

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.



AMENDED AGENDA

Items C.1 4/27/21 Minutes & D.2 Attachments B & C Revised

AGENDA

OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Council Chambers, 305 West Third Street

July 27, 2021

Regular Meeting - 6:45 to 8:15 PM

(TEMPORARY MEETING TIME CHANGE)

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.

As a precautionary measure to help slow the spread of COVID-19, the City Council facilities are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at [Youtube.com/oxnardnews](https://www.youtube.com/oxnardnews). Video recordings are typically available online immediately following the meeting. *Please see the link for the Measure M pre-recorded presentation video for each agenda item below.

The public may provide comments to the City Council via email at 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. 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, or call the City Clerk's Office at (805) 385-7803, or email your request to cityclerk@oxnard.org.

*The City has filed pre-election and post-election lawsuits regarding the validity of Measure M. The judge has not yet ruled on the legal sufficiency of Measure M.

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 thirty 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. Speakers are limited to three minutes. If the allotted 30 minute time period expires before all speakers have had the opportunity to speak, the remaining speakers will be given an opportunity to speak prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

C. CONSENT AGENDA

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: (Presentation / Committee Discussion / Public Comment)

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development:

1. Rescind its previous approvals of the January 12, 2021 regular meeting minutes; and
2. Approve the revised January 12, 2021 regular meeting minutes as presented; and
3. Approve the regular meeting minutes of March 23, 2021, April 13, 2021, April 27, 2021, May 11, 2021, May 25, 2021 and June 8, 2021 regular meetings as presented.

Contact: Rose Chaparro, (805) 385-7805

D. REPORTS

1. Housing Department

SUBJECT: Vocational Training Pilot Program for Previously Homeless Individuals (0/10/10).

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee receive and file the presentation and report regarding the Vocational Training Pilot Program for previously homeless individuals.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/eUx7NsBIJUw>

Contact: Emilio Ramirez, (805) 385-8094

2. Community Development Department

SUBJECT: Update on 6th Cycle Housing Element - Review of Input Received from the State of California, Department of Housing and Community Development (HCD) (Planning and Zoning Permit No. 20-620-03). (0/15/15)

RECOMMENDATION:

That the Community Services, Public Safety, Housing & Development Committee (Committee) provide input to staff and vote on the following questions to provide input in response to comments from the State of California, Department of Housing and Community Development (HCD):

1. Does the Committee support the addition of the new program language (Program 2, Part E - Citywide Homeowner Repair program) to target place-based revitalization efforts in areas of concentrated poverty to address state fair housing law?
2. Does the Committee support the new Affirmatively Furthering Fair Housing (AFFH) program language (Program 19) to address State AFFH requirements with conceptual approval to address HCDs input?
3. Does the Committee support the creation of the proposed new Accessory Dwelling Unit (ADU) housing program (Program 44) for homeowners to deed restrict their ADU as affordable to lower income households for 55 years?
4. Does the Committee support allocating financial resources for Programs 41 (Ventura County Farmworker Housing Study) and 42 (Housing Trust Fund Program)? This funding request would occur in early 2022.
5. Is there support for a lot consolidation program to waive lot merger fees for specific affordable housing sites (Program 5 - Parcel Assemblage/Lot Consolidation Program)?

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/5IKSw8HPc6c>

Contact: Vyto Adomaitis, (805) 385-7882

3. Housing Department

SUBJECT: Encampment Response Project and Related Agreement. (0/10/10)

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee:

1. Review Encampment Response Project Plan;
2. Recommend that City Council approve a plan and updated timeline for encampment response to an existing encampment near Ormond Beach; and
3. Recommend that City Council approve and authorize the Mayor to execute an agreement with the County of Ventura/Ventura County Health Care Agency to provide encampment outreach, case management and motel voucher administration services.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/86YIK5Fubr0>

Contact: Emilio Ramirez, (805) 385-8094

4. Community Development Department

SUBJECT: Presentation of Required Off-Street Parking for Bed and Breakfast Uses (0/10/10)

RECOMMENDATION:

That the Community Services, Public Safety, Housing & Development Committee:

1. Receive a summary report on an off-street parking presentation for Bed and Breakfast uses to Chapter 16 of the Oxnard City Code (OCC);
2. Provide input on the required off-street parking for the Bed and Breakfast uses; and
3. Determine if staff should pursue a Zone Text Amendment (ZTA) in Chapter 16 of the Oxnard City Code (OCC) to modify the existing off-street parking requirement for bed and breakfast uses.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/CUSy3y8KsHo>

Contact: Vyto Adomaitis, (805) 385-7882

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT



COMMUNITY SERVICES, PUBLIC SAFETY, HOUSING & DEVELOPMENT COMMITTEE AGENDA REPORT

CONSENT AGENDA AGENDA ITEM NO. C.1

DATE: July 27, 2021

TO: Community Services, Public Safety, Housing & Development Committee

FROM: Rose Chaparro, City Clerk, (805) 385-7805, rose.chaparro@oxnard.org

SUBJECT: Approval of Minutes.

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development:

1. Rescind its previous approvals of the January 12, 2021 regular meeting minutes; and
2. Approve the revised January 12, 2021 regular meeting minutes as presented; and
3. Approve the regular meeting minutes of March 23, 2021, April 13, 2021, April 27, 2021, May 11, 2021, May 25, 2021 and June 8, 2021 regular meetings as presented.

BACKGROUND

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the five strategic priorities adopted by City Council on March 16, 2021.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Rose Chaparro, City Clerk

ATTACHMENTS

1. MINUTES 01 12 2021 Community Services, Public Safety, Housing & Development Committee
2. MINUTES 03 23 2021 Community Services, Public Safety, Housing & Development Committee
3. MINUTES 04 13 2021 Community Services, Public Safety, Housing & Development Committee
4. MINUTES 04 27 2021 Community Services, Public Safety, Housing & Development Committee
5. MINUTES 05 25 2021 Community Services, Public Safety, Housing & Development Committee
6. MINUTES 06 08 2021 Community Services, Public Safety, Housing & Development Committee

MINUTES
(Revised Item D.2)
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
JANUARY 12, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair Bryan A. MacDonald called to order the regular meeting of the Oxnard City Council Community Development, Community Services, Housing and Public Safety 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. Chair MacDonald and Member Oscar Madrigal were present via videoconference. Member John C. Zaragoza was present in person.

Staff members present were Ken Rozell, Chief Assistant City Attorney; Ashley Golden, Assistant City Manager; and Rose Chaparro, City Clerk.

Staff members that participated via videoconference were Alexander Nguyen, City Manager; Shiri Klima, Deputy City Manager; Emilio Ramirez, Housing Director; Rosemarie Gaglione, Public Works Director; Brian Yanez, Assistant Public Works Director; Steve Howlett, Assistant Public Works Director; Tatiana Arnaout, City Engineer; Juanita Guzman, Administrative Services Manager; Eric Humel, Grants Coordinator; and Terrel Harrison, Cultural & Community Services Director.

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 Community Services, Public Safety, Housing & Development Committee approve the minutes of October 13, 2020 Community Services Committee regular meeting as presented; and

Approve the minutes of the December 8, 2020 Public Safety Committee regular meeting as presented; and

Approve the minutes of the December 8, 2020 Housing and Economic Development Committee regular meeting as presented.

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

D. REPORTS

1. Housing Department

SUBJECT: Oxnard Housing Authority "Rethink and Renew" Initiative Update.

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

Emilio Ramirez, Housing Director, gave a report. Public comment was received from Pat Brown. Discussion ensued among the Committee and staff. No formal action was taken.

2. Public Works Department

SUBJECT: Update on the Parks and Recreation Master Plan.

RECOMMENDATION: That the Community Services Committee receive an update on the draft Parks and Recreation Master Plan (Master Plan) and provide feedback.

Brian Yanez, Assistant Public Works Director; and Steve Howlett, Assistant Public Works Director, answered the Committee's questions. Public comments were received by Pat Brown, Roger Poirier, and Gabriel Teran. Discussion ensued among the Committee and staff. Report was received and filed, no formal action was taken.

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

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair MacDonald adjourned the meeting at 7:25 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair

MINUTES
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
MARCH 23, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair MacDonald called to order the regular meeting of the Oxnard City Council Community Services, Public Safety, Housing & 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. Chair MacDonald and Member Madrigal were present via videoconference. Member Zaragoza was present in person.

Staff members Ashley Golden, Assistant City Manager; Ken Rozell, Chief Assistant City Attorney; and Rose Chaparro, City Clerk were present in person.

Alexander Nguyen, City Manager; Shiri Klima, Deputy City Manager; Jason Benites, Police Chief; Denise Shadinger, Assistant Police Chief; Alex Arnett, Police Commander; Emilio Ramirez, Housing Director; participated via videoconference.

Donna Gillespy, County of Ventura Animal Control Services Deputy Director; and Phil Rarick, County of Ventura Director of Administrative Services also participated via videoconference.

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

C. CONSENT AGENDA

City Clerk

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee approve the minutes of January 12, 2021 regular meeting as presented.

It was moved by Member Zaragoza, seconded by Chair MacDonald, to revise the January 12, 2021 Committee meeting minutes. Item D.2 was received and filed by the Committee. The Committee did not take any formal action on the item. Vote: Zaragoza, MacDonald, and Madrigal voted in favor; the motion carried 3-0.

D. REPORTS

Police Department

1. SUBJECT: Agreement (A-8151) for Animal Safety Services with Ventura County Animal Services.

RECOMMENDATION: That the Community Services, Public Safety, and Economic

Development Committee recommend the City Council approve a budget appropriation with a total cost projection in the amount of \$2,479,135.18 and authorize the Mayor to sign a Service Level Request for FY 21-22 for the second year of a five year agreement (A-8151) with the County of Ventura to provide animal safety services.

Jason Benites, Police Chief and Alex Arnett, Police Commander answered the Committee's questions. Discussion ensued among the Committee and staff.

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

Housing Department

2. SUBJECT: 5-Year PHA Plan, Annual Agency Plan and Capital Fund Program (CFP) Five-Year Action Plan for Low Rent Public Housing.

RECOMMENDATION: That the Community Services, Public Safety, Housing and Development Committee recommend that the Housing Authority of the City of Oxnard:

1. Hold a public hearing to receive comments concerning the second year of the 5-Year PHA Plan, the 2021 CFP Budget, and the CFP Five-Year Action Plan; and
2. Adopt a resolution:
 - a. Approving the 2021 Annual Agency Plan, 5-Year PHA Plan for the Housing Authority;
 - b. Authorizing and directing the Chairman to execute the Department of Housing and Urban Development (HUD) Public Housing Agency Certification Compliance Form certifying the Housing Authority's compliance with HUD's policies and procedures;
 - c. Authorizing the Housing Director to execute and submit all reports, documents and all other certifications required to comply with HUD's policies and procedures regarding the Annual Agency Plan and the 5-Year PHA Plan;
 - d. Approving the 2021 CFP Budget and CFP Five-Year Action Plan; and
 - e. Authorizing the Housing Director to accept and expend the funds as indicated in the 2021 CFP Budget and CFP Five-Year Action Plan.

Emilio Ramirez, Housing Director answered the Committee's questions. Public comments were received from Pat Brown. Discussion ensued among the Committee and staff.

It was moved by Member Zaragoza, seconded by Member Madrigal, to approve the recommended action as presented. VOTE: Zaragoza, Madrigal, and MacDonald 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 MacDonald adjourned the meeting at 7:08 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair

MINUTES
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
APRIL 13, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair Bryan A. MacDonald called to order the regular meeting of the Oxnard City Council Community Services, Public Safety, Housing & 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. Chair MacDonald and Member Madrigal were present via videoconference. Member Zaragoza was present in person.

Staff members present in person were Ashley Golden, Assistant City Manager; Ken Rozell, Chief Assistant City Attorney; and Rose Chaparro, City Clerk.

Alexander Nguyen, City Manager; Jason Benites, Police Chief; Alexander Hamilton, Fire Chief; Emilio Ramirez, Housing Director; Vyto Adomaitis, Community Development Director; Kathleen Mallory, Planning & Sustainability Manager; Scott Kolwitz, Planning & Environmental Services Manager; and Isidro Figueroa, Principal Planner; participated via videoconference.

Heather Davis from Rincon Consultants and Jennifer Gastelum, PlaceWorks, Housing Element Consultant also participated via videoconference.

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

C. CONSENT AGENDA

City Clerk

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee approve the revised meeting minutes of January 12, 2021 regular meeting as presented.

It was moved by Member Zaragoza, seconded by Member Madrigal, to revise the January 12, 2021 Committee meeting minutes to state that Item D.2 was received and filed by the Committee. The Committee did not take any formal action on the item. VOTE: Zaragoza, Madrigal, and MacDonald voted in favor; the motion carried 3-0.

D. REPORTS

1. Community Development Department

SUBJECT: Review of the City of Oxnard 2021-2029 Draft Housing Element and General Plan Amendment for Housing Element Update (Planning and Zoning Permit No. 20-620-03).

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend the City Council:

1. Receive a presentation on 2021-2029 Draft Housing Element (6th Cycle Housing Element); and
2. Provide input on the new Planning Commission recommended Draft Housing Element programs; and
3. Recommend that the City Council submit the Draft Housing Element to the State of California Housing and Community Development Department (HCD).

Kathleen Mallory, Planning & Sustainability Manager; Jennifer Gastelum, PlaceWorks Housing Element Consultant; and Heather Davis, Rincon Consultants; answered the Committee's questions. Public comments were received from Barbara Macri-Ortiz, Joel Gisler, and Roy Prince. Written comments were received from Barbara Macri-Ortiz and Roy Prince. Discussion ensued among the Committee and staff.

It was moved by Member Zaragoza, seconded by Chair MacDonald, to approve the recommended action with the addition to include the following programs: the Ventura County Housing Trust Fund Program, the Ventura County Farm Worker Housing Program; and a new program identified by the Ventura County Coalition of Low Income Housing Organizations and Advocates for the Annual Housing Element Workshop; and remove the Gisler Property Parcel, as presented. VOTE: Member Zaragoza and Chair MacDonald voted in favor; and Member Madrigal voted against. The motion carried 2-1.

2. Community Development Department

SUBJECT: Consideration to Include Medical Clinics and Hospitals as a Sensitive Use Requiring Separation from Businesses Engaged in the Sale of Firearms and Ammunition and Firearm Ranges: Planning and Zoning (PZ) Permit No. 20-580-05 (Zone Text Amendment to Oxnard City Code Chapter 16, Article II Section 16-10 and Article V Divisions 19 & 20).

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend:

1. Receive a summary report on a potential Zone Text Amendment (ZTA) to Chapter 16 of the Oxnard City Code (OCC) to include medical clinics and hospitals within Section 16-10 (Definitions), and include medical clinics and hospitals as a sensitive use requiring a minimum separation from firearm and ammunition sales and firearm ranges uses within Division 19 and 20 of Article V;
2. Provide input on the proposed definitions for medical clinics and hospitals; and
3. Determine if staff should pursue a ZTA Chapter 16 of the Oxnard City Code (OCC) to and include medical clinics and hospitals as a sensitive use requiring a minimum separation from firearm and ammunition sales and firearm ranges uses within Division 19 and 20 of

Article expend the funds as indicated in the 2021 CFP Budget and CFP Five-Year Action Plan.

Scott Kolwitz, Planning & Environmental Services Manager and Isidro Figueroa, Principal Planner answered the Committee's questions. Public comments were received from Keith Lauterbach. Discussion ensued among the Committee and staff.

It was moved by Member Madrigal, seconded by Member Zaragoza, to forward this item to the Planning Commission for their consideration of whether to include medical clinics and hospitals as a sensitive use. VOTE: MacDonald, Zaragoza, and Madrigal voted in favor; the motion carried 3-0.

3. Housing Department

SUBJECT: First Amendment of the Regional Consolidated Plan for the CARES Act Funds and Second Amendment of the 2020 Annual Action Plan.

RECOMMENDATION: That the Committee recommend that the City Council:

1. Conduct a hearing to receive public comments relating to the following documents to be submitted to the United States Department of Housing and Urban Development, Office of Community Planning and Development:
 - (a) First Amendment of the 2020-2024 Ventura County Regional Consolidated Plan for the Oxnard CARES Act Funds; and
 - (b) Second Amendment to the 2020 Annual Action Plan for the purpose of adding \$352,000 for Homeless Shelter Improvement at 1450 South Rose Ave;
2. Approve the First Amendment to the 2020-2024 Ventura County Regional Consolidated Plan for the CARES Act Funds total of \$8,343,372, by funding CDBG-CV Resources \$3,088,367, ESG-CV Resources \$5,255,005 and Goals of the COVID Pandemic Response activities;
3. Approve the Second Amendment to the 2020 Annual Action Plan to add \$352,000 Homeless Shelter facility improvement costs at 1450 South Rose Avenue, and to include prior year resources remaining from 2019 Homeless Shelter facilities to fund \$352,000 of the project costs for 1450 South Rose Avenue;
4. Authorize the City Manager to execute the required applications, certifications, and other pertinent documents for the submission of the First Amendment of the Ventura County Regional Consolidated Plan and the Second Amendment of the 2020 Annual Action Plan to the United States Department of Housing and Urban Development; and
5. Authorize the City Manager to incorporate any recommended changes resulting from public input to the First Amendment of the Ventura County Regional Consolidated Plan and Second Amendment of the 2020 Annual Action Plan, as directed by the City Council, including amending any budget appropriations approved by the City Council.

Emilio Ramirez, Housing Director, answered the Committee's questions. There were no public comments. Discussion ensued among the Committee and staff.

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

E. ITEMS FOR FUTURE AGENDAS

Chair MacDonald asked staff to bring back the short term rental discussion and bring a presentation to Council at a future meeting.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair MacDonald adjourned the meeting at 7:58 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair

MINUTES
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
APRIL 27, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair Bryan A. MacDonald called to order the regular meeting of the Oxnard City Council Community Services, Public Safety, Housing & 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. Chair MacDonald and Member Madrigal were present via videoconference. Member Zaragoza was present in person.

Staff members present in person were Ashley Golden, Assistant City Manager; Ken Rozell, Chief Assistant City Attorney; Terrel Harrison, Cultural & Community Services Director; and Rose Chaparro, City Clerk.

Alexander Nguyen, City Manager; Shiri Klima, Deputy City Manager; Jason Benites, Police Chief; Eric Sonstegard, Assistant Police Chief; and Alex Arnett, Police Commander; participated via videoconference.

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

C. REPORTS

1. Police Department

SUBJECT: Office of Traffic Safety Selective Traffic Enforcement Program Grant.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend that the City Council adopt a resolution authorizing:

1. The City Manager to apply for \$478,018.52 in grant funds from the State of California, Office of Traffic Safety (OTS), to be used for the FY 2021-2022 Selective Traffic Enforcement Program (S.T.E.P.);
2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for use of OTS funds;
4. The Chief of Police or designee to submit all program related progress or status reports.

Alex Arnett, Police Commander and Eric Sonstegard, Assistant Police Chief were available to answer the Committee's questions. Public comments were received from Pat Brown. Discussion ensued among the Committee and staff.

The Committee made a recommendation that agenda items seeking approval to apply for grant funds, where there is no required City match, be placed directly on the Council meeting agendas and Council is provided an update report on the status of the grants.

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

2. Police Department

SUBJECT: Office of Traffic Safety Pedestrian and Bicycle Safety Grant.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend that the City Council adopt a resolution authorizing:

1. The City Manager to apply for \$25,694.49 in grant funds from the State of California, Office of Traffic Safety (OTS), to be used for the FY 2021-2022 Pedestrian and Bicycle Safety;
2. The City Manager or designee to execute grant agreements and appropriate funds upon confirmation of grant award;
3. The Chief Financial Officer or designee to submit financial reports and grant claims and approve budget appropriations for use of OTS funds; and
4. The Chief of Police or designee to submit all program related progress or status reports.

Jason Benites, Police Chief and Alex Arnett, Police Commander were available to answer the Committee's questions. No public comment was heard. Discussion ensued among the Committee and staff.

The Committee made a recommendation that agenda items seeking approval to apply for grant funds, where there is no required City match, be placed directly on the Council meeting agendas and Council is provided an update report on the status of the grants.

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

3. Cultural & Community Services Department

SUBJECT: Agreement with the Oxnard School District for the operations of the After School Education and Safety Grant.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend that the City Council approve and authorize the Mayor to execute an agreement (A-8318) with the Oxnard School District (OSD) for the City to receive an amount not to exceed \$2,750,000 with a City match of \$130,000 of in-kind services.

Terrel Harrison, Cultural & Community Services Director answered the Committee's questions. No public comments were heard. Discussion ensued among the Committee and staff.

It was moved by Member Zaragoza, seconded by Member Madrigal, to approve the recommended

action as presented. VOTE: MacDonald, Madrigal, and Zaragoza voted in favor; the motion carried 3-0.

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

E. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair MacDonald adjourned the meeting at 7:10 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair

MINUTES
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
MAY 25, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair Bryan A. MacDonald called to order the regular meeting of the Oxnard City Council Community Services, Public Safety, Housing & 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. Chair MacDonald participated via videoconference. Member Zaragoza was present in person. Member Madrigal was absent.

Staff members present in person were Ashley Golden, Assistant City Manager; Ken Rozell, Chief Assistant City Attorney; and Rose Chaparro, City Clerk.

Alexander Nguyen, City Manager; Alexander Hamilton, Fire Chief; Emilio Ramirez, Housing Director; and Roger Brooks, CDD Code Compliance Manager participated via videoconference.

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

C. CONSENT AGENDA

City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee approve the meeting minutes of the January 26, 2021 regular meeting as presented.

It was moved by Member Zaragoza, seconded by Chair MacDonald, to approve the meeting minutes as presented. MacDonald and Zaragoza voted in favor; the motion carried 2-0. Member Madrigal was absent.

D. REPORTS

1. Housing Department

SUBJECT: Housing Authority: Low Rent Public Housing and Housing Choice Voucher Program Budgets for Fiscal Year 21-22.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend that the Board of Commissioners of the Housing Authority of the City of Oxnard ("Authority"):

1. Adopt a resolution approving the recommended \$7,175,311 operating budget for the Low Rent Public Housing Program for Fiscal Year 21-22, as presented for each project

area, and approve and authorize the use of \$703,336 of unrestricted cash to fund the projected deficit; and

2. Adopt a resolution approving the recommended \$25,128,842 operating budget for the Housing Choice Voucher Program for Fiscal Year 21-22 and approve and authorize the use of \$551,267 of unrestricted cash to fund the projected deficit.

Emilio Ramirez, Housing Director, answered the Committee's questions. Discussion ensued among the Committee and staff.

It was moved by Chair MacDonald, seconded by Member Zaragoza, to approve the recommended action as presented. VOTE: MacDonald and Zaragoza voted in favor; the motion carried 2-0. Member Madrigal was absent.

2. Housing Department

SUBJECT: 2021 Annual Action Plan Community Development Block Grant, HOME Investment Partnerships, and Hearth Emergency Solutions Grant Funding Recommendations.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend that the City Council:

1. Conduct a public hearing regarding the Plan Year 2021 Annual Action Plan draft document with funding recommendations for the second year of the 2020-2024 Ventura County Regional Consolidated Plan;
2. Approve the 2021 Annual Action Plan with final recommended use of funds for selected activities that conform with City of Oxnard consolidated plan goals as defined in the Ventura County Regional Consolidated Plan for the three entitlement grants (Community Development Block Grant, Home Investments Partnership grant and the Emergency Solutions Grant) to be submitted to the United States Department of Housing and Urban Development, as prescribed;
3. Authorize the City Manager to incorporate any recommended changes to the Annual Action Plan as directed by the City Council, including amending any budget appropriations approved by the City Council;
4. Authorize the City Manager to execute the required applications, certifications, and other pertinent documents for the submission of the Annual Action Plan to the United States Department of Housing and Urban Development, Office of Community Planning and Development; and
5. Authorize the City Manager to execute HUD agreements and sign all agreements for the implementation of the Annual Action Plan including sub-recipients, interdepartmental, and intradepartmental agreements.

Emilio Ramirez, Housing Director, answered the Committee's questions. Discussion ensued among the Committee and staff.

It was moved by Chair MacDonald, seconded by Member Zaragoza, to approve the recommended action as presented. VOTE: Zaragoza and MacDonald voted in favor; the motion carried 2-0. Member Madrigal was absent.

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

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair MacDonald adjourned the meeting at 6:57 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair

MINUTES
OXNARD CITY COUNCIL
COMMUNITY SERVICES, PUBLIC SAFETY,
HOUSING & DEVELOPMENT COMMITTEE
Regular Meeting
JUNE 8, 2021

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:45 p.m., Chair Bryan A. MacDonald called to order the regular meeting of the Oxnard City Council Community Services, Public Safety, Housing & 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. Chair MacDonald and Member Madrigal participated via videoconference. Member Zaragoza was present in person.

Staff members present in person were Ashley Golden, Assistant City Manager; Ken Rozell, Chief Assistant City Attorney; Terrel Harrison, Cultural & Community Services Director; and Rose Chaparro, City Clerk.

Alexander Nguyen, City Manager; Shiri Klima, Deputy City Manager; Vyto Adomaitis, Community Development Director; Jeff Pengilley, Community Development Assistant Director; and Kathleen Mallory, Planning & Sustainability Manager; participated via videoconference.

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

C. CONSENT AGENDA

City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee approve the minutes of the February 23, 2021 regular meeting as presented.

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

D. REPORTS

1. Community Development Department

SUBJECT: City of Oxnard Participation in Clean Power Alliance Power Ready Program (Solar and Battery Backup) for the Building Located at 214 South C Street (Service Center).

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee support the City's continued evaluation of participation in the Clean Power Alliance Power Ready Program for the installation of solar roof top photovoltaic and battery storage to support building operations at 214 South C Street (aka "the Service Center").

Kathleen Mallory, Planning & Sustainability Manager and Jack Clark, Customer Programs Director, at Clean Power Alliance, answered the Committee's questions. Discussion ensued among the Committee and staff.

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

2. Cultural & Community Services Department

SUBJECT: Agreement with the Hueneme School District for the operations of the After School Education and Safety (ASES) program in FY 2021-22, FY 2022-23 and FY 2023-24.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee recommend that Council approve and authorize the Mayor to execute the Partnership Agreement (A-8336) and Memorandum of Understanding (A-8337) with the Hueneme Elementary School District (HESD) for the City of Oxnard to receive the total amount of \$3,159,896 to provide services under the California After School Education and Safety (ASES) program at ten (10) HESD schools during FY 21-22, FY 22-23 and FY 23-24.

Terrel Harrison, Cultural & Community Services Director was available to answer the Committee's questions. Discussion ensued among the Committee and staff.

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

3. Community Development Department

SUBJECT: Oxnard Permit Simplicity Act Implementation Report.

RECOMMENDATION: That the Community Services, Public Safety, Housing & Development Committee receive a report and provide input on the implementation of the Oxnard Permit Simplicity Act.

Jeff Pengilley, Community Development Assistant Director, answered the Committee's questions. Discussion ensued among the Committee and staff.

It was moved by Member Zaragoza, seconded by Member Madrigal, to approve the recommended action as presented. VOTE: Madrigal, MacDonald, and Zaragoza 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 MacDonald adjourned the meeting at 7:02 p.m.

ROSE CHAPARRO
City Clerk

BRYAN A. MACDONALD
Chair



COMMUNITY SERVICES, PUBLIC SAFETY, HOUSING & DEVELOPMENT COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.1

DATE: July 27, 2021

TO: Community Services, Public Safety, Housing & Development Committee

FROM: Emilio Ramirez, Housing Director, (805) 385-8094, emilio.ramirez@oxnard.org

SUBJECT: Vocational Training Pilot Program for Previously Homeless Individuals (0/10/10).

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee receive and file the presentation and report regarding the Vocational Training Pilot Program for previously homeless individuals.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/eUx7NsBIJUw>

BACKGROUND

The Housing Department is planning to launch a vocational program pilot that combines housing and supportive services for previously homeless individuals to enter the workforce and increase housing stability.

Moving from homelessness to housing comes with its own challenges that include learning the skills and responsibilities of being a tenant, managing potential mental health issues including trauma from being homeless, and working towards greater stability through employment.

By coordinating with housing, case managers, employment supports and program participants, tenants who have previously experienced homelessness can simultaneously work through their individual housing, health and employment goals in a program that engages participants in job preparation, training, and real paid work.

PROGRAM OVERVIEW

The vocational pilot program will offer 5-10 previously homeless individuals who now receive housing or rent vouchers from the City of Oxnard's Housing Department additional support through the Ventura County Workforce Development Board (WDB)/Adult Family Services - Career Services to aid their entry to the workforce and increase housing stability.

The City of Oxnard Housing Department will identify 5-10 individuals to participate and will provide job opportunities to the WDB/Adult Family Services-Career Services within the Housing Department. The WDB will prepare participants for enrollment, assess participants and explore work they are interested in pursuing. The WDB will also identify potential jobs in the competitive market for participants and provide follow up services to participants for 12 months after exit.

Both the Housing Department and Workforce Development Board will meet regularly to conduct case conferencing. Case conferencing will also include the participant's case worker. The work experience in this program will consist of real paid work but will be supportive in order to provide learning experiences for participants who are new or returning to the workforce.

By providing vocational training, case management, and coordination with housing it is the hope that this program will prepare participants to enter the workforce, provide real paid work experience, improve housing stability and support participants on a path to long term/permanent employment.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to restore and increase quality services and programs that enrich Oxnard's diverse community, promotes safe neighborhoods, encourages community engagement, and supports our residents in their efforts to improve their quality of life.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Emilio Ramirez, Housing Director

ATTACHMENTS

1. Draft Operational Agreement
2. Vocational Presentation

DRAFT

Operational Agreement between the City of Oxnard and Ventura County Workforce Development Board/Adult Family Services-Career Services for the Vocational Pilot Program

PURPOSE

The vocational pilot program will offer 5-10 previously homeless individuals who now receive housing or rent vouchers from the City of Oxnard's Housing department additional supports through the Ventura County Workforce Development Board (WDB)/Adult Family Services-Career Services to aid their entry to the workforce and increase housing stability. The program is designed to address challenges people face moving from homelessness to housing including learning the skills and responsibilities of being a tenant, managing potential mental health issues including trauma from being homeless, and working towards greater stability through employment. By coordinating with housing, case managers and employment supports, tenants who have previously experienced homelessness can simultaneously work through their individual housing, health and employment goals in a program that engages participants in job preparation, training, and real paid work.

This Partnership Agreement is entered into by the City of Oxnard Housing Department and the Ventura County Workforce Development Board/Adult Family Services-Career Services. The purpose of this Operational Agreement is to set forth expectations and responsibilities of each partner organization for administering this program.

GENERAL PROVISIONS

The City of Oxnard Housing Department will:

- 1) Identify 5-10 individuals who were previously homeless and now receive housing or rent vouchers from the City of Oxnard's housing program to participate in the program.
- 2) Provide assistance to participants through the Homeless Assistance Program Coordinator to find a case manager if they do not already have one.
- 3) Coordinate with the WDB/Adult Family Services-Career Services to determine jobs that meet both the needs of the Housing Department and the program participant.
- 4) Provide job opportunities to the WDB/Adult Family Services-Career Services within the City of Oxnard, particularly the Housing Department.

The Ventura County Workforce Development Board/Adult Family Services-Career Services will:

- 1) Prepare participants for enrollment in the Workforce Innovation and Opportunity Act (WIOA) Title I Program.

- 2) Assess participants to explore of types of work they are interested in pursuing and create individual training accounts (ITA), as necessary.
- 3) Work with the participants to find employment within the City of Oxnard Housing Department, other city departments, City Corps, or outside of the city government.
- 4) Identify potential jobs in the competitive market for participants, including assessing individualized options that may include on the job training (OJT).
- 5) Provide follow-up services to participants for 12-months after exit.

All partner agencies will:

- 1) Meet regularly to conduct case conferencing. Formal case conferencing sessions will take place once per month. Discussions between partners regarding the program and participant status may take place in between case conferencing meetings.

TERMS OF AGREEMENT:

This Operational Agreement shall be effective upon adoption by each signatory agency and entity. The program will run for the duration of 1 year from launch of the program. The launch of the program will be considered the date of the first case conferencing session.

This Operational Agreement shall be reviewed and revised as needed to further implementation of strategic and long-term goals of the project.

This Operational Agreement can be expanded, modified or amended as needed by the consent of both agencies. This Operational Agreement shall be in effect for the duration of the pilot program unless terminated by mutual agreement in writing prior to this project end date.

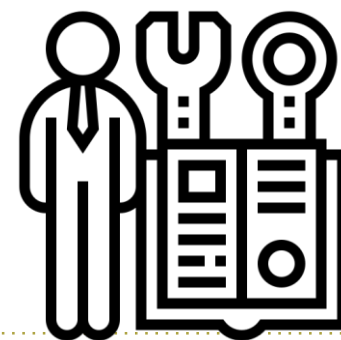
By: _____
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By: _____
Name: _____
Date: _____

Proposed Homeless Vocational Program

Community Services, Public Safety, Housing & Development Committee
June 8 2021

- Vocational program pilot that combines housing and supportive services for previously homeless individuals to enter the workforce and increase housing stability.
- Works in coordination with housing, case managers, employment supports and program participants.
- Program participants can work through their individual housing, health and employment goals in a program that engages them in job preparation, training, and real paid work.



- Program pilot will offer 5 previously homeless individuals who now receive housing or rent vouchers from OHA additional supports and paid job opportunities.
- Emphasis on coordination between housing, job training, and employer.

Housing Department

- Identify participants
- Connection to case management
- Provide job opportunities

Workforce Development Board

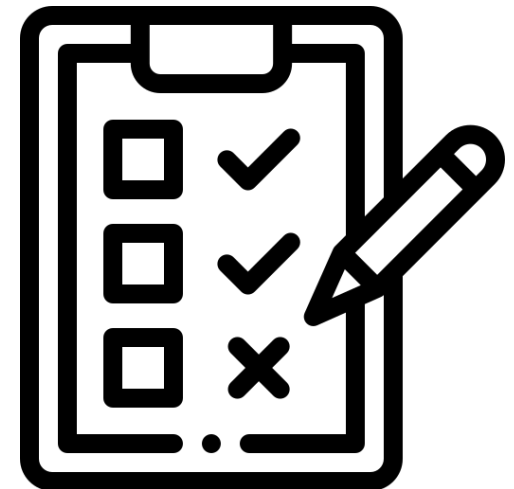
- Enroll participants
- Explore types of work and create Individual Training Accounts
- Identify potential jobs in competitive market
- Provide follow-up services for 12 months

Case Managers

- Support participant to be successful in their housing and employment
- Participate in regular case conferencing with WDB and employers

By providing vocational training, case management, and coordination with housing it is the hope that this program will:

- Prepare participants to enter the workforce,
- Provide real paid work experience,
- Improve housing stability and,
- Support participants on a path to long term/permanent employment.





QUESTIONS



COMMUNITY SERVICES, PUBLIC SAFETY, HOUSING & DEVELOPMENT COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.2

DATE: July 27, 2021

TO: Community Services, Public Safety, Housing & Development Committee

FROM: Vyto Adomaitis, Community Development Director, (805) 385-7882,
vyto.adomaitis@oxnard.org

SUBJECT: Update on 6th Cycle Housing Element - Review of Input Received from the State of California, Department of Housing and Community Development (HCD) (Planning and Zoning Permit No. 20-620-03). (0/15/15)

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee (Committee) provide input to staff and vote on the following questions to provide input in response to comments from the State of California, Department of Housing and Community Development (HCD):

1. Does the Committee support the addition of the new program language (Program 2, Part E - Citywide Homeowner Repair program) to target place-based revitalization efforts in areas of concentrated poverty to address state fair housing law?
2. Does the Committee support the new Affirmatively Furthering Fair Housing (AFFH) program language (Program 19) to address State AFFH requirements with conceptual approval to address HCDs input?
3. Does the Committee support the creation of the proposed new Accessory Dwelling Unit (ADU) housing program (Program 44) for homeowners to deed restrict their ADU as affordable to lower income households for 55 years?
4. Does the Committee support allocating financial resources for Programs 41 (Ventura County Farmworker Housing Study) and 42 (Housing Trust Fund Program)? This funding request would occur in early 2022.
5. Is there support for a lot consolidation program to waive lot merger fees for specific affordable housing sites (Program 5 - Parcel Assemblage/Lot Consolidation Program)?

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/5IKSw8HPc6c>

BACKGROUND

The City has been working on updating the Housing Element since mid-2019 and has provided periodic updates to the Committee and City Council throughout 2020 and 2021. On April 13, 2021 the Committee held a public meeting to review and comment on the 2021-2029 Draft Housing Element. During this meeting the Committee had a number of comments and questions including specific proposed housing sites on Outlet Center Drive, Ives Avenue, 600 N. Harrison Avenue (Ventura Pacific) and 1345 N Oxnard Boulevard. The

Committee also recommended removing Mr. Joel Gisler's 4.47 acre parcel at 1345 N. Oxnard Boulevard (APN 200010004) from the housing element inventory. The Committee recommended 2:1 (Councilmember Madrigal dissenting) that the City Council submit the Draft Housing Element to HCD and recommended that the City Council consider four additional programs within the Housing Element:

- 1) Participation in a County of Ventura Regional Farmworker Housing Study;
- 2) Participation in the Ventura County Housing Trust Fund program;
- 3) Creation of an Annual Housing Element workshop; and
- 4) Development of an Institutional Housing Program.

On April 29, 2021 the City held a public meeting on the 2021-2029 Draft Housing Element Update. The Council concurred with the direction from the April 13th Committee meeting. The updated 2021-2029 Draft Housing Element was submitted to HCD on May 14, 2021 (Attachment A) to begin a 60-day review period.

EXECUTIVE SUMMARY OF REQUESTED COMMITTEE INPUT

On July 13, 2021, HCD provided written input (known as a "Findings Letter") based upon their review of the May 14, 2021 Draft Housing Element (see Attachment B). Based on HCD's Findings Letter, the City is required to add new housing programs, significantly revise a few existing Housing Element programs and conduct minor edits to proposed Housing Element programs. A few additional affordable housing sites are also proposed to be added to the Housing Element due to property owner interest. All of these edits are necessary to respond to HCD's written input. Recommended substantial revisions to the May 14th Draft Housing Element in legislative format is provided in Attachment C.

ANALYSIS & DISCUSSION

New Housing Element Program language (as communicated in HCD Findings Letter - Attachment B).

Based on the HCD Findings Letter, staff recommends the following new program language for Programs 2 (Citywide Homeowner Repair Program) and 19 Affirmatively Furthering Fair Housing (AFFH). Only new program language is provided below to augment existing Draft Housing Element program language. To give the Committee a better understanding of the context of each Program, Staff has provided, in italics, information on how the program elements could function.

HCD Item B1. Housing Needs, Resources, and Constraints

Affirmatively Furthering Fair Housing (AFFH), from July 13, 2021 Findings Letter.

1. Programs 2 & 19 - Affirmatively Furthering Fair Housing (AFFH): HCD's AFFH Guidance was published in late May 2021, after the City's submittal of the Draft Housing Element to HCD. Revisions for consistency with the AFFH Guidance will result in augmentation and modifications to Programs 2 (Citywide Homeowner Repair Program) and 19 (AFFH), respectively.

HCD recommended adding a new section to Program 2 (Part E). Suggested new/amended program language to respond to HCD's input is provided below.:

Program 2: (Part E) The Housing Department will develop a program to target place-based revitalization efforts in areas of concentrated poverty such as promoting availability of rehabilitation loans or other resources to homeowners in these areas to avoid displacement, and prioritizing investment in public infrastructure, as

necessary and feasible.

- *This program would include public outreach to identified areas through fliers, website updates, etc. to connect owners and residents with available resources. Funding would be required for Housing Department staff time for public outreach and management of the program and for continuation of the City's existing Citywide Homeowner Repair rehabilitation loan program.*

Question No. 1 - Does the Committee support the addition of the new program language (Part E) to target place-based revitalization efforts in areas of concentrated poverty to address state fair housing law?

Program 19: The City's AFFH program in the Draft Housing Element requires further program language and analysis. The summary list below is suggested additional program language. The list below is the new AFFH program language. Staff recognizes that additional work will be necessary to engage with the public regarding the recently added and HCD recommended programs. The following additional program language is recommended to address new AFFH guidelines:

- Prioritize green infrastructure investment in areas of concentrated poverty.

This could be accomplished through work with Public Works on the Green Alleys program and/or code requirements to encourage additional landscaping in areas of concentrated poverty.

- Ensure non-English-speaking applicants have access to programs through advertising and outreach, including accommodation for translation services.

This could be accomplished through the City's continued translation of the City's Community Development website, translation services at City Council hearings, and availability of bilingual staff to assist in translating documents and inquiries both in writing and verbally.

- Each time a housing project is proposed that may influence a particular group or neighborhood, in particular in areas of linguistic isolation, the City will make efforts to distribute information on the project to ensure that the group or neighborhood is made aware of the project and the process and has the opportunity to respond.

This could be accomplished through the City's community workshop process.

- Expand access to utilities in Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs).

This could be accomplished through continued Senate Bill (SB) 2 utility analysis work as well as coordinating with Public Works on infrastructure improvements through the City's Capital Improvement Program.

- Promote density bonus opportunities in R/ECAPs. Review the City's density bonus regulations and expand them to allow above state density bonus provisions (higher density and/or concessions) in R/ECAP areas if it is determined that this would provide more opportunities in these areas.

This could be accomplished through the City's continued updating of its affordable housing website which promotes programs to support affordable housing, as well as updates to the City's Density Bonus

and other code updates.

- The City of Oxnard Sustainable Transportation Plan (scheduled to be complete in 2022) will focus on inclusive community engagement to ensure that the needs of each community, age group, and socioeconomic status are represented. The document will incorporate complete streets design, safe routes to school, vision zero, sidewalk or bike lane improvements and first/last mile planning in tandem with land use opportunities in lower resourced areas including R/ECAPs and areas of linguistic isolation.

The Public Works Department is currently preparing the City of Oxnard Sustainable Transportation Plan, which will comply with State AFFH guidelines for community outreach and transportation improvements in lower resourced areas.

- Conduct an assessment of tree canopy in R/ECAP areas and areas of linguistic isolation. If tree canopy is less than in other areas of the City, in conjunction with the City's Climate Action Plan the City can recommend increasing tree coverage in the identified areas.

This could be accomplished through the City's update to the City's Street Tree Master Plan currently underway and managed by the Public Works Department.

Question No. 2 - Does the Committee support the above new AFFH program language to address State AFFH requirements with conceptual approval to address HCDs input as noted above?

HCD Item B1- Racial/Ethnic Areas of Concentration of Poverty.

In verbal discussions with HCD, they strongly suggested that the City create a program to require deed restrictions on some types of ADUs. State Law currently requires cities grant ministerial approval for creating one ADU and one Jr ADU per lot (not one or the other) within a proposed or existing single family dwelling within a residential or mixed-use zone. ADUs are required to be allowed where multifamily is allowed but Jr. ADUs are not required to be allowed in multifamily structures. Because this approval is required to be ministerial (no conditions), the City is restricted from requiring that homeowners agree to placing an affordability deed restriction on ADUs developed in compliance with the State law (Gov. Code, § 65852.2). However, HCD does encourage cities to create incentive programs to encourage affordability. A public comment letter from House Farm Workers! recommended that HCD require deed restriction when it provides grants and financial incentives to homeowners and/or agencies that help produce the ADU

To address HCD's input, the City would need to develop an incentive program to justify the allowance of up to 1,000 ADUs towards fulfilling the City's Lower Income RHNA. The following additional program (Program 44 in Attachment C) is recommended with staff's response regarding how the program could function in the City provided in italics:

2. New Program 44: Accessory Dwelling Units (ADUs) affordability Incentive: Create a New Incentive Program to encourage ADU construction and address long term ADU affordability as part of AFFH requirements.

By Fiscal Year (FY) 2022/2023, the City will establish an ADU Construction Cost Assistance and Accelerator Program that pairs lower income households on a wait list with homeowners willing to offer their ADUs as affordable rentals for a period of up to 55 years. In exchange, homeowners would receive financial assistance

from the Housing Department to offset a portion of the cost of ADU construction to apply towards building permit plan check fees, with the balance available to owners to apply towards the owner's construction costs. The owner would benefit from qualified tenant referrals from the Housing Department and tenant case management if a tenant was formerly homeless. ADUs would also be eligible for Section 8, which would benefit the owner with stable rental payments.

- *This program relies on Housing Department staff's work as a liaison to Community Development to monitor construction cost assistance, to verify feasibility of affordable units, to refer qualified tenants and ensure tenant case management is provided, as necessary, if a tenant was formerly homeless.*
- *The program would require General Fund allocation for Housing Department staff, which is currently estimated at \$140,000, annually. Additionally, funding for construction cost assistance would be necessary. The funding could be sourced from City in-lieu affordable housing fees and other State and Federal funding sources allocated to the City for the development of affordable housing.*

Question No. 3 - Does the Committee support the creation of the proposed new ADU housing program (Program 44) for homeowners to deed restrict their ADU as affordable to lower income households for 55 years? This is anticipated to cost approximately \$140,000 for staff resources on a yearly basis.

HCD Input which Impacts Programs 2, 5, 41, & 42.

Identify Affordable Housing Funding Sources: Additional funding will be necessary to implement new and revised program recommendations outlined in this report in response to HCD input on the Draft Housing Element. Staff is not seeking funding approval at this time; funding options will be brought forward with the Final Housing Element adoption in October 2021. The following funding estimates are provided to inform the Committee of future funding needs to support these programs:

- **Programs 2 (Citywide Homeowner Repair Program, and New ADU Construction Cost Assistance and Accelerator Program):** Limited funding is available for continuation of the City's existing rehabilitation loan program (Citywide Homeowner Repair; approximately \$300,000), however, approximately \$140,000 annually for Housing Department staffing is needed to administer the program and conduct community outreach to comply with AFFH. Staff associated with Program 2 additions would also manage the new ADU Construction Cost Assistance and Accelerator Program (Program 44).

Additionally, funding to offset ADU construction costs (construction cost assistance) would be necessary (Program 44); this is a brand new program recommended due to HCD input and discussions, and will also have a financial impact. The construction cost assistance funding could be sourced from City in-lieu affordable housing fees and other State and Federal funding sources allocated to the City for the development of affordable housing. Budget appropriations for continuing the Citywide Homeowner Repair rehabilitation loan program and funding staffing for Programs 2 and 44 will be requested during the FY 2022-2023 budget process (see Financial Impact Section).

- **Program 5 (Parcel Assemblage/Lot Consolidation Program):** HCD has communicated that they are seeking targeted City funding for the City's Lot merger program for affordable housing sites. Specifically, HCD is requesting a commitment from the City to facilitate lot consolidations through a fee deferral, which would require program funding. Seventeen (17) sites identified in the Draft Housing Element Supplement 1 would involve consolidation of parcels smaller than 0.5 acres, therefore fee

deferral could result in revenue loss of approximately \$74,000 over the eight-year planning timeframe. This program could be implemented through City Council approval of a policy to allow the waiver of these fees for lots identified in Supplement 1.

- **Program 41 (Farmworker Housing Study):** A new funding source will be needed for the Farmworker Housing Study. This program was added by the City Council in response to community input. Program 41 is a one time cost, with the remaining programs representing an ongoing budget request. The conclusions of the Farmworker Housing Study could change staff's fiscal assumptions. Budget appropriation for contribution to the County Farmworker Housing Study will be requested in early 2022 so that the study conclusions could be secured in 2023. (see Financial Impact Section).
- **Program 42 (Housing Trust Fund Program):** A new funding source will be needed for the Housing Trust program. This program was added by the City Council in response to community input. The Trust Fund program could also impact the ongoing financial City impact. Budget appropriation for contribution to the County Housing Trust Fund will be requested in early 2022. (see Financial Impact Section).

Funding needed to support implementation of Final Housing Element Programs 2, 44, and 5, is estimated to be around \$214,000, plus ongoing annual costs. Additional conversations with the County and Housing Trust Fund are necessary to estimate the funding needs associated with Programs 41 and 42. We anticipate this will be in early 2022.

Question No. 4 - Does the Committee support allocating financial resources to the above programs? For FY 21/22, only Programs 41 and 42 would have a fiscal impact.

Question No. 5 - Is there support for a lot consolidation program to waive lot merger fees for specific affordable housing sites (Program 5 - Parcel Assemblage/Lot Consolidation Program).

Minor Edits to Draft Housing Element Programs

In addition to the substantive edits summarized above, HCD has requested technical clarification, additional information on existing policies and programs, and code modifications (Program 6) to comply with state law, such as accommodating Single Room Occupancy units (SRO's) and congregate care facilities in designated zoning districts; adding clarification that manufactured housing on foundations are allowed in all locations where single family residences are permitted; and creating a ministerial process for review of 'By Right' projects, which are projects on housing element inventory sites that were included in prior housing element cycles and provide at least 20% of the units affordable to lower income households.

Staff has prepared an excel table (document transmitting HCD Findings Letter/Attachment B) that identifies the substantiative and non-substantive edits which will be made to the Final Housing Element in response to HCD's Findings Letter. Minor revisions needed to the Draft Housing Element will occur in response to HCD input prior to approval of the Final Housing Element.

HCD Item B3 - Inventory of Land, from July 13, 2021 Findings Letter

The HCD Findings Letter suggests more information regarding land suitability and justification for site selection. Staff has discussed the letter content with HCD senior staff and the requested topic areas identified in Item B3 of the letter are minor in nature and can easily be addressed.

However, through continued community engagement, Staff has identified additional affordable housing sites based upon discussions with interested developers. Staff is recommending the inclusion of the following additional affordable housing sites:

- **1505 Ninth Street (APN: 183-0-173-315):** The owner of this 0.47 acre vacant parcel has contacted the City with interest in the zoning of their parcel to allow multi-family residential development. The site is currently zoned C-2, is surrounded by R-3 zoned properties with densities of up to 25 dwelling units/acre, is within 0.2 miles of Oxnard Community Park West, and is located along a transit line (Ventura Rd., Bus 23). The site would accommodate 14 units with the affordable housing additive zone that allows 30 dwelling units/acre, and up to an additional 50% (total 21 units) under density bonus law AB 2345 that went into effect in January 2021.
- **1225 S. Oxnard Blvd (APN 204-0-060-035) 0.6 acres, 1263 S. Oxnard Blvd (APN 204-0-060-135), 0.52 acres and 1260 Saviers Road (APN 204-0-060-265), 2.01 acres:** The owner of these three parcels also owns 1251 S. Oxnard Blvd, which was identified in the Draft Housing Element site inventory. The owner included a comment in their response to the City's owner interest survey in January 2021 that they are interested in combining 1251 S. Oxnard Blvd with 1225/1227 Oxnard Blvd, 1263 Oxnard Blvd and 1260 Saviers Road and developing residential use. 1225 and 1263 S. Oxnard Blvd were in prior housing element inventories and identified as viable sites with owner interest. 1260 Saviers Road has not been in a prior housing element, but is contiguous with the other three parcels and is a viable site with owner interest. The addition of these three parcels would total 3.13 acres, which could accommodate 94 units with the housing additive zone, and up to 141 units with a 50% density bonus.
- **5777 S. Saviers Rd (APN 222-0-011-115), 0.45 acres:** This vacant site was in a prior housing element and is adjacent to 161 Hueneme Road, which is a 1.71 acre site already identified on the draft housing element inventory. These two parcels would ideally be consolidated for greater development potential.

Next Steps

For the City to stay on an 8-year Housing Element review cycle and to take advantage of various grants the City will need to adopt the Final 6th Cycle Housing Element by October 15, 2021. Additionally, if the City does not conduct the first reading of General Plan and Zoning map amendments prior to the beginning of the 6th Housing Element Cycle (by October 15, 2021), the City's ability to review affordable housing development projects will be limited. The schedule below ensures the City retains review authority and adopts an 8-year compliant Housing Element:

- July 13, 2021, City received written input on the City's Draft Housing Element from HCD on 60-day review of Draft Housing Element (May 14, 2021 Draft Housing Element);
- July 27, 2021 Committee input on new Housing Element programs and amended Housing Element program language;
- July/August 2021 (and throughout update process) meet with community and housing advocates on HCD written input, and new and amended Housing Element program language;
- Summer/Fall 2021, Continue preparation of environmental document for the Draft Housing Element (Mitigated Negative Declaration - MND);
- September 2021 Planning Commission public hearing on the Final Housing Element, Housing Element environmental document, and recommendation on General Plan Land Use map and text amendments,

and zoning map and text amendments;

- October 5, 2021 (no later than October 15, 2021) City Council approval of: Final Housing Element MND/environmental document, General Plan Land Use map and text amendments, and zoning map and text amendments, and City Council adoption of Final Housing Element;
- Prior to October 15, 2021, submit the Final Housing Element to HCD for statutory 90-day review period; and
- Present budget appropriation sometime in 2022, once HCD provides their 90-day statutory review letter/certification letter and the totality of the departmental budget request is known. It is anticipated that additional, new sources of funding will be needed for the Community Development and Housing Departments.

STRATEGIC PRIORITIES

This agenda item supports Economic Development strategy. The purpose of Economic Development strategy is to focus on the retention and expansion of Oxnard businesses by increasing the skills and employability of our local workforce, invite new business investments, and target site-based redevelopment opportunities.

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to restore and increase quality services and programs that enrich Oxnard's diverse community, promotes safe neighborhoods, encourages community engagement, and supports our residents in their efforts to improve their quality of life.

FINANCIAL IMPACT

There is no fiscal impact associated with this staff report; however, programs contained in the Housing Element will have a financial impact. New funding sources will be needed in the future to implement new and revised program recommendations, including:

1. Continued funding of the Citywide Homeowner Repair rehabilitation loan program (Program 2)(Pursuant to the Draft Housing Element, budget appropriations will be requested during the FY 2022-2023 budget process).
2. The recommended parcel assemblage/lot consolidation fee deferral (Program 5) (Does the City Council agree to waive lot merger fees for lot consolidation associated with sites identified in the Draft Housing Element)
3. The ADU construction cost assistance and accelerator program (New Program - Program 44) (Pursuant to the Draft Housing Element, budget appropriations will be requested during the FY 2022-2023 budget process)
4. Farmworker Housing Study program (Program 41) (Pursuant to the Draft Housing Element, budget appropriation would begin in 2022 so that the study can conclude by 2023).
5. Farmworker Housing Trust Program (Program 42) (Pursuant to the Draft Housing Element, this program and budget appropriation would begin in 2022).

With the exception of Programs 41 and 42, which were recommended by the Committee in April 2021 and supported by the full Council, the proposed new Housing Element program (Program 44) and revised program language (Programs 2 and 5) have budget impacts and are necessary to respond to input received from HCD in July 2021. The full financial impact is not known at this time. In order for HCD to certify the City's Final Housing Element, HCD staff must find the document addresses all of their comments communicated in the Findings Letter including a commitment to completing certain actions within a prescribed timeframe; these

timeframes have a financial impact.

The above programs are required on going through the eight year-cycle with a beginning in Fiscal Year 2021/2022. Additional funding requests will be needed following HCD's final 90-day statutory review of the City's Final Housing Element which will commence when the City submits the Final City Council approved Housing Element to HCD for certification. This is anticipated sometime around February 2022.

Prepared by: Kathleen Mallory, Planning & Sustainability Manager, Heather Davis, Contract Planner

ATTACHMENTS

1. Attachment A - May 14 2021 Draft Housing Element
2. Attachment B - Excel Table and document transmitting Substantial Revisions to May
3. Attachment C - Summary of Programs in Legislative Format
4. Presentation - Update on 6th Cycle Housing Element

Attachment A

May 14, 2021 Draft Housing Element

Please visit the following website to view the full document:

https://www.oxnard.org/wp-content/uploads/2021/05/Oxnard-Housing-Element_HCD-Draft_5-21-21.pdf

<u>HCD Input, Findings Letter July 13, 2021</u>	<u>Summary of Update to Draft Housing Element</u>	<u>Substantial Edits</u> <u>(New Programs/Edits to Existing Programs)</u>	<u>Minor Edits</u> <u>(Clarifications, Technical edits to comply with State law)</u>
A. Review and Revise	Revise document to include summary of cumulative impact of 5th cycle programs on special needs		X
B. Housing Needs, Resources, and Constraints			
B1. Affirmatively furthering fair housing (AFFH)	Update Programs 2 & 19	X	
Enforcement and Outreach	Update document to reflect requested information		X
Integration and Segregation	Update document to reflect requested information		X
Sites Discussion	Update document to reflect requested information		X
Racial/Ethnic Areas of Concentration of Poverty	Update document to reflect requested information; New program language in Program 19 & new ADU incentive program	X	
Concentration of Affluence	Update document to reflect requested information		X
Access to Opportunity	New program language in Program 19	X	
Displacement	New program language in Program 19	X	
Contributing Factors	Update document to reflect requested information		X
Goals, Priorities, Metrics and Milestones	Update programs as needed - Revision to program language in Program 2	X	
characteristics	Update document to reflect requested information		X
B3. Inventory of land			
Pending Projects	Update document to reflect requested information		X
Realistic Capacity	Update document to reflect requested information		X
Suitable of Nonvacatnt Sites	Update document to reflect requested information		X
Replacement Housing Requirement	Update applicable sites with requested information; Program 39 - No revision needed		X
Small Sites	Update document to reflect requested information		X
Rio Urbana & Teal Club	Revisions to Program 24		X
Accessory Dwelling Units	Add ADU Incentive Program: Program 44 ADU Construction Cost Assistance and Accelerator Program	X	
Infrastructure	Update document to reflect requested information		X
Zoning for a Variety of Housing types	Update document to reflect requested information; New under Program 6 - Allow single-room occupancy units		X
B4. Government Constraints			
Land Use Controls	Update document to reflect requested information		X
Parking Requirements	Update document to reflect requested information		X
Design Review Guidelines	under Program 6 - create ministerial review process for		X
Processing and Permit Procedures	Update document to reflect requested information		X
Enforcement	Update document to reflect requested information		X
Persons with Disabilities	Update document to reflect requested information		X
Zoning and Fees Transparency	Update document to reflect requested information		X
B5 Nongovernmental constraints			
Times	Update document to reflect requested information		X
B6 Assisted Housing	Update document to reflect requested information		X
C. Housing Programs			
Program 6	Make revisions to Program 6		X
Program 9	Make revisions to Program 9		X
Program 14	Make revisions to Program 14		X
Program 5	Make revisions to Program 5 - Commit to fee deferral.		X
Program 24 Annexations	Make revisions to Program 24		X
Housing	Program 6 - No revision needed		
Finding C3	Noted		
Finding C4	Noted		
D. Public Participation	Information about Draft Housing Element availability provided in Chapter F - no revision needed		

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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July 13, 2021

Emilio Ramirez, Director
Housing Department
City of Oxnard
214 S. C Street
Oxnard, CA 93030

Dear Emilio Ramirez:

RE: Review of the City of Oxnard's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of Oxnard's (City) draft housing element received for review on May 14, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by conversations with Kathleen Mallory, Planning and Sustainability Manager, as well as Amy Sinsheimer and Jennifer Gastelum of Placeworks and Heather Davis of Rincon Consultants on June 30, 2021, and July 8, 2021. In addition, HCD considered comments from House Farmworkers! and Josh Albrectson, pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes these, and other revisions needed to comply with State Housing Element Law.

Government Code section 65588, subdivision (e)(4), requires a jurisdiction that failed to adopt its housing element within 120 calendar days from the statutory due date to revise its element every four years until adopting at least two consecutive revisions by the applicable due dates. Oxnard did not meet the requirements of Government Code section 65588, subdivision (e)(4), in the 5th cycle (2013 -2021); therefore, it is subject to the four-year revision requirement until the City has adopted at least two consecutive updated revisions by the applicable due dates. Provided the City adopts its housing element on or before October 15, 2021, it will meet the second four-year requirement and return to an eight-year revision cycle.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that

represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

For your information, some general plan element updates are triggered by housing element adoption. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at:

http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and
http://opr.ca.gov/docs/Final_6.26.15.pdf.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at

<https://www.hcd.ca.gov/community-development/housing-element/index.shtml#element> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

HCD appreciates the diligent efforts Kathleen Mallory provided during the course of our review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Shawn Danino, of our staff, at Shawn.Danino@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name "Shannan" being more prominent than the last name "West".

Shannan West
Land Use & Planning Unit Chief

Enclosure

APPENDIX CITY OF OXNARD

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revise

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

The element reviews the 5th cycle programs but does not provide a specific review for programs regarding the effectiveness of the 5th cycle programs for meeting the community's special housing needs. An analysis must be provided for the cumulative impact of the previous housing element's programs to address the housing needs of special needs populations. The element should specifically evaluate programs targeted for special needs populations and provide a narrative analysis.

B. Housing Needs, Resources, and Constraints

1. *Affirmatively furthering fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

The element has some basic information on opportunity areas and concentrated areas of poverty. However, the element generally does not address this requirement. The element, among other things, must include outreach, an assessment of fair housing, identification and prioritization of contributing factors to fair housing issues and goals and actions sufficient to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity. For more information, please contact HCD and visit <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

While the assessment of fair housing in the City meets many of the statutory requirements, it is largely based on a regional Analysis of Impediments and should be tailored based on local factors and conditions in the City.

Enforcement and Outreach: While the element provides data related to the number of housing discrimination cases that were opened since 2017 (Page B-35) and describes some of the contributing factors, it needs to analyze the data for any patterns by community area or census tract and include additional local knowledge, relevant factors, and a conclusion of summary of issues. The analysis also needs to address the City's fair housing outreach capacity.

Integration and Segregation: The element does provide a dissimilarity index and includes maps from the Tax Credit Allocation Committee (TCAC), but it does not discuss local and regional patterns and trends including integration and segregation trends related to disability. The element should analyze the data for patterns throughout different census tracts, complement the data with other relevant factors or local knowledge, and conclude with a summary of issues. The element also identifies areas of linguistic isolation (Page B-43) but does not analyze the effects of this isolation or discuss how the City's programs will address these issues.

Sites Discussion: The element provides some discussion of the sites inventory in relation to the TCAC Opportunity Area (Page B-36). However, the element does not quantify the number of sites or the quantity of lower-income units in relation to these areas and relate these sites with the placement of its moderate and above moderate-income units. The element must address the full scope of Affirmatively Furthering Fair Housing (AFFH) and analyze and conclude whether the identified sites improve or exacerbate each of the fair housing issue areas.

Racial/Ethnic Areas of Concentration of Poverty: The element shows that the City includes three census tracts labeled as Racial/Ethnic Areas of Concentration of Poverty (Page B-32). While the City lists Programs 2, 9, 11, 12, 13, 19, 23, and 27 as addressing this need, it does not sufficiently describe how these programs will specifically address the needs of this population. The City may, as discussed on the June 30, 2021 call, for example, expand the Accessory Dwelling Unit (ADU) program discussed so that two ADUs may be allowed on single-unit parcels in these areas instead of one.

Racial/Ethnic Areas of Concentration of Affluence: The element does not provide any analysis of the Racial/Ethnic Areas of Affluence.

Access to Opportunity: While the element includes TCAC maps and briefly discusses access to education (Page B-30), the element currently lacks analysis of access to opportunities on a variety of areas including economic opportunity, transportation, and jobs in the City. In addition to providing this information, it needs to analyze that data for trends, patterns, local knowledge and conclude with a summary of issues. The City may, as discussed on the July 8, 2021 call, for example, expand programs that improve access to public transportation as well as protected bike lanes and carshare programs, or improve walkability and pedestrian infrastructure.

For example, the City can analyze transportation cost burden to determine programs that integrate housing and transit access. Relatedly, the City can also analyze Vehicle Miles Traveled (VMT) and outline programs to reduce the cost and distance of commuting.

Displacement: The element does include data on overcrowded households, substandard housing conditions, and cost burdened households, but it must also analyze the data including looking at trends, patterns, and other local knowledge, and conclude with a summary of issues. Programs will be necessary to demonstrate the City is using strategies to stop displacement.

Contributing Factors: The element must list and prioritize contributing factors to fair housing issues. Contributing factors create, contribute to, perpetuate, or increase the severity of fair housing issues and are fundamental to adequate goals and actions. Examples include community opposition to affordable housing, housing discrimination, land use and zoning laws, lack of regional cooperation, location and type or lack of affordable housing and lack of public or private investment in areas of opportunity or affordable housing choices. Contributing factors should be unique to the unincorporated areas of the City based on a complete analysis.

Goals, Priorities, Metrics, and Milestones: The element lists Programs 2, 9, 11, 12, 13, 19, 23, and 27 to implement policies related to Affirmatively Furthering Fair Housing. While many of these programs address describe important policies, they do not make any firm, quantifiable commitments to promote and affirmatively furthering fair housing opportunities. Goals and actions must significantly seek to overcome contributing factors to fair housing issues. The element must be revised to add or modify goals and actions based on the outcomes of analysis described above. Goals and actions must specifically respond to the analysis and identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

For further guidance, please visit HCD's Affirmatively Furthering Fair Housing in California webpage at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

The element identifies the age of the housing stock and information related to complete kitchen and or bathroom facilities (B-19). However, it must include analysis of the condition of the existing housing stock and estimate the number of units in need of rehabilitation and replacement. For example, the analysis could use information from its code compliance activities to help inform an estimate. In addition, the element could include estimates from a recent windshield survey or sampling, or information from knowledgeable builders/developers, including non-profit housing developers or organizations. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/housing-stock-characteristics.shtml>.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

The City has a regional housing need allocation (RHNA) of 8,549 housing units, of which 2,911 are for lower-income households. To address this need, the element relies on vacant sites, including sites in Specific Plan Areas and within the Mixed-Use Overlay area. To demonstrate the adequacy of these sites and strategies to accommodate the City's RHNA, the element must include complete analyses:

Pending Projects: The element includes a parcel on Outlet Center Drive with Parcel Number 213009028 for which the element indicates there is an existing application for 174 senior apartments (Lockwood Senior Housing Complex). However, it is unclear what approvals remain necessary for the project, expected timelines for completion of the entitlement process, and demonstration of the availability of units in the planning period. In addition, the element must also describe the City's methodology for assigning these units to the various income groups based on actual or proposed sales price or rent level of the units.

Realistic Capacity: The element assumes a realistic development capacity of 80 percent of the total allowed maximum density. The analysis must describe factors used to develop the capacity estimate including how the City considered land use controls, development trends including typical density of existing or approved developments at similar affordability levels, performance standards or other relevant factors. In addition, the element assumes residential development on sites zoned for non-residential uses. To support this assumption, the element must include analysis to demonstrate the likelihood of residential uses on non-residentially zoned sites based on factors such as development trends including non-residential, performance standards requiring residential uses or other relevant factors such as enhanced policies and programs. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#zoning>.

Suitability of Nonvacant Sites: While the element includes some recent trends (Pages F4-F6) to demonstrate past experience, it does not explain how these trends relate to zoning, existing uses, densities, and the listed sites in the inventory. The element must also analyze the extent to which existing uses may impede additional residential development and include an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development (Gov. Code, § 65583.2, subd. (g)(1).). To analyze the extent that existing uses may impede additional residential development, the element should also include information on whether existing uses are operating, have been operating, or whether or not they are anticipated to continue operating. For additional information and sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#analysis>.

In addition, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, the housing element must demonstrate that the existing use is not an impediment to additional residential development in the planning period (Gov. Code, § 65583.2, subd. (g)(2).). This can be demonstrated by providing substantial evidence that the existing use is likely to be discontinued during the planning period (Gov. Code, § 65583.2, subd. (g)(2).).

Replacement Housing Requirements: If the sites inventory identifies sites with existing residential uses, it must identify whether the current residential uses are affordable to lower-income households or describe whether the additional residential development on the site requires the demolition of the existing residential use. For nonvacant sites with existing, vacated, or demolished residential uses and occupied by, or subject to an affordability requirement for, lower-income households within the last five years there must be a replacement housing program for units affordable to lower-income households (Gov. Code, § 65583.2, subd. (g)(3)). Absent a replacement housing program, these sites are not adequate sites to accommodate lower-income households. The replacement housing program has the same requirements as set forth in Government Code section 65915, subdivision (c)(3). The housing element must be revised to include such analysis and a program, if necessary.

Small Sites: As the element relies on consolidated small sites to accommodate the RHNA for lower-income households, it should also provide analysis demonstrating the potential for consolidation. For example, the analysis could describe the City's role or track record in facilitating small-lot consolidation and how that experience relates to the sites identified in the inventory to meet the lower-income needs, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for lot consolidation, or information from the owners of each aggregated site. In addition, it should include a program to facilitate lot consolidation and development of housing on small sites relative to the sites identified in the inventory.

Rio Urbana and the Teal Club Specific Plan (Annexation): The housing element relies upon the Teal Club Specific Plan and the Rio Urbana Project to accommodate the City's regional housing need for 1,157 residential units with 165 units available to lower-income households. Both the specific plan and the project will require annexation. While the housing element indicates the plans' residential capacity and estimates the number of units by income group, it does not provide any analysis demonstrating their suitability for development in the planning period. To determine the adequacy of the annexation strategy of the proposed Specific Plan and project to meet the City's RHNA, by income category, the element must include an evaluation of the suitability of the annexed sites and any discretionary approvals required for development in the Specific Plan areas, including the following information:

- current status of the annexation process

- consistency with Local Agency Formation Commission (LAFCO) policies and next steps in the LAFCO process
- action to pre-zone prior to annexation
- descriptions of the zone, density, development standards and design requirement
- conditions or requirements such as phasing or timing requirements that impact development in the planning period
- timeline to complete annexation and specific plans and projects which is early enough in the planning period to facilitate development of annexed sites (e.g., within the first two years of the planning period)
- analysis of the suitability and availability of sites
- if expected to be completed after October 15, 2015, demonstrate compliance with the requirements of the adequate sites program requirements of Government Code section 65583.2, subdivisions (h) and (i).

Accessory Dwelling Units (ADUs): In the element, the City projects 1,000 ADUs to be constructed over the planning period, averaging 125 per year, all of which will be affordable to lower-income households. This projection was based on figures provided based on past ADU annual permit figures of 25, 55, and 123 for 2018, 2019 and 2020, respectively. However, Annual Progress Reports submitted by the City showed building permit figures of 3, 13, and 28 for 2018, 2019, and 2020, respectively. Following on our June 30, 2021 call, the City confirmed that the figures provided were for “City planning permits,” not building permits. The methodology used by the City must be based on the number of building permits, not City planning permits.

Suitability and Availability of Infrastructure: The element describes infrastructure limitations (Page 53) in the City. However, it must also demonstrate sufficient total water and sewer capacity to accommodate the regional housing need by community plan area.

For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. The element should clarify consistency with these requirements and include programs as appropriate. For additional information and sample cover memo, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/other-requirements/priority-for-water-sewer.shtml>.

Zoning for a Variety of Housing Types

Emergency Shelters: The element describes the zones in which emergency shelters are permitted, acreage and proximity to services. However, the element must also list and analyze development standards for emergency shelters. For example, parking requirements may be inconsistent with new state law and should be addressed as

constraints. The element must include programs as appropriate based on the outcomes of the analysis.

Single Room Occupancies: In public input provided during the Community Workshop on March 24, 2021, residents indicated an interest in a range of housing types (Page F13), including “single-room occupancy developments.” The element must describe how single room occupancy units are permitted and the development standards for these units. The element must include programs as appropriate based on the outcomes of the analysis.

Manufactured Housing: The element must clarify how manufactured housing on permanent foundations are allowed and ensure consistency with Government Code section 65852.3.

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land Use Controls: The element must identify and analyze all relevant land use controls impacts as potential constraints on a variety of housing types (e.g., multifamily rental housing, mobilehomes, transitional housing). While the element does provide some information on residential development standards (Page E4-E8), it does not provide any information on lot coverage requirements or minimum / maximum floor area ratio (FAR). The element should provide any relevant details on lot coverage requirements and, if necessary, analyze them as a possible constraint on housing development. The analysis must also evaluate the cumulative impacts of land use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. The analysis should also describe past or current efforts to remove identified governmental constraints.

Parking Requirements: The element describes off-street parking requirements in Table E-4 by uses and requires covered parking or garage spaces for single-family units, townhouses, as well as in studios, one bedroom, two or more bedroom units in apartments, all units in multifamily cluster development as well as mobile homes. While the program briefly describes parking requirements as a constraint (Page E13), requiring enclosed parking for multifamily can add significant cost to a housing and is a constraint to development. The element must analyze enclosed parking standards and include a program to mitigate or remove the constraint as needed.

Design Review Guidelines: While the element provides some information about the development design review (Page E36), it must describe and analyze the design review guidelines and process, including approval procedures and decision-making

criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis could describe required findings and discuss whether objective standards and guidelines improve development certainty and mitigate cost impacts. The element must demonstrate this process is not a constraint or it must include a program to address this permitting requirement, as appropriate.

Processing and Permit Procedures: The element must describe the typical approval process for single family and multifamily development. The description should address what approvals are necessary, who approves the application, whether and how many public hearings are required and list approval findings. The element should then analyze the process for impacts on approval certainty, cost, timing and housing supply. In particular, the element must analyze typical processing times for multifamily housing development, including approval procedures, for their impact as a potential constraint on housing supply and affordability.

Building Codes and Code Enforcement: While the element mentions the City follows the Uniform Building Code, it should also clarify any local amendments to the code and how codes are enforced, and then analyze those impacts on the cost, affordability and supply of housing. For additional information and a sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/codes-and-enforcement-on-offsite-improvement-standards.shtml>.

Persons with Disabilities: The element briefly describes its reasonable accommodation procedures but should further explain its reasonable accommodation criteria, including approval findings and process and analyze any family definition as a potential constraint. The element must include programs, as appropriate, to address any identified constraints depending on the outcomes of this analysis. In addition, the element must analyze its conditional use permit process for residential care facilities for seven or more persons as a potential barrier to housing for persons with disabilities and include programs as necessary to address this constraint.

Zoning and Fees Transparency: The element must clarify its compliance with new transparency requirements for posting all zoning and development standards for each parcel on the jurisdiction's website.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)*

Developed Densities and Permit Times: The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.

6. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions. (Gov. Code, § 65583, subd. (a)(9) through 65583, subd. (a)(9)(D).)*

While the element includes a listing of properties at risk of conversion to market rate and estimates the cost of replacement, it must also include an identification of public and private nonprofit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units, and identification and consideration of use of federal, state and local financing and subsidy programs.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To address the program requirements of Government Code section 65583, subdivision (c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

Program 6: Program 6 commits to beginning updates to the Coastal Zoning Chapter 17. The program should be revised to specify when the code amendments will be complete.

Program 9: Program 9 commits to amending the zoning code to fully comply with the Employee Housing Act by 2024. However, the statutory requirements associated with the Employee Housing Act were effective as of January 1, 2020. Therefore, implementation of Program 9 should be done earlier, such as within a year of adopting the housing element. In addition to Health and Safety Code sections

17021.5 and 17021.6, the update should reflect changes to Health and Safety Code section 17021.8, which was effective as of September 28, 2020.

Program 14: Program 14 discusses the City's Shelter Development Program and commits to amending Chapter 17 of the Coastal Zoning Code and addressing the requirements of SB 2 for transitional and supportive housing by 2024. However, the statutory requirements associated are already in effect. Therefore, implementation of Program 9 should be done earlier in the planning period, such as within a year of adopting the housing element.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the City's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. The element indicates that several sites will require rezoning and/or annexation and that rezoning is expected to occur prior to the start of the planning period (October 15, 2021). Please be aware, if rezonings are not completed by that date, the element must include a program(s) to identify sites with appropriate zoning to accommodate the regional housing need within the planning period. (Gov. Code, § 65583.2, subd. (h) and (i).)

In addition, the element should be revised as follows:

While Program 5 commits the City to facilitating lot consolidations, it must commit to specific actions to facilitate the lot consolidation of the sites in the inventory. For example, the element could commit to fee deferrals, providing ministerial "over the counter" processing of lot line adjustments, granting density bonuses above state density bonus law (Gov. Code, § 65915.), identifying and targeting specific financial resources, and modifying development standards.

Program 24: Program 24 commits the City to finding alternative land to rezone to accommodate for 1,157 additional units if Rio Urbana and/or Teal Club Specific Plan are not approved. However, the program must provide discrete timing for alternatives, such as a rezone to be completed. Rezones must be completed pursuant to

Government Code section 65583.2, subdivisions (h) and (i), and sites must meet the requirements of Government Code section 65583.2.

By-Right Permanent Supportive Housing: Pursuant to Government Code section 65651, the City must include a program committing to amend zoning to permit permanent supportive housing by right.

3. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings B4 and B5, the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

4. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B1, the element must include a complete analysis of affirmatively furthering fair housing. Based on the outcomes of that analysis, the element must add or modify programs as appropriate.

D. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(8).)

While the element includes a summary of the public participation process and includes comments from community meetings (Pages F10-F18), the City must describe how and when the draft was made available (i.e. where was it posted) in addition to how comments were considered and incorporated into the element. Please note, the City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including making revisions to the document where appropriate. HCD's future review will consider the extent to which the revised element documents were circulated and how the City solicited, considered, and addressed public comments in the element.

Housing Element Implementation Programs

Implementation by

[illegible]

Housing Element Implementation Programs

Implementation by

[illegible]

Housing Element Implementation Programs

Implementation by

[illegible]

Housing Element Implementation Programs

Implementation by

Program	Objective (quantified/qualified)	Implements Policy	In progress	2021-2022	2023-2024	2025-2026	2027-2029	Annually or Ongoing
Program 44: <u>ADU Construction Cost Assistance and Accelerator Program</u> <u>Responsibility: Housing Department</u> <u>Funding: General Fund</u> <u>Time Frame: Establish program by 2022</u>	<u>Maintain affordability of ADUs</u>	<u>2.7</u>		■				■
<u>By Fiscal Year (FY) 2022/2023, the City will establish an ADU Construction Cost Assistance and Accelerator Program that pairs lower income households on a wait list with homeowners willing to offer their ADUs as affordable rentals for a period of up to 55 years. In exchange, homeowners would receive assistance from the Housing Department to offset a portion of the cost of ADU construction to apply towards building permit plan check fees, with the balance available to owners to apply towards the owner's construction costs. The owner would benefit from qualified tenant referrals from the Housing Department and tenant case management if a tenant was formerly homeless. ADUs would also be eligible for Section 8, which would benefit the owner with stable rental payments.</u>								

6th Cycle Housing Element

Kathleen Mallory, Planning & Sustainability Manager
Heather Davis, Contract Planner, Rincon Consultants
Amy Sinsheimer, PlaceWorks, Housing Consultant
Vyto Adomaitis, Community Development Director
Community Development Department

Community Services, Public Safety, Housing & Development Committee
July 27, 2021



Background

2

July 13, 2021 'Findings Letter' from State of California, Department of Housing and Community Development (HCD) on Draft Housing Element:

1. Requested minor edits:
 - Technical updates, will be addressed in Final Element
 - No Committee action needed
2. Site inventory:
 - Additional affordable housing sites added
 - No Committee action needed
3. New and updated programs:
 - Substantial edits necessary
 - Input on funding for programs
 - **Committee input needed**

City has until October 15, 2021 to adopt Final Housing Element, including any General Plan and zoning text and map changes.

July 13th HCD letter requires substantial edits to:

1. Affirmatively Furthering Fair Housing (AFFH)(Program 2 & 19)
 - Substantial edits necessary
2. ADU Affordability Incentive Program (Program 44)
 - New Program

Program Questions Nos. 1 & 2

4

Does the Committee support the following new program language to address State Fair Housing law?

Affirmatively Furthering Fair Housing (AFFH): HCD requested updates to address new AFFH Guidance published after the City submitted our draft Housing Element in May 2021

- Potential Program Updates:
 - Program 2 (Part E) – Add program to target place-based revitalization efforts in areas of concentrated poverty
 - Program 19 – Add AFFH program language to address key areas of HCD interest, such as: integration and segregation; access to opportunities; racial displacement; and factors contributing to housing inequities.

Does the Committee support the creation of the proposed new ADU housing program (Program 44) for homeowners to deed restrict their ADU as affordable to lower income households for 55 years?

ADU Construction Cost Assistance and Affordability Incentive Programs: HCD requested an ADU incentive program to deed restrict some ADUs as affordable to lower income.

Potential Program:

- Create an ADU Construction Cost Assistance and Accelerator Program that covers portion of construction costs and matches lower income households with affordable ADUs.

Funding Question No. 4

Does the Committee support allocating financial resources to the following two programs in early 2022?

- Program 41 - Farmworker Housing Study (Budget adjustment early 2022)
- Program 42 Housing Trust Fund Program (Budget adjustment early 2022)

Funding needed in FUTURE years/budget requests (no action needed now):

New programs & program revisions required by HCD in July Findings Letter will require additional funding sources.

- Program 2 - AFFH Outreach, continue Citywide Homeowner Repair program (FY 22/23)
- Program (44 - New) - ADU Incentive/Accelerator (FY 22/23)

Is there support for a Parcel Assemblage/ lot consolidation program to waive lot merger fees for specific affordable housing sites?

- Program 5 - Parcel Assemblage/Lot Consolidation Program (FY 2022) - policy question to waive merger fees for targeted affordable housing sites identified in Supplement 1 of the Draft Housing Element. Waiver encouraged by HCD, for 8 year housing cycle

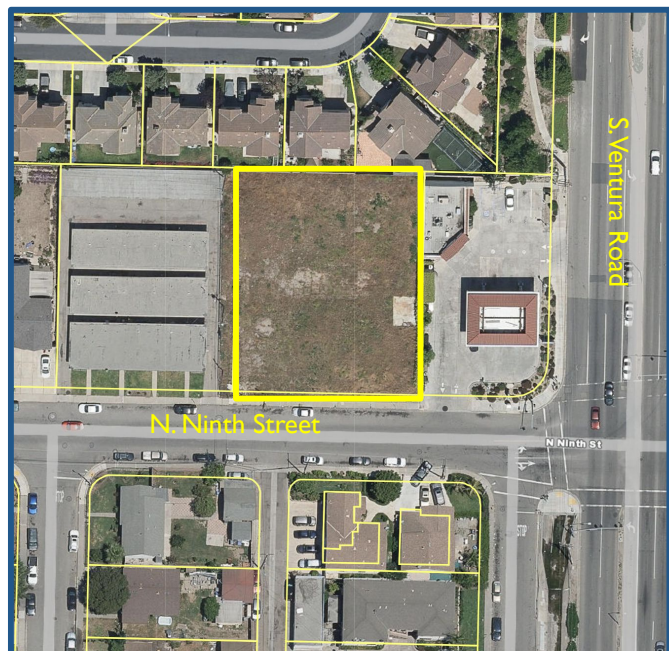
Information Item Only - Sites Inventory

8

Site inventory information in HCD letter minor in nature

Staff analysis and research, additional affordable housing sites were identified:

- 1505 Ninth Street (0.47 acres) – Vacant C-2 lot. Applicant contacted City; interested in inclusion Housing Element.
- With Affordable Housing Discretionary (AHD overlay) Site yield = 14 units (21 with 50% Density Bonus).



- 1225 S. Oxnard, 1263 S. Oxnard & 1260 Saviers Road (total 3.13 acres) – Contiguous commercial underutilized lots (merge with 1251 S. Oxnard).
- With AHD overlay, Site yield = 94 units (141 with 50% Density Bonus).



Next Steps

10

- August & September - Meetings with housing advocates & continue preparation of environmental document for Housing Element
- September 2021 - Planning Commission hearing on Final Housing Element and supporting actions
- October 5th (no later than October 15, 2021) City Council hearing:
 - Identify Program Funding Sources
 - Approve Final Housing Element environmental document, General Plan Land Use map and text amendments, and zoning map and text amendments
 - Adoption of Final Housing Element
- By October 15th- Submit Adopted Final Housing Element to HCD for statutory 90-day review period
- Budget appropriation after receipt of HCD's 90-day review letter (around February 2022)

That the Committee provide input to staff and vote on the following questions to provide input in response to comments received from HCD:

1. Does the Committee support the addition of the new program language (Program 2, Part E - Citywide Homeowner Repair program) to target place-based revitalization efforts in areas of concentrated poverty to address state fair housing law?
2. Does the Committee support the new Affirmatively Furthering Fair Housing (AFFH) program language (Program 19) to address State AFFH requirements with conceptual approval to address HCDs input?
3. Does the Committee support the creation of the proposed new Accessory Dwelling Unit (ADU) housing program (Program 44) for homeowners to deed restrict their ADU as affordable to lower income households for 55 years?

Recommendation, continued:

4. Does the Committee support allocating financial resources for Programs 41 (Ventura County Farmworker Housing Study) and 42 (Housing Trust Fund Program)? This funding request would occur in early 2022.
5. Is there support for a lot consolidation program to waive lot merger fees for specific affordable housing sites (Program 5 - Parcel Assemblage/Lot Consolidation Program)?



End of Presentation



COMMUNITY SERVICES, PUBLIC SAFETY, HOUSING & DEVELOPMENT COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.3

DATE: July 27, 2021

TO: Community Services, Public Safety, Housing & Development Committee

FROM: Emilio Ramirez, Housing Director, (805) 385-8094, emilio.ramirez@oxnard.org

SUBJECT: Encampment Response Project and Related Agreement. (0/10/10)

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee:

1. Review Encampment Response Project Plan;
2. Recommend that City Council approve a plan and updated timeline for encampment response to an existing encampment near Ormond Beach; and
3. Recommend that City Council approve and authorize the Mayor to execute an agreement with the County of Ventura/Ventura County Health Care Agency to provide encampment outreach, case management and motel voucher administration services.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/86YIK5Fubr0>

BACKGROUND

On October 6, 2020, City Council approved the 2020 Annual Action Plan CARES Act Amendment, which set forth several proposed activities that conform with the Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) requirements and regulatory CARES Act requirements.

As part of the Annual Action Plan CARES Act Amendment, Council authorized the utilization of \$200,000 of CDBG-CV for Homeless Encampment Response, and \$150,000 of ESG-CV for Homeless Encampment Response Outreach.

On January 25, 2021, City Council received and approved a plan to respond to an existing homeless encampment near Ormond Beach; and authorized the City Manager to procure and contract a third party to administer temporary motel assistance to effectuate the objectives of the Encampment Response Project Plan.

This report is an update on the encampment response activities that have been done to date at the site near Ormond Beach and plans for encampment response going forward, which include an expanded outreach/case management and a motel assistance program using previously unallocated funds.

DISCUSSION

There is a large homeless encampment in Oxnard near Ormond Beach, in an area that is known as the 'slag pile'. In addition to well documented health risks that are correlated with living unsheltered in encampments, this area was previously the site of a scrap metal recycling facility and as a result contains toxic chemicals and is not a safe area for people to reside. However, during the COVID-19 pandemic, federal guidance states that if individual housing options are not available, that local authorities should allow people living in encampments to remain where they are. Contending with these compound risk factors, in August 2020 the City undertook an extensive outreach and service engagement program in partnership with Ventura County and other agency partners with the goal of providing immediate services, engaging people into ongoing services, and talking to them about shelter/housing and other relocation options.

In January 2021, Council approved extending these encampment response efforts for six months with plans to re-assess the overall timeline at the conclusion of that six-month period. This extension was due to a number of factors including high rates of COVID-19, limited services due to active outbreaks, and federal guidance advising local authorities to allow people living in encampments to remain if there were not individual housing options available.

During these past 10 months, the City of Oxnard, Ventura County, and our agency partners have engaged with over 70 unique individuals at the encampment to provide medical services, practical assistance, and engagement with street outreach. In addition, approximately 10 people were placed into shelters and/or residential treatment including through Project RoomKey. Staff and partners also spoke with people about their shelter and housing needs. By a large majority, those living on the encampment said they were not interested in entering congregate shelter but would be interested in non-congregate options including motel rooms.

The overall number of people on the site went down over the winter with numbers estimated around 35 people at the site, but has recently increased over the spring with estimates of about 70 people currently living at the site (although exact numbers are hard to determine).

Assessment of Timeline

Staff are recommending that the City (and partners) continue providing services and outreach to the site for an additional 4 months (until November 2021). Reasons for this recommendation are summarized below:

Federal Guidance:

As of June 2021, CDC guidance still states that, if individual housing options are not available, local authorities should allow people living in encampments to remain where they are.

Expanded Motel Voucher Program:

The City of Oxnard issued a Request for Proposals seeking qualified contractors for two components of an Encampment Response program: 1) Outreach Services and 2) Case Management and Administration of Motel Vouchers as a non-congregate shelter program.

Based on that procurement process, staff have selected Ventura County Health Care Agency (VCHCA) as the qualified contractor for both of these program components. VCHCA submitted a strong proposal that received high scores from the entire evaluation committee. VCHCA has been serving the homeless population for decades, including at the large encampment near Ormond Beach, and has experience administering motel

vouchers as emergency shelter. With authorization, staff anticipates that this program will be up and running by September 2021.

Feedback from Partners:

In June, staff held a partners' meeting with attendees from across various City departments, homeless service providers, healthcare providers, neighboring land owners, and conservationists. The purpose of this meeting was to discuss how the services and outreach have been going and to give input on the timeline for eventual clearing and abatement.

This group expressed the following priorities:

- Should engage with as many people as possible
- Clearing should line up with when we have capacity in non-congregate shelters or housing options available
- Would like the motel program to be up and running for at least a couple months
- This needs to be a coordinated effort - not moving people from one property over to the next one
- Would like to communicate the deadline to encampment residents a few months in advance to let them know when there is an upcoming hard deadline.
- Bird nesting season continues throughout the summer. Waiting until the fall will limit disturbance to the nesting birds (*note this was from a conversation staff had with conservationists outside of the main partners meeting).

Proposed Agreement with Ventura County Health Care Agency

Main components of the Proposed Encampment Response Program are summarized below:

Outreach:

- Establishment of trusted relationships/communications, intake, assessment of needs, solution-focused brief therapy, alcohol and drug assessment, referral and linkage to support services, Individual Service Plan development, access to immediate/emergency services, and linkages with the project's motel voucher and case management services.

Case Management/ Motel Voucher Administration:

- Negotiation with motels for placement of persons experiencing homelessness, direct payment to motels for services, relationship building and problem/conflict resolution with motel operators, and prioritization of residents for placement.
- Placement of prioritized persons in motels, linkage/application assistance with more available permanent housing options, risk reduction, mitigation of difficulties among placed individuals, connections with needed service providers, and linkage and transition facilitation with new housing network upon project transfer.

The overall cost for the Encampment Response Program to be administered by the County of Ventura/Ventura County Health Care Agency is \$790,000 (\$190,000 for Outreach & \$600,000 for Case Management and Motel Voucher Administration). The source of funds is \$720,000 ESG-CV and \$70,000 CDBG-CV. The contract terminates September 15, 2022.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to restore and increase quality services and programs that enrich Oxnard's diverse community, promotes safe neighborhoods, encourages community engagement, and supports our residents in their efforts to improve their

quality of life.

FINANCIAL IMPACT

The cost of the Encampment Response Plan described above will be paid with funding previously approved by Council for CARES Community Development Block Grant and Emergency Solutions Grant - CV. No additional appropriation is requested at this time.

Prepared by: Emilio Ramirez, Housing Director

ATTACHMENTS

1. DRAFT Professional Service Agreement ERP 2021
2. 7_27_21 Encampment Project Committee Presentation

**AGREEMENT FOR PROFESSIONAL SERVICES
COVER PAGE**

- (1) Agreement Start Date: **September 15 2021**
- (2) Consultant: Ventura County Health Care Agency
- (3) Services: Outreach, Case Management and Motel Voucher Administration Services
- (4) Schedule of Services: The services must be completed by September 15 2022
- (5) Agreement Ending Date: **September 15 2022**
- (6) Total Agreement Amount: Not to exceed \$790,000
- (7) City's Project Manager: Jessica Petrillo - Homeless Assistance Program Coordinator
- (8) Consultant's Project Manager: Matthew Tufte, Manager of Case Management with Ventura County Health Care Agency
- (9) Insurance Coverage: INS (**Following up with Risk Mgmt for this Info**)
- (10) Addresses for Notice:

FOR CONSULTANT:

FOR CITY:

Oxnard Housing Department

435 S D Street, Oxnard CA 93030

Attn: Emilio Ramirez, Housing Director

- (11) Contact Emails:

*CONSULTANT'S PROJECT
MANAGER:*

Matthew.tufte@ventura.org

CITY'S PROJECT MANAGER:

Jessica.petrillo@oxnard.org

The Agreement for Professional Services is attached hereto and incorporated herein by this reference. The following exhibits are also attached hereto and incorporated herein by this reference into the Agreement:

- ☐ Scope of Services Exhibit
- ☐ Rates and Costs Exhibit
- ☐ Insurance Exhibit (INS-)

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT FOR PROFESSIONAL SERVICES ("Agreement") is entered into in Ventura County, California, on the date that is written as "(1) Agreement Start Date" on the Cover Page, which is attached hereto and incorporated herein by this reference. This Agreement is entered by and between the City of Oxnard ("City") and the person or entity listed as "(2) Consultant" on the Cover Page, subject to the following terms and conditions:

1. Scope of Services. Consultant shall provide to City the services listed as "(3) Services" on the Cover Page (the "Services"). Consultant shall provide the Services during the term of this Agreement, as set forth below, according to the schedule written as "(4) Schedule of Services" on the Cover Page, and as further explained in the Scope of Services Exhibit, which is attached hereto and incorporated herein by this reference. In the event of any conflict between the terms of this Agreement and any incorporated document(s), the terms of this Agreement shall control.
2. Standard of Performance. Consultant shall undertake and complete the Services to conclusion using the standard of care, skill and diligence normally provided by a professional person in the performance of similar consulting services.
3. Correction of Errors. Consultant shall correct, at its expense, all errors which may be disclosed during review of the Services. Should Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by City, and the cost thereof shall be paid by Consultant.
4. Term. This Agreement shall begin on the date that is written as "(1) Agreement Start Date" on the Cover Page and shall end on the date that is written as "(5) Agreement Ending Date" on the Cover Page. Time is of the essence in this Agreement.
5. Compensation. For the Services performed during the term of this Agreement, City shall pay Consultant an amount not to exceed the amount that is listed as "(6) Total Agreement Amount" on the Cover Page, at the rates listed in Rates and Costs Exhibit, attached hereto and incorporated herein by this reference. The rates in Rates and Costs Exhibit shall be in effect through the end of this Agreement. Except as otherwise expressly provided in this Agreement, City shall not be responsible for expenses incurred by Consultant in performing the Services.
6. Invoices. Consultant shall submit a payment request to City by the end of each calendar month listing the Services provided, costs of those Services, and total amount due for the month. Each invoice must also list the current balance on the Agreement, including that invoice, as well as the months remaining on the term of the Agreement. Invoices may be emailed to: invoices@oxnard.org.
7. Acceptance of Payment. Consultant's acceptance of final payment made pursuant to this Agreement shall constitute a release of City from all claims and liabilities for compensation to Consultant for anything completed, finished or relating to the Services. City's payment shall not constitute nor be deemed a release of the responsibility and liability of Consultant for the accuracy and competency of the information provided and/or the Services performed hereunder, nor shall such payment be deemed to be an assumption of responsibility or liability by City for any defect or error in the Services performed by Consultant and its employees, agents and subcontractors. Consultant shall provide City with a completed Request for Taxpayer Identification Number and Certification, as issued by the Internal Revenue Service. If any sales tax is due for the Services performed by Consultant or materials or products provided to City by Consultant, Consultant shall pay the sales tax. City shall not reimburse Consultant for sales taxes paid by Consultant.
8. Non-Appropriation of Funds. Payments to be made to Consultant by City for the Services performed within the current fiscal year are within the current fiscal budget and within an available, unexhausted and unencumbered appropriation of City. In the event City does not appropriate sufficient funds for payment of the Services beyond the current fiscal year, this Agreement shall cover payment for the Services only up to the

conclusion of the last fiscal year in which City appropriated sufficient funds and shall automatically terminate at that fiscal year's conclusion.

9. Coordination of Services. The Services shall be coordinated with the person in the position listed in "(7) City's Project Manager" on the Cover Page, subject to the direction of the City Manager and Department Director. Consultant hereby designates the person in the position listed in "(8) Consultant's Project Manager" on the Cover Page as the person responsible for the Services who shall coordinate with City's Project Manager in making binding decisions in line with this Agreement on behalf of Consultant.

10. Personnel. Consultant represents that it has, or shall secure at its own expense, all personnel required to perform the Services. Any person who performs engineering services pursuant to this Agreement shall be licensed as a Civil Engineer by the State of California and in good standing. Consultant shall make reasonable efforts to maintain the continuity of Consultant's staff who are assigned to perform the Services. Consultant may associate with or employ associates or subcontractors in the performance of the Services, but at all times shall Vendor be responsible for its associates and subcontractors' labor, advice or materials provided in furtherance of providing the Services. Should any of Consultant's employees, assigns or subcontractors not conduct him- or herself appropriately, as determined by the City's Project Manager, in the process of providing the Services or any portion thereof, the City's Project Manager may notify the Consultant's Project Manager, who shall immediately handle the problem, as determined appropriate by him or her, such that the problem does not persist.

11. Additional Work. City may request additional specified work under this Agreement. The City's Project Manager must authorize all such work in writing before commencement. Consultant shall perform such work, and City shall pay for such additional work, in accordance with Rates and Costs Exhibit. Should the work not fall under any such listed rate or cost, Consultant shall submit a quote for all additional work, which the City's Project Manager must approve in writing by before any such work may commence. The City shall compensate Consultant for any work that does not fall under a rate or cost listed in the Rates and Costs Exhibit, and for which Consultant did not obtain the City's Project Manager's written approval before work commenced, as determined by the City's Project Manager in his or her sole discretion.

12. Audit. City shall have the option of inspecting, auditing and/or reproducing all records and other written materials used by Consultant in preparing its billings to City as a condition precedent to any payment to Consultant. Consultant will promptly furnish all documents requested by City. Additionally, if this Agreement is in excess of \$10,000, the State Auditor may examine and audit Consultant for a period of 3 years after final payment under the Agreement. Regardless of whether a State audit is permitted, Consultant shall maintain and preserve all such records for a period of at least 3 years after final payment under the Agreement. Consultant shall include a copy of this Section 12 in all contracts with its subcontractors, and Consultant shall be responsible for immediately obtaining those records or other written material from its subcontractors upon a request by the State Auditor and/or City.

13. Termination. City may terminate this Agreement at any time, with or without cause and without penalty, upon 15 days prior written notice. Such termination shall be effective on the date specified in the notice, or if no date is specified, then 10 calendar days from the date of delivery or mailing of such notice. Consultant may terminate this Agreement at any time, with or without cause and without penalty, upon 30 days prior written notice. Such termination shall be effective on the date specified in the notice, or if no date is specified, then 10 calendar days from the date of delivery or mailing of such notice and only if all assignments accepted by Consultant have been completed before the date of termination. In the event of termination of this Agreement by either party due to no fault or failure of performance by Consultant, City shall pay Consultant compensation for all Services satisfactorily completed in accordance with all of the terms and provisions of this Agreement, as determined by the City, before the effective date of termination; provided, in no event shall the Consultant receive an amount exceeding that which would have been paid to Consultant for the full performance of the Services.

14. Hold Harmless, Defense and Indemnity.

If Consultant provides any architectural, landscape architectural, engineering or land surveying ("design professional") services, to the maximum extent permitted by law, Consultant shall hold harmless, defend, and

indemnify City, its legislative and advisory bodies, and the City's officials, directors, officers, employees, and agents (collectively, "Indemnitees") from and against any and all claims, demands, causes of action, damages, injuries, liabilities, losses, penalties, fines, judgments, costs or expenses, including reimbursement of attorneys' fees, court costs and costs of alternative dispute resolution, including but not limited to those relating to death or injury to any person and injury to any property (collectively, "Claims"), to the extent that the Claims arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Consultant or of any of its officers, employees, subcontractors or agents in the performance of the Agreement or in the failure to comply with any of the obligations contained in this Agreement. Consultant's obligation to defend is a separate and distinct obligation from Consultant's duty to indemnify and applies through final judgment, including exhaustion of any appeals. Consultant shall be obligated to defend Indemnitees in all legal, equitable, administrative, or special proceedings, with counsel approved by the City Attorney, to the extent required herein immediately upon tender to Consultant of the Claim in any form or at any stage of an action or proceeding. The defense obligation includes the obligation to provide independent defense counsel if Consultant asserts that the liability is caused in whole or in part by the negligence or willful misconduct of any of the Indemnitees.

If Consultant provides no design professional services, to the maximum extent permitted by law, Consultant shall hold harmless, defend and indemnify the Indemnitees from and against any and all Claims, which arise out of, pertain to, or relate to the performance of this Agreement, or the failure to comply with any of the obligations contained in this Agreement, by Consultant or of any of its officials, directors, officers, employees, subcontractors, or agents. Consultant's obligation to defend is a separate and distinct obligation from Consultant's duty to indemnify and applies through final judgment, including exhaustion of any appeals. Consultant shall be obligated to defend Indemnitees in all legal, equitable, administrative, or special proceedings, with counsel approved by the City Attorney, immediately upon tender to Consultant of the Claim in any form or at any stage of an action or proceeding. The defense obligation includes the obligation to provide independent defense counsel if Consultant asserts that the liability is caused in whole or in part by the negligence or willful misconduct of any of the Indemnitees.

a. The review, acceptance or approval of Consultant's work or work product by any of the Indemnitees shall not affect, relieve or reduce Consultant's indemnification or defense obligations. This Section 14 shall survive completion of the Services or termination of this Agreement. The provisions of this Section 14 shall not be restricted by and does not affect the provisions of this Agreement relating to insurance.

15. Insurance. Consultant shall obtain and maintain during the performance of any services under this Agreement the insurance coverages listed within the insurance document stated in "(9) Insurance Coverage" on the Cover Page and in the Insurance Exhibit, which is attached hereto and incorporated herein by this reference, unless the City's Risk Manager waives, in writing, the requirement that Consultant obtain and maintain such insurance coverages. Consultant shall, before performance of any Services, file with the City's Risk Manager evidence of insurance coverage as specified in "(9) Insurance Coverage" on the Cover Page and in the Insurance Exhibit. Maintenance of insurance coverages by Consultant is a material element of this Agreement. Consultant's failure to maintain or renew insurance coverages or to provide renewal evidence, and any lapse in insurance coverage, may be considered a material breach of this Agreement.

16. Documents and Materials.

a. All final computations, exhibits, files, plans, correspondence, reports, drawings, designs, data, photographs, specifications, information, images, video files, media, or other deliverables prepared, created, drawn, calculated, photographed or developed by Consultant pursuant to this Agreement ("Documents and Materials") shall be the City's property without restriction or limitation upon its use, duplication or dissemination. All Documents and Materials shall be considered "works made for hire," and all Documents and Materials and any and all intellectual property rights arising from their creation, including, but not limited to, all copyrights and other proprietary rights, shall be and remain the property of the City without restriction or limitation upon their use, duplication or dissemination by the City. Consultant shall not obtain or attempt to obtain copyright protection as to any Documents and Materials. Consultant hereby assigns to the City all ownership and any and all intellectual property rights to the Documents and Materials that are not otherwise vested in the City pursuant to this Section 16.

b. Consultant shall deliver all Documents and Materials to City's Project Manager upon completion of the Services or termination of this Agreement without additional cost or expense to the City. Additionally, anytime at City's request, City shall be entitled to possession of, and Consultant shall furnish to City's Project Manager within 10 calendar days, any or all of the Documents and Materials without additional cost or expense to the City. In both situations, if Consultant prepares Documents and Materials on a computer, Consultant shall provide City with said Documents and Materials both in a printed format and in an electronic format that is acceptable to the City. Consultant may retain copies of these Documents and Materials but must request permission from the City before use, duplication or dissemination of these Documents and Materials for any purpose other than for the Services provided to the City pursuant to this Agreement.

c. Any substantive modification of the Documents and Materials by City staff or any use of the completed Documents and Materials for other City projects, or any use of incomplete Documents and Materials, without the written consent of Consultant, shall be at City's sole risk and without liability or legal exposure to Consultant.

d. Consultant warrants and represents that it has secured all necessary licenses, consents or approvals to use any instrumentality, thing or component as to which any intellectual property right exists, including computer software, used in the rendering of the Services and the production of all Documents and Materials, and that the City has full legal title to and the right to use, duplicate or disseminate the Documents and Materials. Consultant shall defend, indemnify and hold Indemnitees harmless from any loss, claim or liability in any way related to a claim that City's use of any of the Documents and Materials is violating federal, state or local laws, any contractual provisions, or any laws relating to trade names, licenses, franchises, copyrights, patents or other means of protecting intellectual property rights and/or interests in products or inventions. Consultant shall bear all costs arising from the use of patented, copyrighted, trade secret or trademarked documents, materials, equipment, devices or processes in connection with its provision of the services and Documents and Materials. In the event the use of any of the Documents and Materials by the City is held to constitute an infringement and the use of any of the same is enjoined, Consultant, at its own expense, shall: secure for City the right to continue using the Documents and Materials by suspension of any injunction, or by procuring a license or licenses for City; or modify the Documents and Materials so that they become non-infringing while remaining in compliance with the requirements of this Agreement.

e. This Section 16 shall survive the termination of this Agreement.

17. Confidentiality of Information.

a. For the purposes of this Agreement, "Confidential Information" means all information, in whatever form transmitted, relating to the past, present or future business affairs of the City, including without limitation, (i) technical information, including patent, copyright, trade secret, and other proprietary information, techniques, sketches, drawings, models, inventions, processes, apparatus, equipment, algorithms, software programs, software source documents, and formulas; or (ii) non-technical information, including without limitation finances, financial and accounting data and information, suppliers, customers, customer lists, purchasing data and any other information belonging to the City or to a third party whose information is in the City's possession or control under obligations of confidentiality, and which is disclosed to Consultant or is developed by Consultant in whole or in part at the City's expense.

b. All Documents and Materials shall be considered Confidential Information and shall not be reproduced, transmitted, disclosed or used by the Consultant without the written consent of the City, except as may be necessary for Consultant to fulfill its obligations to the City.

c. Notwithstanding the above, these limitations shall not apply to information that (i) is already known to Consultant at the time of that information's disclosure or becomes publicly known through no wrongful act or omission of Consultant, (ii) is communicated to a third party with the express written consent of City and is not subject to restrictions on further use or disclosure, (iii) is independently developed by Consultant and has no relation to this Agreement, or (iv) is required by law, court order, court-issued subpoena or other legal process to be disclosed; provided, however, that before making such disclosure, Consultant shall immediately provide City with

written notice and a reasonable opportunity for City to object to the disclosure or to take action to maintain the confidentiality of the information, unless such prior disclosure is legally impermissible.

d. Consultant shall use reasonable care to protect the Confidential Information. In the event of a breach or threatened breach of this Agreement, City shall be entitled to obtain an injunction prohibiting any such breach, the costs of which shall be paid by Consultant. Any relief granted shall be in addition to and not in lieu of any other legal or equitable relief, including money damages. The parties acknowledge that Confidential Information is valuable and unique and that disclosure of the Confidential Information in breach of this Agreement may result in irreparable injury to the City.

e. Other than an obligation upon the City to deal in good faith, the City makes no warranties and shall bear no liability or responsibility for errors or omissions in any Confidential Information disclosed under this Agreement or for any business decisions made by Consultant in reliance on any Confidential Information disclosed under this Agreement.

f. This Section 17 shall survive the termination of this Agreement.

18. Independent Contractor. Consultant is and shall at all times remain, as to City, a wholly independent contractor. Neither City nor any of its employees or agents shall have control over the conduct of Consultant or any of its employees, except as stated in this Agreement. Consultant has and shall retain the right to exercise full control over the employment, direction, means of performance, location, compensation and discharge of all persons assisting Consultant, and it is free to dispose of all portions of its time which it is not obligated to devote to City in such a manner and to such persons, firms, or corporations as Consultant wishes except as expressly provided in this Agreement. This Agreement shall not be interpreted to prevent or preclude Consultant from rendering any services for Consultant's own account or to any other person or entity as Consultant in its sole discretion shall determine; provided, however, that performing such services shall not materially interfere with the Services Consultant shall perform for the City. Except as City's Project Manager specifies in writing, Consultant and its employees and agents have no authority, express or implied, to act on behalf of City in any capacity, to incur any debt, obligation or liability on behalf of City, bind City in any manner, or otherwise act on behalf of City as an agent. Consultant and its employees are not employees of City. Consultant and its employees are not entitled to receive from City any of the benefits or rights afforded employees of City, including but not limited to reserve leave, sick leave, vacation leave, holiday leave, compensatory leave, Public Employees Retirement System benefits, and health, life, dental, long-term disability and workers' compensation insurance benefits. Consultant shall not, at any time or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of City. Consultant agrees to pay all required taxes on amounts paid to Consultant under this Agreement, and to indemnify and hold City harmless from any and all taxes, assessments, penalties, and interest asserted against City by reason of the independent contractor relationship created by this Agreement. Consultant shall be solely responsible for, and shall save City harmless from, all matters relating to the payment of Consultant's subcontractors, material suppliers, directors, officers, employees, agents and representatives, including compliance with social security requirements, federal and State income tax withholding, and all other regulations governing employer-employee relations, as applicable. City shall have the right to offset against the amount of any compensation due to Consultant under this Agreement any amount due to City from Consultant as a result of its failure to promptly pay to City any reimbursement or indemnification arising under this Section 18.

19. Nondiscriminatory Employment. Consultant shall not unlawfully discriminate against any individual based on race, color, religion or religious creed, national origin, ancestry, ethnic group identification, primary language, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, sex, sexual orientation, age, immigration status, citizenship or military and veteran status. Consultant understands and agrees that it is bound by and will comply with all legal nondiscrimination mandates. For every subcontractor who will perform Services, Consultant shall be responsible for such subcontractor's compliance with this Section 19.

20. Consultant's Representations. Consultant represents, covenants and guarantees that: a) Consultant is licensed, qualified, and capable of furnishing the labor, materials, and expertise necessary to perform the Services in accordance with the terms and conditions set forth in this Agreement; b) there are no obligations, commitments, or

impediments of any kind that will limit or prevent Consultant's full performance under this Agreement; c) to the extent required by the standard of practice, Consultant has investigated and considered the scope of Services performed, has carefully considered how the Services should be performed, and understands the facilities, difficulties and restrictions attending performance of the Services under this Agreement.

21. Compliance with Laws. In performing the Services under this Agreement, Consultant shall comply with all applicable laws, ordinances and regulations. Before providing any Services under this Agreement, Consultant shall, at its own expense, obtain and maintain all required certificates, licenses and permits, including a City business tax certificate.

22. Conflict of Interest. If, in performing the Services set forth in this Agreement, Consultant makes, or participates in, a "governmental decision" as described in Title 2, Section 18701(a)(2) of the California Code of Regulations, or performs the same or substantially all the same duties for City that would otherwise be performed by a City employee holding a position specified in City's conflict of interest code, Consultant shall be subject to City's conflict of interest code, the requirements of which include the filing of one or more statements of economic interests disclosing the relevant financial interests of Consultant's personnel providing the Services set forth in this Agreement. Furthermore, Consultant shall not to accept any employment or representation during the term of this Agreement or within 12 months after completion of the Services which is or may likely make Consultant "financially interested," as provided in California Government Code Sections 1090 and 87100, in any decisions made by City on any matter in connection with which Consultant has been retained pursuant to this Agreement.

23. Fictitious Name. If Consultant has a fictitious name, Consultant shall submit to City a new Fictitious Business Name Statement approved by any California county before Consultant's prior Fictitious Business Name Statement expires if such expiration may occur during the term of this Agreement, including any term amendment.

24. Non-Assignability. This Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's personnel's unique competence, experience and specialized personal knowledge. Consultant shall not assign or transfer any interest in this Agreement or any part thereof, whether by assignment or novation, without City's prior written consent, which may be withheld for any reason or for no reason at all. Any purported assignment without written consent shall be null, void, and of no effect, and Consultant shall hold harmless, defend and indemnify Indemnitees from and against all Claims arising from or relating to any unauthorized assignment.

25. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of Consultant.

26. Applicable Law; Venue. The validity, interpretation, and performance of this Agreement shall be controlled by and construed under the laws of the State of California, excluding California's choice of law rules. Venue for any such action relating to the Agreement shall be in the Ventura County Superior Court.

27. Titles. The titles used in this Agreement are for convenience only and shall in no way define, limit or describe the scope or intent of this Agreement or any part of it.

28. Force Majeure. Neither City nor Consultant shall be responsible for delays or failures in performance resulting from acts beyond the control of either party. Such acts shall include but are not be limited to acts of God, riots, acts of war, epidemics, fire, earthquakes, or other disasters.

29. Authority. Any person executing this Agreement on behalf of Consultant warrants and represents that s/he has the authority to execute this Agreement on behalf of Consultant and to bind it to the performance of these obligations.

30. Binding Agreement. The parties do not intend this Agreement to be binding upon them and shall not be held liable to its terms until it is fully executed by all required signers.

31. Integration; Amendment. This Agreement, including any other documents incorporated herein by specific reference, constitutes the entire and integrated agreement of City and Consultant regarding the subject matter described herein. This Agreement supersedes all prior oral or written communications, negotiations, representations, agreements and promises. This Agreement may not be modified or amended, nor any provision or breach waived, except in a writing, signed by both parties, that expressly refers to this Agreement.
32. Construction. In the event of any asserted ambiguity in or dispute regarding the interpretation of any matter herein, the interpretation of this Agreement shall not be resolved by any rules of construction providing for interpretation against the party who causes the uncertainty to exist or who drafted the Agreement in whole or in part.
33. No Waiver. Waiver by either party of any one or more of the conditions of performance under this Agreement shall not be a waiver of any other condition of performance under this Agreement. In no event shall the making by City of any payment to Consultant constitute or be construed as a waiver by City of any breach of covenant, or any default that may then exist on the part of Consultant, and the making of any such payment by City shall in no way impair or prejudice any right or remedy available to City with regard to such breach or default.
34. Attorneys' Fees. The prevailing party shall be entitled to recover reasonable costs, attorneys' fees (including the reasonable value of the services rendered by the City Attorney's Office) and expenses, including investigation fees and expert witness fees, in addition to any other relieve to which that party may be entitled, in any legal action or other proceeding, including an action for declaratory relief, for the enforcement of this Agreement or because of an alleged dispute, breach, default or misrepresentation in connection with this Agreement.
35. Notice. Except as otherwise required by law, a notice or communication authorized or required by this Agreement shall be in writing and shall be deemed received—on (a) the day of delivery if delivered by hand or overnight courier service during City's regular business hours or (b) the third business day following deposit in the United States mail, postage prepaid—to the addresses listed as "(10) Addresses for Notice" on the Cover Page or at such other address as one party may notify the other in writing.
36. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one and the same agreement. A signed copy of this Agreement transmitted by email to Project Managers' emails listed in "(11) Contact Emails" on the Cover Page or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.
37. Severability. If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

[Signatures on next page]

IN WITNESS WHEREOF, the parties hereto have executed the Agreement on the date that is written as “(1) Agreement Start Date” on the Cover Page.

CITY OF OXNARD

[VENDOR]

☐ John C. Zaragoza, Mayor¹ Date
☐ Alexander Nguyen, City Manager
☐ Daniel Willhite, Purchasing Agent
☐ , Buyer

_____,² Date

_____, Date

ATTEST:

Rose Chaparro, City Date
Clerk (only if Mayor signs)

APPROVED AS TO FORM:

Stephen M. Fischer, City Date
Attorney (always required)

¹ The City Council must authorize and the Mayor must sign any agreement over \$200,000 annually. The City Manager may authorize and sign any agreement over \$100,000 but up to \$200,000 annually. The Purchasing Manager may authorize and sign any agreement up to \$100,000 annually. A Buyer may authorize and sign any agreement up to \$25,000 annually.

² The City requires the following for any contract:

- For a corporation, the signatures of the Board President, CEO or Vice President and of the Board Secretary, Assistant Secretary, CFO or Assistant Treasurer;
- For an LLC, the signatures of at least two managers of the LLC; or
- For a partnership, the signature of a partner. If the partnership is a limited partnership, the signer must be a general partner.

If the company has a different structure, or if the above-listed persons are not the appropriate signers, please submit to the City Attorney legally-binding documentation stating who can sign and bind your company.

SCOPE OF SERVICES EXHIBIT

Consultant will provide both Outreach and Case Management and Administration of a Motel Voucher project to effectively support the City of Oxnard's strategies and efforts to provide a pathway into housing for persons living in identified encampments. The specific areas in which the Consultant will provide services are (1) Provide outreach services to persons experiencing homelessness living in encampments in the City of Oxnard. (2) Provide motel vouchers to persons experiencing homelessness in encampments that have been prioritized by the City of Oxnard. (3) Provide case management for persons experiencing homelessness who have been sheltered through the motel voucher program. These areas are detailed with more specificity below:

Consultant will provide the following services:

Outreach:

- Establishment of trusted relationships/communications, intake (HMIS), assessment of needs, solution-focused brief therapy, alcohol and drug assessment, referral and linkage to support services, Individual Service Plan development, access to immediate/emergency services, and linkages with the project's motel voucher and case management services.
- Assess individuals' needs and eligibility for available housing programs (including the Case Management and Motel voucher component), and provide linkages to the available housing programs

Motel Voucher Administration:

- Negotiation with motels for placement of persons experiencing homelessness, direct payment to motels for services, relationship building and problem/conflict resolution with motel operators, and prioritization of residents for placement based on city parameters.
- Administration of the motel voucher component will be provided to participants identified through the VCHCA Outreach component operations, or referral from the City of Oxnard, Homeless Assistance Program and other project partners.

Case Management:

- Placement of prioritized persons in motels, linkage/application assistance with more available permanent housing options, risk reduction by facilitating access to services for assessed needs, mitigation of difficulties among placed individuals with adapting to the transition from streets to a sheltered living situation, life skills and self-care education, counseling, mitigation of issues that arise with motels related to motel placement, connections with needed service providers, and linkage and transition facilitation with new housing network upon project transfer.

The Consultant will provide reports as required by the City:

- Documentation required by HUD, including quarterly HMIS reports
- Monthly Summary Reports
- Encampment Response Project participant summary reports (demographics, motel stay data and statistics, case management compiled data etc.)
- Final Project Evaluation Report
- Project budgetary expenditure reports and invoicing

RATES AND COSTS EXHIBIT

Compensation: For the term of this 12 month agreement, City shall compensate Consultant a not-to-exceed total of \$790,000, consisting of the following components:

(A) Outreach: not to exceed \$190,000

(B) Case Management, and Administration of Motel Vouchers: not to exceed \$600,000, of which a minimum of \$387,000 will be for motel vouchers.

In addition to the above, Consultant shall provide the following services in-kind:

- Outreach:
 - Project Director
 - Project Manager
- Case Management and Administration of Motel Vouchers
 - Project Director
 - Project Case Management Director
 - Project Manager

Terms of Payment: Payment by the City for services will be made only after the services have been performed and an invoice is submitted. Consultant shall invoice the City on a quarterly basis. The appropriate City representative must approve the invoice. The City will make payment on a monthly basis, thirty (30) days after receipt of the invoice.

INSURANCE EXHIBIT

(Following up with Risk Management for this)

Encampment Response Project

For the Community Services, Public Safety, Housing &
Development Committee

Housing Director, Emilio Ramirez
July 27, 2021

That the Committee:

Review Encampment Response Project Plan and,

1. Recommend that City Council approve an updated timeline for encampment response to an existing encampment near Ormond Beach
2. Recommend that City Council approve and authorize an agreement with the County of Ventura/Ventura County Health Care Agency to provide encampment outreach, case management and motel voucher administration services

October 6, 2021:

- City Council approved the 2020 Annual Action Plan CARES Act Amendment, which set forth proposed activities that conform with the CDBG and ESG CARES act requirements.
- As part of the AAP CARES Act Amendment, Council authorized the utilization of \$200,000 CDBG-CV for Homeless Encampment Response, and \$150,000 ESG-CV for Homeless Encampment Response Outreach

January 25, 2021:

- City Council received and approved a plan to respond to an existing homeless encampment near Ormond Beach; and authorized the City Manager to procure and contract a third party to administer temporary motel assistance.

This presentation is an update on the encampment response activities that have been done to date at the site near Ormond Beach, and outlines plans for encampment response going forward.

These plans include an extension of the timeline of outreach at the site, and an expanded outreach/case management and motel assistance program.

- There is a large homeless encampment in Oxnard near Ormond Beach that is known as the 'slag pile'
- In addition to well documented health risks that are correlated with living unsheltered in encampments, this area was previously the site of a scrap metal recycling facility and as a result contains toxic chemicals.
- During the COVID-19 pandemic, federal guidance states that if individual housing options are not available, that local authorities should allow people living in encampments to remain where they are.



- In August 2020 the City undertook an extensive outreach and service engagement program in partnership with Ventura County and other agency partners with the goal of providing immediate services, engaging people into ongoing services, and talking to them about shelter/housing and other relocation options.
- In January 2021, council approved extending these encampment response efforts for six months with plans to reassess the overall timeline at that time.
- The extension was due to a number of factors including high rates of COVID-19, limited services due to active outbreaks, and federal guidance.



During these past 10 months...

- Engaged with over 70 unique individuals to provide medical services, practical assistance, and engagement with street outreach
- Relocated approx 10 people into shelters and/or residential treatment options. Shelters included Project RoomKey.
- Spoke to encampment inhabitants about shelter and housing needs.
 - By large majority, those living on the encampment said they were not interested in congregate shelter, but would be interested in non-congregate shelter options including motel room.
- Overall number of people on the site went down to approx 35 over the winter. Now back up to 70 this spring. (note - numbers are hard to estimate).

Recommending that the City (and partners) continue providing services and outreach to the site for an additional 4 months (November 2021).

Reasons for this recommendation are as follows:

- Federal Guidance
 - CDC guidance still states that, if individual housing options are not available, to allow people living in encampments to remain.
- Expanded Motel Voucher Program
 - Through RFP process, selected Ventura County Health Care Agency to provide an expanded outreach, case management and motel voucher program.
- Feedback from Partners
 - Interdepartment, community service providers, nearby property owners and conservationists gave feedback they would like the services extended

Partners involved in the encampment response at Ormond Beach identified the following priorities:

- Should engage with as many people as possible
- Clearing should line up with capacity in non-congregate shelters or housing
- Would like the motel program up and running for at least a couple months
- Need a coordinated effort - not moving people from one property to the next one
- Would like to give a couple months notice to encampment inhabitants before confirmed deadline
- Bird nesting season continues throughout the summer. Less disturbance if clearing doesn't happen until fall

Main Components of the Proposed Encampment Response Program

Outreach

Establishment of trusted relationships/communications, intake, assessment of needs, solution-focused brief therapy, alcohol and drug assessment, referral and linkage to support services, Individual Service Plan development, access to immediate/emergency services, and linkages with the project's motel voucher and case management services.

Case Management / Motel Voucher Administration

Negotiation with motels for placement of persons experiencing homelessness, direct payment to motels for services, relationship building and problem/conflict resolution with motel operators, and prioritization of residents for placement.

Placement of prioritized persons in motels, linkage/application assistance with more available permanent housing options, risk reduction, mitigation of difficulties among placed individuals, connections with needed service providers, and linkage and transition facilitation with new housing network upon project transfer.

The overall cost of the Encampment Response Program to be administered by the County of Ventura/Ventura County Health Care Agency is \$790,000. The source of this funding is \$720,000 ESG-CV and \$70,000 CDBG-CV.

The cost of the Encampment Response Program will be paid with funding previously approved by Council for CARES CDBG-CV and ESG-CV. No additional appropriation is requested at this time.

This agenda item supports the Quality of Life strategy.

The purpose of the Quality of Life strategy is to restore and increase quality services and programs that enrich Oxnard's diverse community, promotes safe neighborhoods, encourages community engagement, and supports our residents in their efforts to improve their quality of life.



QUESTIONS



COMMUNITY SERVICES, PUBLIC SAFETY, HOUSING & DEVELOPMENT COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.4

DATE: July 27, 2021

TO: Community Services, Public Safety, Housing & Development Committee

FROM: Vyto Adomaitis, Community Development Director, (805) 385-7882, vyto.adomaitis@oxnard.org

SUBJECT: Presentation of Required Off-Street Parking for Bed and Breakfast Uses (0/10/10)

RECOMMENDATION

That the Community Services, Public Safety, Housing & Development Committee:

1. Receive a summary report on an off-street parking presentation for Bed and Breakfast uses to Chapter 16 of the Oxnard City Code (OCC);
2. Provide input on the required off-street parking for the Bed and Breakfast uses; and
3. Determine if staff should pursue a Zone Text Amendment (ZTA) in Chapter 16 of the Oxnard City Code (OCC) to modify the existing off-street parking requirement for bed and breakfast uses.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/CUSy3y8KsHo>

BACKGROUND

On April 13, 2021, the Community Services, Public Safety and Housing and Development Committee (Committee) requested staff to prepare a presentation regarding the required off-street parking for bed and breakfast uses (B&B's). The purpose of this report is to facilitate the requested discussion.

DISCUSSION

Pursuant to Oxnard City Code (OCC) Section 16-372, "Traditional Bed and Breakfast" uses and "Bed and Breakfast Inns" (generally referred to as "Bed and Breakfasts" or "B&Bs") shall be permitted only within the boundaries of the Wilson Neighborhood. However, the Planning Commission may also approve B&Bs within other areas of the City provided the Planning Commission makes the findings required for designation of a structure as a significant heritage feature. Additionally, B&Bs are to conform to the standards identified in OCC Sections 16-374 and 16-375 (provided below). These standards are designed to maintain compatibility within and surrounding residential neighborhoods. As such, it is the intent of this report to inform the Committee of the existing off-street parking requirements for B&Bs.

The Henry T. Oxnard Historic District is a collection of 142 properties within the Wilson Neighborhood, and three of the 142 properties are officially designated as historic Landmarks (205 South F Street, 249 South F

Street, and 155 South G Street). Please refer to Attachment A for a map identifying the Wilson Neighborhood and Henry T. Oxnard Historic District. According to City licensing records, no B&Bs are currently licensed to operate within the City.

This report first defines B&Bs, reviews Oxnard's operational and parking B&B standards, summarizes B&B parking standards in surrounding jurisdictions, provides a comparison of off-street parking standards between B&Bs, Short Term Rentals (STRs) and Accessory Dwelling Units (ADUs), and then concludes with provisions which potentially allow relief from parking requirements.

B&B Definitions

Pursuant to OCC Section 16-371, B&B uses are defined as follows:

- **Bed and Breakfast Inn:** An establishment, originally built as a single-family residence, operated by a resident owner, and containing three to five guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days.
- **Traditional Bed and Breakfast (Homestay):** A traditional bed and breakfast is an establishment which contains no more than two guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days. Traditional bed and breakfast facilities are also referred to as "homestays."

B&B Operational and Parking Standards

A **Bed and Breakfast Inn** use is allowed with approval of a Special Use Permit which requires a public hearing and is reviewed by the Planning Commission and must comply with the following operational standards (Section 16-375):

- The maximum number of guest bedrooms for rent shall not exceed five. The Planning Commission may approve more bedrooms provided adequate parking and interior yard space are available.
- The owner of the bed and breakfast inn shall live on the premises and operate the inn.
- Meal service shall be limited to breakfast and evening snacks for overnight guests of the inn.
- No cooking facilities shall be provided in individual guest bedrooms.
- Any alterations proposed to the inn shall be consistent with the materials, color, and architectural style of the original construction, as determined by the commission, based on a recommendation from the Ventura County Cultural Heritage Commission, or an architect or other design professional specializing in period architecture.
- The proposed bed and breakfast inn shall have some historical significance in the establishment and development of the city, as determined by the commission, based on the findings required for designation of a structure as a significant heritage feature.

A **Traditional Bed and Breakfast (Homestay)** use is allowed with approval of a Development Review Permit which requires a public hearing and is reviewed by the Community Development Director and must comply with the following operational standards (Section 16-374):

- The maximum number of guest bedrooms for rent shall not exceed two.
- The owner of the homestay shall live on the premises and operate the homestay.
- No cooking facilities shall be provided in individual guest bedrooms.
- No exterior advertising signs shall be permitted.

Pursuant to OCC Section 16-375(J), the **Parking Requirements** for B&Bs are as follows:

- Parking shall be provided at the rate of one off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure. Parking surfaces may include, but are not limited to: brick, pavers, cobblestones, stamped colored concrete, and grass-cell pavement. Excessive amounts of paving to meet parking requirements shall not be allowed.
- Inns (not Homestays) located on corner lots may credit the non-primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the Planning Commission.

The intent of the B&B standards is to retain the character of primarily low density residential neighborhoods by requiring, among other standards, an owner occupancy requirement. Additionally, existing parking regulations guard against parking becoming an issue by requiring parking for both the residential use and B&B use.

A Comparison of B&B Parking Requirements for Oxnard and Surrounding Cities

In order to assist the Committee in discussing the required off-street parking for B&Bs, staff has compiled the off-street parking requirements from surrounding jurisdictions to provide the Committee a perspective of best practices used to regulate off-street parking for B&Bs. The following chart provides the Committee a comparison between the City's B&B off-street parking requirements and those of surrounding cities.

Local Jurisdiction	B&B Parking Requirement
Oxnard	1 off-street parking per guest room; plus parking for owner (as required at the time of original construction of the structure)
Camarillo	1 off-street parking per guest room; plus parking for residential use
Ojai	1 off-street parking per guest room; plus 2 spaces for the resident use
Simi Valley	Determined through the (Special) Use Permit Process; a parking study could be required to determine appropriate parking.
Ventura	1 open or covered space for each guest room; plus 2 spaces within a garage. However, the City of Ventura allows for an existing 2-car garage to satisfy both the existing residential parking requirement and provides for 1 off-street parking space for a B&B. In this scenario, the off-street parking requirement for a single-room B&B room would be satisfied by using an existing 2-car garage.
Ventura County	1 off-street parking per guest room; plus parking for residential use

The City's by-right off-street parking requirement of one space per guest room is generally consistent with the off-street parking requirement for B&Bs in surrounding jurisdictions except for the City of Simi Valley. The City of Simi Valley does not have an off-street requirement; however, the off-street parking requirement is determined through the Conditional Use Permit process and a parking study might be required in order to determine the appropriate off-street requirement.

Required Off-Street Parking Comparison Between B&B, Short-Term Rentals and Accessory Dwelling Units

Short-Term Rentals

The City Council adopted Short-term Rentals (STR) regulations on November 5, 2019, which mandated that off-street parking was to be based on the number of bedrooms provided onsite. Specifically, OCC Section 16-667.3 requires STRs to provide a minimum of one parking space for STRs in a studio or one bedroom, a minimum of two parking spaces for STRs with two to four bedrooms; and a minimum of three parking spaces for STRs with five or more bedrooms. Additionally, the STR regulations require permitted garages and driveways on the property to be unobstructed which may be made available for renter parking.

Accessory Dwelling Units

In 2019, the state of California enacted a group of housing laws aimed at addressing the housing crisis that, among other things, amended Government Code sections 65852.2 and 65852.22 to impose new limits on the City's ability to regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). Specifically, based on State law, the City amended the OCC to require one off-street parking space for an ADU (JADUs are not required to provide a parking space). Additionally, the City was required to waive the ADU off-street parking space requirement in the following circumstances:

- The accessory dwelling unit is located within one-half mile of public transit, including transit stations and bus stations.
- The accessory dwelling unit is located within an architecturally and historically significant historic district.
- The accessory dwelling unit is constructed entirely within the proposed or existing primary dwelling unit or an accessory structure.
- When on-street parking permits are required by the city but not offered to the occupant of the accessory dwelling unit.
- When there is a car share vehicle located within one block of the accessory dwelling unit.
- If a required garage, carport, or covered parking structure for the primary unit is demolished or converted in conjunction with the construction of an accessory dwelling unit, required parking for the primary unit shall be provided on the property, outside of the front yard setback, and on a city-approved pad or structure.

The following chart compares the parking requirements between B&Bs; STRs; and ADUs:

	Rental Durations	Rental Days a Year	Parking Requirements
B&Bs	Less than 30 days	365	One space per guest room; plus parking for residential use
STRs	Less than 30 days	Up to 100	One space per studio or one-bedroom Two parking spaces for two to four bedrooms Three parking spaces for five or more bedrooms
ADUs	More than 30 days	365	One space, unless qualifies for waived requirements; Plus parking for residential use

Staff does not find that B&Bs and ADUs are readily comparable; however, staff does find that B&Bs and Short-Term Rentals (STRs) are more equivalent as B&Bs and STRs are rented for short stays (less than 30 days) while ADUs are rented for longer stays (30 days or longer). B&Bs and STRs, while both rented for short durations, also have differences in that B&Bs may be rented out for 365 days a year while STRs may be rented out for a maximum of 100 days a year.

The ADU State law was designed as a “one size fit all” solution and did not allow local governments to design ADU requirements that would attempt to address the housing shortage while balancing community needs and concerns. City Council members voiced concern and displeasure when staff presented amendments to the City’s ADU regulations, including parking reductions, that were required to be consistent with State mandates.

Relief from Parking Requirement Options

OCC Section 16-651 “Administrative Relief from Parking Provisions,” provides the Planning Commission the following methods to grant relief from parking requirements on a case-by-case basis.

1. Off-site Parking Agreements: Off-site Parking Agreements may be used to allow required parking spaces to be located on a different property provided the property is not located more than 500 feet away from the property which is generating the required parking, and provided that travel to and from the off-site property would not expose pedestrians to hazardous traffic safety conditions.

2. Parking Studies: A parking study is used to determine if the total parking demand for a particular use does or does not exceed the total supply of available parking spaces on a subject site or surrounding area. All costs associated with processing technical studies, such as a parking study, would be the responsibility of the applicant.

Potential Zone Text Amendment Options for Increased Flexibility

If the Committee is interested in providing additional flexibility to the required off-street parking regulations for B&B uses, staff has identified two potential options. Both options require a zone text amendment, with the cost being covered by the City, and are not in the Planning Division's workplan for FY 21-22.

1. Waiver of Requirement if a Two-car Garage is Available: Follow the City of Ventura’s model which allows for an existing two-car garage to satisfy both the existing residential parking requirement and to count towards one off-street parking space for the first B&B guest room. Additional guest rooms will still need to provide for required off-street parking.

2. Homestays on Corner Lots to be Credited Non-Primary Street Frontage Toward Parking Requirement: Currently, the OCC allows for B&B Inns (containing three to five guest bedrooms), but not B&B Homestays (containing no more than two guest bedrooms) located on corner lots, to be credited the non-primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the Planning Commission. A modification to the OCC could be made to allow both Homestays and Inns located on corner lots to be credited the non-primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit.

Next Steps

If the Committee finds that the existing B&B parking regulations are appropriate as currently written, the Committee may simply “receive and file” this report and consider the matter resolved. However, if the Committee is interested in providing additional flexibility to the required off-street parking regulations the Committee can direct staff to come back to the Committee with an analysis of the preferred option(s).

If the Committee then selects option(s) and directs staff to pursue a Zone Text Amendment to modify the existing B&B off-street parking regulations, staff would then start a public engagement process to share the option(s). The following is a projected road map for amending the current off-street parking requirements for B&B uses:

1. Community Workshop (Wilson Neighborhood and property owners with designated Historic Landmarks);
2. Planning Commission Public Hearing (recommendation to City Council); and
3. City Council Public Hearing.

ENVIRONMENTAL IMPACT

The proposed action is not a Project as defined by 14 California Code of Regulations 214 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

STRATEGIC PRIORITIES

This agenda item supports Economic Development strategy. The purpose of Economic Development strategy is to focus on the retention and expansion of Oxnard businesses by increasing the skills and employability of our local workforce, invite new business investments, and target site-based redevelopment opportunities.

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to restore and increase quality services and programs that enrich Oxnard's diverse community, promotes safe neighborhoods, encourages community engagement, and supports our residents in their efforts to improve their quality of life.

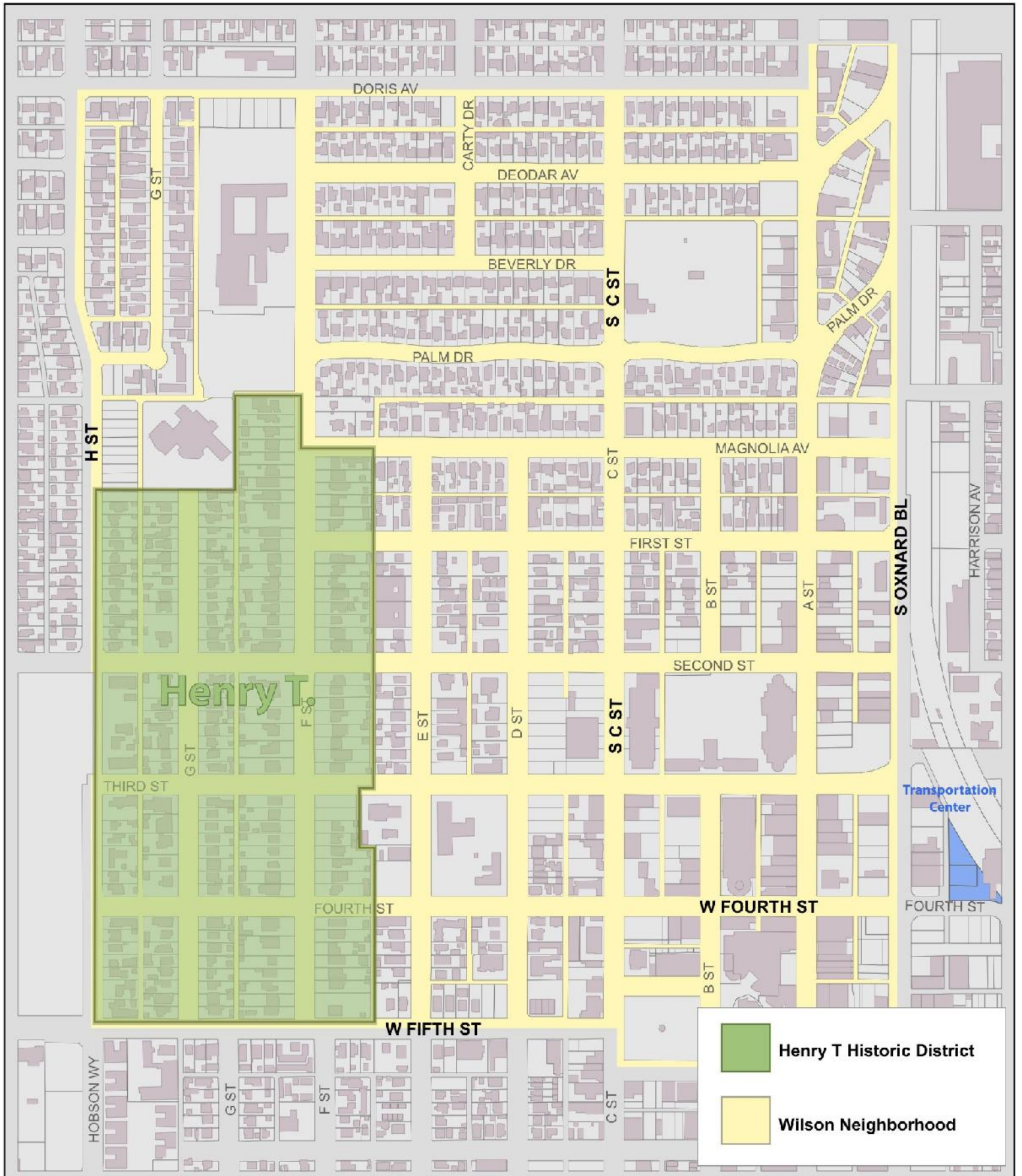
FINANCIAL IMPACT

No financial impacts to the City are associated with this report.

Prepared by: Isidro Figueroa, Principal Planner

ATTACHMENTS

1. Attachment A - Wilson Neighborhood Map/Henry T. Oxnard Historic District Map
2. Presentation - Bed and Breakfast Uses



Presentation of Required Off-Street Parking for Bed and Breakfast Uses

Isidro Figueroa, Principal Planner
Scott Kolwitz, Planning & Environmental Services Manager
Vyto Adomaitis, Community Development Director
Community Development Department

Community Services, Public Safety and Housing and Development Committee
July 27, 2021



Background

2

- April 13, 2021, the Community Services, Public Safety and Housing and Development Committee (Committee) requested staff prepare a presentation regarding required off-street parking for bed and breakfast uses (B&B's)
- City license records do not indicate any current B&B operations

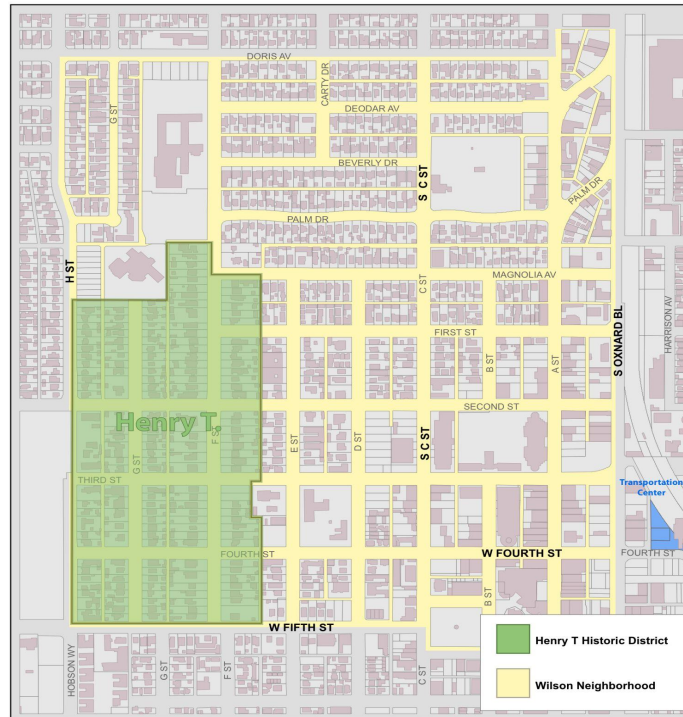
- **Bed and Breakfast Inn:** An establishment, originally built as a single-family residence, operated by a resident owner, and containing three to five guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days
 - Special Use Permit (SUP)
 - Planning Commission Approval

- **Traditional Bed and Breakfast (Homestay):** A traditional bed and breakfast is an establishment which contains no more than two guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days.
 - Development Design Review Permit (DDR)
 - Community Development Director Approval

B&B Inn Location Requirements

- Pursuant to Oxnard City Code (OCC) Section 16-372, B&Bs shall be permitted only within:
 - Boundaries of the Wilson Neighborhood
 - Planning Commission may also approve B&Bs within other areas of the City provided the Planning Commission makes the findings required for designation of a structure as a significant heritage feature
 - Henry T. Oxnard Historic District would be an area within the City that includes a number of residences that the Planning Commission could potentially designate as a significant heritage feature

Wilson/Henry T. Oxnard Historic District



B&B Homestay & Inn Requirements

- The intent of the B&B standards is to retain the character of primarily low density residential neighborhoods.
 - Owner occupancy
 - No cooking facilities in individual guest bedrooms
 - Require parking for both the B&B use and residential use

Homestay

- The maximum number of guest bedrooms for rent shall not exceed two.

Inn

- The maximum number of guest bedrooms for rent shall not exceed five.

B&B Parking Requirements

- One off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure.
 - Parking surfaces may include, but are not limited to: brick, pavers, cobblestones, stamped colored concrete, and grass-cell pavement. Excessive amounts of paving to meet parking requirements shall not be allowed.
- Inns located on corner lots may credit the non primary street frontage toward the parking requirement
 - 25 linear feet equal to one parking space
 - Subject to approval of the Planning Commission.

Local Jurisdiction	B&B Parking Requirement
Oxnard	1 off-street parking per guest room; plus parking for owner (as required at the time of original construction of the structure)
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Ventura County	1 off-street parking per guest room; plus parking for residential use

Short-term Rentals

- City Council adopted Short-term Rentals (STR) regulations on November 5, 2019
- Off-street parking was to be based on the number of bedrooms provided onsite
 - 1 parking space for STRs in a studio or one bedroom
 - 2 parking spaces for STRs with two to four bedrooms
 - 3 parking spaces for STRs with five or more bedrooms
- STR regulations require permitted garages and driveways on the property to be unobstructed which may be made available for renter parking

- State Law requires local governments to waive parking if:
- The ADU is located within one-half mile of public transit, including transit stations and bus stations.
 - The ADU is located within an architecturally and historically significant historic district.
 - The ADU is constructed entirely within the proposed or existing primary dwelling unit or an accessory structure.
 - When on-street parking permits are required by the city but not offered to the occupant of the ADU.
 - When there is a car share vehicle located within one block of the ADU.

Comparisons: B&Bs, STRs and ADU

	Rental Durations	Rental Days a Year	Parking Requirements
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STRs	Less than 30 days	Up to 100	One space per studio or one-bedroom
ADUs	More than 30 days	365	One space, unless qualifies for waived requirements; Plus parking for residential use

- **Off-site Parking Agreements:** May be used to allow required parking spaces to be located on a different property provided:
 - Property is not located more than 500 feet away from the property which is generating the required parking
 - Travel to and from the off-site property would not expose pedestrians to hazardous traffic safety conditions.
- **Parking Studies:** Determine that the total parking demand for a particular use relative to supply of available parking spaces on a subject site or surrounding area
 - Parking studies are costly and could cost thousands of dollars
 - Applicant bears total cost (thousands of dollars)
 - Provides the decisionmaker an accurate assessment of the parking demand for the project site and surrounding areas

Additional Options- Requires a Zone Text Amendment

1. **Waiver of Requirement if a Two-car Garage is Available**
 - Follow the City of Ventura's model which allows for an existing two-car garage to satisfy both the existing residential parking requirement and to count towards one off-street parking space for the first B&B guest room
 - Additional guest rooms will still need to provide for required off-street parking
2. **Credit Non-Primary Street Frontage (corner lots)**
 - Consider a modification to the OCC to allow both **Homestays** and **Inns** located on corner lots to be credited the non-primary street frontage toward the parking requirement

- If the Committee finds that the existing B&B parking regulations are appropriate as currently written, the Committee may simply “receive and file” this report and consider the matter resolved.
- If the Committee is interested in providing additional flexibility to the required off-street parking regulations, the Committee can direct staff to come back to the Committee with an analysis of the preferred option(s).

- If the Committee directs staff to pursue a ZTA, this report would be the first step of a public engagement process to amend the OCC to modify the required off-street parking regulations for B&Bs.
- The following is a projected road map for amending the current off-street parking requirements for B&B uses:
 - Community Workshop (Wilson Neighborhood and property wonders with designated Historic Landmarks);
 - Planning Commission Public Hearing (recommendation to City Council); and
 - City Council Public Hearing.

That the Community Services, Public Safety, Housing and Development Committee:

1. Receive a summary report on an off-street parking presentation for Bed and Breakfast uses to Chapter 16 of the Oxnard City OCC;
2. Provide input on the required off-street parking for the Bed and Breakfast uses; and
3. Determine if staff should pursue a Zone Text Amendment (ZTA) to Chapter 16 of the Oxnard City OCC to modify the existing off-street parking requirement for bed and breakfast uses.



End of Presentation