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

AGENDA
OXNARD CITY COUNCIL
FINANCE AND GOVERNANCE COMMITTEE

Council Chambers, 305 West Third Street

June 23, 2020

Regular Meeting - 9:30 to 10:45 AM

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 committee name, meeting date, and 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.

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 requests shall be submitted as set forth on the first page of this agenda. Based on the number of speaker requests 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. 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 Finance and Governance Committee approve the minutes of the May 26, 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. City Manager Department

SUBJECT: City of Oxnard Internal Audit Department Whistleblower Summary Update. (10/5/5)

RECOMMENDATION: That the Finance and Governance Committee receive and file the Internal Auditor Update on Whistleblower Matters.

Contact: Alexander Nguyen, (805) 385-7430

2. Public Works Department

SUBJECT: Utility Rate Assistance Program ("Project Assist") Update. (5/5/5)

RECOMMENDATION: That the Finance and Governance Committee recommend that the City Council:
1. Adopt a Resolution for the Ratepayers Assistance Program ("Project Assist" – Year 4) in Fiscal Year 2020-21 for utility bills to assist Oxnard low-income residents and authorize staff to grant financial relief equal to a constant $15.00 credit for the monthly utility service charged to customers who meet the eligibility requirements discussed in this staff report; and
2. Authorize staff to direct up to $145,000 from penalty fees charged to current customers who pay their bills late to fund the Utility Rate Assistance Program in Fiscal Year 2020-21.

Contact: Rosemarie Gaglione, (805) 385-8055

3. City Manager Department

SUBJECT: Senior Utility Rate Assistance. (5/5/5)

RECOMMENDATION: That the Finance and Governance Committee recommend that the City Council authorizes staff to distribute $13,200 collected from donations held in Fund 571 to assist low income seniors with utility payments.

Contact: Alexander Nguyen, (805) 385-7430

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT

M I N U T E S
OXNARD CITY COUNCIL
FINANCE AND GOVERNANCE COMMITTEE
Regular Meeting
May 26, 2020

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 9:46 a.m., Chair Flynn called to order the regular meeting of the Oxnard City Council Finance and Governance 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 Vianey Lopez, Bert E. Perello, and Chair Tim Flynn were present via videoconference.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Steve Naveau, Human Resources Director (via videoconference); Kevin Riper, Chief Financial Officer; Beth Vo, Budget Manager (via videoconference); Darwin Base, Fire Chief; Scott Whitney, Police Chief; 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 Finance and Governance Committee approve the minutes of the May 12, 2020 regular meeting as presented.

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

D. REPORTS

Human Resources Department

1. SUBJECT: City's Response to the Internal Audit Overtime.
   RECOMMENDATION: That the Finance and Governance Committee receive the report and recommend to the City Council that they receive and file the City's response to Price Paige and Company's Overtime Usage Audit Report presented to the Committee on March 24, 2020.

The Human Resources Director and Henry Oum of Price Paige & Company gave a report. Discussion ensued among the Committee and staff.

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

Finance Department

2. SUBJECT: FY 2020-21 General Fund Budget Preview.
RECOMMENDATION: That the Finance and Governance Committee receive and file a preview of the FY 2020-21 General Fund Proposed Budget and provide feedback.

The Chief Financial Officer, Budget Manager, Fire Chief, and Police Chief gave a report. Public comments were received from Jim Lavery. Discussion ensued among the Committee and staff. No formal action was required.

E. ITEMS FOR FUTURE AGENDAS

Member Perello suggested that City Council agendas have sections added for disclosing ex-parte communications (similar to Planning Commission agendas) and City Attorney comments.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Flynn adjourned the meeting at 11:05 a.m.

MICHELLE ASCENCION, CMC
City Clerk

TIM FLYNN
Chair

CITY OF OXNARD CALIFORNIA

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.1

DATE: June 23, 2020

TO: Finance & Governance Committee

FROM: Alexander Nguyen, City Manager, (805) 385-7430, alexander.nguyen@oxnard.org

SUBJECT: City of Oxnard Internal Audit Department Whistleblower Summary Update. (10/5/5)

RECOMMENDATION

That the Finance and Governance Committee receive and file the Internal Auditor Update on Whistleblower Matters.

BACKGROUND

The Internal Audit Department of the City of Oxnard established various mechanisms for employees and residents of the City to report potential fraud, waste or abuse. Those mechanisms include a whistleblower hotline and a web page on the City's website for online submissions as well as email complaints to the Internal Audit staff. The Internal Audit staff will conduct investigations on allegations and complaints received in accordance with the program guidelines. The Internal Audit Department will report to the City Council's Finance and Governance Committee on a periodic basis depending on the volume of complaints received.

STRATEGIC PRIORITIES

This agenda item supports the Organizational Effectiveness strategy. The purpose of the Organizational Effectiveness strategy is to strengthen and stabilize the organizational foundation of the City in the areas of Finance, Information Technology, and Human Resources, and to improve workforce quality while increasing transparency to the public. This item supports the following goals and objectives:

Objective 1a. Ensure the 128 recommendations outlined in the organizational assessment are implemented through the 3 phased implementation action plans adopted by Council in July, 2015 and provide periodic reports to Council on the status of the implementation plans.

Objective 1b. Establish an Internal Audit Program to complete performance audits of identified programs to ensure compliance with state and federal law and that Council policy is adhered to.

Objective 1c. Develop written procedures to address Internal Control recommendations from Auditor.

FINANCIAL IMPACT

The whistleblower program has been budgeted by the City of Oxnard to be included in the annual internal audit work plan and is designed to help reduce potential fraud, waste or abuse of resources of the City which can be substantial.

Prepared by: Henry Oum, Price Paige & Co.

ATTACHMENTS

1. Whistleblower Program Summary through 6.4.2020
2. City of Oxnard Whistleblower Presentation thru 6.4.2020

PRICE PAIGE & COMPANY
Accountancy Corporation

The Place to Be

June 4, 2020

From: Internal Auditors (Price Paige & Company)
To: Finance and Governance Committee of the City of Oxnard

City of Oxnard Whistleblower Activity Report

Whistleblower Information

The City of Oxnard Whistleblower Policy authorizes the Internal Auditor (a contracted accounting firm also referred to as Price Paige & Company) to receive complaints from city employees and members of the public who wish to report an improper governmental action. An "improper governmental action" is defined as “any activity by a local agency or employee that is undertaken in the performance of the employee’s official duties, including activities deemed to be outside the scope of his or her employment, that is in violation of any local, state, or federal law or regulation relating to corruption, malfeasance, bribery, theft of government property, or willful omission to perform duty, is economically wasteful, or involves gross misconduct”. The complaints received by the Internal Auditor shall remain confidential, and the identity of the complainant will not be revealed without the permission of the complainant, except to an appropriate law enforcement agency conducting a criminal investigation.

Upon receiving a complaint, the Internal Auditor may conduct an investigation into the facts alleged in the complaint to determine whether an improper governmental action has occurred. Before launching an investigation, the Internal Auditor's staff will conduct a careful evaluation of the complaint to determine whether it has enough potential merit to warrant the expenditure of city resources to conduct an investigation. After the Internal Auditor receives a complaint, any investigation resulting from the complaint is confidential, so the Internal Auditor’s staff cannot provide any updates about what is being done to investigate the complaint or what information has been uncovered. Information about the investigation will not be released unless the Internal Auditor substantiates that an improper action has occurred and issues a report about it.

Whistleblower Priority Assessment

Due to the limited number of staff members as the Internal Auditors, conducting full investigations of all allegations and complaints received is not feasible. The Internal Auditors will first screen the allegation to determine “predication”. Predication is defined by the Association of Certified Fraud Examiner’s as *“the totality of circumstances that would lead a reasonable, professionally trained, and prudent individual to believe a fraud has occurred, is occurring, and/or will occur.”* Predication is the basis upon which an investigation is commenced. Investigations should not be conducted without proper predication. Once predication is established, the Internal Auditors will commence an investigation into the allegation or complaint.

570 N. Magnolia Avenue, Suite 100
Clovis, CA 93611

tel 559.299.9540
fax 559.299.2344

www.ppcpas.com

Allegations and complaints received are ranked by risk and investigative efforts are focused on those that represent the greatest risk to the City. The following shows how we generally classify types of tips based on risk:

High Priority – Matters that are considered high priority could include: potential loss to the City of more than $75,000, high level management involvement, collusion of multiple wrongdoers, major department-wide issues, or the need for immediate action to stop a potential major issue. These matters could take priority over other investigations and audits subject to the Internal Auditor's professional judgment.

Medium Priority – Matters that are considered medium priority could include: potential loss to the City of more than $25,000, include abuse of authority, medium-to-low-level employee involvement, minor department-wide issues, or patterns of small issues that could be significant cumulatively. Some medium-priority items could be referred to a department for further review.

Low Priority – Matters that are considered low priority could include: potential loss to the City of up to $25,000, comprise of isolated instances of time abuse, wasteful practices that could lead to efficiencies if corrected, or allegations that lack creditability and evidence. The Internal Audit Department would aim to investigate items in this list, but may not do so due to limited resources. Some low priority allegations could be referred to a department for their review.

Whistleblower Activity Report

The following allegations and complaints were received during the period of March 1, 2020 through June 4, 2020:

Incident #	Primary Type of Allegation	Source of Submission	Priority	Current Status
2020-1-10	None specific	Website	N/A	Non-fiscal or City related
2020-1-11	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-1-12	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-1-13	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-1-14	COVID-19 safety concerns	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-15	COVID-19 safety concerns	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-16	COVID-19 safety concerns	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-17	Utility hazard	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-18	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-2-1	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-2-2	Potential abuse of authority	Website	Medium	IA determining if predication exists
2020-2-3	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department

There were a total of 12 complaints/allegations received from March 1, 2020 through June 4, 2020.

Whistleblower Activity Summary

The Internal Auditors are currently following up on one allegation listed above to establish predication prior to commencing a formal investigation (incident #2020-2-2 which is similar to a prior allegations and will be reviewed concurrently). The Internal Auditors are also investigating one prior allegation and will issue formal written reports once the matter has been fully investigated. Many of the allegations received thus far are unrelated to the City of Oxnard and as appropriate, have been forwarded to the appropriate department.

City of Oxnard Whistleblower Program

PRICE PAIGE & COMPANY
Accountancy Corporation

Presented by:
Internal Auditors (Price Paige & Company)

Whistleblower Program

- In 2017, the City established a Whistleblower Program, contracted through Price Paige & Company, an independent accounting firm, to receive complaints from city employees and members of the public who wish to report an improper governmental action.
- Complaints received by the Internal Auditor shall remain confidential, and the identity of the complainant will not be revealed without the permission of the complainant, except to an appropriate law enforcement agency conducting a criminal investigation.

2

Whistleblower Program

- The Internal Auditors will only focus on fiscal related matters. Other matters received through the program will be forwarded to the appropriate department.
- After receiving a complaint, the Internal Auditor will evaluate the complaint for merit prior to launching an investigation. The Internal Auditor will not provide updates to the complainant or other parties until the matter has been fully investigated and reported.

3

Whistleblower Priority Assessment

- The Internal Auditors will screen the complaint for "*predication*".
- Predication is defined by the Association of Certified Fraud Examiner's as *"the totality of circumstances that would lead a reasonable, professionally trained, and prudent individual to believe a fraud has occurred, is occurring, and/or will occur."*

4

Whistleblower Priority Assessment

Quantitative Assessment Categories:

High Priority:	Above $75,000
Medium Priority:	Between $25,000 to $75,000
Low Priority:	Less than $25,000

5

Whistleblower Priority Assessment

Qualitative Assessment Categories:

High Priority:	Involves high level management, collusion of multiple wrongdoers, etc.
Medium Priority:	Abuse of authority, medium to low employment involvement, etc.
Low Priority:	Isolated incidents of time abuse, wasteful practices, etc.

6

Whistleblower Activity Report

Complaints from March 1, 2020 through June 4, 2020:

Incident #	Primary Type of Allegation	Source of Submission	Priority	Current Status
2020-1-10	None specific	Website	N/A	Non-fiscal or City related
2020-1-11	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-1-12	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-1-13	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-1-14	COVID-19 safety concerns	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-15	COVID-19 safety concerns	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-16	COVID-19 safety concerns	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-17	Utility hazard	Email	Low	Non-fiscal related; forwarded to appropriate department
2020-1-18	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-2-1	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department
2020-2-2	Potential abuse of authority	Website	Medium	IA determining if predication exists
2020-2-3	COVID-19 safety concerns	Website	Low	Non-fiscal related; forwarded to appropriate department

- A total of 12 complaints have been received for the period above
- 9 of the 12 (75%) are all related to COVID19 concerns and have been forwarded to the appropriate departments
- One complaint assessed as Medium and will be reviewed concurrent with prior complaints of similar issues

7

Whistleblower Program Summary

- To date, we have substantiated and investigated a total of 3 of the 68 complaints/allegations received as part of the Whistleblower Program.
- Of the 3 complaints, 2 of them have been completed.
- One pending investigation expected to be completed within the next six weeks.
- A group of complaints (alleging similar issues) is currently being reviewed to determine predication.

8

City of Oxnard Whistleblower Program

Questions and comments?

9

CITY OF OXNARD CALIFORNIA

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.2

DATE: June 23, 2020

TO: Finance & Governance Committee

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

SUBJECT: Utility Rate Assistance Program ("Project Assist") Update. (5/5/5)

RECOMMENDATION

That the Finance and Governance Committee recommend that the City Council:
1. Adopt a Resolution for the Ratepayers Assistance Program ("Project Assist" – Year 4) in Fiscal Year 2020-21 for utility bills to assist Oxnard low-income residents and authorize staff to grant financial relief equal to a constant $15.00 credit for the monthly utility service charged to customers who meet the eligibility requirements discussed in this staff report; and
2. Authorize staff to direct up to $145,000 from penalty fees charged to current customers who pay their bills late to fund the Utility Rate Assistance Program in Fiscal Year 2020-21.

BACKGROUND

Project Assist accepted and assisted 392 Oxnard residents in the first ten (10) months of sign-up opportunities starting in June 2017 through April 2018. This was 44% of the capacity that could be funded for a full 12-month cycle.

On July 10, 2018, City Council approved a total of $100,000 from Oxnard customer late payment penalties be directed to fund the second year of a Utilities Rates Assistance Program. It was proposed that Oxnard's eligibility requirements remained on a first-come, first-served basis up to the cap of $100,000.

On July 16, 2019, City Council approved a total of $145,000 ($15 per month reduction) from Oxnard customer late payment penalties to fund the third year of a Utility Rate Assistance Program for Fiscal Year 2019-20. Oxnard's eligibility requirements would remain on a first come, first served basis up to the cap of $145,000.

DISCUSSION

<u>UPDATE</u>

In the current Fiscal Year 2019-20 (Year 3), Project Assist has accepted 531 Oxnard residents during the first 11 months of sign-up opportunities from July 2019 through May 2020. Program outreach (Year 3) has relied on a multi-faceted social media approach, city website posting, press release publication and word of mouth. "Project Assist" participant demographics are diverse, range from age 18 to 101, and often receive staff advisement adding or deleting names on the city utility bill to maintain eligibility at the Service Center or providing further SCE or Gas Co. CARE contact information. The application process will remain as an annual process. If residents participated in the program the third year and remain eligible, then they will still be required to fill out an application for the fourth year of eligibility.

Staff also saw an increase in sign-ups in May after a utility bill insert run and which was possibly due to the coronavirus impact on the local economy. Sign-ups increased by 46 resulting in the largest increase in the last six (6) months. Eligible residents could file applications by email or sending U.S. Mail. The in-person registration sessions at the Library ended in February. The following table provides Project Assist past and current information.

Fiscal Year	Participants	Utility Rate Assistance	Utility Penalty Fees
FY 2017-18	392	$99,921	$1.14 million
FY 2018-19	548	$88,755	$1.34 million
*FY 2019-20**	*531*	*$62,635*	*$1.01 million*

*Actual data for 11 months only

<u>PROGRAM EXTENSION</u>

If the $145,000 threshold is met in Year 4 by participating income qualified customers, the program will close and a waiting list will be established. However, a $145,000 allocation for Year 4 would allow for 805 Oxnard residents receiving a discount the full 12 months of the fiscal year. Over a 12-month period, this would increase the participant's utility bill savings by an additional 33%. In implementing the program for three (3) years, staff has also noted new participants signing up throughout the fiscal year spurred by running multiple utility bill program inserts, press releases or sign-up session outreach through the weekly City Neighborhood Council Packet.

Project Assist participants would continue to follow a verification process of eligibility requirements. Customers would have to re-submit eligibility annually or when requested by staff and meet all of the criteria. The monthly sign-up sessions, administered by staff are a critical element to the program's customer service due to the reality that the participants often do not have access or the comfortable level to use computers or require staff assistance to explain, ready or clarify eligibility and required items.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

FINANCIAL IMPACT

The fiscal impact of approving the Utility Rates Assistance Program ("Project Assist") for Year 4 in FY 2020-

21 is $145,000 from the utility penalty account plus staff resources to continue to operate the program. This is approximately 15.8% of the annual utility penalty fee average of $918,878 over the last eight (8) fiscal years. This program does not affect utility rates charged to customers. An additional $13,200 from donated funds will be utilized to assist low-income seniors with utility payments.

Approximately 12 hours per month of staff time is used in Project Assist to manage, process the applications, establish the credit billing process, and assign the discount rate to each eligible customer. Year 4 of this program will be effective July 1, 2020.

Prepared by: Thien Ng, Assistant Public Works Director

ATTACHMENTS

1. Project Assist Resolution_2020 and Exhibit A
2. Project Assist Presentation

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING A RATEPAYERS ASSISTANCE PROGRAM FOR FISCAL YEAR 2020-21

WHEREAS, the City of Oxnard provides water, wastewater, and solid waste services to residents and businesses within the community; and

WHEREAS, clean water and good sanitation are essential to public health and safety and improve the quality of life of residents; and

WHEREAS, the City desires to assist eligible low-income utility customers with financial assistance to help pay their monthly utility bills; and

WHEREAS, ratepayers must meet the certain eligibility criteria to receive the financial assistance from the City; and

WHEREAS, the City may fund a ratepayers assistance program using late fee payments; and

WHEREAS, on April 25, 2017, the City Council adopted Resolution 15,008, establishing a ratepayers assistance program; and

WHEREAS, on July 16, 2019, the City Council adopted Resolution 15,250, increasing the level of ratepayer assistance to $15.00 per customer for Fiscal Year 2019-20; and

WHEREAS, the City Council now desires to extend the assistance available to eligible ratepayers for Fiscal Year 2020-21.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The foregoing recitals are true and correct.

2. Adoption of Program. The Ratepayers Assistance Program (Program) that is further explained in Exhibit A, which is attached hereto and incorporated herein by this reference, is hereby adopted. The City Manager is authorized to take all administrative actions necessary to implement the Program and to make non-substantive modifications that may be necessary for the Program's operation.

3. If any section, sentence, clause or phrase of this Resolution or exhibit thereto is determined to be invalid, illegal or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Resolution. The City Council declares that it would have adopted the Resolution, and each exhibit, section, sentence, clause or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

4. CEQA. According to Section 15378 of Title 14 of the California Code of Regulations, the California Environmental Quality Act (CEQA) defines a "project" as "the whole

of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The term does not apply to general policy and procedure making that does not have the potential for resulting in a direct, or a reasonably foreseeable indirect, physical change in the environment. The Program is a policy and procedure making that does not have the potential for resulting in a direct, or a reasonably foreseeable indirect, physical change in the environment as it does not build, install, demolish or otherwise affect land use. Since this is not considered a "project" under CEQA, no further environmental review is required.

5. Upon the effective date of this resolution, Resolution No. 15,250 is hereby repealed.

PASSED AND ADOPTED this _______th 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

CITY COUNCIL OF THE CITY OF OXNARD

EXHIBIT A

Ratepayers Assistance Program (Program)

1. Program Description. The City shall provide the Ratepayers Assistance Program (Program) to eligible ratepayers in the form of financial assistance to be applied directly to the ratepayers' monthly bill.

The proposed financial assistance amount is subject only to the restrictions of adequate Program funding.

> Funding. Approve a Rates Assistance Program for Utility Bills to assist Oxnard residents and authorize staff to grant financial relief equal to $15.00 of the monthly City of Oxnard utility bill charge for customers meeting the eligibility requirements described herein effective July 1, 2020; Authorize staff to direct $145,000 annually from penalty fees to fund the Utilities Rate Assistance Program for Utility Bills Fiscal Year 2020-21 (July 1, 2020 – June 30, 2021) to assist residential customers.

3. Notices. Community outreach efforts will be used notify the public about the Program and the positive impact it will have on the community by helping to ensure the eligible ratepayers have access to this vital resource.

4. Application. Eligible ratepayers wishing to participate in the Program complete a written application and declaration of eligibility. Based on this application, City staff will determine whether the ratepayer is eligible to participate in the Program.

5. Eligibility. Funds shall only be applied to utility accounts with the City on behalf of ratepayers who meet all the following criteria:

TWO WAYS TO QUALIFY

1. If a person in the household receives benefits from any of these programs:
    - Medi-Cal / Medicaid
    - Medi-Cal for Families A & B
    - Women, Infants and Children (WIC)
    - CalWORKs (TANF)1 or Tribal TANF
    - Head Start Income Eligible - Tribal Only
    - Bureau of Indian Affairs General Assistance
    - CalFresh (Food Stamps)
    - National School Lunch Program (NSLP)
    - Low Income Home Energy Assistance Program (LIHEAP)
    - Supplemental Security Income (SSI)
    - Includes Welfare-to-Work
    - Southern California Edison CARE Program
    - Southern California Gas Company CARE Program

2. Total income for all persons in your household meets the following income guidelines:

1-2	$32,040
3	$40,320
4	$48,600
5	$56,880
6	$65,160
7	$73,460
8	$81,780

*Includes current household income from all sources before deductions.

Total household income is all revenues, from all household members, from whatever sources derived, including but not limited to: wages, salaries, interest, dividends, spousal and child support payments, public assistance payments, Social Security and pensions, rental income, income from self-employment and all employment-related non-cash income.

If you are recently unemployed, your household income will be calculated from the date of your unemployment. All other provisions on determining income, described above, still apply.

Eligibility Factors in the CARE (California Alternative Rates for Energy) Program with Southern California Edison or Southern California Gas

- The utility bill must be in your name and the address must be your primary address.
- You must not be claimed as a dependent on another person's income tax return other than your spouse.
- You must recertify your application when requested.
- You must notify the City of Oxnard within 30 days if you no longer qualify.
- You will be asked to verify your eligibility for the Southern California Edison or Southern California Gas Company CARE Program.

Verification of eligibility can be any of the following forms of documentation:

a. Proof of Residency: rental or lease agreements; mortgage statements; property tax bills.

b. Proof of Age and Identification: California driver's license, passport or other government-issued identification.

c. Proof of Income and Head of Household Status: Federal income tax returns.

d. Proof of Accountholder Status and Usage: Most recent utility bill.

e. Must reside in the applicable single-family residential structure, or a condominium or townhome unit and be the residential utility account holder of record for utility services at the date of application or the designated head of household of the applicable residential location;

6. Verification. City staff may verify Program eligibility through the following forms of documentation:

a. Proof of Residency: California driver's license or other government issued identification; lease agreements; mortgage statements; rent/mortgage receipt; home owner's insurance; property tax bill; employment records; utility bill.

b. California driver's license, passport or other government-issued identification.

c. Proof of Income and Head of Household Status: Federal income tax returns.

d. Proof of Accountholder Status and Usage: Most recent utility bill.

7. Only one discount shall be applied per household.

8. First-come, first-served. The City will apply existing funding for this Program on a first-come, first-served basis. The City cannot guarantee that at any time there will be adequate funds for all eligible applicants.

9. Annual Review. The Program and all applications shall be reviewed on an annual basis for continued funding resources and each ratepayer's eligibility standards.

Utility Rate Assistance Program ("Project Assist") Update

Finance and Governance Committee

June 23, 2020

Jay Duncan
Call Center Manager

CITY OF OXNARD CALIFORNIA

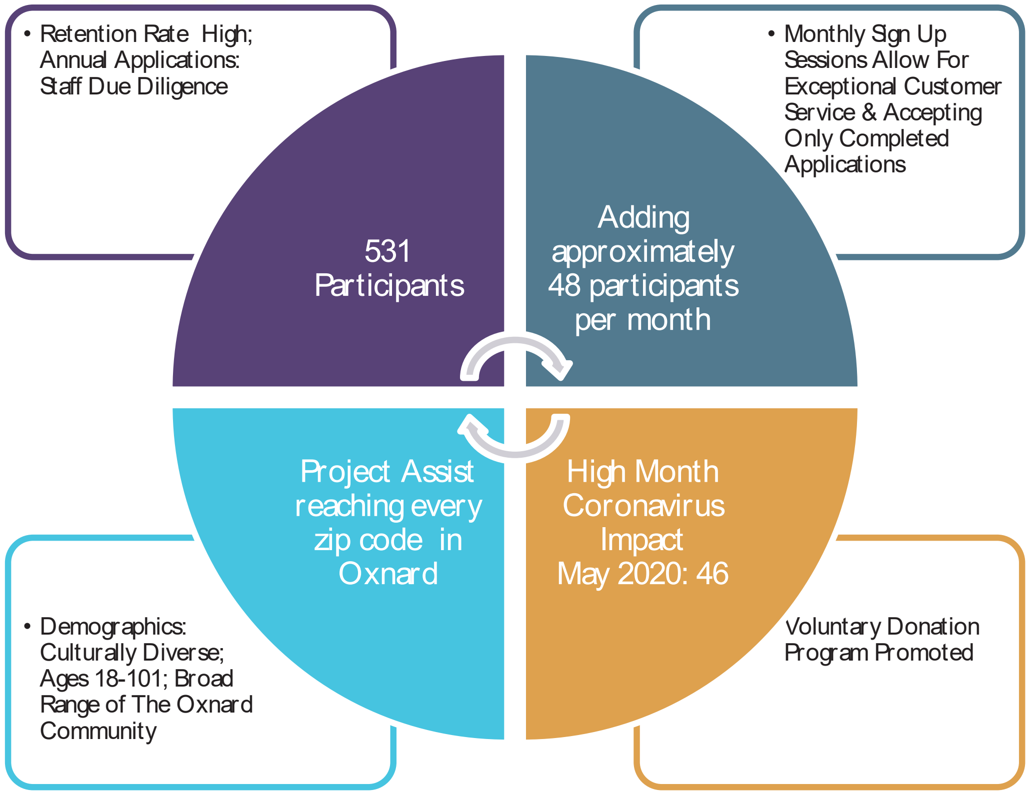
RECOMMENDATION

That the Finance and Governance Committee recommend the City Council:

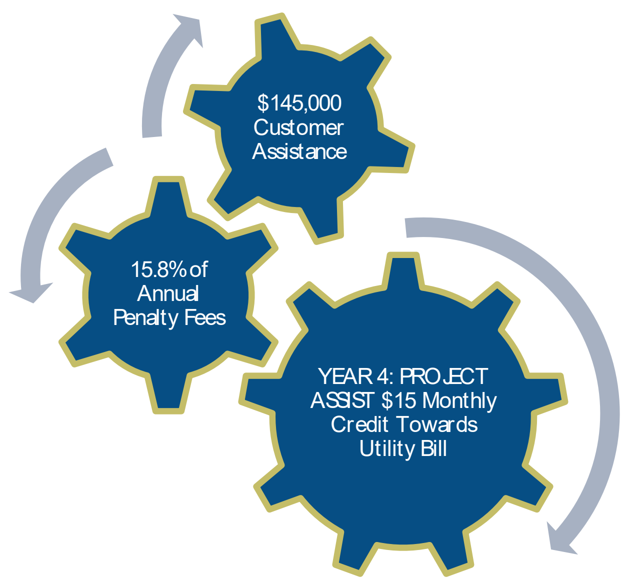
1. Adopt a Resolution for the Ratepayers Assistance Program ("Project Assist" – Year 4) in Fiscal Year 2020-21 for utility bills to assist Oxnard low-income residents and authorize staff to grant financial relief equal to a constant $15.00 credit for the monthly utility service charged to customers who meet the eligibility requirements discussed in this staff report; and

2. Authorize staff to direct up to $145,000 from penalty fees charged to current customers who pay their bills late to fund the Utilities Rate Assistance Program in Fiscal Year 2020-21.

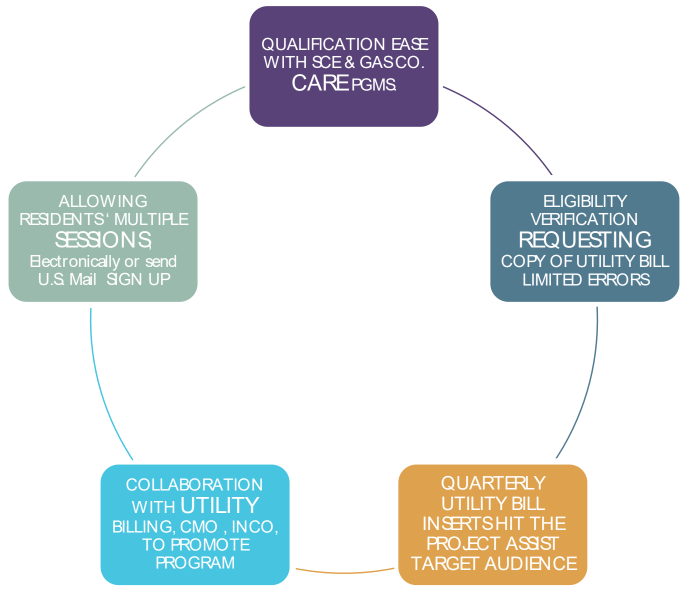
PROJECT ASSIST: YEAR 3 UPDATE



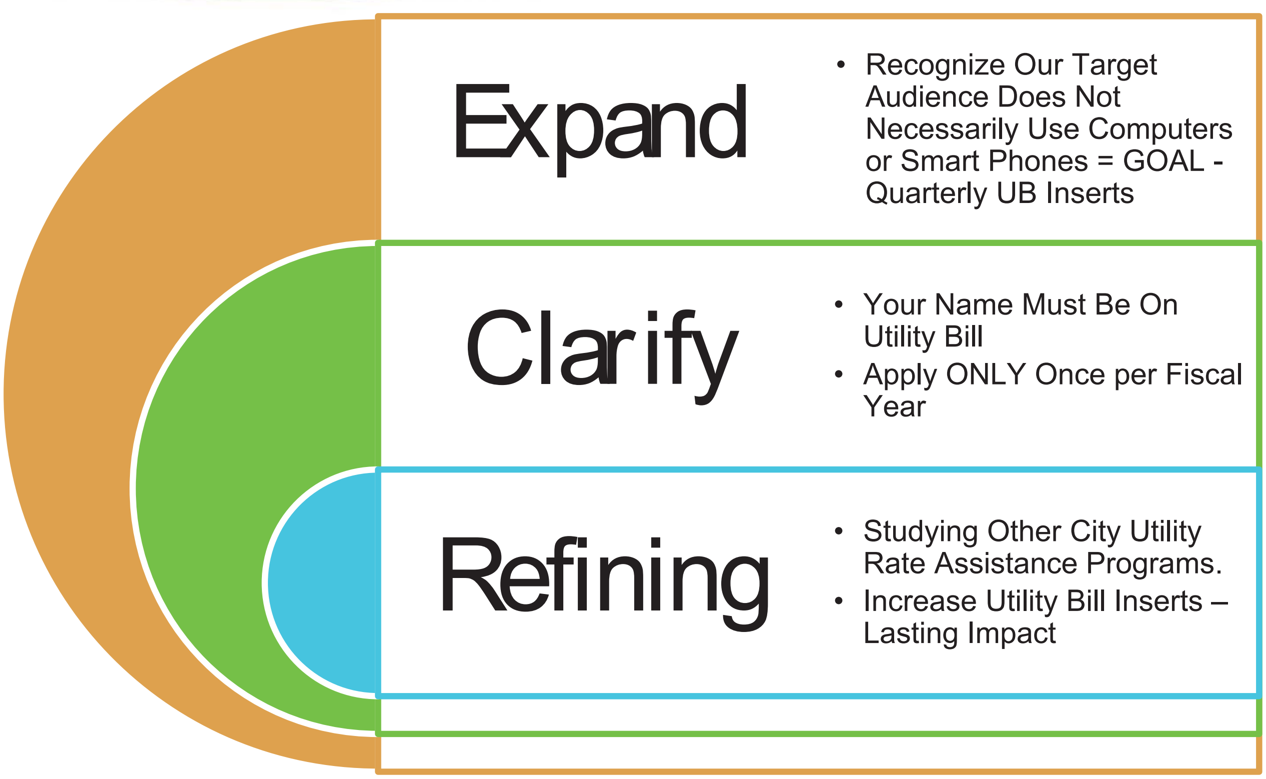
RECOMMENDED AMOUNT OF ANNUAL ASSISTANCE



WHAT DID STAFF LEARN IN YEAR 3 THAT WORKED



WHERE PROJECT ASSIST CAN IMPROVE IN YEAR 4



THE PROGRAM'S LOOK – UTILITY BILL INSERTS, WEBSITE & SOCIAL MEDIA

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FINANCIAL IMPACT

- Cost for the Project Assist program is $145,000
  - Source: Penalty fees charged to current customers who pay their bills late
- Additional $13,200 to assist low-income seniors with utility payments collected from donations
  - Source: Donations received to date

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QUESTIONS?

FINANCE AND GOVERNANCE COMMITTEE
AGENDA REPORT

REPORTS
AGENDA ITEM NO. D.3

DATE: June 23, 2020

TO: Finance & Governance Committee

FROM: Alexander Nguyen, City Manager, (805) 385-7430, alexander.nguyen@oxnard.org

SUBJECT: Senior Utility Rate Assistance. (5/5/5)

RECOMMENDATION

That the Finance and Governance Committee recommend that the City Council authorizes staff to distribute $13,200 collected from donations held in Fund 571 to assist low income seniors with utility payments.

BACKGROUND

In 2014, the City implemented a voluntary donation program to assist low income seniors with their utility costs. Based on US Census Bureau data from the 2010 Census, Oxnard has approximately 16,400 individuals aged 65 and over. Between the years of 2014 and 2020, the City collected $13,200 through voluntary donations. Solicitation envelopes were mailed with the utility bills during the first year of the program.

Since cash flow is critical for everyone at this unprecedented time, the need to offer support and economic relief to the vulnerable members of our community, especially the elderly, is of utmost importance.

To receive assistance, utility customers must provide the following:
1. Proof of Age (65 and over)
2. Proof of eligibility in Southern California Edison or Southern California Gas CARE program.

A total of 132 qualified customers will receive a one-time credit of $100 to be applied toward their utility bill. This amount, although modest, will provide immediate financial relief to seniors negatively impacted by Coronavirus Pandemic. City is currently waiving utility penalties and discontinuation of services for delinquent water, wastewater and refuse accounts.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard.

FINANCIAL IMPACT

The amount of $13,200 collected from donations is being held in Fund 571- Contribution Trust under Project

DNSRAP.

Prepared by: Eden Alomeri, Assistant City Treasurer

ATTACHMENTS

None