10 days prior to this public meeting, the agency must make data on infrastructure costs and funding sources available to the public. Notice of the time and place of the public meeting and a general explanation of the matter are to be published in accordance with Section 6062a of California Government Code. The new or increased fees shall be effective no earlier than 60 days following the final action on the adoption or increase of the fees.

The fee categories summarized in this report may not be applicable to specialized or unique development projects in the City. For example, the development of a cemetery, golf course, or stadium will not fall under any of the fee categories in this report. For specialized development projects, the City will need to review the impacts and decide on an applicable fee based on the specific impacts.

IMPACT FEE PROGRAM ADMINISTRATIVE REQUIREMENTS

AB1600 requires the City to report fee information annually and every fifth year. Within 180 days after the last day of each fiscal year, the City must make available the following information from the prior fiscal year:

- Brief description of the type of fee in the account or fund
- Amount of the fee
- Beginning and ending balance in the account or fund
- Amount of the fee collected and the interest earned
- Identification of each public improvement for which fees were expended and the amount of expenditures

- Identification of an approximate date by which time construction on the improvement will begin if it is determined that sufficient funds exist to complete the project
- Description of each inter-fund transfer or loan made from the account and when each will be repaid
- Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects

The City must make this information available for public review and must present it at the next regularly scheduled public meeting no less than 15 days after this information is made available to the public.

For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the City must make the following findings with respect to any remaining funds in the fee account, regardless of whether those funds are committed or uncommitted:

- Identify the purpose of the fee
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
- Identify sources and amounts of funding anticipated to complete the financing of any incomplete improvements
- Designate the approximate dates on which funding is expected to be deposited into the fee account, as needed

As with the annual disclosure, the 5-year report must be made public within 180 days after the end of the City's fiscal year and must be reviewed at the next regularly scheduled public meeting. The City must make these findings; otherwise, the law requires that the City refund the money on a prorated basis to the current record owners of the development projects.

PROGRAMMING REVENUES WITH THE CAPITAL IMPROVEMENT PLAN

The City should maintain and update its CIP to adequately plan for future infrastructure needs. The City's CIP should commit projected fee revenues and fund balances to specific projects that are necessary to serve growth as described in this report. The City's CIP provides the documentation necessary for the City to hold funds in a project account for longer than 5 years, if necessary, to collect sufficient funds to complete a project.

FEE REPORTING

Assembly Bill No. 1843 which became effective January 1, 2020 requires that Cities make the following information available on their website. This must be completed by January 1, 2021. The following information must be provided:

1. A current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special districts, of the city or county applicable to a proposed housing development project, which shall be presented in a manner that clearly identifies the fees, exactions, and affordability requirements that apply to each parcel.
2. All zoning ordinances and development standards, which shall specify the zoning, design, and development standards that apply to each parcel.
3. The list of information required to be compiled pursuant to Section 65940.
4. The current and five previous annual fee reports or the current and five previous annual financial reports, that were required pursuant to subdivision
5. An archive of impact fee nexus studies, cost of service studies, or equivalent, conducted by the city, county, or special district on or after January 1, 2018.

Any updates to the above information must be available within 30 days.

FEE ADJUSTMENTS

The fees will be automatically adjusted each year on July 1st based on the June Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles. The base index shall be the January 2020 Index of 12,144.49. In addition, the fees may be adjusted to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised facilities or costs, changes in demographics, or changes to the land use plan. A complete review of the fees must be completed every five years per California Government Code but it is recommended that the fees be updated more frequently.

OXNARD
DEVELOPMENT IMPACT FEES UPDATE

PRESENTATION

April 28, 2020

Harris & Associates

Harris & Associates

PROJECT TEAM

Alison Bouley
Senior Director
Municipal and District Finance

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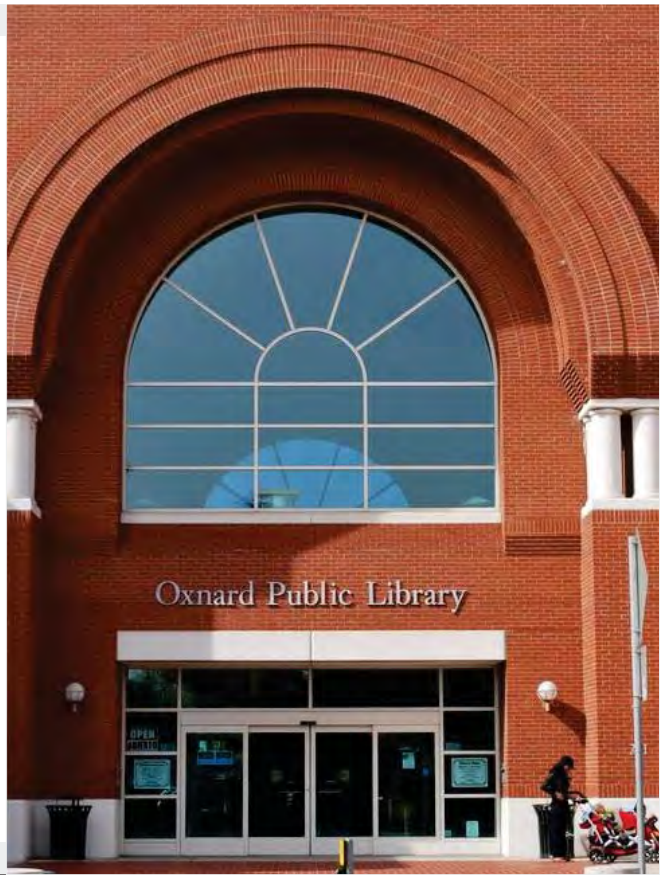
Harris & Associates

AGENDA

- Development Impact Fees
  - Overview
  - Methodology & Calculations
    - Growth Requirement Capital Fee
    - Parks and Recreation Fee
    - Storm Drainage Fee
    - Circulation Fee
    - Mobility Fee
    - Public Art Program
    - Utility Undergrounding In-Lieu
  - Fee Comparisons
- Next Steps



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DEVELOPMENT IMPACT FEES

OVERVIEW

- Assembly Bill 1600 (Mitigation Fee Act)
- A One-time Fee on New Development to Mitigate Their Impacts
- Fees Can Only Fund Capital Costs
- Fees Cannot Fund Existing Deficiencies
- Fee Cannot Fund Ongoing Maintenance
- Fair Share Based on a Rational Nexus Test
- Must Meet Annual and Five-Year Reporting Requirements

DEVELOPMENT IMPACT FEES

OVERVIEW

- City Hired Harris & Associates to Prepare Development Impact Fee Update
- Harris Worked with Staff to Update the Fees and Prepare Nexus Study
- Presented to the BIA/Development Community on March 12th

METHODOLOGY

GROWTH REQUIREMENT CAPITAL FEE

- Components
  - Government Facilities
  - Police Facilities
  - Fire Facilities
  - Cultural and Recreational Facilities
- Methodology
  - Existing Inventory Method
    - Takes the value of existing facilities divided by current service population

FEE SUMMARY

GROWTH REQUIREMENT CAPITAL FEE

Land Use	Government Facilities	Police Facilities	Fire Facilities	Cultural & Recreational Facilities	Administrative Fee (4%)	Total
Residential	(Fee per Dwelling Unit)					
Single Family	$ 2,033	$ 926	$ 1,038	$ 1,754	$ 230	$ 5,981
Multi Family	$ 1,345	$ 612	$ 686	$ 1,160	$ 152	$ 3,955
Non-Residential	(Fee per 1,000 Building Square Feet)					
Retail	$ 686	$ 312	$ 350	$ 592	$ 78	$ 2,018
Office	$ 819	$ 373	$ 418	$ 706	$ 93	$ 2,409
Industrial	$ 290	$ 132	$ 148	$ 250	$ 33	$ 853
	(Fee per Room)					
Hotel	$ 205	$ 93	$ 105	$ 177	$ 23	$ 603

FEE COMPARISON

GROWTH REQUIREMENT CAPITAL FEE

Land Use	Proposed Fee	Existing 2005 Fee[1]	Percentage Increase
Residential	per Dwelling Unit		
Single Family	$ 5,981	$ 2,784	115%
Multi-Family[2]	$ 3,955	$ 1,160	241%
Non-Residential	per 1,000 Building Square Feet		
Retail	$ 2,018	$ 600	236%
Office	$ 2,409	$ 600	302%
Industrial	$ 853	$ 600	42%
	per Room		
Hotel	$ 603	n/a	

METHODOLOGY

PARKS AND RECREATION FEE

- Facility Standard Method using General Plan standard of 3 acres of park per 1000 residents

Construction Cost per Acre	A	$	520,000
Park Acres Required per 1,000 Residents	B		3.00
Cost per Resident	(A X B) / 1000 = C	$	1,560

METHODOLOGY

PARKS AND RECREATION FEE

Land Use	A Cost per Resident	B Density (PPH)[1]	A x B = C Construction Fee	C x 4% = D Administrative Fee (4%)	C + D Total Fee
Single Family	$ 1,560	4.31	$ 6,724	$ 269	$ 6,993
Multifamily	$ 1,560	2.85	$ 4,446	$ 178	$ 4,624

[1]Persons per household per US Census Data, 2019

COMPARISON

PARKS AND RECREATION FEE

Land Use	Proposed	Existing 1972 Fee	Percentage Increase
Residential	per Dwelling Unit		
Single Family	$ 6,993	$ 250	2697%
Multi-Family[2]	$ 4,624	$ 250	1750%

METHODOLOGY & COMPARISON

STORM DRAINAGE FEE

- Planned Facilities Method
- Based on current adopted fee escalated

Land Use	Proposed	Existing 1991 Fee	Percentage Increase
Residential	per gross acre		
Single Family	$ 21,263	$ 10,645	100%
Multi-Family	$ 29,237	$ 14,637	100%
Non-Residential			
	per gross acre		
Retail	$ 29,237	$ 14,637	100%
Office	$ 29,237	$ 14,637	100%
Industrial	$ 29,237	$ 14,637	100%
	per gross acre		
Hotel	$ 29,237	$ 14,637	100%

METHODOLOGY

TRAFFIC CIRCULATION FEE

- Methodology
  - Planned Facilities Method
  - Improvements allocated between new and existing development
  - Existing fund balance subtracted from future costs
  - Allocated to land uses based on average daily trips (ADT) with reductions consistent with 2007 and 2009 Fee Resolutions

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CALCULATION

TRAFFIC CIRCULATION FEE

Project	Total Project Cost	Allocation to New Development	Eligible Project Cost
Adaptive Traffic Signals	$ 1,527,000	100%	$ 1,527,000
Fifth Street & Pacific Avenue Traffic Signal	$ 700,000	100%	$ 700,000
Harbor Boulevard Edison Canal Bridge Widening	$ 2,300,000	0%	$ -
ITS Master Plan Update	$ 250,000	100%	$ 250,000
Oxnard Boulevard & Saviers Road Signal Improvements	$ 1,146,600	0%	$ -
Traffic Circulation Improvements Fee Study	$ 500,000	100%	$ 500,000
Traffic Intersection Capacity Improvements	$ 61,900,000	100%	$ 61,900,000
Traffic Model Update	$ 200,000	100%	$ 200,000
Traffic Signal Modernization (ITS)	$ 6,800,000	100%	$ 6,800,000
Traffic Signal Modifications	$ 1,878,600	100%	$ 433,500
Traffic Signal Timing	$ 850,000	100%	$ 850,000
Total Project Cost	$ 78,052,200		$ 73,160,500
Less: Existing Fund 354 Balance			$ (7,121,156)
Total Remaining Cost			$ 66,039,344
		New ADT's Generated	66,374.89
		Cost per Trip	$ 995.00
		With 4% Administrative Fee	$ 1035.00

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COMPARISON

TRAFFIC CIRCULATION FEE

Land Use		Proposed		Existing 2007 Fee	Percentage Increase
per ADT	$	1,035	$	730	42%
per unit					
Single Family	$	9,769	$	8,030	22%
Mobile Home	$	5,174	$	3,650	42%
Low-Rise Multifamily	$	7,574	$	6,278	21%
Mid-Rise Multifamily	$	5,630	$	6,278	-10%
High-Rise Multifamily	$	4,605	$	6,278	-27%
per 1,000 SF					
Office	$	10,079	$	7,899	28%
Medical Office	$	6,054	$	7,899	-23%
General (C2)	$	6,560	$	7,899	-17%
Fast Food with Drive Thru	$	102,342	$	76,059	35%
Gas Station (per fueling station)	$	45,924	$	21,958	109%
Hotel/Motel (Per Room)	$	5,040	$	3,796	33%
per 1000 sf					
Light Industrial	$	5,132	$	5,088	1%
Warehouse	$	1,800	$	3,621	-50%

Note: Shows a sampling of fee categories

METHODOLOGY

MOBILITY FEE

- Existing Inventory Method

Land Use	A Cost per Capita	B Density	A x B = C Fee (rounded)	C x 4% = D Administrative Fee (4%)	C + D Total Fee
Residential			(Fee per Dwelling Unit)		
Single Family	$ 757.45	4.31	$ 3,265	$ 131	$ 3,396
Multi-Family	$ 757.45	2.85	$ 2,159	$ 86	$ 2,245
Non-Residential			(Fee per 1,000 Square Feet)		
Retail	$ 378.73	2.91	$ 1,102	$ 44	$ 1,146
Office	$ 378.73	3.47	$ 1,314	$ 53	$ 1,367
Industrial	$ 378.73	1.23	$ 466	$ 19	$ 485
			(Fee per Room)		
Hotel	$ 378.73	0.87	$ 329	$ 13	$ 342

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METHODOLOGY

PUBLIC ART PROGRAM

- Methodology
  - Planned Facilities Method
  - ENR CCI of existing 2006 Fee
  - Original fee established as 1% of project value
  - Projects governed by a specific plan can install their Public Art Element in accordance with their specific plan.

Adopted in-lieu Fee (per building SF)	$ 0.20
ENR CCI Increase[1]	42%
Proposed Fee (per building SF)	$ 0.28

[1] Based on the ENR CCI for LA from June 2006 to January 2020.

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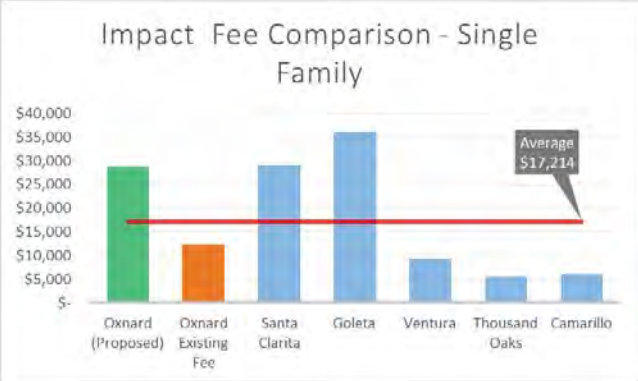
METHODOLOGY

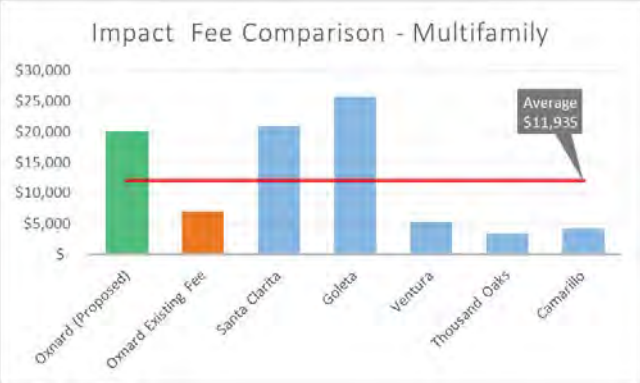
UTILITY UNDERGROUNDING IN-LIEU

- Methodology
  - Master Plan Method
  - Uses fee calculation from 1989 with updated undergrounding cost
  - Applies to small projects in the City Defined as less than 10 acres and less than 134,000 square feet of floor area
  - Meant to ensure small projects are not overly burdened

Total Acres in the City's Sphere of Influence		19,427.00	Acres
Net Acres (23% Reduction to account for streets and right of way dedications)		14,958.79	Acres
Floor Area Ratio Conversion (0.4 FAR)		5,983.52	Acres
Floor Area (converted to SF)		260,641,957	Square Feet
Total Length of Overhead Utilities Along Arterials		236,130	Linear Feet
Average cost of Undergrounding	$	600	per LF
Total cost of Undergrounding	$	141,678,000	
Total cost of Undergrounding	$	141,678,000	
Total Planned Floor Area		260,641,957	Square Feet
Cost per SF of building	$	0.54	per SF

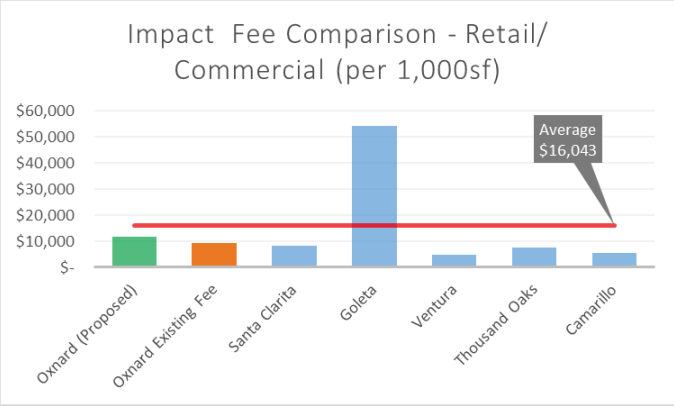
COMPARISON TO SURROUNDING AGENCIES RESIDENTIAL USES

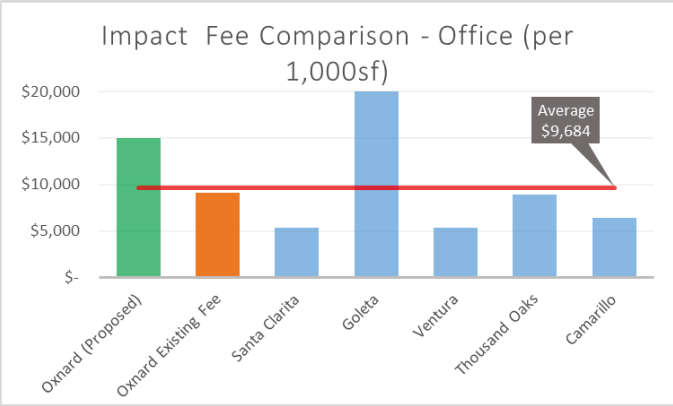




Includes Growth Fee, Parks and Recreation Fee, Storm Drainage Fee, Circulation Fee, and Mobility Fee
Does not include Quimby in-lieu or land costs for parks

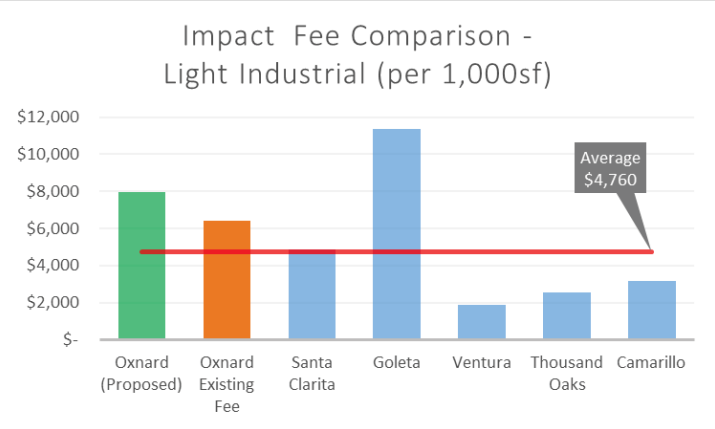
COMPARISON TO SURROUNDING AGENCIES NON-RESIDENTIAL USES





Includes Growth Fee, Parks and Recreation Fee, Storm Drainage Fee, Circulation Fee, and Mobility Fee

COMPARISON TO SURROUNDING AGENCIES NON-RESIDENTIAL USES



Includes Growth Fee, Parks and Recreation Fee, Storm Drainage Fee, Circulation Fee, and Mobility Fee

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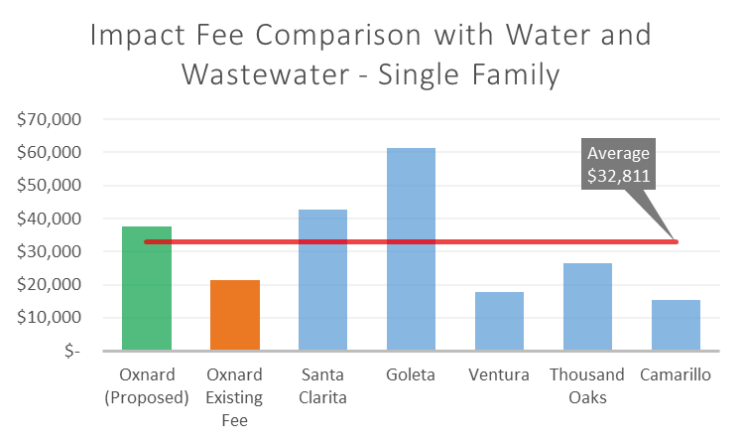
COMPARISON TO SURROUNDING AGENCIES SINGLE FAMILY DWELLING UNIT INCLUDING UTILITIES



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Implementation of New Fees

Committee is asked to provide feedback on the timing of fee implementation as they are applied to pending development projects

NEXT STEPS

- May 19th - City Council and first public hearing
- June 2nd - Second reading of ordinances
- Fees effective 60 days following final action by City Council

Harris & Associates

THANK YOU

QUESTIONS