

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](http://www.oxnard.org).



AGENDA  
OXNARD CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
Council Chambers, 305 West Third Street  
December 8, 2020  
**Regular Meeting - 4:30 to 5:45 PM**

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](http://Oxnard.org/city-meetings), Spectrum channel 10, Frontier channel 35, or YouTube at [Youtube.com/oxnardnews](http://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](mailto:cityclerk@oxnard.org) no later than 2:00 p.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 2:00 p.m. on the day of the meeting. Use the form on the city's website to submit your request: [Oxnard.org/city-meetings](http://Oxnard.org/city-meetings), or call the City Clerk's Office at (805) 385-7803, or email your request to [cityclerk@oxnard.org](mailto: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 Housing and Economic Development Committee approve the minutes of the November 24, 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. Housing Department

SUBJECT: A Review of Tenant Protection Strategies. (10/15/20)

RECOMMENDATION: That the Housing and Economic Development Committee receive and file this update.

Contact: Emilio Ramirez, (805) 385-8094

2. Community Development Department

SUBJECT: Coastal Zoning Ordinance Amendment: Beachfront Residential sub-zone (RB-F) (Chapter 17, Article II, Section 17-25); Sea Level Rise / Adaptation Options; Climate Action Plan Status Update. (10/10/10) - **PRESENTATION UPDATED 12/2/20**

RECOMMENDATION: That the Housing and Economic Development Committee (HEDC):

1. Receive a summary report on new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) regulation implementation and implications for development along the coast;
2. Receive a summary of the Local Coastal Program (LCP) Sea Level Rise (SLR) and Management adaptation strategies;
3. Provide input on SLR Management adaptation strategies and hybrid adaptation approaches; and
4. Provide feedback on the required datum change to the Oxnard City Code based on the new FEMA FIRM regulations and potential screening requirements to parcels which have a Beachfront Residential (R-BF) zoning designation as stipulated by the new FEMA FIRM regulations.

Contact: Jeff Pengilley, (805) 385-8208

3. Housing Department

SUBJECT: Oxnard Housing Authority "Rethink and Renew" Initiative Update. (10/10/5)

RECOMMENDATION: That the Housing and Economic Development Committee receive and file a report on the Rethink and Renew Initiative.

Contact: Emilio Ramirez, (805) 385-8094

4. Community Development Department

SUBJECT: Downtown Improvement Program Settlement Funds (DIPSF) Update. (10/20/10)

RECOMMENDATION: That the Housing and Economic Development Committee receive an update on the implementation of the approved projects funded with the Downtown Improvement Program Settlement Funds.

Contact: Jeff Pengilley, (805) 385-8208

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT

MINUTES  
OXNARD CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
Regular Meeting  
November 24, 2020

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 4:32 p.m., Chair Madrigal called to order the regular meeting of the Oxnard City Council Housing and Economic Development 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 Gabriela Basua, Tim Flynn, and Chair Oscar Madrigal were present via videoconference.

Staff members present were Ashley Golden, Assistant City Manager; Kenneth Rozell, Chief Assistant City Attorney; Emilio Ramirez, Housing Director; Rosie Ornelas, Economic Development Manager; 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 Housing and Economic Development Committee approve the minutes of the November 10, 2020 regular meeting as presented.

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

D. REPORTS

Housing Department

1. SUBJECT: City of Oxnard Consolidated Annual Performance and Evaluation Report (CAPER) 2019.

RECOMMENDATION: That the Housing and Economic Development Committee recommend the City of Oxnard's Consolidated Annual Performance and Evaluation Report for FY2019-20 be forwarded to the full City Council for a public hearing at its December 15, 2020, regular meeting.

The Housing Director gave a report. Discussion ensued among the Committee and staff.

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

Community Development Department

2. SUBJECT: Update and 6 Month Extension of Agreement Between the City and Oxnard Downtown Management District (ODMD).  
RECOMMENDATION: That the Housing and Economic Development Committee:
1. Receive an update on the efforts to strengthen the Downtown Oxnard Property Based Improvement District; and
  2. Recommend to the City Council to Approve an extension and amendments to Agreement No. 4192-07-CD (Fifth Amendment) with the Oxnard Downtown Management District, Inc. to extend services to a maximum date of June 30, 2021.

The Economic Development Manager and Marco LiMandri of New City America gave a report. Public comments were received from Pat Brown and Lorenzo Castillo. Discussion ensued among the Committee and staff.

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

E. ITEMS FOR FUTURE AGENDAS (No requests were made.)

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Madrigal adjourned the meeting at 5:27 p.m.

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MICHELLE ASCENCION, CMC  
City Clerk

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OSCAR MADRIGAL  
Chair



**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT  
REPORTS  
AGENDA ITEM NO. D.1**

**DATE:** December 8, 2020  
**TO:** Housing and Economic Development Committee  
**FROM:** Emilio Ramirez, Housing Director, (805) 385-8094, emilio.ramirez@oxnard.org  
**SUBJECT:** A Review of Tenant Protection Strategies. (10/15/20)

**RECOMMENDATION**

That the Housing and Economic Development Committee receive and file this update.

**BACKGROUND**

In December 2019 and in early September 2020, the Central Coast Alliance United for a Sustainable Economy, hereinafter referred to as “CAUSE,” presented a need for renter protection policies in Oxnard during public comment of the City Council meeting. Several community residents expressed concerns about rising rents and asked for local rent control.

At the following City Council meeting, the City Manager responded with updates on the Tenant Protection Act (AB 1482) and the then proposed Rental Affordability Act (Prop 21), with a pledge to report back to the Housing and Economic Development Committee.

**DISCUSSION**

The housing affordability gap in the City of Oxnard is significant where the median income of \$68,303 cannot afford the prevailing rent of \$2,340 or to acquire a home at the median home price of \$645,000. Such a condition leads to overcrowding, substandard living conditions, and homelessness.

In 1995, California approved and enacted the Costa Hawkins Rental Housing Act, which sought to protect the rights of landlords and continued ability to develop housing. The Costa Hawkins Rental Housing Act preempted rent control for multi-family units built after February 1995, as well as separately alienable units including single family homes and condominiums. The Costa Hawkins Rental Housing Act also prohibits vacancy control. However, the Costa Hawkins Rental Housing Act does not fully bar local rent control and allows local jurisdictions to set annual limits on rent increases on multifamily apartment units built before 1995 while an existing tenant continues to live there.

Several attempts to overhaul or repeal the Costa Hawkins Rental Housing Act have failed including the recently proposed Prop 21, which would have re-empowered local jurisdictions to adopt new rental control ordinances. Prop 21 proposed to modify the three main limitations of Costa Hawkins, allowing cities and counties to apply rent control to more properties than under current law. Specifically, cities and counties would

have been able to apply rent control to most housing that is more than 15 years old. This did not include single-family homes owned by people with two or fewer properties. In addition, cities and counties could have limited how much a landlord can increase rents when a new renter moves in. Cities would have had to allow landlords to increase rents by up to 15 percent during the first three years after a new renter moves in.

However, California did adopt a new statewide rent control, AB1482 which became effective January 2020, and expires in January 2030.

AB1482 statewide restrictions include:

1. Rent cannot be increased by more than 5% plus local CPI or 10% maximum;
2. Rent can only be increased two times within any given twelve-month period;
3. A master tenant cannot sublease at a higher rental rate;
4. In order to raise rent, landlords must provide written notice; and
5. There is no vacancy rate.

AB1482 does not apply to:

1. Tourist hotels, hostels, or short-term rentals;
2. Non-profit hospital, religious facility, extended care facility, licensed elderly care, or adult residential facilities provided by the State;
3. Student dorms;
4. Duplexes where the landlord lives on site;
5. Restricted affordable housing;
6. Single family home not owned by a corporation; and
7. Units built within the past 15 years.

The AB1482 also protects no fault evictions for tenants that have lived in the unit for at least 12 months. No fault evictions require relocation assistance equal to one month of rent. Just cause or at fault evictions are permitted with notice and opportunity to cure.

As an alternative to rent control, which is regulated by the State, there are other local options to address the housing affordability gap. A few options are:

1. Continue to develop affordable housing
2. Support wage and job development (Employee Pipeline)
3. Create a tenant rights advocacy program
4. Create a tenant rights legal assistance program

At this time, staff is actively carrying out options one and two (affordable housing and the implementation of the Employee Pipeline). In addition staff supports studying the creation of a program within the Housing Department, similar to the Mobile Home Rent Stabilization (MHRS) program, seeking to empower the community in their own advocacy of their tenant rights offered by AB 1482. Since 1982, Oxnard's MHRS program has regulated the amount and frequency of space rent increases paid by homeowners to park owners. Lastly, staff also proposes to engage with CAUSE and other community stakeholders for continued consideration of rent control and return to the Housing and Economic Development Committee during the early Spring of 2021.

## **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 1. Improve community safety and quality of life through a combination of prevention, intervention, and suppression efforts that address crime and underlying issues.

## **FINANCIAL IMPACT**

There is no financial impact for adoption of this recommendation at this time.

*Prepared by: Emilio Ramirez, Housing Director*

## **ATTACHMENTS**

1. A Review of Tenant Protection Strategies Presentation

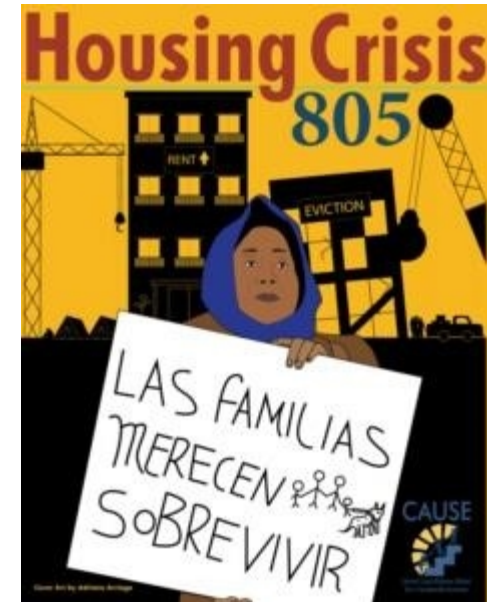
# A Review Of Tenant Protection Strategies

Housing and Economic Development Committee

Emilio Ramirez, Housing Director  
December 8, 2020



Central Coast Alliance United for A Sustainable Economy



CAUSE presented a need for renter protection at a City Council meeting during public comments in early September 2020.

Approximately 60 community residents expressed concerns about rising rents and asked for local rent control.

CAUSE published a report entitled "Housing Crisis 805" espousing the need for tenant protection due to unaffordability of rent.

# The Need In Oxnard



Median Income \$68,303  
35% of Monthly Income \$1,991  
Average 2 Bedroom Rent \$2,340  
Rental Vacancy Rate 4.0%  
Median Home Sales Price \$645,000

# Rent Stabilization in Oxnard

1. No local ordinance regulating rents for apartments or houses in Oxnard.
2. Oxnard does have a Mobile Home Rent Stabilization System (MHRS).
3. Approximately 10% of homeowners in Oxnard own manufactured housing units within twenty privately-owned parks in Oxnard.
4. Since 1982, Oxnard's MHRS has regulated the amount and frequency of space rent increases paid by homeowners to park owners.
5. MHRS also regulates pass-through of utility charges to homeowners to ensure fair apportionment of utility costs between park owners and homeowners.





Costa Hawkins Rental Housing Act was enacted in 1995 and prohibits from establishing rent control over certain kind of units including single family homes, condominiums and newly constructed apartments.

Costa Hawkins also prohibits vacancy control.

## WHY IS MY RENT SKYROCKETING?

A GUIDE TO UNDERSTANDING THE HARMFUL LIMITS ON RENT CONTROL BECAUSE OF THE COSTA HAWKINS RENTAL HOUSING ACT

001.

### VACANCY DECONTROL

WHY RENT CAN SKYROCKET BETWEEN LEASES



Vacancy decontrol lets landlords raise rents unlimited amounts when an apartment becomes "vacant" or between leases. This means that if the tenant on the lease moves out, a landlord can double or triple the rent for remaining tenants overnight. It also rewards for landlords who evict and harass rent-controlled tenants out of their unit so that they can attract higher earning tenants in. Vacancy decontrol is a big reason places like San Francisco that have rent control still have high rents.

### SINGLE FAMILY HOMES EXEMPTION

AND THE THREAT OF WALL STREET LANDLORDS

002.



Under Costa Hawkins, if you live in a single family home (only one unit in the building) or condo, you aren't protected even in cities that have rent stabilization ordinances. This exemption was passed because landlords of single-family homes were considered "mom and pop" small landlords. But that's not the case anymore. Following the economic collapse of 2008 - Wall Street began buying up foreclosed single family homes in bulk and turning them into rentals. In California today, Wall Street is landlord to more than 15,000 families in single family homes with no rent control.

003.

### NEW CONSTRUCTION EXEMPTION

HOMES BUILT AFTER 1995 HAVE NO RENT CONTROL



Thanks to Costa Hawkins, no building built after 1995 or the year a city passed rental protections can be covered by rent control. For example, San Francisco passed tenant protections in 1979, and thus, hasn't been able to protect almost four decades of housing. Since Costa Hawkins is a state law, it has tied the hands of cities to update their local laws and protect their tenants. This law is out-of-date and unfair.

#REPEALCOSTAHAWKINS #RENTCONTROLNOW

# The Rental Affordability Act (Proposition 21)

6

1. The Rental Affordability Act (Prop 21) proposed to modify the three main limitations of Costa Hawkins, allowing cities and counties to apply rent control to more properties than under current law.
2. Specifically, cities and counties would have been able to apply rent control to most housing that is more than 15 years old (not including single-family homes owned by people with 2 or fewer properties).
3. In addition, cities and counties could have limited how much a landlord can increase rents when a new renter moves in.
4. Cities would have had to allow landlords to increase rents by up to 15% during the first 3 years after a new renter moves in.





**TENANTS TOGETHER**  
California's Statewide Organization  
for Renters' Rights  
[www.tenantstogether.org](http://www.tenantstogether.org)

**CALIFORNIA  
TENANT PROTECTION ACT  
AB 1482  
TENANT ADVOCACY  
TOOL KIT**



**AB 1482 KNOW-YOUR-RIGHTS GUIDE FOR  
CALIFORNIA TENANTS  
EFFECTIVE JANUARY 1ST, 2020**

[TENANTSTOGETHER.ORG](http://TENANTSTOGETHER.ORG)

AB1482 became effective on January 2020, and expires on January 2030.

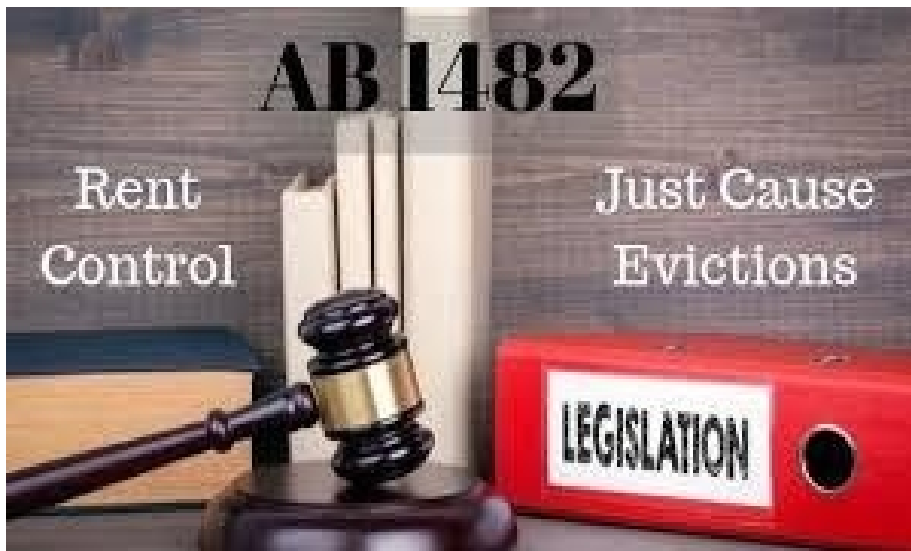
State legislation with statewide restrictions:

1. Rent cannot be increased by more than 5% plus local CPI or 10% max;
2. Rent can only be increased 2 times within any given 12 month period;
3. A master tenant cannot sublease at a higher rental rate;
4. In order to raise rent, landlords must provide written notice; and
5. There is no vacancy rate.

## **CALIFORNIA PASSES A STATEWIDE RENT CAP & EVICTION PROTECTIONS**

AB1482 does not apply to:

1. Tourist hotels, hostels, or short term rentals;
2. Non-profit hospital, religious facility, extended care facility, licensed elderly care, or adult residential facilities provided by the State;
3. Student dorms;
4. Duplexes where the landlord lives on site;
5. Restricted affordable housing;
6. Single-family homes not owned by a corporation; and
7. Units built within the past 15 years.



AB1482 protects no fault evictions for tenants that have lived in the unit for at least 12 months.

No fault evictions require relocation assistance equal to one month of rent.

Just cause or at fault evictions are permitted with notice and opportunity to cure.

Evictions for no fault reasons include:

1. The landlord or their family wish to move in;
2. The landlord withdraws the rental from the market per the Ellis Act;
3. An order issued by a court or government agency that requires a tenant to vacate; and
4. The landlord wishes to demolish or substantial remodel the unit.

What cities **CANNOT** do under Costa Hawkins:

1. Limit rent increases on units built after 1995;
2. Limit rent increases on single-family homes or condominiums; and
3. Establish "vacancy control" limiting rent increases on units after a tenant has left and when a new tenant moves in.

What cities **CAN** do under Costa Hawkins:

1. Set annual caps for rent increases on multifamily apartment units built before 1995 while an existing tenant continues to live there; and
2. Examples of rent control ordinances passed since Costa Hawkins include Alameda, Culver City, unincorporated East Los Angeles, Inglewood, and Mountain View.



Tenant Rights Legal Assistance

Wage and Job Development

Affordable Housing



Staff proposes to:

1. Review the creation of a program within the Housing Department added to the Mobile Home Rent Stabilization program seeking to empower the community in their own advocacy of their tenant rights offered by AB 1482; and
2. Engage with CAUSE and other community stakeholders for continued consideration of rent control and return to the Housing and Economic Development Committee.



QUESTIONS?



**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT**

**REPORTS  
AGENDA ITEM NO. D.2**

**DATE:** December 8, 2020

**TO:** Housing and Economic Development Committee

**FROM:** Jeff Pengilley, Interim Community Development Director, (805) 385-8208, jeff.pengilley@oxnard.org

**SUBJECT:** Coastal Zoning Ordinance Amendment: Beachfront Residential sub-zone (RB-F) (Chapter 17, Article II, Section 17-25); Sea Level Rise / Adaptation Options; Climate Action Plan Status Update. (10/10/10) - **PRESENTATION UPDATED 12/2/20**

**RECOMMENDATION**

That the Housing and Economic Development Committee (HEDC):

1. Receive a summary report on new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) regulation implementation and implications for development along the coast;
2. Receive a summary of the Local Coastal Program (LCP) Sea Level Rise (SLR) and Management adaptation strategies;
3. Provide input on SLR Management adaptation strategies and hybrid adaptation approaches; and
4. Provide feedback on the required datum change to the Oxnard City Code based on the new FEMA FIRM regulations and potential screening requirements to parcels which have a Beachfront Residential (R-BF) zoning designation as stipulated by the new FEMA FIRM regulations.

**BACKGROUND**

**EXECUTIVE SUMMARY**

Regulatory floodplains are defined by the elevation of the base flood in relation to the elevation of the ground. Base flood elevations are used to determine the required elevation of new buildings in the floodplain. FEMA and the City's Coastal Zoning Ordinance use a vertical datum as a base measurement point from which all elevations (height) are determined. The City's Coastal Zoning Ordinance provisions (OCC Chapter 17) use the National Geodetic Vertical Datum of 1929 (NGVD29). The City's Floodplain Management provisions (OCC Chapter 18) use the North American Vertical Datum of 1988 (NAVD88). Floodplain management will not succeed without accurate measurements of flood elevations, ground elevations and building elevations. Needless to say, if flood elevations are based on one system and ground or building elevations are based on another, things will not work. Based on the use of NAVD88 datum on the FEMA FIRMs, the OCC (Chapter 17) will be required to be amended in order to include NAVD88 datum as the set of points to calculate height in the R-BF sub-zone (rather than NGVD29).

The new FEMA FIRM regulations are expected to increase the Base Flood Elevation (BFE) between 7 to 8 feet for new development and substantial improvements to existing structures when modifications are proposed.

The California Residential Code directs that habitable structural development be placed two feet above BFE. Taking the combined new FEMA FIRM regulations and the existing California Residential Code into consideration, beachfront coastal development is likely to be developed with a significant understory. The City Code currently does not have regulations addressing understories for the beach front residences.

The FEMA action is separate but related to sea level rise (SLR.) FEMA FIRMS do not take into account SLR. The new FEMA FIRMS identify the areas in Oxnard that are at-risk from floods associated with storms under current sea levels. FEMA relies on historical data to identify flood risk and does not include adjustments to predicted water levels to account for SLR in the FIRMS.

FEMA elevation standards for new and renovated buildings are intended to protect buildings from flood risk under current sea levels. The SLR vulnerability assessment identifies flood risk, as well as other hazards associated with the coastal storms (e.g., erosion), as FEMA does, but under future SLR scenarios. The SLR vulnerability assessment examines future projections of coastal water levels associated with changes due to climate change. Coastal hazards such as monthly tidal inundation, erosion, coastal storm waves, and coastal storm floods are not included in the updated FEMA FIRMS. The aforementioned coastal hazards are intended to be included in all height requirements for future development in the Coastal Zone through the implementation of SLR policies and regulations included in the LCP Update. These are anticipated to be equal to or additive to FEMA FIRM elevation requirements.

The City is in the process of a comprehensive LCP update. One of the goals of the City's LCP update is to consider and address SLR and to ensure that policies to implement adaptation options occur in a way that protects the City's coastal economic vitality, community character, public and private property, coastal resources and public safety. The California Coastal Commission (CCC) derived SLR adaptation strategies address long term SLR impacts.

An LCP Amendment is needed to implement datum modifications to the OCC (Chapter 17) due to the new FEMA regulations.

Key policy questions for which staff is seeking HEDC feedback are as follows:

1. In consideration of the new FEMA FIRM regulations, does the HEDC recommend adding a screening requirement to understories (exposed space at the bottom of dwellings) for residential properties within the R-BF sub-zone?
2. To what extent does the HEDC support the development of SLR adaptation policies within the LCP that address near term SLR impacts, rather than adaptation planning for the year 2100? This incremental SLR adaptation approach is referred to as a "hybrid approach".

## **BACKGROUND**

The City of Oxnard (City) participates in the NFIP, which is administered by the FEMA. As a participating community, the City is mandated to adopt and enforce ordinances to reduce the risk of flooding and meet or exceed federal requirements. In return, FEMA makes flood insurance available to property owners throughout the City. The City joined the NFIP on March 1, 1979. The current Floodplain Management ordinance was adopted on September 9, 2008, as Ordinance Number 2783.

On September 30, 2016, FEMA released the Preliminary FIRM (PFIRM) to the cities of Ventura, Oxnard, and Port Hueneme, as well as the Ventura County Watershed Protection District. On May 26, 2017, the City was

officially notified by FEMA of proposed modified flood hazard determinations (FHDs) affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the City of Oxnard. On July 29, 2020, the City Manager received the letter from FEMA stating that there were no changes made to the PFIRMs as a result of any appeals or comments sent within the appeal period and that those PFIRMs would be effective as of January 29, 2021. Additionally, prior to January 29, 2021, they stated that the City of Oxnard is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d and e) of the NFIP regulations. Staff identified the major impacts of the new FEMA FIRM regulations will increase the base floor elevation (BFE) between 7 to 8 feet (from BFE 13 feet to BFE 21 feet along Mandalay Beach Road and Capri Way and BFE 20 feet along Marine Way) for new development and substantial improvements to existing structures will be required when modifications are proposed. The Beach Front Residential (R-BF) sub-zone accounts for all of the beach front properties affected by the new FEMA FIRM regulations. This represents approximately 110 beachfront parcels generally along Mandalay Beach Road, Capri Way, and Marine Way. On October 13, 2020, items related to Chapter 18 (Floodplain Management) were presented to the Public Works and Transportation Committee (PWTC), the public hearing for the first reading was presented to City Council on November 17, 2020 and the second reading and approval of the Chapter 18 amendments by City Council is anticipated on December 15, 2020. The items presented in this report to the HEDC are limited to Chapter 17.

Concurrently, staff has been working to comprehensively update the City's 1986 Local Coastal Program (LCP). The Coastal Commission has implemented the Local Coastal Plan Update Guide to provide local governments guidance for updating LCPs, including Seal Level Rise Policy (SLR) Guidance. One of the Coastal Commission's priority goals is to coordinate with local governments to complete and update LCPs in a manner that adequately addresses SLR and reflects the recommendations in the SLR Guidance. A science-based update to the SLR Guidance was adopted by the Coastal Commission on November 7, 2018. A SLR vulnerability assessment for the City's coastline was conducted for the LCP update in 2017, and the findings were presented to the public during a public outreach meeting on March 14, 2018.

Additionally, in 2020, the City kicked off the Climate Action and Adaptation Plan (CAP). A CAP is a roadmap for how the City will reduce greenhouse gas emissions for the impacts of climate change on public health, infrastructure, ecosystems, and public spaces in the community by the required target goals in the years 2030 and 2050. CAPs address climate adaptation, resilience measures, as well as risks and vulnerabilities. It is anticipated that the City will initiate a General Plan update in the year 2022, or shortly thereafter. The CAP will establish policies, programs, and recommended implementation measures which will assist the City with background information necessary to update the City's General Plan.

The LCP's SLR vulnerability assessment will inform the CAP strategies to address rising seas and coastal flooding. The CAP will also address resilience, including measures to address extreme heat events, regional wildfires, flooding, and periods of extended drought.

## **ANALYSIS AND DISCUSSION**

### *FEMA FIRM Regulation Update*

**Key FEMA Policy Question for Which Committee Input is Being Sought:** In consideration of the new FEMA FIRM regulations, does the HEDC recommend adding a screening requirement to understories (exposed space at the bottom of dwellings) for residential properties within the R-BF sub-zone?

Regulatory floodplains are defined by the base flood elevation in relation to the elevation of the ground. Base

flood elevations are used to determine the required elevation of new buildings in the floodplain. FEMA and the City's Coastal Zoning Ordinance use a vertical datum as a base measurement point from which all elevations (height) are determined. The City's Coastal Zoning Ordinance provisions (OCC Chapter 17) use the National Geodetic Vertical Datum of 1929 (NGVD29). The City's Floodplain Management provisions (OCC Chapter 18) use the North American Vertical Datum of 1988 (NAVD88) per FEMA. FEMA uses the NAVD88 as the basis for measuring height based on technological advances which FEMA believes is more compatible with modern surveying and mapping technologies like Global Positioning Systems (GPS). The North American Vertical Datum of 1988 (NAVD88) datum change does not change the relationship of the ground heights to the water surface but it does change the value assigned to those heights that are printed on maps and other documents.

This difference in vertical datums, from NGVD29 to NAVD88, affects the City's Coastal Zoning Ordinance (OCC Chapter 17) which uses NGVD29 datum as the set of points to calculate height for residential zoned properties within the Beach Front Residential (R-BF) sub-zone (approximately 110 beachfront parcels generally along Mandalay Beach Road, Capri Way, and Marine Way). Based on the use of NAVD88 datum on the FEMA FIRMs, the OCC (Chapter 17) will be required to be amended in order to include NAVD88 datum as the set of points to calculate height in the R-BF sub-zone (rather than NGVD29).

The new FEMA FIRM regulations are expected to have a significant increase between 7 and 8 feet in BFE, which affects new development or substantial improvement to existing structures (defined as any improvement that is 50% or greater value of the improvement as it exists) are mandated to comply with development standards in the Flood Plain Management Ordinance such as structure elevation or "flood proofing" construction techniques.

The combination of the increase between 7 and 8 feet in BFE and the replacement of NGVD29 to NAVD88 datum points required by FEMA will potentially reduce the floor-to-ceiling height by about 2 feet per floor for habitable space within development, in order to comply with existing height requirements contained within the City's Coastal Zoning Ordinance. This reduction in floor height is based on the context of the zoning height limit at 49.4' NAVD and a bottom floor at 23' NAVD (BFE 21' + 2' freeboard). This in turn means a development has 26.4' to split between two floors.

The California Residential Code directs that habitable structural development be placed two feet above BFE. Taking the combined new FEMA FIRM regulations and the existing California Residential Code into consideration, beachfront coastal development is likely to be developed with a significant understory. See Attachment 1 for examples of a screen and unscreened understory. The appearance of the understory could be completely exposed as pilings or lightly screen with breakaway walls. Neither the new FEMA FIRM regulations nor the California Residential Code identify design features the breakaway walls can have (i.e. materials, doors, windows, etcetera). Additionally, the FEMA FIRM regulations and California Residential Code does not preclude local entities from establishing design (or appearance/aesthetics) regulations. The FEMA FIRM regulations simply require the walls to allow water to flow through them.

#### *City of Oxnard LCP Update (Sea Level Rise) Adaptation Strategies*

Staff is seeking the HEDC's preliminary feedback on the short and long term identified SLR Management adaptation strategies and hybrid adaptation approach, which is described in this report's next section.

The FEMA FIRM regulations will go into effect on January 29, 2021, and these regulations will immediately impact R-BF properties. The FEMA FIRM regulations are separate, but related to SLR. FEMA FIRMS do not

take into account SLR. SLR is a global phenomenon, but its impacts vary at the local level. SLR and the changing climate present management challenges for coastal planning, with the potential to significantly threaten many coastal resources, including shoreline development, coastal beach access and recreation, habitats, agricultural lands, cultural resources, and scenic resources, all of which are subject to specific protections and regulations in the Coastal Act. Coastal hazards such as monthly tidal inundation, erosion, coastal storm waves, and coastal storm floods are not included in the updated FEMA FIRMS. The aforementioned coastal hazards must be considered in the design of future development in the Coastal Zone through the implementation of SLR policies and regulations included in the LCP Update, and they are anticipated to be equal to or additive to FEMA FIRM elevation requirements. The California Coastal Act requires local governments to prepare and implement LCPs to protect natural and man-made coastal resources and maximize public access to the shoreline.

SLR is an identified flooding threat to the future of the City of Oxnard. Therefore, planning for local adaptation and resiliency is an identified City Council priority. It is a complex and difficult issue that will require strong coordination at the federal, State, and local level over the long term to effectively plan for and adapt to changing variables over time. Adaptation strategies are based upon various SLR projections anticipated to occur in years 2030, 2060, and 2100. Generally, the CCC SLR Adaptation Guidance document recommends implementation of SLR policies designed to address longer term SLR impacts (aka year 2100 - long term strategies).

For the LCP Update, the general goal is to assess the potential impacts from SLR over four planning areas and over a range of time horizons (2030, 2060, 2100). Studying a range of projections (e.g., year 2030, 2060, and 2100) allows for the development of both short and long term adaptation strategies. Furthermore, scenario-based analysis, meaning taking into consideration different times, coastal hazardous and adaptation strategies, allows for the identification of phased and targeted strategies, rather than a one size fits all approach for a scenario 80 years from now.

As required by the recently adopted California Coastal Commission Sea Level Rise Guidance Policy, the City completed a risk and vulnerability assessment using the best-available information and science (Coastal Resilience Ventura Project) regarding coastal erosion, flooding, wave impacts, tidal inundation and tsunamis to identify potential physical impacts in the City's coastal zone.

The Sea Level Rise Adaptation Strategy Report (Adaptation Report), summarized below, was prepared to inform the LCP Update process and City coastal permitting, SLR adaptation planning, and related regulatory processes. The Coastal Zone is divided into four planning areas that each have geography and land uses that require a different mix of adaptation strategies. Erosion is identified as the biggest threat to all sectors; however, no large damage is anticipated to commercial and municipal properties due to coastal hazards. Coastal hazards (such as monthly tidal inundation, erosion, coastal storm waves, and coastal storm floods) are projected to impact approximately 415 acres of publicly accessible beach at McGrath State Beach and Oxnard Shores. The majority of the affected residential properties are located within the Oxnard Shores planning area.

The California Coastal Commission SLR Guidance requires local governments to identify SLR adaptation strategies to minimize impacts from SLR in new or updated LCPs. Adaptation strategies should be selected based upon the local conditions, the results of the scenario-based analysis, and Coastal Act requirements, taking into account the particular goals of the local community. The four adaptation strategies considered in the Adaptation Report are to address the coastal hazards are as follows:

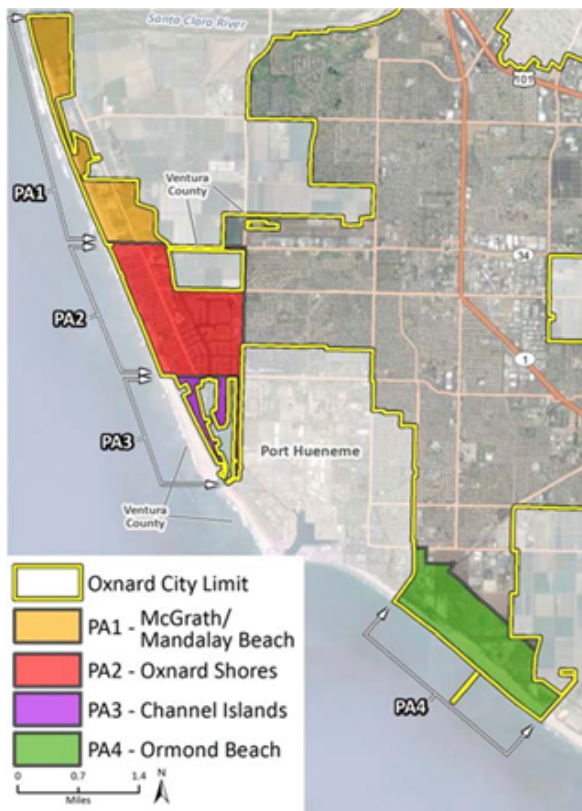
1. **Accommodation**- involves methods to modify existing developments or design new developments.

These can include elevating structures and other engineering retrofits.

2. **Green Protect**- involves “natural infrastructure” such as stable sand dunes and coastal wetlands. Wetlands and sand dunes absorb and deflect wave energy.
3. **Hard Protect**- involves the construction of seawalls, dikes, flood gates, groins, revetments, etc. Although a prevalent strategy can cause negative impacts to beaches, views, and public access.
4. **Managed Retreat**- assumes structures would be relocated or replaced and moved beyond the highest coastal hazard zone after development has been impacted by coastal hazards.

Below is a summary of the four Planning Areas and the draft **long term adaptation strategies**, that if acceptable to the HEDC will inform the policy creation and ultimately be folded into the LPC update as SLR Management adaptation policy. Implementation timelines and funding sources are yet to be identified. Additionally, the SLR Management adaptation policies included in the LCP update would also be coordinated with the Climate Action Plan (CAP) to address SLR vulnerabilities.

Below is a map of the Planning Areas (PA), and the associated long term adaptation strategies:



### **PA 1:**

1. Managed Retreat: a.) Relocate facilities within McGrath State Beach to higher ground within the park; b.) Removal of Mandalay Generating Station; and c.) Removal of the Edison Peaker facility after the 25-year permit expires.

### **PA 2:**

1. Green Protect: create dunes from 5th Street south protecting residential structures along the beachfront.
2. Accommodation: make modifications to stormwater drainage/pump systems and increase height of homes.
3. Hard Protect: build a seawall from 5th Street south.
4. Managed Retreat: removal of public and private development within Oxnard Shores.

**PA 3:**

1. Green Protect: Dune Construction along Hollywood Beach shoreline.
2. Hard Protect: New Seawall and/or revetment from Channel Islands Blvd to Channel Island Harbor entrance.
3. Managed Retreat: Removal of development in the Channel Islands Harbor.
4. Accommodation: Where appropriate, elevate existing sea walls, bulk heads, guide polls on docks, and foundations in the Channel Islands Harbor.

**PA 4:**

1. Green Protect: Implement Ormond Beach Restoration and Access Plan (OBRAP) and design wetlands to protect existing industrial development
2. Managed Retreat: a.) Remove Ormond Beach Generating Station (OBGS); b.) Remove Halaco Superfund Site; and c.) Relocate Oxnard Water Treatment.

At this time, staff is not recommending focused scenario-based analysis which would be necessary to develop a targeted strategy for any of the four Planning Areas. Such studies require additional time and funding to process the LCP update. However, staff recommends that scenario-based studies be included in SLR policies included in the final adaptation strategies adopted when the LCP is presented to the City Council for final adoption.

For all four Planning Areas, staff recommends a **Hybrid adaptation approach** to SLR to allow a flexible pathway for balancing economic, environmental, and safety goals over time. For purposes of implementing the California Coastal Act, no single category or even specific strategy should be considered the “best” option as a rule. Different types of strategies will be appropriate in different locations and for different hazard management and resource protection goals. CCC policies are written in the long term (year 2100) communicating that they are seeking SLR adaptation policies which demonstrate a City’s long term assurance and commitment to Coastal Act policies; however, the effectiveness of different adaptation strategies will vary across both spatial and temporal scales. In many cases, a Hybrid adaptation approach that uses strategies from multiple categories will be necessary, and the suite of strategies chosen may need to change over time.

The City is seeking to maintain local control over adaptation decisions, phased adaptation, and demonstration of an incremental approach unique to the City of Oxnard while demonstrating commitment to CCC policies. The City feels it is vital to maintain local control over the adaptation approach specifics in order to achieve the desired adaptation results, consider the associated local costs and benefits, and allow local officials to determine what is an acceptable level of risk and what decision is in the best interest of the City.

A hybrid approach may be the best solution to address the concerns property owners and participants had with staff during the LCP public outreach meeting held on March 14, 2018, concerning the four adaptation strategies presented to them that evening:

**Green Protect:** The creation of sand dunes from 5th Street south protecting residential structures along the beachfront would impede property owner views of the ocean. The property owners cited the views of the beach as one of the main reasons for acquiring their properties and claimed that they would suffer hard economic penalties on their property investments.

The City would have to provide funds to commission studies to determine dimensions of Green Protect infrastructure (height, width and depth).

**Accommodation/Managed Retreat/Armoring:** The major concerns identified for these three adaptation strategies concerned with who will finance the infrastructure required to carry out all three adaptation strategies- City or another entity (i.e. community facilities district).

An alternative adaptation strategy that might be considered for all Planning Areas is a Hybrid option that would be triggered by an event (i.e. flooding, erosion, SLR) or a period of time. For example, a property owner would be able to rebuild if their property was destroyed by an event but would not be able to rebuild after a second event. One or a combination of adaptation strategies could also be triggered by an event as well. Another alternative within the Hybrid strategy is for one of the previously mentioned adaptation strategies to be triggered based on an event, planning horizon year (2030, 2060, 2100) or significant SLR change or a combination of all of the aforementioned. In the meantime, while adaptation strategies are being explored, for all four Planning Areas, staff will continue implementing the following **short-term procedures**:

1. Update the Oxnard City Code to align with FEMA regulations (datum change only).
2. Review development proposals for consistency with FEMA and Oxnard City Code requirements in place at the time development is proposed.
3. Continue to require disclosures to be included within Planning entitlement conditions of approval to ensure that all property owners are aware that their properties are built within projected hazard areas (see example disclosure language in the Community Outreach section below).

**Key SLR Adaptation Policy Question for Which Committee Input is Being Sought:** To what extent does the HEDC support the development of SLR adaptation policies within the LCP that address near term SLR impacts, rather than adaptation planning for the year 2100 (Hybrid Approach)?

#### *City of Oxnard Climate Action Plan (CAP) Update*

The City is in the process of preparing a variety of plans and ordinances that relate to each other, including adopting the newly issued FEMA FIRM maps, updating the building ordinance to align with the new FEMA FIRM BFEs, developing SLR adaptation strategies and LCP policies to address SLR vulnerabilities, and developing a CAP that will identify strategies to reduce greenhouse gas emissions and prepare the community for climate change hazards.

In addition to providing a roadmap for reducing community greenhouse gas (GHG) emission, the City's CAP will include strategies for adapting to climate change. The CAP will describe the hazards associated with FEMA and SLR, as well as other hazards associated with climate change, such as more extended droughts and an increasing number of extreme heat days. The CAP will include strategies that address all types of flood hazards, including FEMA-identified flood hazards, as well as sea-level rise related flood and erosion hazards, and flooding associated with rivers. The CAP will also include strategies to increase the City and community's resilience to extended drought and extreme heat days.

For reducing GHG emissions, the CAP will contain implementing actions as well as a monitoring plan that will help the City ensure the strategies, goals, and recommended actions are being achieved. The CAP monitoring plan will identify implementation milestones (e.g., Oxnard City Code Ordinance Amendments adopted) and identify performance metrics that can be used to track progress towards GHG reduction goals.

The adaptation strategies reflected in the updated LCP and CAP will inform the upcoming update to the City's Safety Element and potentially the City's Emergency Operations plan. The interrelationship of SLR and the CAP will be informed by the Council's ultimate decision regarding Hybrid adaptation. No further input on the

CAP is needed from HEDC at this point.

## **COMMUNITY OUTREACH**

On May 30 & 31, 2017, FEMA along with the cities of Ventura, Oxnard, and Port Hueneme and County of Ventura held public meetings to inform the affected communities of the release of the revised draft flood maps for the California Coast in Ventura County. This meeting included information regarding the removal as well as addition of some properties from the currently effective floodplain map, the new base flood elevations (BFEs), and the 90-day appeal period that ran from June 9 - September 7, 2017.

On August 23, 2017, a community workshop was held at the City of Oxnard, in the HR Activity room, to discuss the changes in the FIRMs, the technical background of the FIS, as well as the implications on new and substantial development with the changes in BFEs. The majority of community discussion at that meeting revolved around the height implications of the LCP as result of the changes in BFEs.

On February 28, 2019, the Planning Division and Public Works Department jointly held a public meeting at the Oxnard Shores Neighborhood Council to further discuss the impacts of the new FIRMs on the affected property owners. Staff identified the major impacts of the new FEMA FIRM regulations are the expected increase of the BFE between 7 to 8 feet for new development and substantial improvements to existing structures when modifications are proposed. The revised BFE would potentially impact a development's compliance with the existing LCP maximum height requirement. Due to the poor attendance of the meeting, staff prepared and mailed an additional notification to all property owners affected by the new FEMA FIRM regulations. The notice was sent to all property owners on April 9, 2019. Additionally, staff prepared a memo outlining the BFE implications to applicants seeking improvements to the affected properties (Attachment 2), and staff has regularly included the following condition of approval on affected properties:

“Developer is hereby notified that the Federal Emergency Management Agency (‘FEMA’) is currently processing a revised Federal Insurance Rate Map (‘FIRM’) that is likely to significantly raise the Coastal Base Flood Elevation applicable to this property. It is currently unknown when the revised FIRM will become effective but a draft version has been published by FEMA. Any rise in the Base Flood Elevation will affect the minimum allowed elevation of the finished floor for this structure. Revised minimum finished floor elevations will affect the ability of this structure to be constructed as approved by this permit when the revised FIRM becomes effective, unless the Developer has performed substantial work and incurred substantial liabilities in good faith reliance based upon the permit prior to the date that the revised FIRM becomes effective.”

In addition to the specific FEMA FIRM meetings, there have been LCP Update meetings. On March 14, 2018, a public workshop was held to update the community on the LCP Update work effort, present the results of the adaptation strategy analysis, solicit input on preliminary SLR policy concepts and ideas, and gather additional community comments to inform the preparation of the draft LCP Update. The presentation was facilitated by City staff and the City's LCP consulting team. The presentation identified coastal hazards, vulnerability assessment review and summary and adaptation strategy results. The impacts from SLR to the City's Coastal Zone were assessed by planning area. Coastal areas of Oxnard were divided into four planning areas: McGrath-Mandalay (Planning Area 1), Oxnard Shores (Planning Area 2), Channel Islands Harbor (Planning Area 3), and Ormond Beach (Planning Area 4). Adaptation strategies were considered for each planning area.

On October 8, 2020, staff hosted a meeting with the Oxnard Shores Neighborhood Council to inform them of the intention of the October 13 PWTC and November 24 HEDC meetings. Specifically, staff presented 1) baseline information and discuss the FEMA regulations that are going into effect while highlighting that no

other decisions have been made, 2) Identify the policy issues in this staff report that will be discussed while also recognizing that the HEDC may provide additional policy issues for staff to explore, and 3) Get direction on the community engagement strategy to fold appropriate communities into the conversation.

## **NEXT STEPS**

Staff is currently working with the Coastal Commission to incorporate the Coastal Commission's SLR Guidance into the LCP update commensurate with the needs of the City. In addition, staff has previously met with the County of Ventura Resource Management Agency (RMA) and City of Port Hueneme to discuss potential SLR adaptation options by all three agencies to address coastal hazards. The City intends to continue coordination with the County's RMA and City of Port Hueneme to facilitate as much consistency as possible between the agency's potential SLR adaptation approaches to address coastal hazards.

Staff intends to continue the public outreach process by presenting before interested parties and decision making bodies to receive direction with regards to implementation of SLR policies into the City LCP update. On March 14, 2018, a public workshop was held to update the community on the LCP Update work effort, present the results of the adaptation strategy analysis, solicit input on preliminary SLR policy concepts and ideas, and gather additional community comments to inform the preparation of the draft LCP Update. HEDC has not previously reviewed the proposed SLR adaptation strategies presented to the public which address coastal hazards and SLR in a manner prescribed by the CCC SLR Adaptation directive.

Based on the recommendation by HEDC, the next step would entail the public hearing process for making the appropriate amendments to the City's Coastal Ordinance based on the changes required by the new FEMA FIRM regulations. Changes to the City's Coastal Ordinance requires that the Planning Commission forward a recommendation to the City Council, and that the City Council review and render a decision. The adopted amendments will be forwarded to the California Coastal Commission for consideration and certification consistent with the California Coastal Act. The following is a projected road map for amending the City's Coastal Ordinance:

1. Community engagement
2. City staff/California Coastal Commission Engagement
3. Planning Commission review/recommendation
4. City Council review/decision
5. California Coastal Commission review/certification

## **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.

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 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.

Objective 5a. Develop and implement a sustainability program.

### **FINANCIAL IMPACT**

There is no financial impact beyond regular salaries anticipated by the City's budget as the work effort is part of existing staff's work plan.

*Prepared by: Isidro Figueroa, Principal Planner, Scott Kolwitz, Planning Manager*

### **ATTACHMENTS**

1. Screen and unscreened understory
2. Base Floor Elevation Modification Implication Memo dated April, 9, 2019
3. Presentation 12.08.2020 (UPDATED 12.2.20)

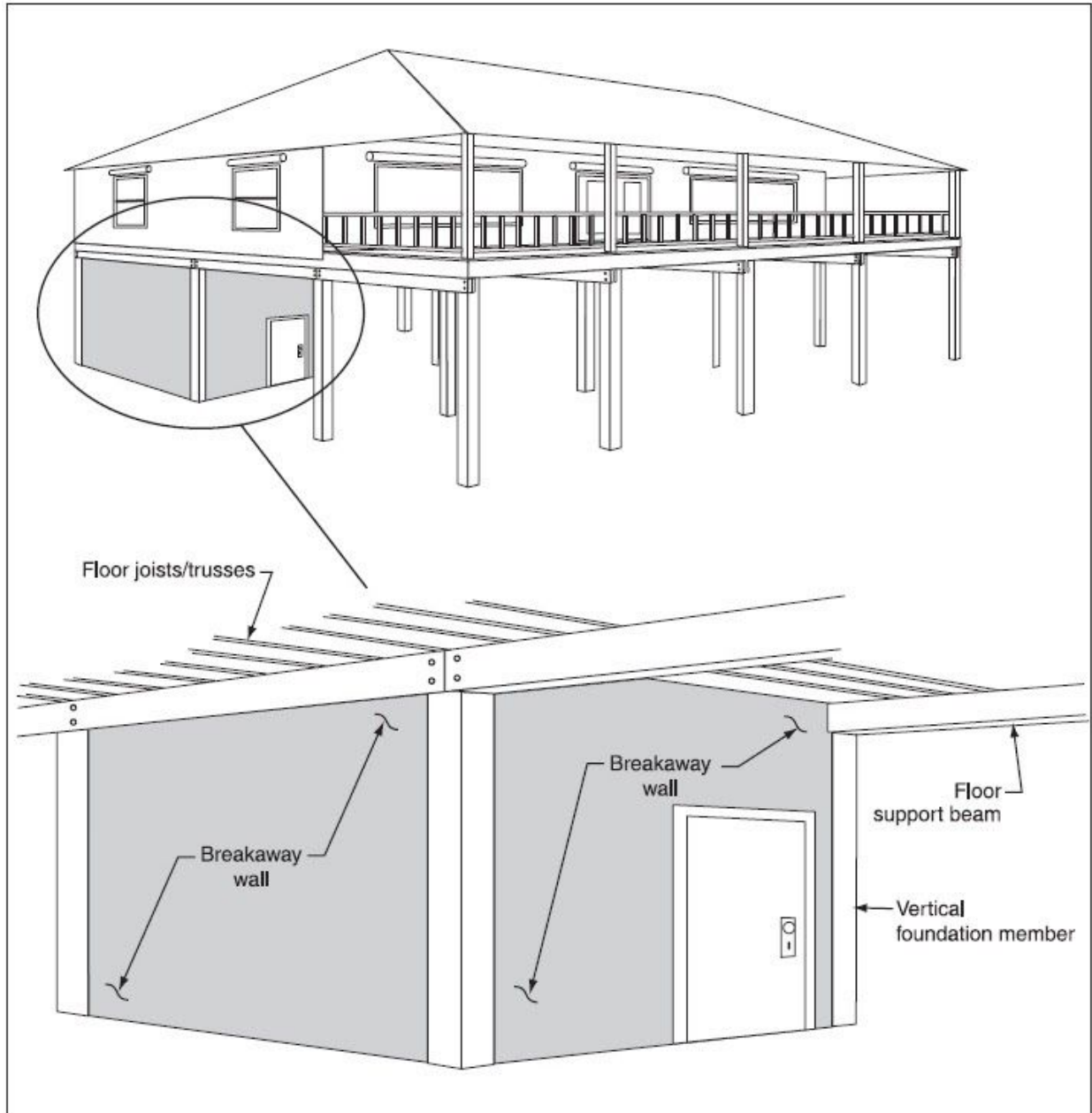


Figure 1. Area enclosed by breakaway walls below an elevated building

**Public Works Department**  
City of Oxnard

305 West Third Street  
Oxnard, California 93030  
Main (805) 385-8280  
Fax (805) 385-7907



## **NOTICE TO THOSE DEVELOPING IN THE VE - 100 YEAR COASTAL ZONE**

**April 9, 2019**

The City of Oxnard is providing notice to property owners/applicants that the Federal Emergency Management Agency (FEMA) is revising the Federal Insurance Rate Map (FIRM) for specific areas along the coast. This revision is expected to raise the Coastal Base Flood Elevation for specific coastal properties. The Coastal Base Flood Elevation is the computed elevation to which floodwater is anticipated to rise during a 100-year flood.

It is currently unknown when the FIRM will become effective; a draft FIRM has been published by FEMA. Once the draft map becomes effective, developments that are located within the revised high-risk flood zone (Flood Zone VE - 100 year flood zone) must be constructed above the elevations listed in the maps. Staff evaluates all proposed development within a FEMA 100-year flood zone to ensure that all structures comply with the Oxnard City Code and the FEMA regulations.

Any rise in the Base Flood Elevation for a property will affect the minimum allowed elevation of the finished floor for an affected structure on that property. Revised minimum finished floor elevations will impact the City's approval of new and remodeled structures unless the property owner has obtained a building permit before the effective date of the new FIRM. The property would then be required to actually start construction within 180 days of the issuance of the permit. For new construction, the actual start of construction includes the placement of permanent structures on a site, such as the pouring of slab or footings, the installation of piles, or the construction of columns. For substantial improvements to an existing structure, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

The City of Oxnard has established a website to keep residents updated on all FEMA activities that affect property in designated areas of the City of Oxnard. Please visit the following website to learn more: <https://www.oxnard.org/city-department/publicworks/floodplain-information/>.

For more information on FEMA draft maps, please visit:  
<https://hazards.fema.gov/femaportal/prelimdownload/>

Please contact Tatiana Arnaout, P.E. (Senior Civil Engineer) at 805-385-8280 or [tatiana.arnaout@oxnard.org](mailto:tatiana.arnaout@oxnard.org) if you have any questions.

# FEMA FIRM Regulations and Local Coastal Program Implications: Sea Level Rise / Climate Action Plan

Scott Kolwitz, Planning and Environmental Services Manager  
Isidro Figueroa, Principal Planner

Housing and Economic Development Committee  
December 8, 2020



## Overview of the Presentation

2

- Executive Summary
- Federal Emergency Management Agency (FEMA)/Flood Insurance Rate Maps FIRM Regulations
- Local Coastal Program (LCP) policies to address Sea Level Rise (SLR).
  - Introduce coastal planning areas & adaptation strategies
- Discuss FEMA FIRM regulations implications to adaptation strategies.
- Climate Action Plan (CAP)
- Review Key Policy Questions

## Summary: HEDC Feedback on Key Policy Questions

3

- Staff is requesting HEDC to provide feedback on key policy questions:
  1. Does the HEDC recommend adding a screening requirement to understories (exposed space at the bottom of dwellings) for residential properties within the R-BF sub-zone?
  2. To what extent does the HEDC support the development of SLR adaptation policies within the LCP that address near term SLR impacts, rather than adaptation planning for the year 2100? This incremental SLR adaptation approach is referred to as a “hybrid approach”.

4

## FEMA FIRM Regulation Update

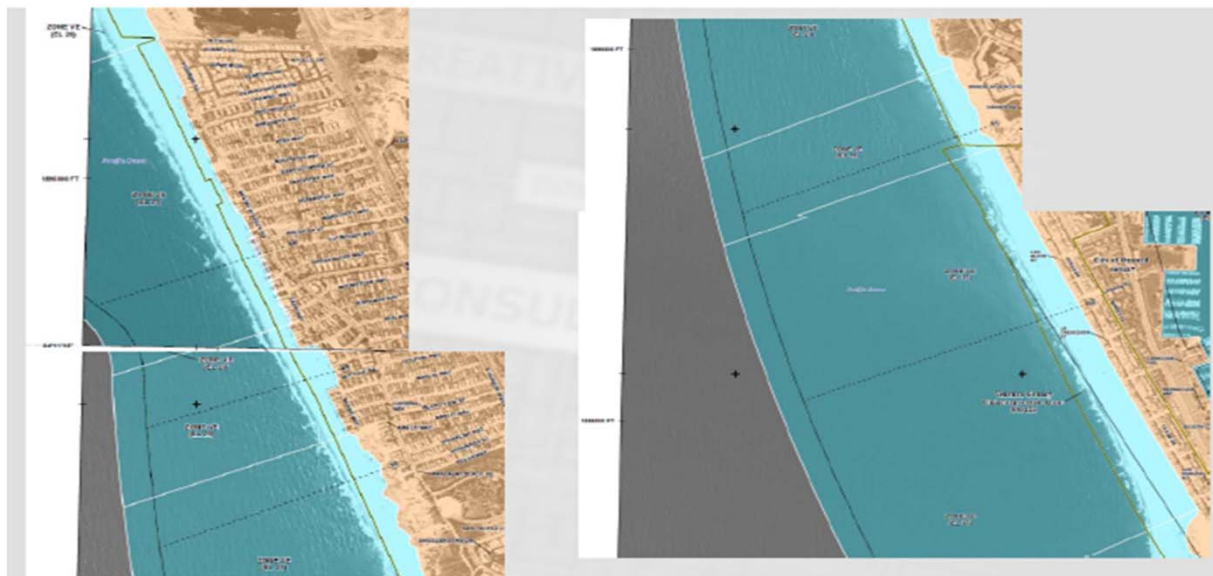
## Background

5

- FEMA effort to update the FIRM along Ventura County's coastline began in 2011. Referred to as the California Coastal Analysis and Mapping Project (CCAMP)/Open Pacific Coast (OPC) study, the process commenced with outreach:
  - Community Officials in Ventura County, followed by discovery and inclusion of additional stakeholders, coastal analysis, floodplain mapping, preliminary production, preliminary FIRM, post preliminary processing.
  - The CCAMP/OPC process culminated in August of 2020- FEMA notified local jurisdictions that the revised FIRM and the accompanying Flood Insurance Study (FIS) for Ventura County (Including City of Oxnard) were considered final.
  - The updated FIRM becomes effective in January of 2021.

## NEW FEMA FIRM MAPS

6



## FEMA FIRM Regulations Update

7

- FEMA has been moving forward on a national effort to update community's Flood Insurance Rate Maps (FIRMs) since the early 2000's.
- Through Risk MAP, FEMA provides communities with updated FIRMs and Flood Insurance Studies that focus on the probability and location of floods, as well as the calculated 1% annual-chance flood elevation.
- Coastal areas have additional risks associated with them due to wave action. These coastal areas underwent a detailed engineering analysis conducted per FEMA's Pacific Guidelines for New Coastal Studies, 2005.
- These methods more accurately assess coastal risks associated with wave set-up, wave runup and overtopping and dune and bluff erosion.

## Construction- All Development

8

- Construction started prior to January 2020 FIRM effective date:
  - Shall comply with updated FEMA regulations unless **Significant** construction has taken place.
  - All construction started after January 2020 shall comply with updated FEMA regulations
- **Significant** construction definition included in notification to be sent to property owners within 2 weeks- current permits already notified.

## Height

9

- Implementation of updated FEMA FIRM regulations
  - Expected increase in Base Flood Elevation (BFE)
    - Between 7 to 8 feet
- New Development/Construction
  - Must comply with new BFE

## Understory / Breakaway Walls

10

Does HEDC recommend adding screening to understory?

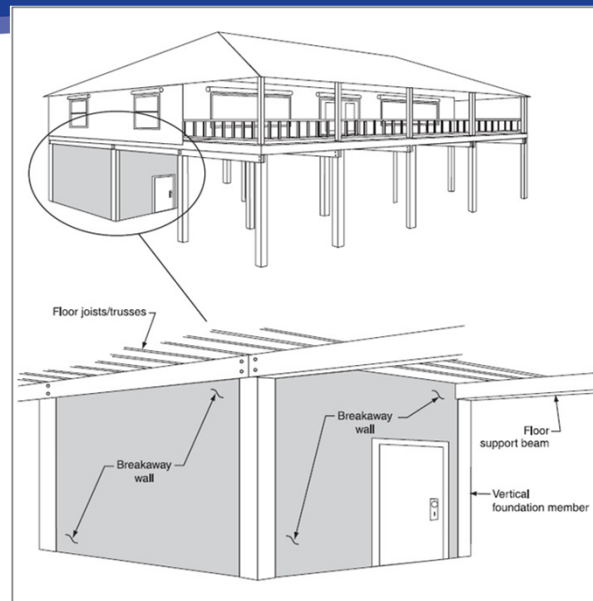


Figure 1. Area enclosed by breakaway walls below an elevated building

# Local Coastal Program Update (Sea Level Rise)



## Background

- City currently undertaking a comprehensive update to the City's LCP which was certified in 1986
- Part of the LCP Update process is to provide policies addressing SLR consistent with California Coastal Commission's (CCC) Seal Level Policy Guidance
- Staff and LCP consultant have previously held public outreach meetings to address vulnerability assessment and adaptation strategies:
  - August 9, 2017
  - March 14, 2018

## FEMA FIRM VS SLR

13

- FEMA FIRM identify at-risk areas from floods associated with storms under current sea levels.
  - Does not include adjustments to predicted water levels to account for SLR.
- SLR- is an increase in the level of the world's oceans due to the effects of global warming
  - SLR is anticipated to be equal to or additive to FEMA FIRM elevation requirements.

## Planning Areas

14

- Vulnerability assessment and adaptation strategies identified by planning areas
- There are four planning areas within the coastal zone:
  - McGrath-Mandalay- Planning Area 1
  - Oxnard Shores- Planning Area 2
  - Channel Islands Harbor- Planning Area 3
  - Ormond Beach- Planning Area 4
- Each planning area has geography and land uses that require a different mix of adaptations.

# Combined Hazards

## 4.2. COASTAL HAZARDS. PLANNING AREA 2. OXNARD SHORES.

### Combined Hazard Zone

#### Existing Conditions

The modeled combined hazard zone for Planning Area 2 is on the shore between W. 5<sup>th</sup> Street and W. Channel Islands Boulevard. In the northern section of Planning Area 2, the combined hazard zone extends into the streets of Oxnard Shores. Mandalay Beach is within the combined hazard zone in addition to most of Terramar Way, W. Wooley Road, Whitecap Street, and Seabreeze Way. Other streets within the combined hazard zone include Channel Way, Driftwood Street, and Breakers Way. The entire Mandalay Bay waterway community is also within the combined hazard zone. The hazard zone extends from the community past W. Wooley Road, reaching agriculture land adjacent to W. 5<sup>th</sup> Street.

#### 2030 Projection

##### Low Sea Level Rise Scenario (2.3" SLR)

Extends into the western-edge of the Oxnard Shores Mobile Home Park and into the southern portion of the Oxnard Shores neighborhood into Amalfi Way, Island View Street, Corbina Way, and Marlin Way.

##### Moderate Sea Level Rise Scenario (5.2" SLR)

Is comparable to the low scenario.

##### High Sea Level Rise Scenario (8.0 SLR)

Extends further inland into the Oxnard Shores neighborhood in the same areas as the low and moderate scenario.

#### 2060 Projection

##### Low Sea Level Rise Scenario (7.4" SLR)

Encompasses all streets within the Oxnard Shores neighborhood with the largest hazard zone in the middle of the neighborhood between W. Wooley Road and Seabreeze Way. The residential units west of Mandalay Beach Road between Amalfi Way and Dolphin Way are also included. On the southern part of the planning area, the combined hazard zone begins to encompass the Embassy Suites Mandalay Beach Hotel and Resort.

##### Moderate Sea Level Rise Scenario (16.1" SLR)

Encompasses the same streets and areas as the low scenario but extends several meters more inland.

##### High Sea Level Rise Scenario (25.3" SLR)

Encompasses a majority of the Oxnard Shores Mobile Park and Oxnard Shores neighborhood reaching as far inland as the commercial center west of Harbor Boulevard. Several residential units in the waterway community would also be affected.

#### 2100 Projection

##### Low Sea Level Rise Scenario (17.1" SLR)

Encompasses several western residential units in the waterway community and approximately half of the Oxnard Shores neighborhood, with the most affected area being in the middle, where the combined hazard zone reaches almost to Harbor Boulevard.

##### Moderate Sea Level Rise Scenario (36.5" SLR)

Extends further inland in the Oxnard Shores neighborhood and encompasses more of the Embassy Suites Mandalay Beach Hotel and Resort, the waterway community, and agricultural area.

##### High Sea Level Rise Scenario (58.1" SLR)

Covers the entire area west of S. Harbor Boulevard and north of Beach Way, including the Oxnard Shores neighborhood and the northwestern half of Oxnard Beach Park, the southern and western part of the waterway community, and one-third of the adjacent agricultural area.

# Hazards Zones for Oxnard Shores

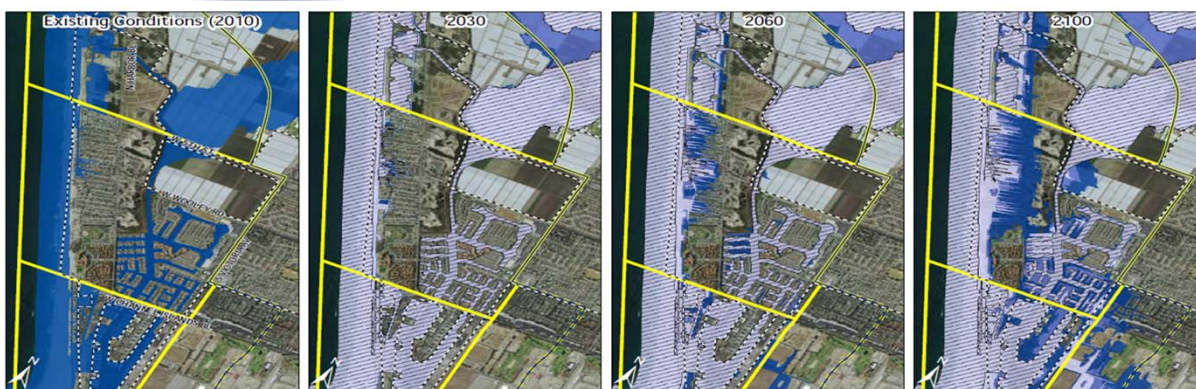


Figure 4.2.5 - Combined Hazard Zones for Planning Area 2: Oxnard Shores

<p>Coastal Zone Boundary</p> <p>City Boundary</p> <p>City of Oxnard LCP Planning Area</p> <p>Adjacent Jurisdictions</p> <p>Existing Conditions-Combined</p>	<p>Modeling Scenario (2030)</p> <p>Existing Conditions</p> <p>Low (2.3" SLR)</p> <p>Moderate (5.2" SLR)</p> <p>High (8.0" SLR)</p>	<p>Modeling Scenario (2060)</p> <p>Existing Conditions</p> <p>Low (7.4" SLR)</p> <p>Moderate (16.1" SLR)</p> <p>High (25.3" SLR)</p>	<p>Modeling Scenario (2100)</p> <p>Existing Conditions</p> <p>Low (17.1" SLR)</p> <p>Moderate (36.5" SLR)</p> <p>High (58.1" SLR)</p>	
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Modeling results from Coastal Resilience Ventura (ESA PWA, 2013)

## Adaptation Strategies

17



**ACCOMMODATION** Modify existing developments or design new developments.



**GREEN PROTECT** Dunes and other natural features reduce storm damage potential.



**HARD PROTECT** Armoring with rocks, seawalls, groins, dikes, and other hard infrastructure.



**MANAGED RETREAT** Relocate or remove existing development.

## Accomodation

18



## Green Protect

19



## Hard Protect

20



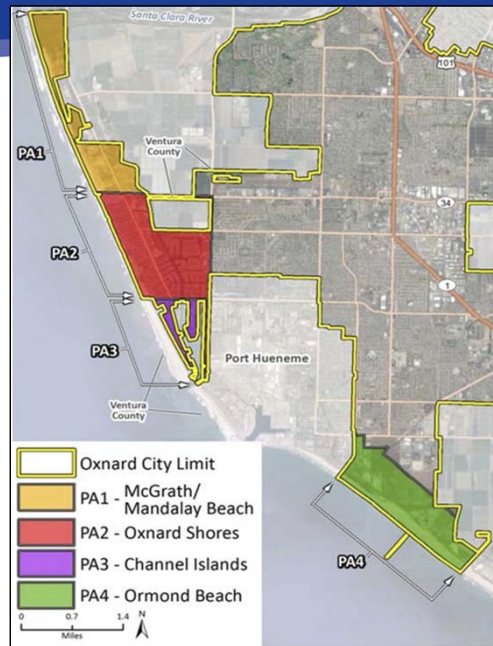
# Managed Retreat

21



# Planning Areas Map

22



## Planning Area 1 (McGrath-Mandalay)

23

Recommended strategy: **Managed Retreat**

- Remove NRG/Mandalay Power plant
- Remove Edison Peaker (25 year permit)
- Relocate facilities within McGrath State Beach to higher ground within the park

## Planning Area 2 (Oxnard Shores)

24

Recommend strategies: **Green; Accomodation; Hard; Managed Retreat**

- **Green Protect:** create dunes from 5th Street south protecting residential structures along the beachfront
- **Accomodation:** make modifications to stormwater drainage/pump systems
- **Hard Protect:** build a seawall from 5th Street south
- **Managed Retreat:** removal of public and private development

## Planning Area 3 (Channel Island Harbor)

25

Recommended strategies: **Green Protect; Accomodation; Hard Protect; Managed Retreat**

- **Green Protect:** dune construction along Hollywood Beach shoreline
- **Hard Protect:** new Seawall and/or revetment from Channel Islands Blvd to Channel Island Harbor entrance
- **Managed Retreat:** removal of development in the Channel Islands Harbor
- **Accommodation:** elevate Channel Islands Harbor

## Planning Area 4 (Ormond Beach)

26

Recommend strategy: **Green and Managed Retreat**

- **Green Protect:** Implement OBRAP and design wetlands to protect existing industrial development
- **Managed Retreat:**
  - Remove OBGS
  - Remove Halaco Superfund Site
  - Relocate Oxnard Water Treatment

## Community Input

27

- **Green Protect:**
  - The creation of sand dunes from 5th Street south protecting residential structures along the beachfront would impede property owner views of the ocean. The property owners cited the views of the beach as one of the main reasons for acquiring their properties and claimed that they would suffer hard economic penalties on their property investments.
  - The City would have to provide funds to commission studies to determine dimensions of Green Protect infrastructure (height, width and depth).
- **Accommodation/Managed Retreat/Armoring:**
  - The major concerns identified for these three adaptation strategies concerned with who will finance the infrastructure required to carry out all three adaptation strategies- City or another entity (i.e. community facilities district).

## Alternative Adaptation Approach

28

- Hybrid option- adaptation approach that uses strategies from multiple categories as a flexible pathway to address SLR for balancing economic, environmental, and safety goals over time
  - Triggered by event
    - First event: rebuild
    - Second event: relocate
    - Previously mentioned adaptation strategies implemented
- A combination of adaptation strategies could also be triggered by an event as well

## Policy Question: Hybrid Approach

29

- To what extent does the HEDC support the development of SLR adaptation policies within the LCP that address near term SLR impacts, rather than adaptation planning for the year 2100 (Hybrid Approach)?

30

# Climate Action Plan Update

## Climate Action Plan (CAP)

31

- CAP will address hazards associated with FEMA and SLR, and other hazards associated with climate change, such as an increasing number of extreme heat days;
- CAP will contain strategies that City can put into place to increase resilience to flood hazards (both FEMA-identified flood hazards and sea-level rise related flood and erosion hazards); and
- CAP will rely on the LCP derived adaptation strategies to improve community sustainability and resiliency.
- Adaptation strategies will impact both the LCP and CAP policy documents.

32

## Key Policy Questions

## 1. Does HEDC recommend adding screening to understory 33

- FEMA FIRM regulations require BFE to increase between 7 to 8 feet.
- California Residential Code directs that habitable structural development be placed two feet above BFE.
- FEMA FIRM and California Residential Code regulations combined will create a significant understory- exposing pilings or lightly screen breakaway walls.
- Does HEDC recommend staff to study and present screening of understories or leave understories untreated?

## 2. Continue with SLR adaptation strategies or Hybrid? 34

- Hybrid Approach-
  - City is seeking to maintain local control over adaptation decisions
    - Phased adaptation
      - Trigger / Event Based
    - Incremental approach unique to the City
    - Consider the associated local costs and benefits
    - Local officials to determine what is an acceptable level of risk/best interest for the City

## Next Steps



## Next Steps

- Public process for making the appropriate amendments to the City's Coastal Ordinance based on the changes required by the new FEMA FIRM regulations includes Planning Commission and City Council review through public hearings.
- Projected road map for amending the City's Coastal Ordinance:
  - Community engagement
  - City staff/California Coastal Commission engagement
  - Planning Commission review/recommendation
  - City Council review/decision
  - California Coastal Commission review/certification

## HEDC Feedback

37

- Key policy questions to HEDC:
  1. Does the HEDC recommend adding a screening requirement to understories (exposed space at the bottom of dwellings) for residential properties within the R-BF sub-zone?
  1. To what extent does the HEDC support the development of SLR adaptation policies within the LCP that address near term SLR impacts, rather than adaptation planning for the year 2100 (Hybrid Approach)?

## Recommendation

38

### That the Housing and Economic Development Committee:

1. Receive a summary report on new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) regulation implementation and implications for development along the coast
2. Receive a summary of the LCP and SLR Management adaptation strategies
1. Provide input on SLR Management adaptation strategies and hybrid adaptation approaches
1. Provide feedback on the required datum change to the Oxnard City Code based on the new FEMA FIRM regulations and potential screening requirements to parcels which have a Beach Front Residential (R-BF) zoning designation as stipulated by the new FEMA FIRM regulations



# Discussion



**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT  
REPORTS  
AGENDA ITEM NO. D.3**

**DATE:** December 8, 2020  
**TO:** Housing and Economic Development Committee  
**FROM:** Emilio Ramirez, Housing Director, (805) 385-8094, emilio.ramirez@oxnard.org  
**SUBJECT:** Oxnard Housing Authority "Rethink and Renew" Initiative Update. (10/10/5)

**RECOMMENDATION**

That the Housing and Economic Development Committee receive and file a report on the Rethink and Renew Initiative.

**BACKGROUND**

Public housing authorities are established under the authority granted by the California Housing Authorities Law codified at Section 34200 of the California Health and Safety Code. However, public housing authorities are truly organizations subject to federal regulations because all programs are funded by the United States Department of Housing and Urban Development as authorized by the Housing Act of 1937, as amended several times since then.

The Oxnard Housing Authority was established in 1945 and serves with a mission to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination. In its seventy-five-year history, the Oxnard Housing Authority has experienced significant progress and many successes along the way. We have housed countless families that may have otherwise been homeless and because of the myriad of expert services offered by the housing authority programs and staff, many families spent time together and were able to invest in their future. Today, because of their own ambition, desire and talent, as well as that your housing authority staff did their job, many housing authority clients are now teachers, lawyers, and doctors.

On June 23, 2020, the Oxnard Housing Authority presented to the Housing and Economic Development Committee a new initiative seeking to improve its operative and programs, which is referred to Rethink and Renew. The premise of this year long effort is to identify, plan and implement the next generation of the Oxnard Housing Authority. The opportunities for improvement are extensive from basic customer service to private enterprise. The Oxnard Housing Authority cannot continue to operate in its current standard and remain viable long term. While our vision is ambitious, it is not yet complete and we seek a full engagement of all stakeholders to restructure and rebrand.

As a public housing authority, the Oxnard Housing Authority administers two core programs, Public Housing and the Housing Choice Voucher Program (commonly known as Section 8) along with several programs that support and add value. During the June 23, 2020 presentation staff gave an overview of *Public Housing*, which

offers direct housing opportunities to low income families and includes the following programs: Capital Fund, Maintenance, Resident Services, Resident Opportunities and Self-Sufficiency, and the Family Self-Sufficiency program. Staff also discussed the *Housing Choice Voucher Program*, which is a rental subsidy program where a participant has the discretion and choice to identify their own housing unit on the open market. The Housing Choice Voucher Program includes the following supporting program: Housing Quality Standards Inspections and Applications, which manages a waitlist for the Housing Choice Voucher, Project Based Voucher, and Public Housing. Further details on these programs are contained within the June 2, 2020 HEDC staff report.

## **DISCUSSION**

As discussed on June 23, 2020 staff proposed a year long process to develop a new vision and structure for the Housing Authority allowing implementation at the submittal of next year's planning documents to the United States Department of Housing and Urban Development. In this process, we are engaging with City Council and Board of Commissioners, tenants, participants, landlords, resident associations, and a variety of stakeholder meetings including property owners, landlords, public housing residents, and Section 8 participants. The initial feedback has been very helpful and we are learning significantly about the areas that need to improve.

However, in September of this year, we received notice from the United States Department and Urban Development that they had approved our request for grant funding to engage a consultant on our behalf to assist the Oxnard Housing Authority to undertake the Rethink and Renew initiative. In November, staff met with HUD staff who confirmed the grant and reported that a grant agreement would be available for our review by end of January 2021. Oxnard Housing Authority staff believes waiting until the agreement is approved, which allows the federal financial assistance, will make the Rethink and Renew efforts stronger in the end. We will restart the efforts once we can be engaged with the to be named consultant.

## **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.

Objective 3c. Improve our methods of communicating with residents, businesses and neighborhoods.

## **FINANCIAL IMPACT**

There is no financial impact.

*Prepared by: Emilio Ramirez, Housing Director*

## **ATTACHMENTS**

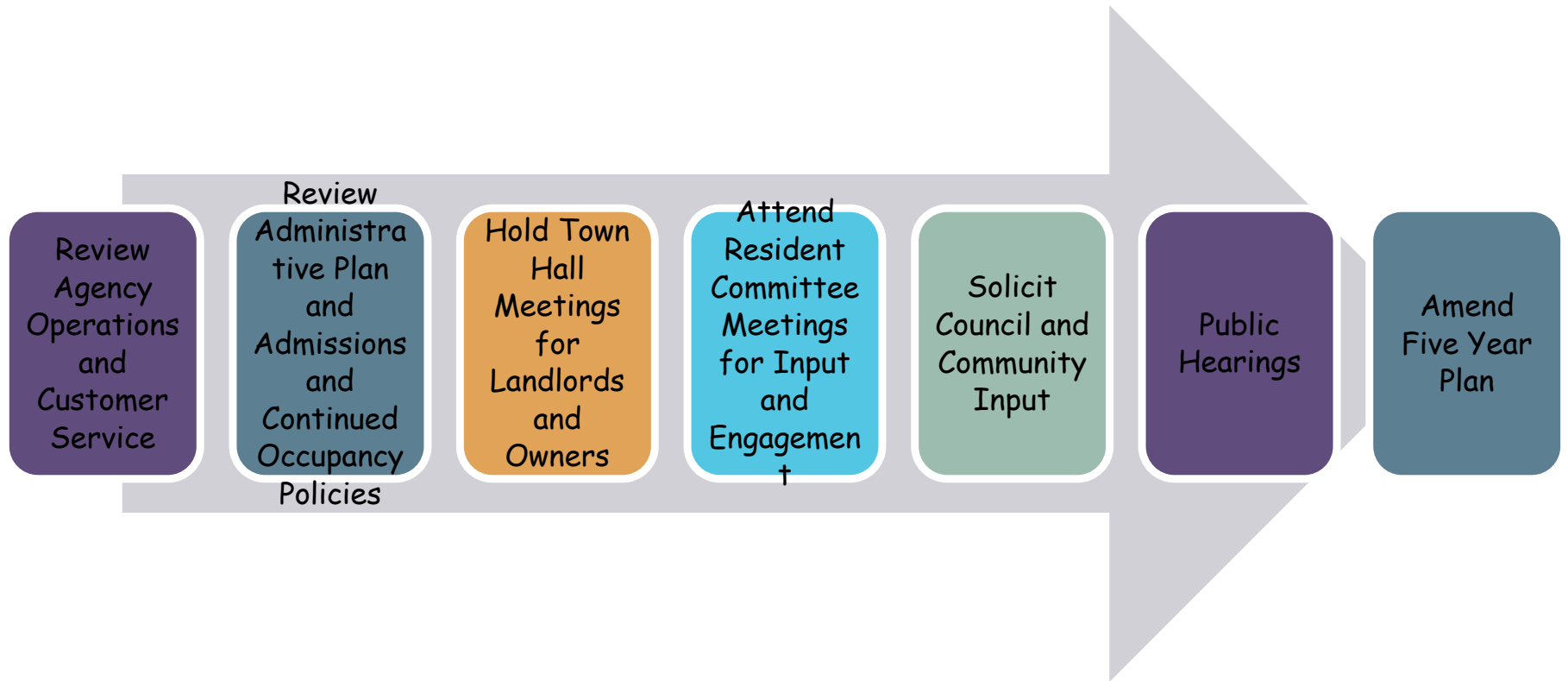
1. RETHINK AND RENEW UPDATE

# Oxnard Housing Authority

## Rethink and Renew

Emilio Ramirez  
Housing Director

# Rethink and Renew



# Possibilities

Moving to Work

Create a  
Nonprofit

Customer  
Service  
Improvement

Landlord  
Relations

Tenant Relations

Affordable  
Housing  
Development

Shared Housing

Rental  
Assistance  
Demonstration

Special Programs

Resident  
Services

Voucher  
Diversity

Thank You

# Oxnard Housing Authority

Emilio Ramirez  
Housing Director  
[Emilio.Ramirez@Oxnard.org](mailto:Emilio.Ramirez@Oxnard.org)



**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT**

**REPORTS  
AGENDA ITEM NO. D.4**

**DATE:** December 8, 2020

**TO:** Housing and Economic Development Committee

**FROM:** Jeff Pengilley, Interim Community Development Director, (805) 385-8208,  
jeff.pengilley@oxnard.org

**SUBJECT:** Downtown Improvement Program Settlement Funds (DIPSF) Update. (10/20/10)

**RECOMMENDATION**

That the Housing and Economic Development Committee receive an update on the implementation of the approved projects funded with the Downtown Improvement Program Settlement Funds.

**BACKGROUND**

After a long-standing dispute regarding the disposition of funds earmarked for Downtown Revitalization, a settlement agreement was reached and finalized in April 2015, between the City and developers of Centennial Plaza. The settlement involves the distribution of funds derived from the development of a new RiverPark theater complex at The Collection. Settlement funds are intended to offset the potential impact that the new theater complex at the Collection might have on Downtown Oxnard. The settlement funds were placed into a City account titled "Downtown Improvement Program," and throughout this report, the settlement money will be referred to as Downtown Improvement Program Settlement Funds ("DIPSF").

Under the settlement agreement, \$6.15 million was earmarked for downtown revitalization. Based on the Congress for New Urbanism ("CNU") Vision Plan (2016) and a community survey with approximately 90 respondents, on January 31, 2017, staff requested \$1,455,000 of the \$6.15 million in DIPSF be used for downtown revitalization efforts. City Council did not support the majority of the funding requests at that time because Council wanted the Downtown Development Code updated first; the Downtown Development Code was approved in July of 2019.

The DIPSF fund balance at the end of FY 2019-20 was approximately \$5,076,439, which includes interest earned to date. Previously, the City Council authorized expenditures from this fund for the following: lighting improvements (funded and completed), public restrooms pilot program (funded, implemented but discontinued), tree trimming (funded and completed), Downtown Development (Zoning) Code (funded and completed), Parking Management Plan (funded and in progress), Arts Hub (funded and in progress), and Project Manager (funded and incorporated within duties of Economic Development Manager and Project Manager but currently vacant).

**DISCUSSION**

In December of 2019, staff presented to Council a multi-pronged approach to downtown revitalization which included the following elements:

1. Addressing the impact from homelessness and vagrancy;
2. Seeking private economic investment through the development of City and privately owned properties;
3. Creating a clean and safe environment; and
4. Creating a vibrant downtown environment.

Staff made recommendations for use of the DIPSF for a 3 year timeframe which focused on creating a physical and safe environment in order to attract private economic investment. The intent of this report is an update on the projects that were approved to be funded last year.

Other concurrent efforts made by the City to revitalize Oxnard's downtown included:

1. Adoption of new Downtown Development Code in July of 2019
2. Approved Exclusive Negotiation Agreement with Madison Park for City owned properties at Plaza Park North and Plaza Park East (which has since been terminated);
3. Pending development of approximately 400 housing units;
4. Regulations that were adopted regarding camping, removal and storage of personal property, park exclusion, and aggressive panhandling and solicitation to address the vagrancy issue; and
5. Supporting a revised PBID organization.

Staff also presented recommendations for a 3 year timeframe which focused on creating a physical and safe environment in order to attract private economic investment. Coupled with the welcoming entitlement environment created by the Downtown Development Code, it was anticipated that if the City succeeded in creating a business-friendly, entitlement environment that simplified private development investment and took steps to make the downtown a safe and inviting place for that investment and for future residents, the City would inevitably attract new residential development in the Downtown. This was, of course, before COVID-19.

We are not, therefore, coming to Council with new funding recommendations this year, but rather updating on the status of the projects that were approved to be funded last year.

## **PREVIOUSLY APPROVED FUNDING RECOMMENDATIONS**

2019 staff recommendations for the programming of the DIPSFs included:

*Homeless Outreach: \$100,000 (Annually for Three Years)*

In September of 2019, the City issued a Request for Proposals from entities interested in providing homeless outreach and case management services. Following a review of the proposals submitted, the Salvation Army was selected and contracted with for the provision of these services for the remainder of the Fiscal Year 2019-2020.

Due to the onset of the COVID-19 pandemic, the commencement of the Salvation Army's outreach and case management services was delayed until May of 2020, when two outreach specialists began work in the field. Effective July 1 2020, the scope of services was expanded to include an additional component to provide outreach services focused in the downtown area. The Salvation Army hired additional staff dedicated to the

downtown service area commencing October 2020. The DIPSFs are only used to pay for staff dedicated to the downtown area.

The Salvation Army Street Outreach team serves some of Oxnard's most vulnerable residents including those who are homeless and living unsheltered. On a typical week the Salvation Army engages with 40 new clients citywide, and provides regular ongoing case management services to approximately 25 people at a time.

Due to COVID and the delay in hiring the team dedicated to the downtown, no DIPSF funds were spent in FY 19-20 for street outreach. We anticipate that a total of \$42,000 will be used in FY 20-21, and in FY 21-22 we anticipate incurring a monthly cost of \$5,000 for the downtown street outreach team, totaling \$60,000 for that year. Given that Council has approved \$300,000 to be spent over three years, Staff hopes that Council will approve the same amount of funding to cover the cost of one outreach team member (\$60,000) over five years.

*Property Management/Maintenance: \$260,000 (One Time)*

1. Laundromat (318 W. 5th Street) (\$195,000) - As previously mentioned, it is critical that the City invest in nuisance abatement for the most challenging properties owned within the Downtown. One such location that presented ongoing challenges was the Laundromat building on 318 W. 5th Street. Over the past few years, this building has regularly experienced break-ins and damage that impact the adjacent properties and the overall Downtown area. In addition, these incidents often require responses from Police, Fire and Facilities, costing the City significant ongoing expenses. City staff have concluded that the best option is to demolish this building. The estimated cost of this demolition is \$195,000.

At one time, the City contemplated placing the building on the market “as is” upon the advice of our commercial real estate consultant. However, the City has examined its real estate portfolio and has determined that it is best to sell these properties in a larger bundle for potential redevelopment. Staff continues to believe that it will be critical that the demolition of this nuisance property not create a new nuisance in the vacant lot left behind. Therefore, the City has been exploring potential temporary uses and community activation to ensure the property is an ongoing asset to the Downtown community. Due to COVID and the limited uses currently allowed, this has delayed the process. However, City staff has begun to present potential activation ideas to downtown stakeholders and is currently working on a draft RFP to seek a service provider that can activate the space in the desired fashion.

Public Works staff has designed demolition and improvement plans for the site and will be putting this project out for public bid in January 2021. It is estimated that the demolition and improvements to the site will be completed by August 2021. The final cost of the demolition and improvements will impact the available funds for activating and programming the space until such time that a larger redevelopment project comes to fruition.

2. Downtown Parking Structure (\$65,000) - Last year, Staff requested \$65,000 to fund safety improvements to the Downtown parking structure because it continues to experience issues with vagrancy and criminal activity. The City had been spending approximately \$25,000 annually (between Public Works and Police) responding to calls at the Parking structure.

To help address the safety concerns and support the ongoing efforts of creating a clean and safe environment, Staff suggested updating the security camera system and lighting in the parking structure at an estimated cost of \$65,000. This project was originally tied into a larger project with security cameras and lighting at the Oxnard Transit Center (OTC). However, due to the complexity of the project at the OTC, the parking structure is now a stand alone project. The project is expected to be completed by July 2021.

*Public Safety: \$200,000 (Annually for Three Years)*

Downtown Targeted Police Deployment (\$200,000) - The Police Department's central business district (CBD) deployment plateaued in 2003-2004 when we had seven (7) POII's and one (1) POIII assigned downtown. This allowed for 7-day a week coverage both during the day and in the evening hours. During that time Oxnard PD conducted a lot of outreach with local business owners (oftentimes deployed on bicycles) and were also able to conduct enforcement and compliance checks on the bars/clubs at night. As the rest of the City began to grow (RiverPark, Seabridge, Westport, Cypress, East/West Village, etc.), Oxnard PD did not receive any additional officer positions so CBD staffing was redeployed to other areas in the City. Today staffing consists of two (2) POII's and one (1) POIII. Unfortunately, due to a long-term injury, there is only one of the POII positions filled in the CBD at the present time.

These funds result in 40 additional hours per week dedicated to the Downtown area and is similar to other communities such as Seabridge and Riverpark that fund additional Police personnel (in those cases it is through the Community Facilities Districts (CFDs)). These additional overtime funds also allowed for more weekend coverage and has allowed a return to alcohol compliance efforts in the evening hours which OPD was doing very little of. Overtime funding, rather than additional authorized officer positions, allows for a more directed impact by choosing the busiest hours and days for selective uniformed enforcement.

By providing additional overtime funding at a rate of \$200,000 annually limited to service within the Downtown the Oxnard Police Department (OPD) has been able to enhance efforts directed towards the mitigation of both downtown vagrancy and quality of life issues, as well as the ability to conduct business compliance checks related to both ABC regulations and Public Health Order compliance regarding COVID-19. The majority of the efforts have been directed towards the enforcement of the recently-enacted Oxnard City ordinances created to address camping, storage of public property, and panhandling in the Central Business District. Through October of 2020, officers have issued over six hundred (600) citations related to violations of these ordinances, focusing on repeat offenders. Additionally, officers have made over one-thousand (1000) arrests in the form of misdemeanor citations for other violations, including narcotic offenses, penal code violations, and traffic matters. While this may have moved some of the problems elsewhere, this has also given the officers an opportunity to become more familiar with the small number of persons responsible for the majority of the issues, to help those willing to accept services, such as mental health treatment, and provide placement at Oxnard's Temporary Homeless Shelter. Officers were able to conduct over twenty (20) business compliance checks prior to COVID-related shutdowns and reductions, focusing on compliance with both ABC regulations and matters related to the Public Health Orders. OPD plans to continue to follow this blueprint in the future, allowing for more of an emphasis on voluntary compliance of individuals and businesses related to COVID as the pandemic continues.

*Staff/Consultants: Additional \$30,000 recommended in fiscal year 2019/20 and \$90,000 annually for two additional years*

Previously the City funded (from the DIPSF) a full time Downtown Revitalization Manager. Funding for this position was revised to \$147,474 with the adopted 2019/20 Fiscal Year to fund a portion of the salaries for other Downtown-focused staff within the Community Development Department: Community Development Director, Economic Development Manager, Economic Development Project Manager (vacant), and Economic Development Administrative Secretary. The total annual costs remain the same. In addition, the City has contracted with New City America to provide revitalization services and advice. The adopted 2019/20 Fiscal Year budget allocated \$61,000 for New City America services and the previous recommendation increased this

amount by \$30,000 in Fiscal Year 2019/20 and authorized \$90,000 for these services for the next two additional years.

Over the past year, Marco LiMandri has worked closely with City staff and the Oxnard Downtown Management District (ODMD) to restructure it into a 501(c)3, adopt bylaws, convene a Downtown Oxnard Task Force, and issue RFPs for service providers for the newly formed organization, the Downtown Oxnard Improvement Association (DOIA). He will continue to work with this organization on setting goals, updating the agreement between the City and the DOIA, and maximizing the efficiency of the district Board of Directors.

## **STAKEHOLDER ENGAGEMENT**

Staff continually participates and provides a “City Update” at the Oxnard Downtown Management District monthly meetings. Staff has not solicited new ideas or support for new DIPSF funded projects. Prior to making any new recommendations for funding staff will engage the downtown stakeholders.

## **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 1. Improve community safety and quality of life through a combination of prevention, intervention, and suppression efforts that address crime and underlying issues.

Goal 2. Address homelessness through the development and implementation of a multi-tiered strategy.

Objective 2a. Identify the City’s homelessness mission and create a 5-year plan to address homelessness.

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.

Goal 2. Enhance business development throughout the City.

Objective 2d. Public safety will collaborate with the business community to promote an environment that supports economic development.

Goal 5. Revitalize Oxnard’s downtown and pursue economic development opportunities.

Objective 5a. Develop a vision and plan (with timelines) for downtown revitalization to create a vibrant center for our community, emphasizing cultural arts, diversity and historic assets.

## **FINANCIAL IMPACT**

In FY 2019-20, a total of \$687,474 was appropriated from the Downtown Improvement fund (481) for the projects described in this report. Actual expenses totaled \$356,882. Funds totaling \$798,337 have been appropriated for FY 2020-21 (Year 2). The projected FY 2020-21 ending unassigned fund balance of the City-Downtown Improvement fund (481) is approximately \$4.2 million. No new appropriations are being requested today. The budget for FY 2021-22 (Year 3) will be included in the budget during the annual budget process.

<b>Project</b>	<b>Budget Year 1 Appropriation</b>	<b>Budget Year 1 Actuals</b>	<b>Budget Year 2 Appropriation</b>	<b>Budget Year 3</b>	<b>Occurrence</b>
Economic Development Staffing (% of salary for CD Director, ED Manager, ED Project Manager, Admin. Secretary III positions)	\$147,474	\$88,811	\$148,337	\$147,474	annually
<b>Project</b>	<b>Budget Year 1 Appropriation</b>	<b>Budget Year 1 Actuals</b>	<b>Budget Year 2 Appropriation</b>	<b>Budget Year 3</b>	<b>Occurrence</b>
Homeless Outreach	\$50,000	\$0	\$100,000	\$60,000	annually
Laundromat	\$195,000	\$0	\$195,000	\$0	one-time
Downtown Parking Structure Lighting	\$65,000	\$0	\$65,000	\$0	one-time
Police Resources	\$200,000	\$198,994	\$200,000	\$200,000	annually
Consultant	\$30,000	\$67,500	\$90,000	\$90,000	annually
<b>Totals</b>	<b>\$687,474</b>	<b>\$356,882</b>	<b>\$798,337</b>	<b>\$497,474</b>	-

*Prepared by: Rosie Ornelas, Economic Development Manager*

## **ATTACHMENTS**

1. HEDC 12.8.20 Downtown Settlement Fund Presentation

# Downtown Improvement Program Settlement Funds (DIPSF) - Update

Housing and Economic Development Committee

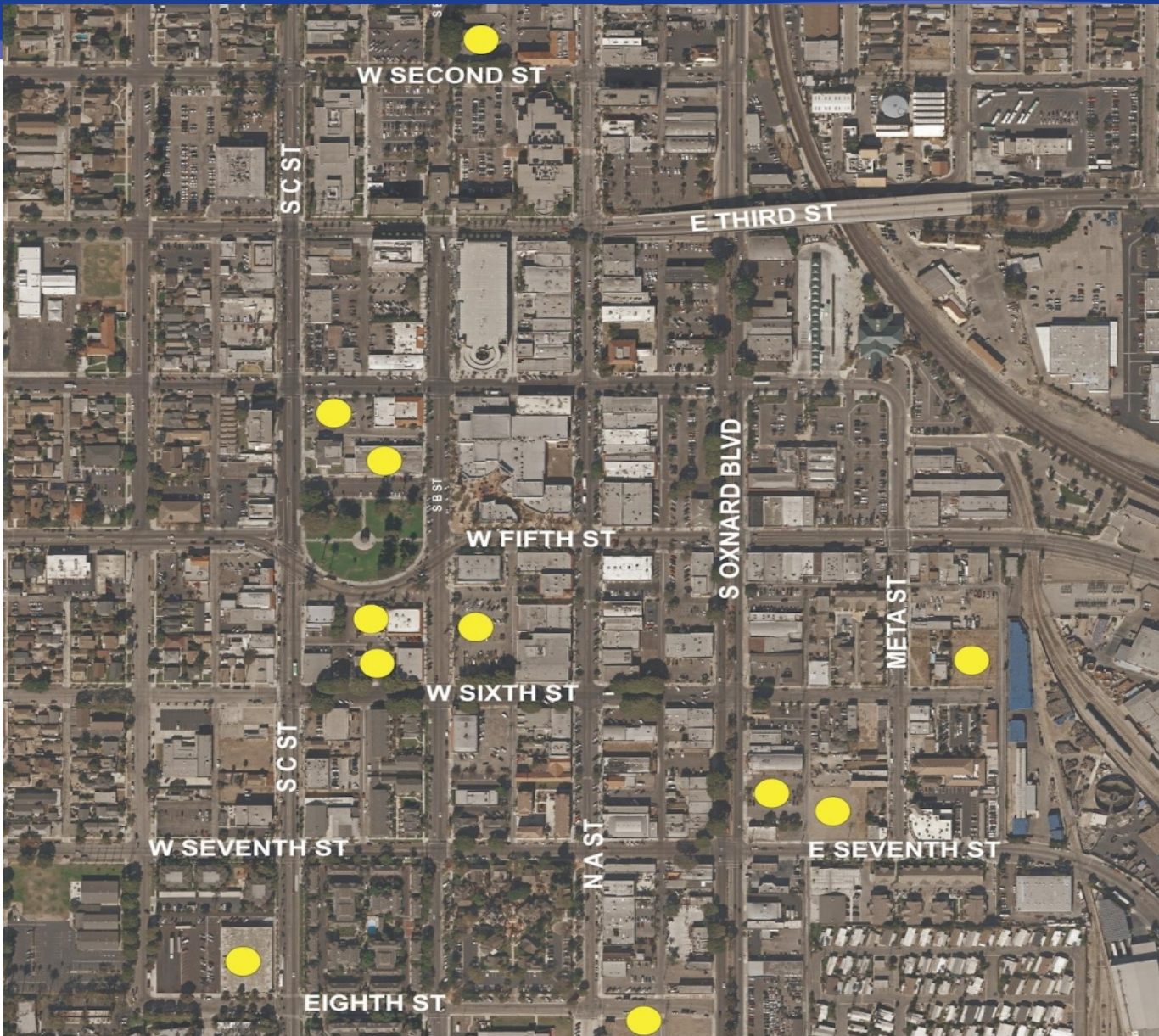
Rosie Ornelas, Economic Development Manager  
Community Development Department

December 8, 2020

- April 2015 - Settlement agreement reached and finalized between the City and developers of Centennial Plaza.
- Settlement funds were placed into a City account titled Downtown Improvement Program Settlement Funds (“DIPSF”).
  - The purpose is to invest in the revitalization of Downtown Oxnard.
- \$6.15 million was earmarked for Downtown Revitalization. The estimated FY20-21 ending unassigned fund balance will be approximately \$4.2 million.

1. Lighting Improvements (funded and completed)
2. Public Restrooms Pilot Program(funded, implemented but discontinued)
3. Tree Trimming (funded and completed)
4. Downtown Development (Zoning) Code (funded and completed)
5. Parking Management Plan (funded and in progress)
6. Arts Hub (funded and in progress)
7. Downtown Revitalization (position discontinued; now funds portions of salaries of staff that work on Economic Development)

# Downtown Development Projects (pending)



1. On December 3, 2019, Council approved projects associated with the following multi-pronged strategy to revitalization downtown . These strategies included:
  - a. Addressing the impact from homelessness and vagrancy
  - b. Seeking private economic investment through the development of city owned properties, and
  - c. Creating a clean and safe environment.
  - d. Creating a vibrant downtown environment.

1. Homeless Outreach: \$100,000 (annually for three years)
2. Property Management/Maintenance: \$260,000 (one time)
  - a. Laundromat Building Demolition(318 W. 5th Street) \$195,000 (one time)
  - b. Downtown Parking Structure Improvements: \$65,000 (one time)
3. Downtown Targeted Police Deployment: \$200,000 (annually for three years)
4. Staff/Consultants:
  - a. City Staff: \$147,474 (annually for three years)
  - b. Downtown Consultant: \$61,000 FY 19-20; \$91,000 (annually for two years)

## Street outreach worker hired

- Housing issued RFP and awarded the contract to Salvation Army.
- Team member works in partnership with local service providers and law enforcement
- Annual cost - \$60,000
- In October 2020, Salvation Army hired additional staff dedicated to the downtown service area



DOING THE MOST GOOD®

- **Laundromat (318 W. 5th Street) - \$195,000 estimated**
  - City staff concluded best option is to demolish building.
  - City developed a strategy to activate space to ensure the property is an ongoing asset to the Downtown community.
  - City will issue RFP in January 2021
  - Demo to take place by August 2021



- **Downtown Parking Structure - \$65,000 estimated**
  - City is spending approximately \$25,000 annually (between Public Works and Police) responding to calls at the Parking structure
  - Recommending lighting upgrades to make the parking structure more inviting to users



## Additional Police Deployment Resources

- 2003-2004: 7 Police Officers (PO)II's ; 1 Police Officer III assigned downtown
- 2019: 2 POIIs and 1 POIII
- The approved \$200,000 provided:
  - 40 hours a week dedicated to the Downtown area
  - Overtime funding allowed for more weekend coverage and OPD to return to evening alcohol compliance efforts



- Through the adoption of the 2019/2020 annual budget, that position was folded into the duties of several key staff:
  - Community Development Director
  - Economic Development Manager, Project Manager (currently vacant), and Admin Secretary
- The City has contracted with New City America (Marco LiMandri) to provide revitalization services and support for the ODMD to create a stronger revenue source for reinvestment in downtown
  - Marco restructured the ODMD into a 501c3
  - Assisted in creating the Downtown Task Force
  - Issued three RFPs for the positions for the Downtown Oxnard Improvement Association (DOIA)

- Adopted Fiscal Year 2019-2020:
  - TOTAL Fiscal Year 2020 appropriations - \$540,000
  - TOTAL Fiscal Year 2020 actuals - \$361,682
  - Projected FY20-21 ending fund balance = \$4.2M
- Projected FY 2021 Annual Costs: \$797,474
- Projected FY 2022 Annual Costs: \$537,474

Total recommendation costs over three years:

- \$1,614,948

That the Housing and Economic Development Committee receive an update on the implementation of the approved projects funded with the Downtown Improvement Program Settlement Funds.





**QUESTIONS?**